

Final Environmental Impact Report
SCH No. 2020039038

Moreno Valley Trade Center
City of Moreno Valley, California

Lead Agency

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

October 2021

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14177 Frederick Street
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Lead Agency Discretionary Permits
General Plan Amendment (PEN19-0191)
Change of Zone (PEN19-0192)
Plot Plan (PEN19-0193)
Tentative Parcel Map (PEN19-0234)

October 2021

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ACRONYMS, ABBREVIATIONS, AND UNITS OF MEASURE

Acronym	Definition
§	Section
µg/m^3	micrograms per cubic meter
a.m.	Ante Meridiem (between the hours of midnight and noon)
AB	Assembly Bill
AB 32	GHG Emission Reduction bill (2006)
AB 197	Companion Bill to AB 32, reduce CA statewide GHG emissions
AB 341	Mandatory Commercial Recycling Program
AB 939	California Solid Waste Integrated Management Act
AB 1327	California Solid Waste Reuse and Recycling Act
AB 1493	Pavely Fuel Efficiency Standards
AB 2595	California Clean Air Act of 1988
ACM	Asbestos Containing Material
ACOE	Army Corps of Engineers
ACWM	Asbestos-Containing Waste Materials
AERMOD	Air Quality Dispersion Modeling
ADT	Average Daily Traffic
AF	Acre-feet
AIA	Airport Influence Area
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
AMSL	Above Mean Sea Level
A-P Act	Alquist-Priolo Earthquake Fault Zoning Act
APS	Alternative Planning Strategy
APN	Assessor Parcel Number
AQMP	Air Quality Management Plan
AST	Above-Ground Storage Tank
ASTM	American Society of Testing and Materials
BACM	Best Available Control Measure
BAU	Business as Usual
bgs	below ground surface
BMPs	Best Management Practices
BP	Business Park/Light Industrial
CA	California
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CadnaA	Computer Aided Noise Abatement
CalEEMod™	California Emissions Estimator Model

Acronym	Definition
CAL FIRE	California Department of Forestry and Fire Protection
CalEPA	California Environmental Protection Agency
CalGreen	California Green Building Standards Code
CalRecycle	California Department of Resources, Recycling, and Recovery
CalSTA	California State Transportation Agency
Caltrans	California Department of Transportation
Calveno	California Vehicle Noise
CAP	Climate Action Plan
CAPCOA	California Air Pollution Control Officers Association
CAPSSA	Criteria Area Plant Species Survey Area
CARB	California Air Resources Board
CAT	Climate Action Team
CBC	California Building Code
CBSC	California Building Standards Code
CCA	Community Choice Aggregators
CCR	California Code of Regulations
CCAA	California Clear Air Act
CCCC	California Climate Change Center
CD	Consistency Determination
CDC	California Department of Conservation
CDFA	California Department of Food and Agriculture
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFCs	Chlorofluorocarbons
C_2F_6	Hexaflouroethane
CF_4	Tetraflouromethane
CF_3CH_2F	HFC-134a
CFR	Code of Federal Regulations
CFS	Cubic Feet per Second
CFGC	California Fish and Game Code
C_2H_6	Ethane
CGC	California Government Code
CH_4	Methane
CH_3CHF_2	HFC-152a
CHF_3	HFC-23
CIWMB	California Integrated Waste Management Board
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Level
CNG	Compressed Natural Gas

Acronym	Definition
CNRA	California Natural Resources Agency
CO	Carbon Monoxide
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide Equivalent
COG	Council of Governments
COHb	carboxyhemoglobin
COP	Conference of the Parties
Corps	U.S. Army Corps of Engineers
CPUC	California Public Utilities Commission
CREC	Controlled Recognized Environmental Conditions
CRHR	California Register of Historical Resources
CRMP	Cultural Resources Management Plan
CTC	California Transportation Commission
CTR	California Toxic Rule
CUPA	Certified Union Program Agency
CWA	Clean Water Act
CWC	California Water Code
dB	Decibel
dBA	A-weighted Decibels
DBESP	Determination of Biologically Equivalent or Preservation
DDT	Dichlorodiphenyltrichloroethane
DEH	Department of Environmental Health
DIF	Development Impact Fee
DOE	Determination of Eligibility
DOF	California Department of Finance
DOSH	Division of Occupational Safety and Health
DPM	Diesel Particulate Matter
DTSC	Department of Toxic Substances Control
DU	Dwelling Unit
DWR	Department of Water Resources
E+P	Existing plus Project Conditions
EDR	Environmental Data Resources
e.g.	for example
EIC	Eastern Information Center
EIR	Environmental Impact Report
EMFAC	Emission Factor Model
EMWD	Eastern Municipal Water District
EO	Executive Order
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-To-Know Act

Acronym	Definition
ESA	Environmental Site Assessment
ESA	Endangered Species Act
ESFR	Early Suppression, Fast Response
ESP	electric service providers
et seq.	et sequentia, meaning "and the following"
EV	Electric Vehicle
F	Fahrenheit
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
FYI	For Your Information
GCC	Global Climate Change
Gg	Gigagrams
GHG	Greenhouse Gas
GIS	Geographic Information System
GOBiz	Governor's Office of Business and Economic Development
GPA	General Plan Amendment
GPA	General Plan Amendment
GWP	Global Warming Potential
H_2O	Water Vapor
HANS	Habitat Evaluation and Acquisition Negotiation Strategy
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HDT	Heavy Duty Trucks
HFCs	Hydrofluorocarbons
HMBEP	Hazardous Materials Business Emergency Plan
HMTA	Hazardous Materials Transportation Act
HMTUSA	Hazardous Materials Transportation Uniform Safety Act
HREC	Historic Recognized Environmental Conditions
HSC	Health and Safety Code
HSWA	Federal Hazardous and Solid Waste Amendments
HWCL	Hazardous Waste Control Law
I	Interstate
I-215	Interstate 215

Acronym	Definition
i.e.	that is
IA	Implementing Agreement
IBank	Infrastructure and Economic Development Bank
In/yr	Inches per Year
IOU	Investor-Owned Utilities
IPCC	Intergovernmental Panel on Climate Change
IRP	Integrated Resource Planning
IRWMP	Integrated Regional Water Management Plan
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
ISO	Independent System Operator
ITE	Institute of Transportation Engineers
ITP	Incidental Take Permits
IWMA	Integrated Waste Management Act
IWMP	Integrated Waste Management Plan
JPA	Joint Powers Authority
JPR	Joint Project Review
kBTU	kilo-British thermal units
kWh	kilowatt-hour
LBP	Lead based paint
lbs/day	Pounds per Day
LCA	Life-cycle analysis
LCFS	low carbon fuel standard
LDA	Light-Duty-Auto Vehicles
LDT1/2	Light-Duty-Trucks
LEA	Lead Enforcement Agency
LED	light-emitting diode
Leq	equivalent continuous sound level
LI	Light Industrial
LOS	Level of Service
LRA	Local Responsibility Areas
LSA	Lake and Streambed Alteration
LSTs	Localized Significance Thresholds
MACT	Maximum Achievable Control Technology
MATES-II/IV	Multiple Air Toxics Exposure Study in the South Coast Air Basin
MARB/IP	March Air Reserve Base/Inland Port
MBTA	Migratory Bird Treaty Act
MDP	Master Drainage Plan
MDV	Medium-Duty-Vehicles

Acronym	Definition
MEISC	maximally exposed individual school child
MEIR	maximally exposed individual receptor
MEIW	maximally exposed individual worker
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MMTs	million metric tons
$MMTCO_2e$	million metric tons of carbon dioxide equivalent
MPH	Miles per hour
MPO	Metropolitan Planning Organization
MSHCP	Multiple Species Habitat Conservation Plan
MT	Metric Tons
$MTCO_2e$	Metric Tons of Carbon Dioxide Equivalent
MVU	Moreno Valley Electric Utility
MWD	Metropolitan Water District
n.d.	no date
NAHC	Native American Heritage Commission
NAGPRA	National American Graves Protection and Reparation Act
NAAQS	National Ambient Air Quality Standards
NCCP	Natural Community Conservation Planning
NDC	nationally determined contributions
NEPSSA	Narrow Endemic Plan Species Survey Area
NESHAP	National Emission Standards for Hazardous Air Pollutants
NHMLAC	National History Museum of Los Angeles County
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NIOSH	National Institute for Occupational Safety and Health
NMFS	National Marine Fisheries Service
NO	Nitric Oxide
NO_2	Nitrogen Dioxide
NO_X	Nitrogen Oxides
N_2	Nitrogen
N_2O	Nitrous Oxide
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
NPPA	Native Plant Protection Act
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NPS	non-point source
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NTR	National Toxic Rule

Acronym	Definition
NVIA	Noise and Vibration Impact Assessment
O_2	Oxygen
O_3	Ozone
OEHHA	Office of Environmental Health Hazard Assessment
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Assessment
PAKO	Primary Animal Keeping Overlay Zone
Pb	Lead
PCBs	Polychlorinated biphenyls
PCEs	Passenger Car Equivalents
PEA	Preliminary Environmental Assessment
PFCs	Perfluorocarbons
p.m.	Post Meridiem (between the hours of noon and midnight)
PM	Particulate Matter
$PM_{2.5}$	Fine Particulate Matter (2.5 microns or smaller)
PM_{10}	Fine Particulate Matter (10 microns or smaller)
POUs	Public-Owned Utilities
ppm	parts per million
PRC	Public Resources Code
PV	photovoltaic
PVC	Polymerizing Vinyl Chloride
R2	Residential Max 2 du/ac
RA2	Residential Agriculture, 2 du/ac
RCACO	Riverside County Agricultural Commissioner's Office
RCFCWCD	Riverside County Flood Control and Water Conservation District
RCNM	Roadway Construction Noise Model
RCRA	Resource Conservation and Recovery Act
REC	Recognized environmental Concerns
REMEL	Reference Energy Mean Emission Level
RHSA	Regional Systems of Highways and Arterials
RivTAM	Riverside Transportation Analysis Model
ROGs	Reactive Organic Gasses
ROW	right-of-way
RPS	Renewable Portfolio Standards
RTA	Riverside Transit Agency
RTP	Regional Transportation Plan
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RTPA	Regional Transportation Planning Agency
RWQCB	Regional Water Quality Control Board

Acronym	Definition
SF/s.f.	square foot or square feet
SANBAG	San Bernardino Associated Governments
SARA	Superfund Amendments and Reauthorization Act
SAWPA	Santa Ana Watershed Project Authority
SB	Senate Bill
SB 32	Statewide for California to reduce GHG emissions
SB 1368	CPUC adopt a GHG emission performance standard
SB 1078	California Renewables Portfolio Standard Program
SB 350	California Senate Bill 350, Clean Energy and Pollution Reduction Act of 2015
SB 375	California Senate Bill 375, Sustainable Communities and Climate Protection Act of 2008
SCAB	South Coast Air Basin
SCAG	Sothern California Association of Governments
SCAQMD	Southern Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCEC	Southern California Earthquake Center
SCG	Southern California Geotechnical
SCH	California State Clearinghouse (Office of Planning and Research)
SCRRA	Southern California Regional Rail Authority
SCS	Sustainable Communities Strategy
SF_6	Sulfur Hexafluoride
SGC	Strategic Growth Council
SHA	Safe Harbor Agreement
SHMA	Seismic Hazards Mapping Act
SHPO	State Historic Preservation Officers
SHRC	State Historical Resources Commission
SIPs	State Implementation Plans
SLPS	Short-Lived Climate Pollutant Strategy
SNUR	Significant New Use Rule
SO_2	Sulfur Dioxide
SO_4	Sulfate
SO_X	Sulfur Oxides
SoCalGas	Southern California Gas Company
SR	State Route
SR-60	State Route 60
SRREs	Source Reduction Recycling Elements
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Regional Control Board
TACs	Toxic Air Contaminants
TAZ	Traffic Analysis Zone
TEA-21	Transportation Equity Act for the 21st Century

Acronym	Definition
TIA	Traffic Impact Analysis
TSCA	Toxic Substance Control Act
TUMF	Transportation Uniform Mitigation Fee
UBC	Uniform Building Code
UCR	University of California Riverside
UNFCCC	United Nations' Framework Convention on Climate Change
U.S.	United States
USCB	United States Census Bureau
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USTs	Underground storage tanks
UWMP	Urban Water Management Plan
VdB	Vibration Decibels
VEC	Vapor Encroachment Concerns
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VOCs	Volatile Organic Compounds
WDR	Water discharge report/requirements
WMI	Watershed Management Initiative
WQMP	Water Quality Management Plan
WRCOG	Western Riverside Council of Governments
WRRA	Water Reuse and Recycle Act
WSA	Water Supply Assessment
WSC	Western Science Center
ZEV	Zero-Emission Vehicles
ZORI	Zones of Required Investigation

F.0 Final Environmental Impact Report

F.1 Introduction

This Final Environmental Impact Report (FEIR) was prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 *et seq.*) and CEQA Guidelines (Title 14, California Code of Regulations, Section 15000 *et seq.*).

According to CEQA Guidelines Section 15132, the FEIR shall consist of:

a. The Draft EIR (DEIR) or a revision of the draft;

b. Comments and recommendations received on the DEIR either verbatim or in summary;

c. A list of persons, organizations, and public agencies commenting on the DEIR;

d. The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and

e. Any other information added by the Lead Agency.

In accordance with the above-listed requirements, this FEIR for the Moreno Valley Trade Center project (hereafter, the "Project") and associated discretionary and administrative actions, consists of the following:

a. Comment letters and responses to public comment; and

b. The circulated Moreno Valley Trade Center DEIR and Technical Appendices, SCH No. 2020039038, with additions shown as <u>underlined text</u> and deletions shown as ~~stricken text~~ (refer to Subsection F.3, *Additions, Corrections, and Revisions to the Draft EIR*, for a summary of the changes to the EIR since the DEIR was circulated for public review).

This FEIR document was prepared in accordance with CEQA and the CEQA Guidelines and represents the independent judgment of the CEQA Lead Agency (City of Moreno Valley).

F.2 Responses to DEIR Comments

The City of Moreno Valley received 15 comment letters in response to the DEIR. A list of the agencies, organizations, and persons that submitted comments on the DEIR is presented in Table F-1, *Organizations, Persons, and Public Agencies that Commented on the DEIR*.

Table F-1 Organizations, Persons, and Public Agencies that Commented on the DEIR

Comment Letter	Commenting Party	Date
A	San Manuel Band of Mission Indians (SMBMI)	6/10/2021
B	Thomas Thornsley (Residents for a Livable Moreno Valley)	6/15/2021
C	Community Response Letter	6/21/2021
D	Riverside County Flood Control & Water Conservation District (RCFCWCD)	6/25/2021
E	Angel Lopez-Ramirez	7/2/2021
F	Susan Zeitz	7/2/2021
G	Friends of Northern San Jacinto Valley (FNSJV)	7/6/2021
H	South Coast Air Quality Management District (SCAQMD)	7/6/2021
I	California Department of Justice, Environment Section	7/7/2021
J	Eric Little	7/7/2021
K	Lindsay Robinson	7/7/2021
L	Mitchell M. Tsai (Southwest Regional Council of Carpenters)	7/7/2021
M	Center for Community Action and Environmental Justice	7/8/2021
N	Sierra Club	7/8/2021
O	California Air Resources Board (CARB)	7/9/2021

F.2.1 CEQA Requirements

CEQA Guidelines Section 15088 requires the Lead Agency (City of Moreno Valley) to evaluate comments received from public agencies and interested parties who reviewed the DEIR and to provide written responses with good faith and reasoned analysis to comments that relate to significant environmental issues.

CEQA Guidelines Section 15204(a) outlines the parameters for public agencies and interested parties to submit comments and the Lead Agency's responsibility for responding to specific comments. Per CEQA Guidelines Section 15204(a), comments should be related to:

> *[T]he sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible…CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or suggested by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

CEQA Guidelines Section 15204(c) further advises that, "[r]eviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or

expert opinion supported by facts in support of the comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence." Additionally, CEQA Guidelines Section 15204(d) notes that, "[e]ach responsible agency and trustee agency shall focus its comments on environmental information germane to that agency's statutory responsibility;" but, pursuant to CEQA Guidelines Section 15204(e), "[t]his section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section [CEQA Guidelines Section 15204]."

Per CEQA Guidelines Section 15088(c), the level of detail contained in the response may correspond to the level of detail provided in the comment: "A general response may be appropriate when a comment does not contain or specifically refer to readily available information, or does not explain the relevance of evidence submitted with the comment."

F.2.2 Responses to DEIR Comments

Copies of each of the 15 comment letters referenced in Table F-1 are provided on the following pages, followed by responses to each individual comment. CEQA Guidelines Section 15088.5 requires recirculation when "significant" new information is added to an EIR, meaning the EIR is changed in a way that deprives the public of a meaningful opportunity to comment on a substantial adverse environmental effect or a feasible way to avoid such an effect, including a feasible project alternative, that the applicant declines to implement. "Significant" new information requiring recirculation includes (1) a new significant environmental impact; (2) a substantial increase in the severity of an environmental impact; (3) a feasible project alternative or mitigation measure that would clearly lessen the significant environmental impacts of the project, but the applicant declines to adopt it; or (4) a fundamentally and basically inadequate and conclusory draft EIR. (CEQA Guidelines Section 15088.5.) None of the responses to the comment letters submitted to the City required the addition of significant new information to the DEIR or otherwise meet the requirements of CEQA Guidelines Section 15088.5. Therefore, recirculation is not required.

COMMENT LETTER A

From: Gabriel Diaz
To: David Ornelas
Cc: Sean P. Kelleher
Subject: FW: DEIR PEN19-0191, 19-0192, 19-0193, 19-0234, SCH No. 2020039038, Moreno Valley, San Bernardino County, California
Date: Thursday, June 10, 2021 2:38:05 PM
Attachments: image001.png
image01ffdd.PNG

Hello David,

Below is an email response from San Manuel for your review.

Thank you,

Gabriel

Gabriel Diaz
Associate Planner
Community Development
City of Moreno Valley
p: 951.413.3226 | e: gabrield@moval.org w: www.moval.org
14177 Frederick St., Moreno Valley, CA 92553

City of Moreno Valley

From: Ryan Nordness <Ryan.Nordness@sanmanuel-nsn.gov>
Sent: Thursday, June 10, 2021 12:24 PM
To: Gabriel Diaz <gabrield@moval.org>
Subject: RE: DEIR PEN19-0191, 19-0192, 19-0193, 19-0234, SCH No. 2020039038, Moreno Valley, San Bernardino County, California

Warning: External Email – Watch for Email Red Flags!

Hello Gabriel,

Thank you for contacting the San Manuel Band of Mission Indians (SMBMI) regarding the above referenced project. SMBMI appreciates the opportunity to review the project documentation, which was received by our Cultural Resources Management Department on June 8th, pursuant to CEQA (as amended, 2015) and CA PRC 21080.3.1. The proposed project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed project, and given the CRM Department's present state of knowledge, SMBMI does not have any concerns with the project's implementation, as planned, at this time. As a result, SMBMI requests that the following language be made a part of the project/permit/plan conditions: A-1

CUL MMs

In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment. A-2

If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. A-3

If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project. A-4

TCR MMs

The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so A-5

Comment Letter A

as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

A-5 (CONT.)

Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

Note: San Manuel Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, San Manuel Band of Mission Indians can only speak for itself. The Tribe has no objection if the agency, developer, and/or archaeologist wishes to consult with other tribes in addition to SMBMI and if the Lead Agency wishes to revise the conditions to recognize additional tribes.

A-6

Please provide the final copy of the project/permit/plan conditions so that SMBMI may review the included language. This communication concludes SMBMI's input on this project, at this time, and no additional consultation pursuant to CEQA is required unless there is an unanticipated discovery of cultural resources during project implementation. If you should have any further questions with regard to this matter, please do not hesitate to contact me at your convenience, as I will be your Point of Contact (POC) for SMBMI with respect to this project.

A-7

Respectfully,
Ryan Nordness

Ryan Nordness
CULTURAL RESOURCE ANALYST
Email: Ryan.Nordness@sanmanuel-nsn.gov
O: (909) 864-8933 x50-2022
Internal: 50-2022
M: 909-838-4053
26569 Community Center Dr Highland California 92346

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RESPONSES TO COMMENT LETTER A:
San Manuel Band of Mission Indians (SMBMI)

A-1 The City of Moreno Valley acknowledges that the Project site exists within a sensitive portion of Serrano ancestral territory and is of interest to the SMBMI. The commenter states that due to the nature and location of the Project site, the SMBMI does not have any concerns with the Project's implementation, as planned, at this time. The City will provide a copy of the Cultural Resources Report and Geotechnical Study to the SMBMI. Both of these reports were provided as Technical Appendices D and F to the DEIR, respectively. Incidentally, as part of the SB 18/AB 52 consultation process required by CEQA, the City of Moreno Valley sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project site. The City consulted with each tribe (including SMBMI) that requested consultation, and consultation was closed on April 21, 2021. During the course of the tribal consultation process, the City shared the mitigation measures presented in the DEIR (Mitigation Measure [MM] 4.4-1 to MM 4.4-6) with each tribe and received no responses. MM 4.4-1 to MM 4.4-6 apply to the potential discovery of subsurface cultural resources to ensure that impacts will be reduced to less than significant. MM 4.4-1 to MM 4.4-6 take all tribal interests and comments expressed to the City into consideration.

A-2 The commenter provides recommended mitigation measures for the City to include in the EIR. As part of the SB 18/AB 52 consultation process required by State law, the City of Moreno Valley sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project area. The City consulted with each tribe (including SMBMI) that requested consultation and consultation was closed on April 21, 2021. During the course of the tribal consultation process, the City shared the mitigation measures presented in the DEIR (Mitigation Measure [MM] 4.4-1 to MM 4.4-6) with each tribe and received no responses. MM 4.4-1 to MM 4.4-6 apply to the potential discovery of subsurface cultural resources to ensure that impacts will be reduced to less than significant. MM 4.4-1 to MM 4.4-6 take all tribal interests and comments expressed to the City into consideration. Therefore, no further mitigation is required.

A-3 The commenter provides recommended mitigation measures for the City to include in the EIR. See Response A-2.

A-4 The commenter provides recommended mitigation measures for the City to include in the EIR. See Response A-2.

A-5 The commenter provides recommended mitigation measures for the City to include in the EIR. See Response A-2.

A-6 The commenter provides recommended mitigation measures for the City to include in the EIR. See Response A-2.

A-7 The City will provide a copy of the Final EIR (FEIR) to the SMBMI. The City of Moreno Valley acknowledges that this communication concludes SMBMI's input on the Project and that no other consultation is required unless there is an unanticipated discovery of cultural resources during Project implementation. The City of Moreno Valley also acknowledges Mr. Ryan Nordness is the SMBMI contact person with respect to this Project. Again, as part of the SB 18/AB 52 consultation process required by CEQA, the City of Moreno Valley sent notification of the Project to Native American

tribes with possible traditional or cultural affiliation to the Project site. The City consulted with each tribe (including SMBMI) that requested consultation, and consultation was closed on April 21, 2021. During the course of the tribal consultation process, the City shared the mitigation measures presented in the DEIR (Mitigation Measure [MM] 4.4-1 to MM 4.4-6) with each tribe and received no responses. MM 4.4-1 to MM 4.4-6 apply to the potential discovery of subsurface cultural resources to ensure that impacts will be reduced to less than significant. MM 4.4-1 to MM 4.4-6 take all tribal interests and comments expressed to the City into consideration.

COMMENT LETTER B

Residents for a Livable Moreno Valley

29170 Stevens Avenue
Moreno Valley, CA 92555

FPPC ID 1303172

June 15, 2021

Gabriel Diaz, Associate Planner
Community Development Department
City of Moreno Valley
141777 Frederick Street
Moreno Valley, CA 92553

Sent via E-mail: <gabrield@moval.org>

Subject: Comments on the Draft Environmental Impact Report (SCH No. 2020039038) for the Moreno Valley Trade Center

Dear Mr. Diaz,

As a resident of Moreno Valley over 23 year and as a member of a local group of concerned citizens we take issue with this latest proposal for yet another warehouse in an area that needs land use diversity and consistency with past visions for the buildout of our community. The constant whittling away of designated land use undermining any continuity the residents could count on. The EIR misleads the public and decision-makers as to the extent that it evaluates two alternatives for the type of facility that could be built on the site. Not knowing whether the EIR is evaluating a distribution warehouse or an e-commerce distribution center makes for significant confusion in understanding which project generates what impacts and necessary mitigations. The e-commerce option far exceeds so many of the levels expected with the distribution option. With proper consideration and site design the lesser options could forgo the need to install a signal light at Encilia Drive as just one example of the different outcomes possible. With either option all traffic should take access to this project site from Eucalyptus and do all the other warehouses currently in operation along Eucalyptus.

B-1

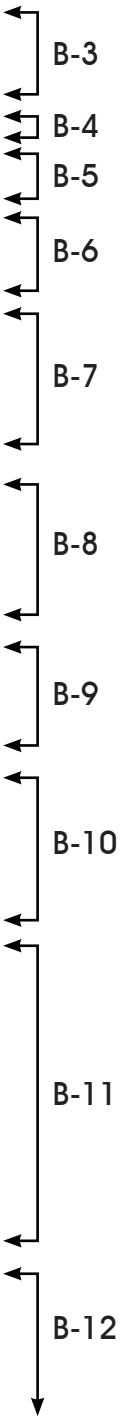
What follows are comments on only a few of many things that should be further addressed.

1. The Noise analysis mentions sheet pile drilling activities planned near the western project site boundary. What is this system for and why is it necessary? According to the applicant, the sheet pile system will be installed using and ABI drill rig, forklift and rigging crane. It is expected that the contractor will be using the ABI drill rig to drive piles 8 hours per day for approximately 25 days. The sound generated by the pile driver will reverberate throughout the neighboring residential community. Although the noise level may be below the city's noise threshold the constant hammering will be a tedious and distracting noise that requires further mitigation or an alternative construction method.

B-2

Comment Letter B

2. MM 4.2-7: If this MM does not include the actual charging units then they should be added otherwise the Air Quality benefit is not realized until such time that they are. If charging units are not being install by building occupancy then define when they will be installed.
3. MM 4.2-7: Cite the reflective value to be used for verification of it being an affective mitigation.
4. MM 4.2-8: Include the installation of a street signs not permitting trucks to turn right (south) onto Redlands Boulevard because it is not a truck route.
5. MM 4.2-11: All equipment should be electric without the use of diesel equipment. Otherwise not that it will require Tier 4 or higher when purchase during operation. Amend the MM accordingly.
6. Air Quality Threshold b. should include an analysis for the development of this property per the R-2 land use designation to verify that it would not exceed to the same extent and might not require the overriding consideration and the accepting more NOx pollutant. An evaluation of the difference is needed and further MM must be included to lower NOx levels to that of residential development.
7. 4.5 Energy: Threshold b cannot be considered Less-than-significant impact because this project and the city have not implemented development concepts about how this project or the city are working toward achieving the state goals on energy efficiency to significantly reduce the use of fossil fuels by the prescribed deadlines set by the state. All electricity is required to be from renewable resources in the near future.
8. 4.7 Greenhouse Gas Emissions needs to include a comparative analysis of the GHG impacts between development of the project city under the R-2 designation and the expected impacts of the proposed project. This comparison is vital to decision makers in determining the worth of the project verses its extra impacts.
9. 4.9 Hydrology and Water Quality Threshold a: There is a concern that the water quality standards for run-off cannot be met on a continual basis. The proposal for the use of an underground water filtration/infiltration system does not permit monitoring of the system to assure continued effectiveness. A MM needs to be included that directs how this will be monitored and restored when necessary.
10. 3.5 PROJECT CONSTRUCTION CHARACTERISTICS: There is a discussion of permitting concrete pours during nighttime hours with approval of the city. A mitigation measure must be established that sets a defined standard for when a nighttime construction request can be made. It also needs to address how the nighttime noise be mitigated to a level that does not disturb the residents south of the project site including low level nuisance noises? Residents shall be informed of when the nighttime work is to be performed and whom they contact day or night if the noise level is a problem. What mitigation measures will be adopted to dampen the noise? Although the noise may not exceed the city's standard, the nighttime activity will non-the-less create nuisance noises harmful to the wellbeing of the local residents even in their homes and when they should be entitled to a good night's sleep.
11. 4.1 Aesthetics Threshold b: Just because there is not a designated scenic highway from which to enjoy a view does not preclude the fact that the views described are enjoyed by the public from many locations, thus they are important to consider and described in the Moreno Valley General Plan. The proposed 100-foot tall building would exceed the height of all buildings north of the



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project site even with the minimal grade differences thus the building would block views of Mount Russell and its foothill along with distant view sheds into the San Jacinto valley. A finding of No Impact is not appropriate for the visual impact proposed by this project. B-12 (CONT.)

12. 4.1 Aesthetics Threshold c: With regard to project buildout it must be recognized that steel fencing around the parking area will not block the sound of traffic at shift changes. The sound of car alarms being activated/deactivated, engine starts, parking lot conversations are all noises that will infiltrate into the abutting residential neighborhood. Mitigation should include a solid wall around the parking lot. B-13
13. It is a faults assumption that the project is located in an urbanized area it would not conflict with regulating governing scenic quality. Placing an industrial building in a residential neighborhood will significantly change the visual character. As mentioned above the mass of the proposed building (either option) would obstruct open view that would not otherwise have been obstructed if developed per the current R-2 designation. B-14
14. 4.1 Aesthetics Threshold d: Would the Project create a new source of substantial light or glare. The answer is a definitive YES. The multitude of lighting proposed on site for evening activity and security will far exceed that which would have been within a proposed residential development un the R-2 designation. The night glow alone from the extensive array of necessary lights will eliminate the current night sky views. This project also needs to address compliance with the Mount Palomar Observatory Dark Skies requirements. B-15
15. 4.1.5 CUMULATIVE IMPACT ANALYSIS
    a. This analysis wants the readers to believe the Project's impacts to local scenic views are inherently site specific and not influenced or exacerbated by effects to scenic views may occur at other, off-site properties. To consider the site-specific nature of the impact would not connect to similar potential issue contributing to cumulative effects is wrongly assumed. The continued obstruction of scenic views collective deprives a community of the aesthetic character once enjoyed. B-16
    b. The "transitioning" of the area is not in keeping with the general plan designation for this area. Thus, the visual character of the area is diminished to a level of significance. B-17
    c. The elevations of the 100-foot tall warehouse, as currently depicted, fails to incorporate the level of aesthetic relief depicted in the 48-foot elevation, thus further degrading the visual character. B-18
    d. The application of the legal standard if changed to industrial does not compare the excessive light generation that will occur verses what would have been generated with residential development. Cited standards of the city codes and analysis in this EIR fail to address the extensive use of lighting for a warehouse operation and the ensuing night glow that will permeate the surrounding area. B-19

4.10 Land Use & Planning

16. Threshold a: This project does contribute to further physically divide and established community. Although, SR-60 divides the entire length of the city there are similar residential land uses north and south of the highway with proposed interconnecting multi-use trails. The project site is an extension of the rural residential land use designations north and south or SR- B-20

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60 connecting large, low density, residential lots with an animal keeping overlay. A multi-use trail proposed by the 2006 General Plan is proposed for installation along the project's Redlands Boulevard frontage that intending to connect the existing residential area immediately south of the project site with the rural, animal keeping, residential uses to the north. Thus further expansion of industrial use denies a significant quantity of similar housing physically dividing and established community on the east end of Moreno Valley. This project also divides the residential proper to its west from the direct interconnection to the project site and the residential home to the south. **This is a significant impact.**

17. Threshold b: This statement, " Approval of the requested General Plan Amendment would eliminate any potential inconsistency between proposed land uses and the site's existing land use designations" is self-gratifying. It out rightly conflicts with the current land use (R-2) that would not generate the range of impacts associated with the proposed use. Citing that an amendment eliminates inconsistency in contradictory in that it creates inconsistency with what the 2006 General Plan expected to be developed on this property without increasing the level of impacts considered to be associated with the land use change. Any Land Use Change becomes **a significant impact that cannot be avoided**. Call it like it is.
18. In order to downzone a residential property, affected cities and counties must demonstrate how the "net amount" of housing units will not decrease city- or county-wide. The discussions in this EIR do not provide where, when, and how the lost residential units count will be replaced in compliance with state law from SB 330. **This must be evaluated.**

Table 4.10-1 SCAG's RTP/SCS Goal Consistency Analysis

19. *Connect SoCal 5:* This project wrongly states "no conflict identified" when ithis project fails to meet the criteria to reduce greenhouse gas emission because it operational use inherently increases GHG emissions.
20. *Connect SoCal 9:* This project is eliminating a diverse housing type. The project site is not designated for industrial use and will remove the opportunity for the development of diverse housing types.
21. 4.11 Noise Setting the noise levels to 65 CNEL fails to address nuisance noises created by on-site truck traffic, running engines, outside equipment and heavy traffic activity as shift changes - all of which have the potential to generate low levels of sounds that will intrude on the tranquility of the surrounding residential development. The constant exposure to these noises jeopardizes the health and welfare of persons in the surrounding area. In many instances this noise will interrupt sleeping cycle of many. **Further mitigation or site redesign needs to be included.**
22. It does not appear that an alternative location was considered under project alternatives. This evaluation needs to be assessed because there are 2,400 acres of land available east of the project site where a warehouse of this size could be proposed. Simply because it is not owned by the developer cannot be ground for consideration that the project could not be built somewhere else and preserve the current land use for residential development.

B-20 (CONT.)
B-21
B-22
B-23
B-24
B-25
B-26

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I request to be informed of any future meetings, public hearings, or the availability of related material to this project or other considerations for projects involving SR-60 through the Moreno Valley area. Feel free to contact me if you have any questions regarding my comments. B-27

Sincerely,
Thomas Thornsley
Thomas Thornsley
909-797-1397
e-mail: tomthornsley@hotmail.com

RESPONSES TO COMMENT LETTER B:
Thomas Thornsley (Residents for a Livable Moreno Valley)

B-1 The commenter expresses general opposition to the Project due to changes in land use; confusion over whether the EIR evaluated a distribution warehouse or e-commerce center; and concerns regarding traffic signal installation and site access. With regard to changes in land use, the Project includes an amendment to the City of Moreno Valley General Plan Land Use Map that would change the Project site's land use designation from "Residential: Max 2 du/ac (R2)" to "Business Park/Light Industrial (BP/LI)", and a Change of Zone to amend the City of Moreno Valley Zoning Map to change the zoning of the Project site from "Residential Agriculture 2 (RA2) District" to "Light Industrial (LI) District," and to remove the Project site's "Primary Animal Keeping Overlay (PAKO)" overlay classification. (**DEIR at 1-2**). A General Plan is not intended to be a static document. The legislative body of a city may amend all or part of a General Plan, subject only to the limitation that a mandatory element of a General Plan may not be amended more than four times per each calendar year, but each amendment may include more than one change to the General Plan (see Cal. Govt. Code § 65358(b)). Moreover, the General Plan is at the top of the hierarchy of a local government's land use regulations and all zoning and other land use decisions must conform to the General Plan. As such, approval of the requested General Plan Amendment and Change of Zone is intended to eliminate any potential inconsistency between proposed land uses and the Project site's zoning and General Plan land use designations.

With regard to the evaluation of the two potential development scenarios (options), the EIR properly and fully evaluates each option's potential to cause either a direct or reasonably foreseeable indirect physical change in the environment (see 14 Cal Code Regs §15378(a)(1)). The two development options include: 1) the construction and operation of a 1,328,853 square-foot, modern light industrial building for warehouse distribution/logistics purposes; or 2) the construction and operation of a 1,328,853 square-foot modern building for e-commerce/fulfillment purposes on the same Project site.

The Project Applicant currently expects that the proposed light industrial building would be occupied by a warehouse distribution/logistics operator, and the proposed site design is intended to facilitate warehouse distribution/logistics business operations. Notwithstanding, there is the potential that the Project Applicant may instead pursue the development of a fulfillment/e-commerce use depending on future market conditions and demand. As such, the EIR evaluates the potential effects of the Project being developed to accommodate either a warehouse distribution/logistics use ***or*** a fulfillment/e-commerce use. However, although the EIR fully analyzes the potential impacts of both options, the City is currently only considering the prospective approval of the Project Applicant's site plan for the warehouse/distribution use as part of the requested Plot Plan approval (PEN19-0193). (**DEIR at 3-8, 3-9**).

In the event that the Project Applicant decides to exercise the option to develop the Project site to accommodate a fulfillment/e-commerce use, rather than for warehouse distribution/logistics uses, it is anticipated that since the potential impacts of the fulfillment/e-commerce use option were fully and adequately evaluated under the EIR, and provided there are no changes made to the Project (which includes both options), no changed circumstances, nor any new information, the City will be able to rely on the current EIR without the need of preparing and certifying either a Subsequent EIR or a Supplemental EIR. Under such circumstance, the City would be expected to simply certify that it has reviewed and considered the existing EIR in connection with the fulfillment/e-commerce option; it will

not need to recertify or readopt the current EIR. In summary, the EIR could be used to support the ultimate approval of the necessary plot plan to accommodate the option of constructing and operating a fulfillment/e-commerce facility (**DEIR at 3-9**).

This above approach is permissible under CEQA (see *South of Market Community Action Network v. City and County of San Francisco* (2019) 33 Cal.App.5th 321, 332-334 [court upheld EIR which examined two "options" for the project consisting of different schemes related to the allocations of uses where EIR fully evaluated the impacts of each option independently]). Comparisons between the two options are clearly set forth throughout the DEIR, and differences in potential impacts (if any) are clearly quantified. (***e.g.*, DEIR at 3-9, 3-20, 3-21, 3-26, 3-27, 4.1-15 to 4.1-19, 4.2-20; 4.2-27 to 4.2-30, 4.4-9, 4.7-19 to 4.7-20, 4.11-23**, **4.11-25 to 4.11-30, 4.12-25, 4.12-33 to 4.12-42**). The DEIR clearly describes for the public and decisionmakers the proposal currently being considered.

In light of the foregoing, it's clear that the EIR explicitly addressed both options and evaluated the environmental impacts of each option independently in such sufficient detail that the decision-makers would have the option of approving either of the development options as part of the overall Project approval. The analysis was not curtailed, misleading, or inconsistent. If anything, the EIR carefully articulated the two options, which enhanced the description of the Project, rather than obscured the information available to the public.

In regards to the commentor's concerns regarding traffic signal installation and site access, a traffic signal will be installed at the Redlands Boulevard/Encelia Avenue intersection. The commenter, whoever, does not provide additional information or context for the comment that "lesser options" could eliminate the need for this traffic safety improvement. The Project has been designed such that trucks are not able to use the Project's driveways that connect with Encelia Avenue. As disclosed in the DEIR, the driveways connecting to Encelia Avenue and the design of interior drive aisles require turns that are too narrow for tractors or tractor-trailers to make (but can be used safely by passenger vehicles and emergency response vehicles). (**DEIR at 4.12-14**). In addition, outbound trucks are precluded from utilizing the southern driveway on Redlands Boulevard by on-site design features that may include a "pork-chop" island. **(DEIR at 3-8**). Lastly, signs will be posted at each truck exit directing truck operators to drive their trucks north to designated truck routes. (**DEIR at 3-8 and 4.2-41**). These features will minimize neighborhood impacts due to Project traffic. Moreover, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to design and install on-site physical improvements, including but not limited to curbs, street humps, street bumps or textured pavement, approved by the City, that discourage truck operators from turning their trucks in the wrong direction when entering or leaving the Project site. The Project Applicant has also requested a condition of approval that requires the developer to install on-site signage clearly stating which directions trucks must turn at all streets exiting the Project site.

B-2 The commenter expresses concerns related to sheet pile drilling and associated noise impacts. Sheet piling is a form of driven piling using thin interlocking sheets of steel to obtain a continuous barrier in the ground. A supplemental noise analysis was conducted to address this specific noise source (**DEIR at 4.11-10 to 4.11-13**). As stated in the EIR, <u>*non-impact*</u> pile driving equipment (e.g., drilling or other non-impact alternatives) will be used as a Project design feature to reduce the pile driving equipment noise levels at adjacent receiver locations. (**DEIR at 4.11-35**). Moreover, while Project construction noise levels are considered exempt from the noise limits specified in the City of Moreno Valley's Municipal Code if activities occur within the hours of 7:00 a.m. to 8:00 p.m. (Municipal Code Section

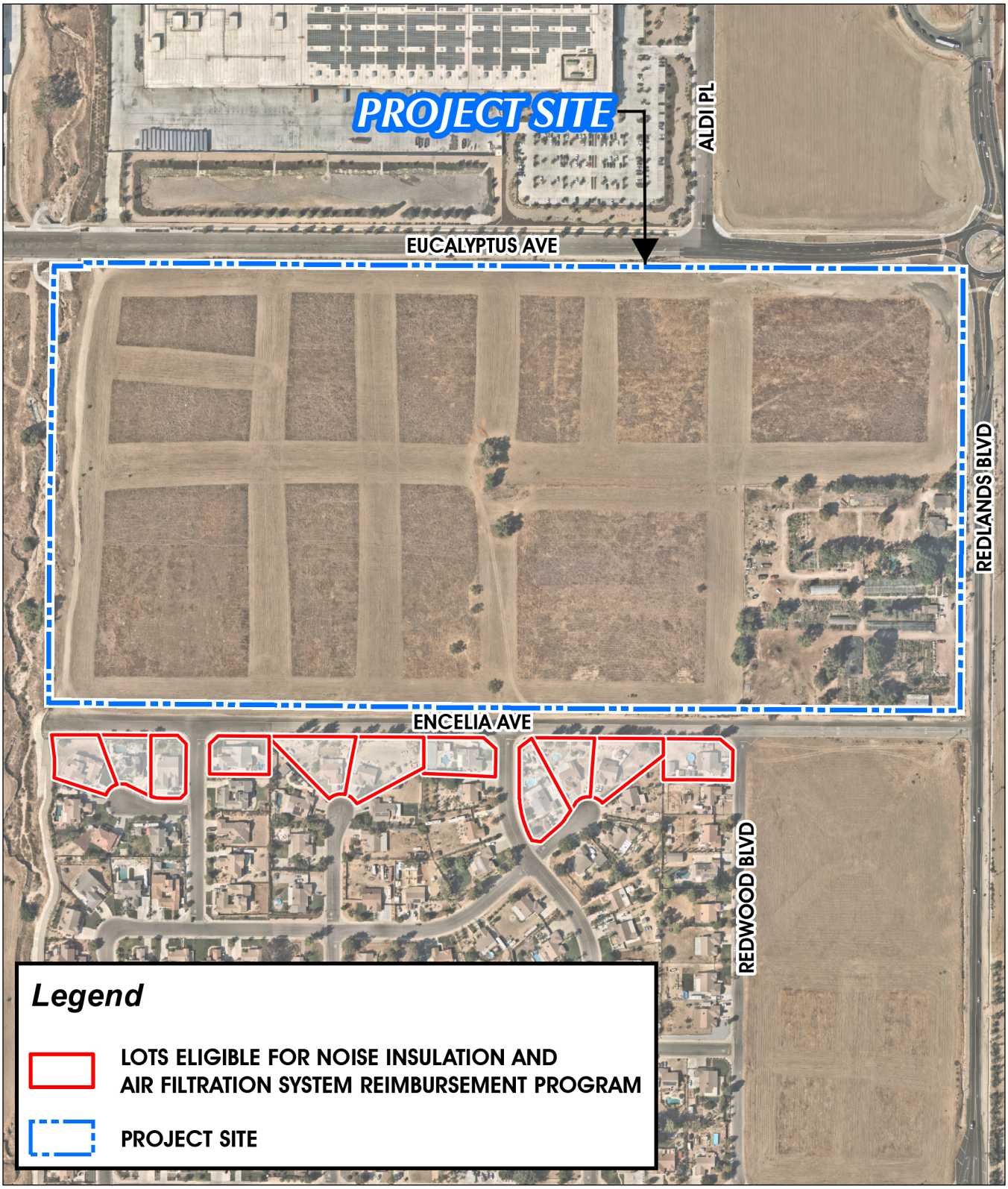
11.80.030(D)(7)), in practicality the equipment will not actually be in continuous use for 8 hours a day. However, for purposes of analysis and to present a worst-case noise impact level, the analysis assumes that the contractor would be using a drill rig to drive piles 8 hours per day. Even under this hypothetical "worst-case" scenario, noise levels will still be below applicable thresholds for temporary construction noise. (**DEIR at 4.11-21**). Therefore, no additional mitigation is required and the EIR is not required to evaluate any alternative construction methods.

Noise impacts during nighttime (sleeping) hours are discussed in the DEIR. (**DEIR at 4.11-1**). Nighttime construction activities can only occur with advance approval of City staff pursuant to Municipal Code Section 11.80.030(D)(7). (**DEIR at 3-20 and 4.11-20**). Although there is no Code provision which requires advance notice to residents of nighttime work being performed, any noise complaints may be reported to the City of Moreno Valley online at the following link: http://www.moval.org/online-forms/code.shtml.

Notwithstanding the above, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m.

Additionally, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1, *Eligibility Area for Noise Insulation & Air Filtration System Reimbursement Programs*); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.



Source(s):ESRI, Nearmap Imagery (2021), RCTLMA (2021)

Figure F-1
Eligibility Area for Noise Insulation & Air Filtration System Reimbursement Programs

B-3 This comment questions the timing of installation of charging stations under MM 4.2-7. MM 4.2-7(c) requires: "Installation of the minimum number of passenger vehicle EV charging stations required by Title 24 and the installation of conduit at a minimum of five (5) percent of the Project's total number of automobile parking spaces to accommodate the future, optional installation of EV charging infrastructure." Incidentally, installation of conduit for the charging stations will facilitate the installation of additional (optional) charging stations in the future, beyond the minimum required under Title 24, which is not a required mitigation measure for the Project. Although the installation of the minimum number of charging stations under current Title 24 regulations is required as item (c) of MM 4.2-7, which must be completed prior to issuance of a building permit, the Project Applicant has offered to provide at a minimum, 12 onsite EV charging stations, as a Project benefit, even if the minimum number of EV charging stations required by Title 24 turns out to be less than 12. The Project Applicant has also offered to install signage at each EV parking space shall also state that the EV parking space is for EVs only and improperly parked vehicles shall be towed. Since the aforementioned provisions are not considered to be mitigation measures, the Project Applicant has requested that they be memorialized as enforceable conditions of approval. In addition, prior to the issuance of the first Certificate of Occupancy for the Project, the Project Applicant has voluntarily offered to install at its own cost at least one APU plug-in for every 35 dock doors at multiple locations within the Project site where trucks park, with signage that identifies in English and Spanish where such APU plug-ins are located. This too will be memorialized in the form of an enforceable condition of approval.

Finally, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings

situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle grant programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of these additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

B-4 The commenter requests that the "reflective value" be provided to verify the efficacy of MM 4.2-7. Although the commenter does not specify which subsection(s) of MM 4.2-7 applies to this issue, it appears that the relevant subsection is "i," which require use of light-colored roofing materials, respectively. (**DEIR at 4.2-40**). All aspects of MM 4.2-7 are required to meet or exceed CalGreen Tier 2 standards in effect at the time of building permit application. (**DEIR at 4.2-39**). The CalGreen standards are updated regularly and as such, specific quantities and values were not included in the mitigation measure. Under the current CalGreen Tier 2 standards, the minimum reflective value (SRI) is 27. It is sufficient to reference a published standard or regulation with which the mitigation will be required to comply. (*See Tracy First v. City of Tracy* (2009) 177 Cal. App. 4th 912, 933-934 [compliance with statutory provisions provides substantial evidence that impacts would be reduced to a less than significant level]). Therefore, no further response is necessary to demonstrate the effectiveness of this mitigation. Notwithstanding the above, the Project Applicant has requested a condition of approval from the City requiring a minimum SRI value of 39 for the Project's roof cap sheet, which exceeds the current minimum requirement of CalGreen Tier 2.

B-5 The commenter requests that installation of signage prohibiting trucks from turning right (south) onto Redlands Boulevard be added to MM 4.2-8. As noted in the DEIR, "[o]nsite design features such as a pork-chop designed driveway, signage posted at the driveway exit, or other measures based on specifications provided by City staff would be installed at the southern driveway from Redlands Boulevard to prohibit outbound truck traffic." (**DEIR at 3-8**). The City requires these design features

as a condition of the Project's approval and the City will assure their installation as part of the City's standard building permit review and inspection process. Because the Project's design adequately addresses the commenter's request, no revisions to the DEIR are necessary. However, notwithstanding the above, the Project Applicant has requested that conditions of approval be included which requires the Developer to design and install on-site physical improvements, including but not limited to curbs, street humps, street bumps or textured pavement, approved by the City, that discourage truck operators from turning their trucks in the wrong direction when entering or leaving the Project site. In addition, the Project Applicant has requested a directional signage condition of approval that will require the Developer to install on-site signage clearly stating which directions trucks must turn at all streets exiting the Project site.

B-6 The commenter states that all equipment referenced in MM 4.2-11 should be electric without the use of diesel equipment; or, that Tier 4 or higher should be required. MM 4.2-11 pertains to signage and contact information and does not reference any equipment specifications. The commenter is directed to MM 4.2-10, which states: "Prior to issuance of occupancy permit, future Project site owner or occupant shall provide written statement to the City of Moreno Valley that the use of diesel-powered outdoor cargo handling equipment (e.g., yard trucks, hostlers, yard goats, pallet jacks, forklifts) on-site is prohibited unless such equipment meets CARB Tier 4 standards." (**DEIR at 4.2-41**). This language addresses commenter's stated concerns. In addition, MM 4.2-4 provides: "Project construction contractors shall assure that all construction equipment complies with all applicable California Air Resources Board (CARB) air quality regulations." (**DEIR at 4.2-39**). Therefore, no further revisions to the Project's air quality mitigation measures are warranted in response to this comment.

Notwithstanding the above, the Project Applicant has requested that a condition of approval be added, as a Project benefit, to require that all construction equipment shall meet or be cleaner than Tier 4 standards, except if the construction contractor certifies that it is not feasible to use exclusively Tier 4 equipment due to limited availability. The Project Applicant has further requested that the condition of approval reflect that in all events, at least 80% of construction equipment shall meet or be cleaner than Tier 4 standards throughout the construction phase of the Project.

Moreover, in response to other comments received on the DEIR, MM 4.2-10 has been revised to prohibit the use of diesel- and natural gas-powered outdoor cargo handling equipment onsite. The Project Applicant has also requested that the City add a condition of approval, as a Project benefit, that will prohibit diesel power generators unless necessary due to an emergency situation or constrained supply. This condition of approval is not a mitigation measure under the instant CEQA analysis of the Project. In addition, although not required under the instant CEQA analysis, the Project Applicant has requested that the City include an additional condition of approval that provides only electric appliances shall be used in building office areas (e.g., electric stoves).

B-7 The commenter states that the EIR should include an analysis of the NOx emissions that would occur if the Project site were developed in accordance with the R-2 land use designation, as compared to the NOx emissions that would occur under the Project. The commenter also states that additional mitigation is required to reduce the Project's NOx emissions to a level that would occur under a residential development scenario. Development of the Project site with residential uses in accordance with its current General Plan and zoning designations is evaluated as the "No Project Alternative" in Section 6.0 of the DEIR. This "No Project Alternative" scenario would include a master-planned residential community with 145 single-family dwelling units on minimum 20,000 square foot (s.f.) lots. (**DEIR at 6-8**). The EIR states that this alternative would be expected to reduce – and, possibly,

avoid – the Project's significant and unavoidable impact during operations related to NOx emissions. (**DEIR at 6-9**). However, the Project is not required to mitigate NOx emissions to a level that would occur under a residential scenario; rather, the appropriate standards used to measure impacts are the thresholds of significance established by the South Coast Air Quality Management District ("SCAQMD") for criteria pollutant emissions. The SCAQMD is the regulatory body charged with bringing air quality in the South Coast Air Basin into attainment with State and federal standards, and has established thresholds of significance for direct and cumulatively considerable impacts that are uniformly applied across the South Coast Air Basin. The use of these thresholds has been attributed as the primary reason for the downward trend of air pollution levels throughout the South Coast Air Basin-wide as shown in DEIR Subsection 4.2.1.D (**DEIR at 4.2-4 to 4.2-13**).

All feasible mitigation has been required for the Project. Specifically, MM 4.2-5 through MM 4.2-11 require design features to be incorporated in the Project to reduce the Project's overall demand for energy resources and to reduce the Project's operational NOx emissions (NOx is released during the combustion of certain types of energy resources). However, mobile source emissions account for approximately 96 percent, by weight, of the Project's total operational NOx emissions (under both the warehouse distribution/logistics and e-commerce/fulfillment scenarios). Mobile source emissions are regulated by standards imposed by federal and State agencies, not local governments. No other mitigation measures related to mobile source emissions are within the City of Moreno Valley's regulatory jurisdiction; as such, due to regulatory preemption, it is not feasible for the City to impose and enforce any additional measures more restrictive than the applicable federal and State regulations related to tailpipe emissions. Nonetheless, it has been concluded that operation of the Project for either warehouse distribution/logistics or e-commerce/fulfillment uses would generate daily NOx emissions that would exceed the applicable SCAQMD regional air quality threshold. (**DEIR at 4.2-41 to 4.2-42**). This is a significant and unavoidable impact which cannot be reduced by implementing additional mitigation; therefore, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and

Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle grant programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of these additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

B-8 The commenter states that energy impacts (Energy Threshold "b") cannot be considered less than significant because the Project and the City have not implemented development concepts to demonstrate achieving State goals for energy efficiency to reduce the use of fossil fuels by the prescribed State deadlines. The Project will obtain energy from providers which are consistent with existing State programs and policies that support the 2019 Integrated Energy Policy Report Update ("IEPR") goals of improving electricity, natural gas, and transportation fuel energy use in California. (**DEIR at 4.5-10**). The Project Applicant would design the building shell and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating and air conditioning systems as required by Building Code regulations to meet 2019 Energy Efficiency Standards, which would be confirmed by the City of Moreno Valley during the building permit review process. The Project is also required by State law to be designed, constructed, and operated to meet or exceed 2019 Energy Efficiency Standards. On this basis, the Project is determined to be consistent

with, and would not interfere with, nor otherwise obstruct implementation of the State's Title 24 Energy Efficiency Standards. (**DEIR at 4.5-10**).

Likewise, the Project would not obstruct implementation of any clean car or clean truck regulations or fuel efficiency standards. Many of the regulations and standards cited in this section are implemented at the federal and State level (particularly with regard to fuel efficiency, vehicle emissions and public utilities) and therefore are not the responsibility of a single project or local agency. Therefore, Energy Threshold "b" does not require the Project or City to *achieve* the goals set forth in the applicable plans, but simply asks whether it would *obstruct or conflict* with them. As discussed in the EIR, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency (**DEIR at 4.5-9 to 4.5-11**). As such, no further response is required.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of

Housing and Urban Development. To ensure that these electric vehicle programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of these additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

B-9 The commenter states that Section 4.7, Greenhouse Gas Emissions, must include a comparative analysis of the GHG impacts that would occur with development of the Project under the R-2 designation versus expected impacts of the proposed project. Please refer to Response B-7, above. Development of the Project site in accordance with its current General Plan and zoning designations is evaluated as the "No Project Alternative" in Section 6.0 of the Draft EIR. This "No Project Alternative" scenario would include a master-planned residential community with 145 single-family dwelling units on minimum 20,000 s.f. lots. (**DEIR at 6-8**). Because the No Project Alternative would result in less building area than the Project, the No Project Alternative would require less energy to construct and operate than the Project, and would therefore result in a reduction of non-mobile source GHG emissions as compared to the Project. Additionally, the No Project Alternative would generate fewer vehicle miles traveled (VMT) than the Project and would reduce the amount of mobile source GHG emissions. The No Project Alternative would *reduce* the Project's total volume of GHG emissions but would fail to meet any of the Project's objectives. In addition, because the SCAQMD significance threshold for residential uses is lower (3,000 MTCO2e) than for industrial uses (10,000 MTCO2e), impacts would also likely remain significant and unavoidable under the No Project Alternative. (**DEIR at 6-10**). As such, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

B-10 The commenter expresses concern that the water quality standards for runoff cannot be met on a continual basis. The Project incorporates design features that would allow surface runoff to infiltrate into the groundwater basin. (**DEIR at 4.9-16**). However, this is not related to the Project's compliance with water quality standards. The Project will be required to comply with Section 402 of the Clean Water Act, which authorizes the National Pollution Discharge Elimination System ("NPDES") permit program that covers point sources of pollution discharging to a water body. The NPDES program also requires operators of construction sites one-acre or larger to prepare a Storm Water Pollution Prevention Plan ("SWPPP") and obtain authorization to discharge stormwater under an NPDES construction stormwater permit. The Project will also be required to comply with the California Porter-Cologne Water Quality Control Act (Section 13000 et seq., of the California Water Code), which

requires that comprehensive water quality control plans be developed for all waters within the State of California. The Project site is located within the jurisdiction of the Santa Ana RWQCB. (**DEIR at 4.9-8**). The Project Applicant is also required to implement a Water Quality Management Plan ("WQMP") to demonstrate compliance with the City's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. Additionally, the NPDES program requires certain land uses, including the industrial land uses proposed by the Project, to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. On April 1, 2014, the California State Water Resources Control Board adopted an updated new NPDES permit for storm water discharge associated with industrial activities (referred to as the "Industrial General Permit"). The new Industrial General Permit, which is more stringent than the former Industrial General Permit, became effective on July 1, 2015. Under the current NPDES Industrial General Permit, the Project Applicant will be required to prepare a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. (**DEIR at 4.9-9**). Because the Project's mandatory adherence to a SWPPP and WQMP is required to address construction- and operational-related water quality impacts, no additional mitigation is required.

B-11 The commenter expresses concerns related to nighttime concrete pours and requests mitigation to address nighttime noise impacts. Because Project construction would include activities that have the potential to occur at night (i.e., concrete pouring, which benefits from air temperatures that are lower than those that occur during the day), the EIR conservatively assumed that nighttime concrete pouring could occur during the course of Project construction. (**DEIR at 3-21**). As shown in DEIR Table 4.11-8, nighttime concrete pouring activities would not exceed 55.8 dBA Leq at any nearby sensitive receptor location or 55.4 dBA Leq at a distance of 200 feet from the Project site. Neither noise level would exceed the standard established by the City of Moreno Valley Municipal Code. Impacts during potential nighttime concrete pouring activities would therefore be less than significant, and no mitigation is required. (**DEIR at 4.11-20**). Noise impacts during nighttime (sleeping) hours are discussed in the DEIR. (**DEIR at 4.11-1**). Project construction noise levels are considered exempt from the noise limits specified in the City of Moreno Valley's Municipal Code if activities occur within the hours of 7:00 a.m. to 8:00 p.m. (Municipal Code Section 11.80.030(D)(7)). Nighttime construction activities can only occur with advance approval of City staff pursuant to Municipal Code Section 11.80.030(D)(7). (**DEIR at 3-20 and 4.11-20**). Although there is no Code provision which requires advance notice to residents of nighttime work being performed, any noise complaints may be reported to the City of Moreno Valley online at the following link: http://www.moval.org/online-forms/code.shtml.

Notwithstanding the above, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be

shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

In addition, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

B-12 The commenter states that with regard to Aesthetics Threshold "b," just because there is not a designated scenic highway from which to enjoy a view does not preclude the fact that the views described are enjoyed by the public from many locations, thus they are important to consider and are described in the Moreno Valley General Plan. The commenter states that the proposed 100-foot-tall building (e-commerce option evaluated in the DEIR but not currently under consideration for approval by the City of Moreno Valley) would exceed the height of all buildings north of the Project site and block views of Mt. Russell and its foothills along with distant viewsheds into the San Jacinto Valley. Therefore, the commenter states that a finding of No Impact is not appropriate. Aesthetics Threshold "b" evaluates whether the Project would "Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway." This threshold does not address view impacts, which are instead addressed under Aesthetics Threshold "a." 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; therefore, a finding of No Impact is appropriate for Aesthetics Threshold "b." (**DEIR at 4.2-21**).

Impacts to views under Aesthetics Threshold "a" are discussed at **DEIR pages 4.1-7 to 4.1-12**, and the DEIR concludes that "implementation of the Project has the potential to result in a substantial adverse effect on scenic vistas of the Badlands (and the San Bernardino Mountains beyond) and Mount Russell and its foothills. This impact is considered significant." (**DEIR at 4.1-12**). A conceptual building height of up to 100 feet was evaluated, although only a building height of 48 feet is proposed by the

Project that is currently under consideration by the City for approval. (**DEIR at 4.1-11**). Even with a building height of 48 feet, there is no mitigation for the loss of views, and impacts would be considered significant and unavoidable. (**DEIR at 4.1-21 to 4.1-22**). In light of the foregoing, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

B-13 The commenter states that with regard to Aesthetics Threshold "c," steel fencing around the parking lot will not block the sounds of traffic, car alarms, engine starts and parking lot conversations which will infiltrate into the abutting residential neighborhood. The commenter states that a solid wall should be included around the parking lot as mitigation. Although this comment is related to noise impacts of the Project rather than aesthetics, the Project provides a solid wall around truck loading and parking areas. (**DEIR Figure 4.1-10**). With regard to noise impacts, parking lot activity was included within the DEIR's analysis of operational noise impacts. (**DEIR at 4.11-22**). As shown in **DEIR Table 4.11-10** and **Table 4.11-11**, none of the sensitive receptor locations near the Project site would be exposed to noise levels that exceed the applicable limits established by the Moreno Valley Municipal Code due to Project operations, including parking lot activity. (**DEIR at 4.11-23**). In light of the foregoing, no further mitigation is required.

The Project Applicant however has requested that a condition of approval be added, as a Project benefit, that requires the Project's building be set back at least 370 feet from the existing centerline of Encelia Avenue (which provides for more than 400 feet of separation between the proposed building and the nearest existing residential structures).

In addition, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be

permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

B-14 The commenter states that it is a faulty assumption that the Project is located in an urbanized area and would therefore not conflict with regulations governing scenic quality. The Project site is located within the boundaries of the Census-defined Riverside-San Bernardino urbanized area. (**DEIR at 4.1-6**). The United States Census Bureau defines an "urbanized area" as a densely settled core of contiguous census tracts and/or census blocks that meet minimum population density requirements and have a collective population of more than 50,000 residents. Therefore, for the analysis of Aesthetics Threshold "c," the Project would result in a significant adverse impact if the Project design conflicts with applicable zoning and other applicable regulations governing scenic quality. While the Project would change the visual character of the area, the Project will be required to comply with the applicable Light Industrial (LI) District development standards and design guidelines contained in the Moreno Valley Municipal Code, which regulates the visual quality of new development and ensures that new development does not detract from any scenic attributes/qualities in the surrounding area. As part of the City of Moreno Valley's review of the Project application materials, the City determined that no component of the Project would conflict with the design regulations applicable within the Light Industrial (LI) District, including standards pertaining to building architecture and landscaping. The Light Industrial (LI) District has no limit on building height. (**DEIR at 4.1-13**). Because the Project site is located in an urbanized area and would not conflict with applicable regulations governing scenic quality, the DEIR correctly concludes that a less-than-significant impact would occur. (**DEIR at 4.1-14**). Impacts to views are addressed by Response B-12, above. The DEIR acknowledges that residential development that could otherwise occur under the "No Project" scenario would not result in a significant adverse effect related to visual character or quality. (**DEIR at 6-8**).

Notwithstanding the above, the Project Applicant has requested that a condition of approval be added that requires the Project's building to be set back at least 370 feet from the centerline of Encelia Avenue (which provides for more than 400 feet of separation between the proposed building and the nearest existing residential structures).

B-15 With regard to Aesthetics Threshold "d," the commenter states that the Project would create a new source of substantial light or glare that will far exceed what would occur under a residential development scenario under the R-2 designation. The Commenter states that the night glow will eliminate current night sky views. The commenter also states that the project needs to address compliance with the Mount Palomar Observatory Dark Skies requirements. The Project's potential aesthetic impacts related to light and glare are addressed at **DEIR page 4.1-14**. Threshold "d" includes an evaluation of whether the Project would directly expose the Project area with bright lights or create unwanted light in the night sky including light trespass sky glow, or over-lighting, such that the Project

would adversely affect day or nighttime views in the area. (**DEIR page 4.1-7**). The Project would be required to adhere to the lighting requirements as set forth in the City of Moreno Valley Municipal Code (Section 9.08.100). 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. Compliance with these standards will ensure a less than significant impact related to nighttime lighting.

The Project is bounded by Eucalyptus Avenue and Encelia Avenue, which have existing street lights and are well-traveled by vehicles and are therefore existing sources of nighttime light. A residential development constructed in this location would also introduce additional sources of nighttime lighting such as street lights, interior and exterior lighting on homes, and intermittent vehicle headlights. Similar to the Project, any residential development would also be required to comply with the lighting code requirements set forth under the Municipal Code. The Mount Palomar requirements referenced by commenter are contained within Riverside County Ordinance No. 655; the Project is under the jurisdiction of the City of Moreno Valley and as such, is not required to comply with County ordinances.

Notwithstanding the foregoing, the Project Applicant has requested that the following conditions of approval be added to address lighting concerns, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project:

- Lighting
  - Reduce light and glare to maximum extent practicable.
  - Implement a campus-wide lighting program in compliance with International Dark Sky Association standards with at least the following measures, except where doing so would violate safety requirements or federal, state, county or City regulations.
  - Light color of all exterior lighting, including street lights, shall be 2,700 Kelvin.
  - Install motion sensors on all interior lighting consistent with applicable Title 24 regulations.
  - Install full cut-off luminaries on buildings and poles.
  - Post signs on site stating that truck head lights shall be turned off within five minutes of truck parking.
  - All construction lighting shall be shielded and directed away from the Project's property lines.
  - The heights of all outdoor freestanding and wall-mounted lights shall not exceed 20 feet within 180 feet of the centerline of any public streets, except where doing so would violate safety requirements or any federal, state, county or City regulations.

B-16 The commenter expresses disagreement with the DEIR's discussion of impacts to scenic views, which should be characterized as cumulative and not site-specific. The DEIR acknowledges that the Project's direct impacts to scenic views would be significant and unavoidable. (**DEIR at 4.1-21**). In light of the foregoing, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project's direct impacts to scenic views in accordance with CEQA Guidelines Section 15093. The City does not agree with the commenter's assertion that impacts to scenic views also should be characterized as cumulatively considerable. The analysis in the DEIR is very clear that

the Project would only impact scenic views of Reche Canyon and the Badlands or Mount Russell from specifically defined areas. (**DEIR at 4.1-13 and 4.1-14**). Within these defined areas, the Project would completely obstruct views Reche Canyon and the Badlands or Mount Russell. (**DEIR at 4.1-14 and 4.1-14**). Outside of the very specific viewpoints defined in the DEIR, the Project would have no effect on scenic views of Reche Canyon and the Badlands or Mount Russell; therefore, it is not possible for the Project to cumulatively contribute to the degradation of views of these resources from elsewhere in the City. (**DEIR at 4.1-20**). Accordingly, no revisions to the DEIR are warranted.

B-17 The commenter states that the "transitioning" of the area is not in keeping with the General Plan designation for this area and therefore impacts to visual character are significant. Comments related to the Project's impacts to visual character are addressed under Response B-14 above. Cumulative impacts to visual quality are discussed at **DEIR page 4.1-20**. With regard to area land use designations, the area north of the Project site is designated for "Business Park/Light Industrial" and "Commercial" land uses by the City of Moreno Valley General Plan and zoned "Light Industrial (LI) District" and "Community Commercial (CC) District." Immediately east of the Project site is Redlands Boulevard. Farther east (beyond Redlands Boulevard) is vacant, undeveloped land that is designated by the General Plan for "Business Park/Light Industrial" land uses. This land is within the approved World Logistics Center Specific Plan and is planned for industrial uses. (**DEIR at 2-1 to 2-2**). Although areas to the west and south of the Project site include vacant land that is currently designated and zoned for residential uses, the existing or planned commercial/industrial land uses in the area are consistent with their underlying General Plan designations, or will be made consistent through the City's approval of a General Plan Amendment. The commenter does not further elaborate on how the General Plan designation of the area relates to visual character impacts to allow for a more detailed response.

B-18 The commenter states that the elevations of the 100-foot-tall building (the e-commerce option evaluated in the DEIR but not currently under consideration for approval by the City of Moreno Valley) fail to incorporate the level of aesthetic relief depicted in the 48-foot elevation, thus further degrading the visual character. A building height of 48 feet is proposed by the Project that is currently under consideration by the City for approval. (**DEIR at 4.1-11**). The DEIR clearly describes the future approval process that would be required for a 100-foot-tall building, including the requirement for future consideration and the potential for additional CEQA analysis. (**DEIR at 3-27 and 3-28**). However, potential visual impacts related to both potential building heights (48 feet or 100 feet) are fully addressed and shown in illustrations within the DEIR to fully inform City decision-makers. (**DEIR at 4.1-7 to 4.1-19**).

Notwithstanding the above, the Project Applicant has requested that a condition of approval be imposed, as a Project benefit, that requires the installation of at least 599 trees at the Project site, consistent with the following:

- Screening: Along the property's edge when viewed from the existing residential areas shall be developed to screen future buildings with walls, and/or landscaping as follows:
    - The entirety of the respective building and roof mounted equipment shall be substantially screened by walls and/or landscaping at maturity at all times of the year. "Substantially screened" means that while there might be some view of the buildings looking through the foliage, the buildings will be mostly obscured from view.

- Large Trees Utilized: The Project Applicant shall plant larger trees along the perimeter of the Project site that faces existing residential neighborhoods as follows:
  - 50% of all trees shall be 24" box trees.
- Evergreen Trees: Evergreen trees shall constitute 95% of all 24" box trees planted along the perimeter of the Project site that faces existing residential neighborhoods.
- Entire Site. Evergreen trees shall constitute 50% of all trees planted within the Project site. For purposes of defining evergreen trees, deciduous trees that behave like evergreen trees in the Southern California climate shall be considered evergreen trees.
- Varied Appearance: Landscaping along the perimeter of the Project site that faces existing residential neighborhoods shall avoid a linear appearance through implementation of the following measures:
  - Trees shall be planted at varied depths from the Project site's property line so that instead of creating a uniform and linear appearance, the planted trees create a layering effect as viewed from adjacent streets so as to maximize screening of buildings;
  - Consistent with layering effect, larger evergreen trees shall be concentrated towards the higher topographic elevations along the frontage of the Project site to maximize screening;
  - To the extent practicable, site contours shall vary and accent elements, such as boulders, shall be placed on frontages facing adjacent streets to create visual interest; and
  - Trees shall be maintained in their natural form and shape with minimal pruning.
- Dead trees shall be promptly removed and replaced with similar type trees.
- Use of palm trees shall be limited to accent areas only.
- Plant trees in the parking areas that are capable of achieving 50% shading within ten years.

B-19 The commenter claims that citations to City codes and the EIR's analysis fails to address the extensive use of lighting for a warehouse operation and the night glow that will permeate the surrounding area. The commenter's statements related to nighttime lighting are addressed by Response B-15, above. Cumulative impacts related to lighting and glare are addressed at **DEIR page 4.1-20**.

Notwithstanding the foregoing, the Project Applicant has requested that the following conditions of approval be added to address lighting concerns, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project:

- Lighting
  - Reduce light and glare to maximum extent practicable.
  - Implement a campus-wide lighting program in compliance with International Dark Sky Association standards with at least the following measures, except where doing so would violate safety requirements or federal, state, county or City regulations.
  - Light color of all exterior lighting, including street lights, shall be 2,700 Kelvin.
  - Install motion sensors on all interior lighting consistent with applicable Title 24 regulations.

- Install full cut-off luminaries on buildings and poles.
- Post signs on site stating that truck head lights shall be turned off within five minutes of truck parking.
- All construction lighting shall be shielded and directed away from the Project's property lines.
- The heights of all outdoor freestanding and wall-mounted lights shall not exceed 20 feet within 180 feet of the centerline of any public streets, except where doing so would violate safety requirements or any federal, state, county or City regulations.

B-20 The commenter claims that the Project will physically divide an established community, specifically with regard to proposed interconnecting multi-use trails and separation of rural residential areas. The Project site consists of privately-owned property, and there are no existing trails within the Project site. There is a sidewalk to the south of the Project site, on the south side of Encelia Avenue between Shubert Street and the western Project boundary, and there is a sidewalk system within the residential community to the south. North of the Project site there is a new sidewalk and a multi-use trail on the north side of Eucalyptus Avenue that were recently installed. (**DEIR at 2-9 to 2-10**). The Project Applicant is proposing an approximately 11-foot-wide decomposed granite trail abutting the west side of the Redlands Boulevard public right-of-way (which would conform to City of Moreno Valley Standard Plan MVGF-610H- 0 for a "Multi-Use Trail Adjacent to Street with Sidewalk"), and an approximately 16.5-foot-wide combination trail and sidewalk along the Project site western boundary abutting the existing Quincy Channel, which is consistent with the City's designated trails under the City's General Plan. (**DEIR at 4.12-23**). These trails will provide safe walking areas for pedestrians. The Project will not remove or alter roadways or construct any barriers to existing connectivity between residential areas, as the public currently does not have the right of access across privately-owned land. Therefore, the Draft EIR's finding of No Impact is appropriate, and no further response is necessary.

B-21 This comment claims that the Project's inconsistency with the General Plan cannot be remedied by a General Plan Amendment and that such statements are self-serving and contradictory. The commenter claims that any land use change is a significant impact that cannot be avoided. As discussed under Response B-1 above, the City is permitted to amend its General Plan in accordance with State law. Where the Project itself includes a request for the necessary General Plan Amendment as part of the Project approvals, this essentially "self-mitigates" any inconsistency. To argue otherwise would mean that any project that requires a general plan amendment or zone change would result in a significant and unavoidable land use impact, which is not the case. On a local level, General Plan Amendments are governed by, and specifically permitted to be considered under Moreno Valley Municipal Code Section 9.02.040. Section (A) states: "As conditions within the city change, it may, from time to time, become necessary to amend the general plan to enhance its effectiveness". Section (F) provides that an amendment to the text or maps of the general plan may be made if the City Council finds that: 1) the proposed amendment is consistent with existing goals, objectives, policies and programs of the general plan; and 2) the proposed amendment will not adversely affect the public health, safety or general welfare. Therefore, compliance with the City's approval process and requiring City decision makers to make the necessary findings for approval ensures that land use impacts would be less than significant. No revisions to the Draft EIR are necessary.

B-22 The commenter states that in order to "downzone" a residential property, the City must demonstrate how the "net amount" of housing units will not decrease city- or county-wide. The commenter claims that the DEIR does not address how the lost residential units will be replaced in compliance with State

law under SB 330. The potential loss of housing units is addressed at **DEIR page 4.10-7**. The City of Moreno Valley has enacted Ordinance No. 965 which includes density bonus/transfer provisions to ensure that land use actions taken by the City of Moreno Valley would result in no net loss of residential capacity within the City. Accordingly, the residential units assigned to the Project site by the General Plan under existing conditions may be "transferred" and developed elsewhere in the City in the future, in areas specifically targeted by the City for a range of dwelling types – including more affordable dwelling types, such as multi-family. The precise manner of calculation is provided under Section E.2 of the Ordinance, which provides as follows:

> "The total number of dwelling units allowed under this density bonus shall be calculated by multiplying the maximum density allowed under the applicable zoning designation (i.e., the maximum density listed in Table 9.03.040-6 of this title or the applicable specific plan designation), and multiplying the result by 1.3, for a 30 percent density bonus up to the amount of residential units impacted by the change in zone from a residential use to a less intensive non-residential use (or other land use entitlement which will reduce housing capacity) . If the result, including the density bonus, contains a fraction of a unit, the number of allowable units shall be determined by rounding down to the nearest whole number if the fraction is below 0.5. Calculations containing fractions of 0.5 or above shall be rounded up."

This excerpt from Ordinance No. 965 is provided for informational purposes to address the commenter's question. The DEIR is not required to contain a full analysis of the City's "No Net Loss" residential bonus density program, which is administered by the City separately from the approvals being considered for the Project and is beyond the scope of the EIR. (*See* Public Resources Code § 21100(b)(1) [EIR must address "All significant effects on the environment *of the proposed project*." (Emphasis added).] The EIR's reference to the applicable ordinance was sufficient and no further response is necessary.

B-23 The commenter states that with regard to the *Connect SoCal* Goal 5, the analysis wrongly states "no conflict" when the Project fails to meet the criteria to reduce greenhouse gas emissions because its operational use inherently increases GHG emissions. The DEIR acknowledges that "…the estimated GHG emissions from Project operation (16,336.94 MTCO2e per year for warehouse distribution use and 28,209.57 MTCO2e per year for e-commerce use) would exceed the SCAQMD threshold (10,000 MTCO2e per year). Even with implementation of mitigation measures identified in Subsection 4.7, GHG emissions would be in excess of SCAQMD thresholds due to the size of the Project; therefore, the Project would not be consistent with SCAG's *2016 RTP/SCS* and *Connect SoCal*'s Performance Measure regarding criteria pollutants and GHG emissions. The Project would not result in any other land use and planning conflicts with the *2016 SCS/RTP* or *Connect SoCal* that were not already disclosed in EIR Subsection 4.7." (**DEIR at 4.10-8**). The commenter is correct that Table 4.10-1 should be revised to correct this discrepancy and ensure consistency with the language on Draft EIR page 4.10-8. This change has been made within the Final EIR. Because the inconsistency regarding criteria pollutants and GHG emissions was already disclosed by the Draft EIR, this change does not represent significant new information and therefore, does not trigger the need for recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

B-24 The commenter claims that with regard to *Connect SoCal* Goal 9, the Project is eliminating a diverse housing type. As discussed under Response B-22 above, the designation of the Project site for industrial uses will be addressed by application of Ordinance No. 965, which will ensure that the Project would

result in no net loss of residential capacity within the City. Therefore, diverse housing types will be made available in other areas of the City. Furthermore, undeveloped areas zoned RA-2 remain available elsewhere in the City; therefore, the Project would not result in the elimination of this zoning category in the City. Therefore, a finding of "No Conflict" is appropriate, and no revisions are necessary.

B-25 The commenter states that "setting the noise levels" to 65 CNEL fails to address numerous noise sources that will intrude on the tranquility of the surrounding residential development, jeopardize health and welfare and interrupt sleep, and that further mitigation or site redesign needs to be included. The City of Moreno Valley General Plan Policy 6.3.1 requires noise mitigation for sensitive uses where the projected noise level would exceed 65 CNEL. (**DEIR at 4.11-8**). This threshold is not set by the Project, but is established by the City's General Plan. Likewise, Draft EIR pages **4.11-17 to 4.11-18** set forth specific noise thresholds that are established by the City's municipal code or the City's General Plan Noise Element Guidelines. These thresholds are protective of human health and welfare and take into account sensitivity to noise during nighttime hours. All operational noise impacts of the Project were found to be less than significant based on these thresholds. Therefore, no additional mitigation or site design is warranted.

The Project Applicant however has requested that a condition of approval be added, as a Project benefit, that requires the Project's building be set back at least 370 feet from the existing centerline of Encelia Avenue (which provides for more than 400 feet of separation between the proposed building and the nearest existing residential structures).

In addition, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be

permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

B-26 The commenter claims that an alternative location was not considered under Project Alternatives. The commenter states that this evaluation is necessary because there are 2,400 acres of land available east of the Project site where a warehouse of this size could be proposed. The consideration of an alternative site is discussed at **DEIR page 6-3 to 6-4**. The "Alternative Site" alternative was rejected because it was determined that any known alternative sites: 1) could not accomplish the basic objectives of the Project; or 2) would not have resulted in a reduction of significant adverse environmental impacts; or 3) were considered infeasible to construct or operate.

Based on review of aerial photography and the City of Moreno Valley General Plan Land Use Map, there are no other properties available for purchase by the Project Applicant in the City of Moreno Valley with similar accessibility to the regional goods movement system that are large enough to support the proposed Project, and that have fewer developmental and environmental constraints than the Project site evaluated in this EIR. Furthermore, development of the Project in an alternative location would likely result in similar environmental impacts as would occur with implementation of the Project at its proposed location because the Project's significant and unavoidable impacts are related to vehicles traveling to/from the Project site (and not related to the presence of sensitive resources on the Project site or its location near sensitive receptors). Vehicle-related impacts are a direct reflection of the Project's expected operational characteristics, regardless of the property where the Project is located. In fact, if an alternative site were selected for the Project that was located farther from major arterial roads that are designated truck routes, like Eucalyptus Avenue for example, or regional freeways like SR-60, than the Project site, the severity of the Project's air quality impacts related to tailpipe emissions (and potentially transportation impacts) would increase as miles traveled for vehicles going to/from the Project would increase. (**DEIR at 6-4**). In light of the foregoing, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate

vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of these additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

B-27 The commenter requests to be informed of future meetings, public hearings or availability of related material to this project or other projects involving SR-60 through the Moreno Valley area. The City will provide notices as requested.

COMMENT LETTER C

VIA EMAIL

June 21, 2021

Gabriel Diaz, Associate Planner
Community Development Department
City of Moreno Valley
14177 Frederick Street, Moreno Valley, CA 92553

RE: Moreno Valley Trade Center

Dear Mr. Diaz,

Please include this letter as a matter of record in response to the Draft Environmental Impact Report for the Moreno Valley Trade Center issued on May 24, 2021. This letter represents the comments of those named at the end of this letter in the neighborhood South of Encelia Ave. It is our position that this project will bring harm to us physically through increased air pollution, harm to us emotionally through increased traffic and noise, and harm to us financially by decreased property values as stated below: C-1

AIR QUALITY

TABLE 3-7: SUMMARY OF PEAK OPERATIONAL EMISSIONS from Urban Crossroads shows that NOx levels generated by the project exceed the regional limits allowed by SCAQMD after mitigation measures. NOx is defined in this report as follows:

"Nitrogen Oxides (NOx) consist of nitric oxide (NO), nitrogen dioxide (NO_2) and nitrous oxide (N_2O) and are formed when nitrogen (N_2) combines with oxygen (O_2). Their lifespan in the atmosphere ranges from one to seven days for nitric oxide and nitrogen dioxide, to 170 years for nitrous oxide. Nitrogen oxides are typically created during combustion processes and are major contributors to smog formation and acid deposition. NO_2 is a criteria air pollutant and **may result in numerous adverse health effects**; it absorbs blue light, resulting in a brownish-red cast to the atmosphere, and reduced visibility. Of the nitrogen oxide compounds, NO_2 is the most abundant in the atmosphere. As ambient concentrations of NO_2 are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO_2 than those indicated by regional monitoring stations. **Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO_2. Short-term exposure to NO_2 can result in resistance to air flow and airway contraction in healthy subjects. Exposure to NO_2 can result decreases in lung functions in individuals with asthma or chronic obstructive pulmonary diseases (e.g., chronic bronchitis, emphysema)."** C-2

Even though this report exposes these levels of pollution, they are still under reported since the mitigation measures listed in sections 4.2-1 thru 4.2-9 only address the construction phase and not the operation of the project. Additionally, the report is based on growth models that are inaccurate. On page 4.2-25 it states: C-3 C-4

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"Under existing conditions, the Project site is designated for "Residential: Max 2 du/ac (R2)" land use by the City of Moreno Valley's General Plan Land Use Map. The Project includes a request to change the existing General Plan land use designation for the Project site from "R2" to "Business Park/Light Industrial (BP)," **which, if approved, would result in a land use and development intensity that was not anticipated by the General Plan and, by extension, the growth models that were used in the *2016 AQMP*.** Accordingly, implementation of the Project under both the warehouse distribution/logistics and e-commerce/fulfillment options would exceed the assumptions in the *AQMP* based on the years of project buildout phase, and therefore would conflict with Consistency Criterion No. 2 (Urban Crossroads, 2020a, pp. 58-59; Urban Crossroads, 2020b, pp. 58-59)."

C-4 (CONT.)

See also pages 4.2-41 and 4.2-42:
"4.2.9 Significance of Impacts After Mitigation
Threshold a: Significant and Unavoidable Direct and Cumulatively Considerable Impact. Although MM 4.2-5 through MM 4.2-11 would reduce the Project's operational-related emissions of NOx, as discussed below the mitigation measures would not reduce NOx emissions to below the applicable SCAQMD regional threshold. **Additionally, the Project would exceed the growth assumptions for the Project site relied upon in the *2016 AQMP*, and no feasible mitigation is available to address this impact. Therefore, Project impacts due to a conflict with the *2016 AQMP* would be significant and unavoidable on both a direct and cumulatively considerable basis.** This impact would occur under the Project's warehouse distribution/logistics and ecommerce/fulfillment options."

C-5

The report also assumes self-enforced mitigation measures by the project tenant. **(see table S-1 Mitigation Monitoring and Reporting Program)** There is no mention in the report of any governing agency that would make periodic inspections of the project site and verify that the tenant is in compliance with such mitigation measures after occupancy.

C-6

We therefore request that if the project does get approved that a condition of that approval be that the project tenant be subject to regular (possibly quarterly) inspections by an outside agency with reporting made available to the public to ensure compliance with the measures listed in Table S-1.

C-7

TRAFFIC & NOISE

The report states on pages 4.12-35 and 4.12-37 that existing traffic volume on Encelia Ave. at Shubert Street is 475 trips per day. This is a false statement since there are only 11 (eleven) residences that would need to use Shubert St. to get to Encelia Ave. to go North on Redlands Blvd. All other residences are South of or on Dracaea Ave. and therefore use Dracaea Ave. to get to Redlands Blvd. or are already considered in the 217 trips per day from Essen Lane and and 217 trips per day from Motzart Way. If each of the 11 homes made 4 trips per day the actual existing trips per day would be less than 50. Also pages 4.12-35 and 4.12-37 show that the combined impact to Encelia Ave. for the project as a warehouse distribution center to be 2,044 trips per day, and 5,454 trips per day for the E-Commerce option. Assuming 50 trips for Shubert St. and the 434 trips for Essen Lane and Motzart Way this represents an increase in daily trips of 422% and 1127% respectfully. It is almost certain that many of these trips will cut through our neighborhood during shift changes 7 days a week to avoid the traffic at Encelia Ave. and Redlands Blvd. Per the table on page 4.12-35 Table 4.12-10 that is more traffic than is currently used on Eucalyptus Ave. from Moreno Beach to Auto Mall Drive that would potentially be in our residential streets.

C-8

Comment Letter C

The noise generated from this traffic will be changing our neighborhood from the residential noise level to that of a major intersection. It is not just ambient noise from cars going by but the constant "taking off and slowing down" that will be a constant source of excessive noise. **Therefore, we ask that if the project is approved that it would be conditioned to restrict access from Encelia Ave. to emergency services only.** C-9

DECREASED PROPERTY VALUES

The Site Photographs on page 4.1-5 do not represent the actual views that would be obstructed by the project since the orientation of photos 5 & 6 (see page 4.1-3) look East to West and not North. On page 4.1-11 it states:

"Notwithstanding, partially obstructed views of Reche Canyon and the Foothills are available from portions of Encelia Avenue abutting the Project site (generally, the segment west of Shubert Street). The proposed physical changes to the site – the height of the proposed building, the change in the site's topography (which would be raised above existing ground elevations at the southern portion of the site), and landscaping that would be planted adjacent to the north side of Encelia – are expected to mostly or completely obstruct the remaining views of Reche Canyon and the Foothills as viewed from Encelia Avenue abutting the Project site (west of Shubert Street). This impact would occur under both the proposed 48-foot building height and the conceptual height of up to 100 feet. **The City concludes this impact would be significant."** C-10

Is there any building in the City that is 100' tall? We respectfully request that if the project is approved it would be conditioned to not exceed the 48' tall limit. C-11

Pages 6-8 and 6-9 Describe a "No Project Alternative" as follows:

"6.3.2 No Project Alternative
The No Project Alternative would develop the Project site as a master-planned residential community with 145 single-family dwelling units on minimum 20,000 s.f. lots. The No Project Alternative would be consistent with the Project site's General Plan Land Use designation of "Residential: Max 2 du/ac (R2)" and the City's Zoning designation of Residential Agriculture 2 (RA2) District, which allows single-family residential on the Project site up to a maximum density of 2.0 dwelling units per net acre. This Alternative would not require a General Plan Amendment or Change of Zone (both of which are required for the Project).

A. Aesthetics
Compared to the Project, impacts would be reduced under the No Project Alternative. The No Project Alternative would construct residences on the Project site as compared to the industrial-type structures and improvements proposed by the Project. The No Project Alternative would be visually compatible with the existing residential land uses located south of the Project site. The No Project Alternative would not result in a significant adverse effect related to visual character or quality. C-12

B. Air Quality
The No Project Alternative would result in construction activities across the entire Project site, similar to the Project. Accordingly, construction-related air quality effects during demolition, site preparation, and grading would be similar to the Project. However, the No Project Alternative is expected to result in the construction of less building area than the Project and also would result in reduced paving activities as compared to the Project. This Alternative is expected to result in reduced air pollutant emissions during construction relative to the Project

Comment Letter C

due to the reduced building area and the types of buildings (i.e., residential) that would be constructed; thus, compared to the Project, air quality impacts would be reduced under the No Project Alternative. Because the No Project Alternative would develop the Project site with land uses that are not expected to generate or attract as much traffic as the Project (and would avoid all of the Project's heavy-duty truck traffic), this Alternative is expected to reduce criteria pollutant emissions during operations relative to the Project. This Alternative is expected to reduce – and, possibly, avoid – the Project's significant and unavoidable impact during operations related to NOx emissions. This Alternative also would eliminate the Project's less-than significant contribution to local excess carcinogenic and non-carcinogenic health risk hazards due to the elimination of operational heavy-duty truck traffic that emits diesel particulate matter. Like the Project, the No Project Alternative would generate odors during short-term construction activities (e.g., diesel equipment exhaust, architectural coatings, asphalt) and long-term operation (e.g., diesel exhaust). However, and similar to the Project, these odors would occur intermittently, be of short-term duration, and would not be substantial. Long-term operation of this Alternative would not create objectionable odors affecting a substantial number of people and impacts would be less than significant with compliance with mandatory regulatory requirements."

C-12 (CONT.)

All of us purchased our homes because of the spacious lots and quiet neighborhood that the R2 zoning creates. Approval of the project and zone change would diminish this atmosphere and therefore reduce our property values considerably. Section 6.2.1 addresses the reasons why an alternative site cannot meet the project requirements. This is a false assumption since the World Logistics Center is already approved and can accommodate this project in every way the proposed site does. We therefore request the "No Project Alternative" stated on Page S-5 be considered instead.

C-13

In conclusion, we request that the Planning Commission and City Council vote NOT to approve this project or accept this DEIR for the reasons stated above. If the project is approved, we ask that you limit the project to the scope described in Section 6.3.3 "Reduced Building Area Alternative" which is stated in Section 6.4 to be the Environmentally Superior Alternative. We look forward to your response as stated in Section 1.3 "Statement of Legal Authority", particularly items **(2) review and consider the information contained in this EIR as part of its decision-making process; and (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or project alternatives identified in this EIR are not feasible and citing the specific benefits of the Project that outweigh its unavoidable adverse effects (CEQA Guidelines Section 15090 through 15093).**

C-14

Respectfully,

See attached list of names included in this letter.

Comment Letter C

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Moreno Valley Trade Center
DEIR Comment Letter
Participants
June 21, 2021

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Mr4man@aol.com
President Heritage Ranch HOA

Comment Letter C

From: Gabriel Diaz
To: David Ornelas
Cc: Patty Nevins
Subject: FW: Moreno Valley Trade Center DEIR Comments
Date: Monday, June 28, 2021 9:28:12 AM
Attachments: image001.png
image36c258.PNG

Good Morning David,

Mr. Bunker added comments to his previous email.

Thank you,

Gabriel

Gabriel Diaz
Associate Planner
Community Development
City of Moreno Valley
p: 951.413.3226 | e: gabrield@moval.org w: www.moval.org
14177 Frederick St., Moreno Valley, CA 92553



From: Joe Bunker <bunkerjl@gmail.com>
Sent: Monday, June 28, 2021 9:18 AM
To: Gabriel Diaz <gabrield@moval.org>
Cc: Patty Nevins <pattyn@moval.org>; Sean P. Kelleher <seanke@moval.org>
Subject: RE: Moreno Valley Trade Center DEIR Comments

Warning: External Email – Watch for Email Red Flags!

Hi Gabriel,

I have one more comment that I wanted to add;

Redlands Blvd. is not a truck route south of Eucalyptus Avenue per the City's truck route map. Since the exits onto Redlands Blvd. from the proposed project will be right turn (south) only then these exits should only be used for autos, adding to the argument that access from Encelia Ave. for autos is not necessary. Thank you.

C-15

From: Gabriel Diaz <gabrield@moval.org>
Sent: Tuesday, June 22, 2021 5:48 PM
To: 'Joe Bunker' <bunkerjl@gmail.com>
Cc: Patty Nevins <pattyn@moval.org>; Sean P. Kelleher <seanke@moval.org>
Subject: RE: Moreno Valley Trade Center DEIR Comments

Hello Mr. Bunker,

Thank you for your email response to the DIER. I have added this to the record. If you have any questions regarding this project feel free to contact me.

Thank you,

Gabriel

Gabriel Diaz
Associate Planner
Community Development
City of Moreno Valley
p: 951.413.3226 | e: gabrield@moval.org w: www.moval.org
14177 Frederick St. Moreno Valley CA 92553

Comment Letter C



From: Joe Bunker <bunkerjl@gmail.com>
Sent: Monday, June 21, 2021 9:01 AM
To: Gabriel Diaz <gabrield@moval.org>
Cc: City Clerk <cityclerk@moval.org>; City Manager's Office_DG <cmoffice@moval.org>; Manuel A. Mancha <manuelm@moval.org>; Michael L. Wolfe, P.E. <michaelw@moval.org>; David Marquez <davidma@moval.org>
Subject: Moreno Valley Trade Center DEIR Comments

Warning: External Email – Watch for Email Red Flags!

Mr. Diaz,

Please see attached letter from our neighborhood and attached list of names participating in the letter with our comments and response to the DEIR for the project listed above. C-16

Thank you,

Joe Bunker

RESPONSES TO COMMENT LETTER C:
Community Response

C-1 The commenter makes introductory remarks and summarizes the environmental issues are discussed in detail below; no further response is required.

C-2 The commenter states the definition of NOx and its associated human health effects in the DEIR. This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

C-3 The commenter asserts that the level of NOx pollution reported in the DEIR are under reported since MM 4.2-1 through 4.2-9 only addressed construction and not operation of the proposed Project. Contrary to the commenter's assertion, as discussed in Section 4.2, *Air Quality*, of the DEIR, MM 4.2-5 through 4.2-11 would reduce the Project's operational-related NO_X emissions and the contributions of this pollutant to the SCAB's non-attainment status for ozone. (**DEIR at 4.2-39**). Therefore, no revisions to the DEIR are required.

C-4 The commenter asserts that the growth model in the DEIR is inaccurate and summarizes the text on **page 4.2-25** of the DEIR. However, the commenter does not provide evidence to support the claim, but simply states the text. Therefore, no revisions to the DEIR are required.

C-5 The commenter further summarizes the significance of impacts after mitigation under Threshold "a" of Section 4.2, Air Quality, of the DEIR, but does not raise any issues with the stated environmental analysis provided in the DEIR, thus, no further response is required.

C-6 The commenter incorrectly asserts that in Table S-1, Mitigation Monitoring and Reporting Program, the DEIR assumed self-enforced mitigation measures by the Project tenant. Refer to the Table column "Monitoring Party" which lists the government entity responsible for monitoring the implementation of each mitigation measure. In Table S-1, for each mitigation measure identified, a responsible party and monitoring party are identified. Additionally, the DEIR further states that the City of Moreno Valley applies mitigation measures that it determines are feasible and practical for the City of Moreno Valley to monitor and enforce. Therefore, the DEIR adequately provides information on monitoring for each mitigation measure and no further response is required.

C-7 The commenter requested that a condition of approval, in which the Project tenant be subjected to regularly inspections by an outside agency with reporting made available to the public, to be included as part of the proposed Project. As noted in Responses C-6, the DEIR adequately provides information on monitoring for each mitigation measure and no further response is required.

C-8 The commenter asserts that the existing traffic volume on Encelia Avenue presented in the DEIR are false and raised concerns about traffic on Eucalyptus Avenue for the use of the Project site as an e-commerce fulfillment center. As discussed in the DEIR, weekday AM and PM peak hour traffic count data was collected at Study Area intersections and roadway segments on October 30, 2019. (**DEIR at 4.12-4**). The raw manual peak hour turning movement traffic count data sheets are included in Appendix B of Technical Appendices L1 and L2. On the date that traffic counts were collected, there were no atypical traffic conditions (e.g. construction activity or detour routes) and nearby schools were in session and operating on normal schedules.

As identified in the DEIR, the future tenant(s) of the building are not currently known and were not known at the time the DEIR was prepared. (**DEIR at 3.8-9**). The Project Applicant expects that the proposed building would be occupied by a warehouse distribution/logistics operator; however, there is potential that the Project could be occupied in the future by a fulfillment/ecommerce use. Therefore, the EIR evaluates the potential effects of the Project being used by either warehouse distribution/logistics user or a fulfillment/e-commerce user, including the most likely traffic routes to and from the Project site as determined by City staff and the City's technical expert. It is important to note, however, that the City of Moreno Valley is only considering the site plan for the warehouse/distribution user as part of the proposed Plot Plan (PEN19-0193). In light of the above, no further response is required.

C-9 The commenter raised concern with noise on Encelia Avenue and requests that Encelia Avenue is restricted for emergency services only. As discussed in the Section 4.11, Noise, of the DEIR, the proposed Project would not result in traffic related noise that exceed the establish significance threshold. Moreover, Encelia Avenue is proposed to be paved with rubberized asphalt concrete to minimize roadway noise as part of the proposed Project. Therefore, noise impacts would be less than significant and no further response is required.

The Project Applicant however has requested that a condition of approval be added, as a Project benefit, that requires the Project's building be set back at least 370 feet from the existing centerline of Encelia Avenue (which provides for more than 400 feet of separation between the proposed building and the nearest existing residential structures).

In addition, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be

permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

C-10 The commenter asserts the site photographs on **DEIR page 4.1-5** do not represent views that would be obstructed by the proposed Project and included text from **page 4.1-11 of the DEIR**. Descriptions of existing visual characteristics, both on-site and in the vicinity of the Project site, and the analysis of potential impacts to aesthetic resources are based on field observations and site photographs collected by T&B Planning, Inc. in May 2020. These photographs provide a representative visual depiction of the site's visual characteristics as seen from surrounding public viewing areas, which consist of public roads adjacent to the Project site. The photographs were all taken during the same session and reflect a panoramic field of view from west to east approximately five (5) feet above the ground, including northerly views from Encelia Avenue. The commenter does not provide evidence to the claim that the site photographs do not represent actual view of the existing conditions, thus, no further response is required.

C-11 The commenter requests that the City condition the Project to not exceed a 48-foot height limit. As noted in Response C-8, the City is only considering the site plan for the warehouse/distribution user, having a 48-foot building height, as part of the proposed Plot Plan (PEN19-0193). If a taller building is proposed in the future, it would be subject to City review and approval as described in detail in the DEIR. (**DEIR at 3-27 and 3-28**).

C-12 This comment summarizes the No Project Alternative in the DEIR and does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

C-13 The commenter raises speculative concerns about property value decreases due to the implementation of the proposed Project and requests City consideration of the No Project Alternative. Property value is not an environmental concern; thus, no further response is required. The commenter also asserts that the assumption for not conducting an exhaustive alternative sites analysis is false due to the recent approved World Logistics Center Specific Plan. Alternative sites were discussed as part of the DEIR and it was concluded that based on review of aerial photography and the City of Moreno Valley General Plan Land Use Map, there are no other properties available for purchase by the Project Applicant in the City of Moreno Valley with similar accessibility to the regional goods movement system, that are large enough to support the proposed Project, and that have fewer developmental and environmental constraints than the Project site evaluated in the DEIR. Developing the proposed Project on a site located farther from major arterial roads that are designated truck routes (including inside the World Logistics Center Specific Plan) would not reduce the environmental effects of the proposed Project as explained in DEIR Subsection 6.2.1 (**DEIR at 6-3 to 6-4**).

C-14 The commenter provides concluding remarks against the approval of the proposed Project and suggests that the City approve the Reduced Building Area Alternative. This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

C-15 The commenter asserts that Redlands Blvd. south of Eucalyptus Avenue is not a truck route per the City's truck route map and suggests that Encelia Avenue be used for emergency services only. The commenter correctly identifies that Redlands Boulevard south of Eucalyptus is not a truck route. However, the City of Moreno Valley is allowing trucks use this segment of Redlands Blvd., to access the proposed Project. Access to the Project site would be provided by two driveways from Eucalyptus Avenue, two driveways from Redlands Boulevard, and two driveways from Encelia Avenue (or three driveways under the fulfillment/e-commerce option). The western driveway from Eucalyptus Avenue would provide inbound/outbound access for passenger vehicles and trucks and the eastern driveway from Eucalyptus Avenue would be restricted to outbound right-turn truck traffic only. The northern driveway from Redlands Boulevard would provide right-in/right-out access only for passenger vehicles and the southern driveway from Redlands Boulevard would provide access for inbound and outbound passenger vehicles (right-in/right-out only) and inbound truck traffic. Onsite design features such as a pork-chop designed driveway, signage posted at the driveway exit, or other measures based on specifications provided by City staff would be installed at the southern driveway from Redlands Boulevard to prohibit outbound truck traffic. (**DEIR at 3-8**). The City require these design features as a condition of the Project's approval and the City will assure their installation as part of the City's standard building permit review and inspection process. The proposed driveways to Encelia Avenue would be restricted to passenger vehicle traffic only and heavy trucks would be unable to utilize the driveways from Encelia Avenue because they are designed with curb radii and drive aisles too narrow for truck turning movements. (**DEIR at 4.2-14**). Moreover, MM 4.2-8 requires that, prior to the issuance of occupancy permits, signs be installed at each truck exit driveway that provides directional information to the City's truck route. Based on the foregoing, the Project's design adequately mitigates and precludes the potential for heavy trucks to travel south along Redlands Boulevard after leaving the Project site and from using proposed driveways along Encelia Avenue. No changes to the DEIR are warranted.

In addition to the above, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to design and install on-site physical improvements, including but not limited to curbs, street humps, street bumps or textured pavement, approved by the City, that discourage truck operators from turning their trucks in the wrong direction when entering or leaving the Project site. The Project Applicant has also requested a condition of approval that requires the developer to install on-site signage clearly stating which directions trucks must turn at all streets exiting the Project site.

C-16 This comment is the introductory remark to the attached commented letter that was responded to in Responses C-1 through C-16; no further response is required.

COMMENT LETTER D

JASON E. UHLEY
General Manager-Chief Engineer

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RIVERSIDE, CA 92501
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FAX 951.788.9965
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

238888

June 25, 2021

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 thru 012, 2nd Submittal

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. D-1

The District's review is based on the above-referenced project transmittal, received May 27, 2021 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: D-2

☐ 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-16, F-2 and 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. D-3

☐ This project proposes channels, storm drains 36 inches or larger in diameter, or other facilities that could be considered regional in nature and/or a logical extension of the adopted _____ Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.

☒ 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 D-4

COMMENT LETTER D

June 25, 2021

City of Moreno Valley
Re: PEN 19-0191, 19-0192, 19-0193, 19-0234
APNs 488-340-002 thru 012, 2nd Submittal

238888

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.

D-4 (CONT.)

☐ 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. For further information, contact the District's Encroachment Permit Section at 951.955.1266.

☒ The District's previous comments are still valid (see attached letter dated 03/25/20).

D-5

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.

D-6

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.

D-7

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.

D-8

Very truly yours,

Deborah de Chambeau

DEBORAH DE CHAMBEAU
Engineering Project Manager

Attachment

ec: Riverside County Planning Department
Attn: Phayvanh Nanthavongdouangsy
City of Moreno Valley
Attn: Chris Ormsby

SLJ:rlp

COMMENT LETTER D

JASON E. UHLEY
General Manager-Chief Engineer

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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

D-9

COMMENT LETTER D

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.

D-9 (CONT.)

Very truly yours,

Deborah de Chambeau

DEBORAH DE CHAMBEAU
Engineering Project Manager

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

SLJ:blm

RESPONSES TO COMMENT LETTER D:
Riverside County Flood Control & Water Conservation District (RCFCWCD)

D-1 The comment provides introductory remarks about the Riverside County Flood Control and Water Conservation District (RCFCWCD) and its role in development project. This comment does not raise any issues with the environmental analysis provided in the DEIR; thus, no further response is required.

D-2 The comment provides introductory remarks about the RCFCWCD's review of the proposed Project, received on May 27, 2021, and states that the comments do not imply District approval or endorsement of the proposed Project with respect to flood hazard, public health and safety, or any other such issue. This comment does not raise any issues with the environmental analysis provided in the DEIR; thus, no further response is required.

D-3 This comment acknowledges that the proposed Project's involvement in the listed District proposed Master Drainage Plan facilities and that these facilities must be constructed to District standards. This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

D-4 This comment identifies that the Project site is located within the RCFCWD's Moreno Area Drainage Plan and that fees will be required if the proposed Project increases impervious surface area. The City of Moreno Valley acknowledges that the applicable fees shall be paid to the RCFCWD for the implementation of the proposed Project. This comment does not raise any issues with the environmental analysis provided in the DEIR; thus, no further response is required.

D-5 The City of Moreno Valley acknowledges that the comments sent previously by the RCFCWCD are still valid. Also see Response D-9. This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

D-6 The commenter provides general information that the proposed Project may require permits such as a National Pollutant Discharge Elimination System (NPDES) permit. The City of Moreno Valley acknowledges that the comment and the DEIR discusses compliancy with the NPDES permit in Section 4.9, Hydrology and Water Quality, of the DEIR. This comment does not raise any issues with the environmental analysis provided in the DEIR; thus, no further response is required.

D-7 The commenter provides general information on the requirements needed if the Project site is located in Federal Emergency Management Agency (FEMA) mapped floodplain. As discussed in DEIR Section 4.9, Hydrology and Water Quality, the Project site is located within a 500-year floodplain, which is not considered a special flood hazard area. This comment does not raise any issues with the environmental analysis provided in the DEIR; thus, no further response is required.

D-8 This comment provides general information on the requirement needed if a natural watercourse or mapped floodplain is impacted by the proposed Project. This comment does not raise any issues with the environmental analysis provided in the DEIR; thus, no further response is required.

D-9 This comment is the previous comment letter provided by the RCFCWCD as mentioned in Response D-5. The comments contained in this letter is the same as the comments in D-1 to D-8 above, with the exception of an encroachment permit needed for the Project. The City of Moreno Valley acknowledges

that the comment and will obtained the necessary permits for the proposed Project. This comment does not raise any issues with the environmental analysis provided in the DEIR; thus, no further response is required.

Comment Letter E

Lauren Reese

From: Gabriel Diaz <gabrield@moval.org>
Sent: Wednesday, July 7, 2021 10:25 AM
To: David Ornelas
Cc: Patty Nevins
Subject: FW: Objections to MV Trade Center

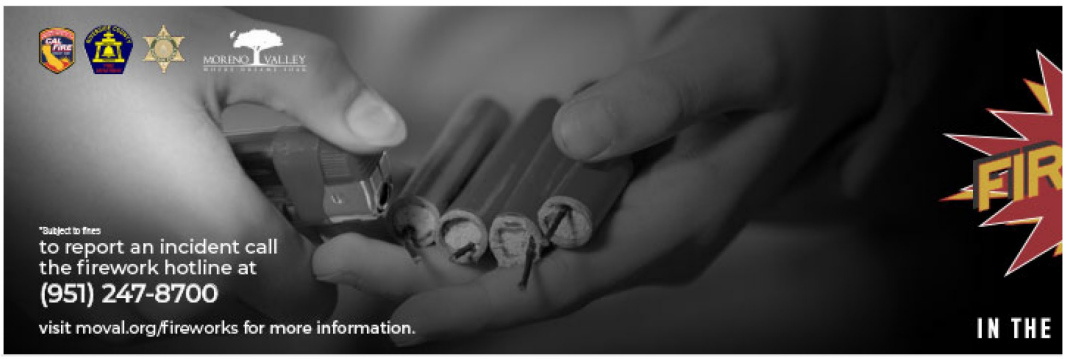
Hello David,

I received this email for your review.

Thank you,

Gabriel

Gabriel Diaz
Associate Planner
Community Development
City of Moreno Valley
p: 951.413.3226 | e: gabrield@moval.org w: www.moval.org
14177 Frederick St., Moreno Valley, CA 92553



From: ANGEL LOPEZ <CaliSSAV@hotmail.com>
Sent: Friday, July 2, 2021 10:30 PM
To: Gabriel Diaz <gabrield@moval.org>; Patty Nevins <pattyn@moval.org>
Subject: Objections to MV Trade Center

Warning: External Email – Watch for Email Red Flags!

God evening,

Kindly accept my comments into the record. As a Moreno Valley Homeowner and Taxpayer. I am against the construction of the MV Trade Center. Moreno Valley has an abundance of warehouse space that is not

E-1

1

Comment Letter E

completely used. Driving around town one would find unoccupied spaces. Why not place the MV Trade Center into one of the unoccupied spaces? E-1 (CONT.)

Very respectfully,

Angel Lopez-Ramirez
Public Servant, Combat Veteran, Wounded Warrior
818-388-1231

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RESPONSES TO COMMENT LETTER E:
Angel Lopez-Ramirez

E-1 The commenter raises concern about the location of the proposed Project and suggests the Project be placed on an alternate site or an unoccupied warehouse space within the City. Alternative sites were discussed as part of the EIR and it was concluded that based on review of aerial photography and the City of Moreno Valley General Plan Land Use Map, there are no other properties available for purchase by the Project Applicant in the City of Moreno Valley with similar accessibility to the regional goods movement system, that are large enough to support the proposed Project, and that have fewer developmental and environmental constraints than the Project site evaluated in this DEIR. Furthermore, neither the City nor the Project Applicant are aware of an existing, unoccupied warehouse building in the City that is a similar size as the proposed Project and that is available for the Project Applicant to acquire. The commenter also does not provide evidence to support the claim. Therefore, no revisions to the DEIR are required.

COMMENT LETTER F

Lauren Reese

From: Gabriel Diaz <gabrield@moval.org>
Sent: Wednesday, July 7, 2021 10:31 AM
To: David Ornelas
Cc: Patty Nevins
Subject: FW: Opposition to approve the Draft EIR related to the Moreno Valley Trade Center proposed at a location on Redlands Blvd. south of Eucalyptus.
Attachments: City July 2 2021 scenic consevation.pdf; City July 2 2021 scenic 2.pdf; City July 2 2021 scenic 3.pdf

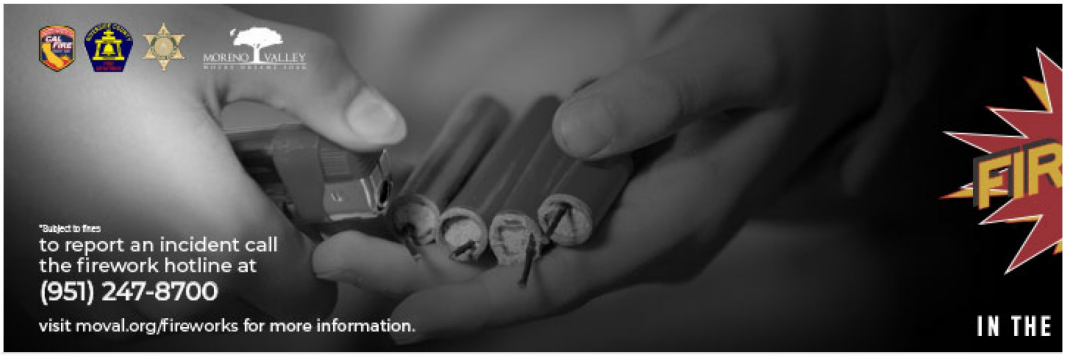
Hello David,

Here is another email with comments for the DEIR for your review.

Thank you,

Gabriel

Gabriel Diaz
Associate Planner
Community Development
City of Moreno Valley
p: 951.413.3226 | e: gabrield@moval.org w: www.moval.org
14177 Frederick St., Moreno Valley, CA 92553



From: Susan Zeitz <whitwdtravel@verizon.net>
Sent: Friday, July 2, 2021 2:02 PM
To: Gabriel Diaz <gabrield@moval.org>; Patty Nevins <pattyn@moval.org>; David Marquez <davidma@moval.org>; ddowney@scng.com
Subject: Opposition to approve the Draft EIR related to the Moreno Valley Trade Center proposed at a location on Redlands Blvd. south of Eucalyptus.

Warning: External Email – Watch for Email Red Flags!

Comment Letter F

July 2, 2021

Please date and time stamp this with a return receipt to me, and include in the public record.

Regarding: Opposition to approve the Draft EIR related to the Moreno Valley Trade Center proposed at a location on Redlands Blvd. south of Eucalyptus.

Why does this Draft EIR (DEIR) related to the Moreno Valley Trade Center proposed at a location on Redlands Blvd. south of Eucalyptus fail to include the cumulative, approved, or proposed projects pending approval which, when included, will negate this DEIR? Encelia Ave. is a low traffic residential street, not a truck route. So why does infer that it, and other affected streets are? Why is parking on streets and in neighborhoods not been protected? F-1 F-2

Moreno Valley is already suffering hugely from the reoccurring lack and disregard in procuring realistic and relative EIR's. As with the EIR's of the WLC, GPU, and other projects, this DEIR is full of negative impacts that can not be mitigated. Why when the residents, attorneys, CEQA, and the Sierra Club reveal many faults, areas lacking sufficient clarifications, lack of mitigation, and other glaring flaws are not corrections not made? Why aren't more studies done? This leads me to believe the EIR's coming before the citizens of Moreno Valley's representatives and staff aren't being read by those with the training and knowledge needed to assimilate such important documents, or they aren't being read at all. How can you explain the fact that even after our cities "official representatives" receive feedback not only from our residents but from multiple professional, official, and experienced sources revealing the shortcomings, errors, and faults they still approve the EIR documents without (or with minimal) corrections to address the many flaws or include the on going, cumulative, approved, or proposed projects pending approval? Is it because our "official representatives" lack of fulfilling and executing their duties to protect our citizens, that comes with their jobs, is, and will continue to, negatively impact our health, pollution, noise, traffic, night sky, wildlife, open spaces, rural living, and rural areas? F-3

Do you think proposing approval of any project of this magnitude so close to the World Logistic Center (WLC) is ludicrous to begin with as the WLC will adversely and negatively affect the current residential residents living in this immediate which includes these residential homes on the south side of Encelia Ave? Even without the WLC being developed, Aldi, Prologis, & Solaris Paper south of the 60 freeway negatively affect surrounding residents including those miles north of the 60 freeway. Is anything being done about the existing negative affects they're having on residents? It's telling that this proposed project was included on the DGPU as if it was already approved even though it wasn't, why is that? F-4

I believe a large number of our City officials are not protecting our citizens health or our existing residents homes but are allowing our city to be pillaged, despoiled, devastated, ravaged, ransacked, and wasted, largely, as a direct result of Mayor Gutierrez appointing developers, Iddo Benzeevi & Nelson Chung to head the F-5

2

Comment Letter F

General Plan Advisory Update Committee, as well as Gutierrez and Baca always voting for their flawed EIR's and projects despite public input against them, by allowing last minute changes to official documents, using tax payers money to fund project & infrastructure upgrades and street name changes, and allowing them to omit requirements others have to provide such as our putting in Multi Use Trails. Iddo Benzeevi reign of terror to our city began maybe 20 or more years ago with his (and Chungs) grossly disproportionate financial contributions that were largely responsible in garnering Mayor Gutierrez and, one time recalled, city councilman Victoria Baca their elected city positions enabling them to support Benzeevi & Chung with their votes. All you have to do is follow their names and the money, their names and the vote, their names and the flawed EIR's, their names and the ruin of peoples lives by the allowance of inappropriate warehouses and projects next door to existing residents, their names and air pollution that will get worse as stated by CEQA, Sierra Club, and our city officials as a direct result of their approval of Benzeevi & Chung's projects, 10's of thousands more cancer causing diesel trucks these projects bring including the noise, clogging traffic and destruction of our streets.

F-5 (CONT.)

We, and many have, moved to NE Moreno Valley for the larger lots, views, breezes, animal keeping, quiet, night skies, and low density population. The General Plan was designed to provide diversity by providing people the choice of living in town, neighborhoods of varying sizes, or close to nature but not your neighbors. Why isn't the city protecting home owners who made informed decisions based on zoning when buying in the rural low density zoned areas of our city? How is the city going to compensate them for their monetary losses when their properties lose value as a direct result of changes you approved?

F-6

City Councilman David Marquez voted against the GPU in an effort to protect rural NE Moreno Valley. Marquez believes that our city should continue to have zoning diversity to meet the diversity of peoples living styles. Marquez understands that NE Moreno Valley's infrastructure is best suited to low density living that comes with the use of septic tanks, animal keeping, and supports a large range of wildlife. Is it unfair that when you base purchasing a home on the rural zoning the city allows developers to come in and make changes to allow high density zoning and warehouses? Why was the 2006 comprehensive general plan that protected residents in the rural areas of our city as well as preventing encroachment of warehouse and commercial near existing homes that was often overridden by Gutierrez and Baca? Why does the new General Plan with it's flaws and flawed EIR not only eliminated the protection of our citizens, but will allow further pollution and environmental injustice of our citizens and city and destroy the much of what the 2006 general plan protected … our residents, vistas, hillsides, mountains, & knolls such as (but not limited to) Chapter 7 – Conservation Pages 7-12, 7-13, & Figure 7-2 which I attached?

F-7

Water is a huge issue as the pollution is continuing to cause global warming bringing more droughts to our area whose water supplies are already inadequate and dwindling. This is before the WLC is even built or other projects that will be proposed. Why are you allowing the removal of water from our aquifers when it is detrimental to them as they this water can never be replaces even in a couple thousand years as this water was largely collected prehistorically over ions? Once depleted this water will be gone for ever. Have you researched what has happened to aquifers across our country and the world? Was there a study about the effects draining aquifers can cause such as resulting land sinking. Was there a study on the effects of lowering the aquifers jeopardizing private wells?

F-8

3

Comment Letter F

Why has our city staff over ridden our 2006 General Plan to approve many projects resulting in significant negative impacts on our citizens, health, air quality been allowed? Was it to appease Benzeevi & Chungs projects as well as others? Were these approvals in violation? I feel it was unethically or consciously explicit biases that reek of intentionally discriminate favoritism being done. Do you think, given the ambiguous nature of the flawed EIR, it leaves it open to more than one interpretation or meaning? F-9

Pandemics require space and distancing for safety which low density housing can provide. Properties of ½ acre or larger are in high demand and sell quickly. The GPU should have included the alternative outlined by CEQA for NE Moreno Valley at the very least. F-10

Our city is and is continuing to be overrun by warehouses and must be stopped. By law we are required to have open space. Ethically, to protect the residents, diversity, open space, air quality, and our health his proposed project, Moreno Valley Trade Center needs to be denied. F-11

Susan Zeitz

RESPONSES TO COMMENT LETTER F:
Susan Zeitz

F-1 The commenter incorrectly asserts that the DEIR does not include cumulative, approved, or proposed projects pending approval in the report. As discussed in Section 4.0.2, Scope of Cumulative Effects Analysis, of the DEIR, CEQA requires that an EIR contain an assessment of the cumulative impacts that may be associated with a proposed project. Table 4.0-1, List of Cumulative Projects, includes the 73 other known past, present, and reasonably foreseeable projects used in the cumulative transportation impact analysis (as well as vehicular-related air quality, greenhouse gas, and noise impact analyses). Moreover, a cumulative impact analysis is provided for each environmental topic in the DEIR. Therefore, the DEIR adequately provides cumulative effect analysis in compliance with CEQA.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households

earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of the additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

With respect to noise, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement

Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

F-2 The commenter asserts that Encelia Avenue is not a truck route and the DEIR infers that Encelia Avenue, including surrounding street in the Project vicinity are truck routes. The commenter also raises concern about parking in neighborhood streets not being protected. As stated in the DEIR, the proposed driveways to Encelia Avenue would be restricted to passenger vehicle traffic only and are designed such that heavy trucks would be unable to utilize the driveways due to narrow curb radii and drive aisles. (**DEIR at 3-8 and 4.12-14**). The Project's design provides off-street parking on the Project site in accordance with applicable provisions of the City of Moreno Valley Municipal Code. Furthermore, City of Moreno Valley Municipal Code Section 12.38.020(B) prohibits commercial vehicles exceeding a manufacturer's gross vehicle weight (commonly referred to as GVW) rating of 10,000 pounds (as defined by California Vehicle Code Section 390) from stopping, standing, or parking on any public street or highway, or any portion thereof. For these reasons, it is not reasonably foreseeable that vehicles accessing the Project site would park in residential areas overnight. The proposed Project would provide a total of 607 on-site passenger vehicle parking spaces, which exceeds City requirements and provides Project employees with ample opportunities to park on the Project site. The commenter does not provide evidence to support the claim and the commenter's assertion is unsupported. Therefore, no revisions to the DEIR are required.

Notwithstanding the above, the Project Applicant has requested that the following conditions of approval be added, as a Project benefit, for the purpose of addressing neighborhood parking concerns, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis:

- The Project Applicant shall provide free and sufficient parking for all employees, visitors, guests, customers, truck operators and other invitees in on-site parking lots and/or other common areas of the Project site to enable all such persons reasonably expected to visit the Project site to park on-site (as determined by a qualified transportation engineer).
- The Project Applicant shall adopt a policy or rule that all employees, visitors, guests, customers, truck operators and other invitees shall park onsite in designated parking areas within the Project site, with such policy or rule included in any conditions, covenants and restrictions applicable to the Project site and in all leases, rental agreements, licenses or other such documents that permit access or occupancy within the Project site.
- The Project Applicant shall install permanent signs in English and Spanish to inform all employees, visitors, guests, customers, truck operators and other invitees of the on-site parking requirement.

- The Project Applicant shall install conspicuous onsite directional signs to designated City truck routes at prominent locations near or at driveways and drive aisles where vehicles exit the Project site.

F-3 The commenter makes nonspecific comments regarding perceived flaws of EIRs that have been prepared for past projects in the City. The commenter does not raise any issues with the stated environmental analysis provided in the DEIR. Therefore, no revisions to the DEIR are required.

F-4 The commenter raises concern about the Project site being in close proximity to the World Logistics Center Specific Plan project and the negative effects of the existing industrial development on residents. The commenter also raises concern about the proposed Project being approved in the draft General Plan Update. The General Plan Update and associated FEIR make no reference to the Project. No revisions to the DEIR are required.

F-5 This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

F-6 This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

F-7 This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

F-8 This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

F-9 This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

F-10 This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

F-11 The commenter provides concluding remarks about the proposed Project; no response is required.

Comment Letter G

Tom Paulek / Susan Nash
Friends of Northern San Jacinto Valley
1610 Sams Canyon
Beaumont, California 92223

July 6, 2021

Via: U.S. Post Office and Email: GabrialD@moval.org

Gabriel Diaz, Associate Planner
Community Development Department
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92553

RE: Comments Draft Environmental Impact Report for the Moreno Valley Trade Center Project - SCH No. 2020039038

We provided extensive comments concerning the Initial Study and Notice of Preparation of a Draft Environmental Impact Report (EIR) for the Moreno Valley Trade Center Project (See April 14, 2020 Friends of Northern San Jacinto Valley NOP response letter — Appendix A of Draft EIR). We are now repeating many of those earlier NOP comments and providing additional comments on the Draft EIR in order to elicit appropriate CEQA responses from the City of Moreno Valley. G-1

We cautioned the City in our NOP response letter that in performing the Biological Resource analysis for the Moreno Valley Trade Center Project it was imperative to recognize/acknowledge the City of Moreno Valley is a signatory to the 1995 Stephens, 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). G-2

Comment Letter G

In enacting the California Environmental Quality Act (CEQA) our legislature declared it is the policy of the state to: "prevent the elimination offish 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 5 21001(c)). "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 5 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 5 21001.1(a)). "...it is the policy of the state that noncompliance with the information disclosure provisions of this division [CEQA] may constitute a prejudicial abuse of discretion..." (Public Resources Code 5 21005(a)). G-3

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 (CDEW) San Jacinto Wildlife Area (SJWA) partially located within the eastern boundary of the City of Moreno Valley. G-4

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 G-5

Comment Letter G

Conservation Planning Act (NCCP Act — Fish and Game Code 55 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 [CEQAI 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).

G-5 (CONT.)

The City of Moreno Valley Initial Study for the Moreno Valley Trade Center Project provided nebulous explanations for Biological Resources potentially impacted. The City 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 HR." (CEQA Guideline 5 15365)

G-6

After reviewing the Draft EIR for the Moreno Valley Trade Center regarding the "take" of MSHCP/NCCP Covered species/Endangered species it is clear the City of Moreno Valley ignored/avoided CEQA Guideline 5 15065(a)(1) and (a)(3 — Mandatory Findings 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 MSHCP/NCCP Covered species lost to project implementation. This cumulative analysis is crucial to the tracking of individual species [e.g. Stephens' Kangaroo rat] conservation or extirpation.

G-7

The City of Moreno Valley is directed to CEQA Guideline 5 15065 — Mandatory Findings of Significance sections (a)(l), (a)(3) and subd. (c) for reference and consideration:

G-8

Comment Letter G

(a) A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur:

(1) The project has 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; to eliminate a plant or animal community; substantially reduce the number or restrict the range of endangered, rare or threatened species….

(3) The project has possible environmental effects that are individually limited but cumulatively considerable. "Cumulatively Considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. [See also: CEQA Guideline 5 15130 (a) — Discussion of Cumulative Impacts]

(c) Following the decision to prepare an EIR, if a lead agency determines that any of the conditions specified by subdivision (a) will occur, such a determination shall apply to:

(1) the identification of effects to be analyzed in depth in the environmental impact report or the functional equivalent thereof,

(2) the requirement to make detailed findings on the feasibility of alternatives or mitigation measures to substantially lessen or avoid the significant effects on the environment,

(3) when found to be feasible, the making of changes in the project to substantially lessen or avoid the significant effects on the environment,

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/NCCP Covered species [considered endangered, rare or threatened

G-8 (CONT.)

G-9

Comment Letter G

species pursuant to CEQA Guideline 5 15380 (d)] as being a significant project impact. The error allows the City to avoid the required analysis of direct project impacts ["take" of MSHCP/NCCP Covered species on the project site] and indirect project impacts ["take" of MSHCP/NCCP Covered species on adjacent undeveloped lands and conservation lands]. It avoids the required Findings and analysis of "take" alternatives or mitigation measures to minimize the "take" impact. The error is compounded if the Draft EIR fails to consider the Cumulative impacts of the "take" of MSHCP/NCCP Covered species as to each species ultimate conservation or extirpation (Guidelines 5 15065 (a)(I) and (a)(3) Mandatory Findings of Significance).

G-9 (CONT.)

The Draft EIR for the Moreno Valley Trade Center incorrectly used a series of more lenient [more permissive] significance thresholds to avoid/disregard the more stringent [more rigorous] significance thresholds mandated by 15065 Mandatory Findings of Significance [See Draft EIR Pages 4.3 — 13]. The Draft EIR did not adequately survey the project site for the presence and use by MSHCP/NCCP Covered species; it instead relied upon impermissible speculation of the potential for MSHCP/NCCP Covered species to occur on the project site [See Draft EIR Page 4.3 — 4]. The three (3) mitigation measures provided for Biological Resources are superficial and do not adequately address project impacts on biological resources including the "take" of MSHCP/NCCP Covered species [See Draft EIR Pages 4.3 — 21-23]. The Draft EIR did not address the Cumulative impacts of the "take" of MSHCP/NCCP Covered species as required by CEQA Guideline 15065(a)(3). Instead the Draft EIR Cumulative analysis incorrectly relied upon MSHCP/NCCP compliance to avoid CEQA compliance with 15065 (a)(3) [See Draft EIR Page 4.3 — 19]. The Draft EIR did not consider alternatives or mitigation measures to substantially lessen or avoid the "take" of MSHCP/NCCP Covered species. The Draft EIR failure to correctly analyze the "take" of MSHCP/NCCP Covered species pursuant to CEQA must be corrected prior to further consideration of the Moreno Valley Trade Center project.

G-10

"When 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

G-11

Comment Letter G

participation. Case law is clear that in such cases, the error is prejudicial." (Sierra Club v. County of Fresno (2018) 6 cal. 5th 502)

G-11 (CONT.)

Because the Draft EIR for the Moreno Valley Trade Center was prepared by an EIR Consulting Firm [T&B PLANNING, INC.] the City of Moreno Valley must subject the draft to the City's own review an analysis. The subject Draft EIR sent out for public review must reflect the independent judgement of the City of Moreno Valley. The City of Moreno Valley is responsible for the adequacy and objectivity of the Moreno Valley Trade Center Draft EIR. (CEQA Guideline 5 15084(e))

G-12

Please ensure we receive timely notice of the availability of the Final EIR for the Moreno Valley Trade Center Project and the setting of any public hearings for this project.

G-13

Thank you for your consideration and courtesy.

Tom Paulek, CWB@.
FNSJV Conservation Chair.

Susan Nash
FNSJV President

RESPONSES TO COMMENT LETTER G:
Friends of Northern San Jacinto Valley (FNSJV)

G-1 The comment provides introductory remarks and states that previous comments were submitted by the same commenter during the public comment period for the Initial Study and Notice of Preparation. The City of Moreno Valley acknowledges the previously received comments and has included them in Appendix A of the DEIR. This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

G-2 The commenter asserts that the Project's Biological Resource Analysis must recognize that the City of Moreno Valley is within the 1995 Stephens, Kangaroo Rat Habitat Conservation Plan (SKRHCP) and the 2004 Multiple Species Habitat Conservation Plan (MSHCP) and that expressing compliance with the SKRHCP and MSHCP is not compliance with CEQA. As discussed in Section 4.3, Biological Resources, of the DEIR, the Project site is not located within an identified reserve area for the Stephens' Kangaroo Rat and the species has a low to moderate potential to occur on the Project site. Additionally, detailed analysis is provided in the DEIR which concluded that although the Project is compliant with all MSHCP provisions and although burrowing owl is absent from the Project site under existing conditions, the Project site contains habitat suitable for the species. However, with the implementation of MM 4.3-1 pertaining to burrowing owl and MM 4.3-3 pertaining to nesting birds, potential direct and cumulatively-considerable impacts to these species would be reduced to below a level of significance. Therefore, contrary to the commenter's concern, the DEIR does not simply express compliance with the SKRHCP and MSHCP, but instead provides in-depth analysis on the impact.

G-3 This comment summarizes CEQA requirements such as the purpose of the EIR and preserving wildlife. While this comment quotes several provisions of CEQA and the CEQA Guidelines, it does not raise any issues with the environmental analysis provided in the DEIR. As such, no further response is required.

G-4 The comment asserts that the City of Moreno Valley fails to properly acknowledge the federal Endangered Species Act and California Endangered Species Act. This comment serves as introductory remark for the following comments below. It does not raise any issues with the environmental analysis provided in the DEIR. As such, no further response is required.

G-5 This comment summarizes the exceptions of "take" prohibitions under the federal and state endangered species statues and caselaw related to biological resources. It does not raise any issues with the environmental analysis provided in the DEIR. As such, no further response is required.

G-6 This comment raises concern about the analysis for Biological Resources that was provided in the Initial Study and asserts that the City neglected to properly recognize the important purposes of an Initial Study but does not offer evidence on this point. It does not raise any issues with the environmental analysis provided in the DEIR. As such, no further response is required.

G-7 The commenter incorrectly asserts that DEIR does not address the "take" of individual endangered or MSHCP/NCCP Covered species. The DEIR disclosed all special-status wildlife species that were observed on the Project site as well as all special-status species that had the potential to occur on the Project site. (**DEIR at 4.3-2 and 4.3-4**). All of the wildlife species that were identified on or have the potential to occur on the Project site are covered by the MSHCP. (**DEIR at 4.3-14 and 4.3-15**). The

MSHCP is a comprehensive regional conservation program that adequately protects the regional self-sufficiency of all covered species. The City is signatory to the MSHCP and is covered by the incidental take permit for the MSHCP. The DEIR determined that the Project is consistent with the MSHCP; thus, the potential loss of any covered species on the Project site would not threaten the ability of the species to sustain a healthy population in the region. (**DEIR at 4.3-14, 4.3-15, 4.3-17 through 4.3-20**). Further the Project Applicant would be required to pay MSHCP mitigation fees, which assist in the creation of the MSHCP reserve system (including the acquisition, management, and long-term maintenance) that will protect special-status wildlife species. (**DEIR at 4.3-16**). No revisions to the DEIR are required.

G-8 This comment listed CEQA guidelines for the City to reference and take into consideration. It does not raise any issues with the environmental analysis provided in the DEIR. As such, no further response is required.

G-9 The commenter repeats the assertion that the City avoid/disregard CEQA Guidelines related to Mandatory Findings of Significance. Evidence to support this claim is provided in the response below; thus no further response is required.

G-10 The commenter asserts that the DEIR incorrectly used a series of lenient significant thresholds to avoid/disregard the significant threshold mandated by CEQA Guidelines 15065, Mandatory Findings of Significance. As discussed in Section 4.3, Biological Resources, of the DEIR, Appendix G of the CEQA Guidelines is more specific in addressing biological resources and encompasses a broader range of resources to be considered, including: candidate, sensitive, or special status species; riparian habitat or other sensitive natural communities; federally protected wetlands; fish and wildlife movement corridors; local policies or ordinances protecting biological resources; and, adopted Habitat Conservation Plans (HCPs). (**DEIR starting at p. 4.3-13**). Based on the guidance within CEQA and the CEQA Guidelines, the City of Moreno Valley adopted a set of significance thresholds for determining the specific conditions by which a development project could result in a significant impact to biological resources (before considering offsetting mitigation measures). The significance thresholds, referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act*, are utilized in the analysis presented in this Subsection.

The commenter also asserts that the DEIR does not adequately survey the Project site for the presence and use of MSHCP/NCCP covered species and the identified mitigation measures do not adequately address Project impacts on biological resources including the "take" of MSHCP/NCCP Covered species. The biological technical report prepared for the proposed Project incorporates the review of relevant literature, field surveys, and a geographic information system (GIS)-based analysis of vegetation communities. The focus of the biological surveys was determined through initial site reconnaissance, a review of the CNDDB, the CNPS 8th edition online inventory, Natural Resource Conservation Service soil data, MSHCP species and habitat maps and sensitive soil maps, other pertinent literature, and knowledge of the region. Site-specific general surveys were conducted on foot in the proposed development areas for each target plant or animal species. Details on the methodology of the technical report is discussed in Section 2.0 of DEIR Technical Appendix C1. The Project would not impact any special-status plant species and there is no potential for the Project site to support special-status plant species due to the lack of suitable, natural habitat. The Project site is subject to the Western Riverside County MSHCP and its survey requirements for the western burrowing owl. Although the Project is compliant with all MSHCP provisions and although burrowing owl is absent from the Project site under existing conditions, the Project site contains habitat suitable for the species.

Implementation of MM 4.3-1 would ensure that pre-construction surveys are conducted for the burrowing owl to determine the presence or absence of the species on the Project site. If present, the mitigation measure provides performance criteria that requires avoidance and/or relocation of burrowing owls in accordance with CDFW protocol. With implementation of the required mitigation, potential direct and cumulatively-considerable impacts to the burrowing owl would be reduced to below a level of significance. Therefore, the DEIR adequately address the impacts to biological resources and no revisions to the DEIR are required.

G-11 This comment provides a quote from the *Sierra Club v. County of Fresno* case. It does not raise any issues with the environmental analysis provided in the DEIR. As such, no further response is required.

G-12 The commenter asserts that because the DEIR was prepared by a consulting firm, the City must subject the draft to its own review. This was done throughout the process of preparing the DEIR, City of Moreno Valley staff were heavily involved in content preparation and review, and reviewed, commented on, and accepted the final content, methodologies, and conclusion statements disclosed in the DEIR to ensure objectivity and conformance with City guidelines before public release. In practice, lead agencies commonly accept an EIR prepared by the applicant or its consultant rather than have their own staff prepare the EIR. The CEQA Guidelines provide that a lead agency may accept (and evaluate independently) a draft Environmental Impact Report prepared by the applicant, a consultant retained by the applicant, or any other person. (14 Cal Code Regs §15084(d)). The lead agency however must independently review and analyze the draft EIR before releasing it to the public. (Pub Res C §21082.1(c)(1)). The DEIR must reflect the lead agency's independent judgment, and the lead agency is responsible for its adequacy and objectivity. (14 Cal Code Regs §15084(e); Pub Res C §21082.1(c)(3); 14 Cal Code Regs §15090(a)(3)). In the end, the lead agency must certify that the final EIR was completed in compliance with CEQA and was reviewed and considered by the decision-making body (*e.g.,* the city council) before project approval. (14 Cal Code Regs §15090(a)).

G-13 The commenter requests additional notifications. The City will provide notice when the FEIR is made available to the public. Before approving a project, the lead agency must prepare a final EIR. 14 Cal Code Regs §15089(a). The lead agency may provide an opportunity for members of the public to review the final EIR before the project is approved, but it is not required to do so. 14 Cal Code Regs §15089(b) If public review of a final EIR is allowed, the review should focus on the final EIR's responses to comments on the draft EIR. 14 Cal Code Regs §15089(b). Notwithstanding the above, the City does plan to make a FEIR available for public review.

COMMENT LETTER H

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL: July 6, 2021
GabrielD@moval.org
Gabriel Diaz, Associate Planner
City of Moreno Valley, Community Development Department
14177 Frederick Street
Moreno Valley, California 92553

Draft Environmental Impact Report (Draft EIR) for Proposed Moreno Valley Trade Center (Proposed Project) (SCH No.: 2020039038)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Moreno Valley is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments include recommended revisions to the CEQA air quality impact analysis, air quality mitigation measures, information on South Coast AQMD Rules 2305 and 316, and information on South Coast AQMD permits for stationary equipment that the Lead Agency should include in the Final EIR. H-1

Based on the Draft EIR, the Proposed Project consists of construction and operation of a 1,328,853-square-foot building that would be used for either warehouse distribution and logistics operation or fulfillment and e-commerce operation and that 50,000 square feet of the building could be used as cold storage using trucks fitted with transport refrigeration units (TRUs) on 72.5 acres[1]. Construction of the Proposed Project will occur in a 19-month period. At full buildout in 2023, the Proposed Project will generate 2,321 vehicular trips per day, including 885 truck trips for warehouse distribution and logistics operation, or 6,607 vehicular trips per day, including 857 truck trips for fulfillment and e-commerce operation[2]. The Proposed Project will include 104 loading docks and 110 truck trailer parking spaces on the north side of the building, and 121 loading docks and 128 trailer parking spaces on the south side of the building[3]. The nearest sensitive receptors (i.e. residential uses) are located 118 feet on the south side of the Proposed Project[4]. H-2

South Coast AQMD Staff's Comments
Based on a review of the Draft EIR and supporting technical appendices, South Coast AQMD staff has four comments. A summary of these comments is provided as follows with additional details provided in the attachment. H-3

1. CEQA Air Quality Impact Analysis: In the Draft EIR, the Lead Agency discussed that the Proposed Project could include cold storage but did not quantify operational

[1] Draft EIR. Page 3-26.
[2] *Ibid.* Page 3-27.
[3] *Ibid.* Page 3-8.
[4] *Ibid.* Page 4.2-19

COMMENT LETTER H

Gabriel Diaz July 6, 2021

emissions from the use of diesel-fueled TRUs. The Lead Agency should quantify those emissions in the Final EIR. H-3 (CONT.)

2. Additional Recommended Air Quality Mitigation Measures: In the Draft EIR, the Lead Agency found that the Proposed Project would result in unavoidable, significant air quality impacts from construction and operational activities. To further reduce those impacts, the Lead Agency should require the use of clean off-road and on-road construction equipment, and clean heavy-duty trucks such as zero-emissions or near-zero emissions trucks during operation in the Final EIR. H-4

3. South Coast AQMD Rule 2305 and Rule 316: Since the Proposed Project consists of a 1,328,853-square-foot building that would be used for warehouse activities, the Proposed Project's warehouse owner(s) and operator(s) will be required to comply with the requirements of South Coast AQMD Rule 2305 once the warehouse is occupied. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. H-5

4. Responsible Agency and South Coast AQMD Permits: If the Proposed Project will use stationary equipment such as emergency generators and fire pumps during operation, permits from South Coast AQMD are required. South Coast AQMD should be identified as a Responsible Agency in the Final EIR H-6

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at lsun@aqmd.gov, if you have any questions or wish to discuss the comments. H-7

Sincerely,

Lijin Sun

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

Attachment
LS
RVC210601-04
Control Number

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Gabriel Diaz July 6, 2021

ATTACHMENT

1. CEQA Air Quality Impact Analysis

The Lead Agency proposes to develop a 1,328,853-square-foot building with a portion that could be used as cold storage using trucks fitted with TRUs. However, the land usage that was selected in CalEEMod to quantify the Proposed Project's operational emissions included, among others, "Unrefrigerated Warehouse-No Rail" and did not quantify operational emissions from the use of diesel-fueled TRUs. To conservatively analyze the worst-case impact scenario that is reasonably foreseeable at the time the EIR is prepared, South Coast AQMD staff recommends that the Lead Agency revise the air quality impact analysis to calculate and disclose operational emissions from NOx and diesel particulate matter from TRUs in the Final EIR, *unless the Lead Agency expressly prohibits the Proposed Project from including cold storage as a project requirement or a development condition*.

H-8

2. Additional Recommended Air Quality Mitigation Measures

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 will result in significant and unavoidable construction and operational air quality impacts, and to further reduce those impacts, South Coast AQMD staff recommends that the Lead Agency require the use of cleaner construction equipment and on-road haul trucks (e.g., material delivery trucks and soil import/export) and incorporate additional operational mitigation measures in the Final EIR.

H-9

Mitigation Measures for Reducing Construction Air Quality Impacts

- Require that construction equipment equal to or greater than 50 horsepower be electrically powered or alternatively fueled. At a minimum, require the use of construction equipment rated by the United States Environmental Protection Agency as having Tier 4 Final (model year 2008 or newer) emission limits. 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 shall be available upon request at the time of mobilization of each applicable unit of equipment. 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. In the event that construction equipment cannot meet the Tier 4 Final engine certification, the project representative or contractor must demonstrate through future studies 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 reduction in the number and/or horsepower rating of construction equipment and/or limiting the number of construction equipment operating at the same time. All equipment must be tuned and maintained in compliance with the manufacturer's recommended maintenance schedule and specifications. All maintenance records for each equipment and their contractor(s) should be made available

H-10

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for inspection and remain on-site for a period of at least two years from completion of construction.

- Require the use of zero-emission (ZE) or near-zero emission (NZE) on-road haul trucks (e.g., material delivery trucks and soil import/export) such as heavy-duty trucks with natural gas engines that meet the California Air Resources Board (CARB)'s adopted optional NOx emission standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), and ensure that supportive infrastructure will be available for ZE/NZE trucks. At a minimum, require the use of 2010 model year[5] 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 trucks. To monitor and ensure ZE, NZE, or 2010 model year trucks are used at the future development projects, the Lead Agency should require that operators maintain records of all trucks associated with the future development projects' construction 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 future development projects during construction meets the minimum 2010 model year engine emission standards. Alternatively, the Lead Agency should require periodic reporting and provision of written records by contractors working on the future development projects and conduct regular inspections of the records.

Mitigation Measures for Reducing Operational Air Quality Impacts

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

- Require ZE or NZE 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 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule[6] and the Heavy-Duty Low NOx Omnibus Regulation[7], ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentive the use of 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. At a minimum, require the

H-10 (CONT.)
H-11
H-12

[5] 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] CARB. June 25, 2020. *Advanced Clean Trucks Rule.* Accessed at: https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks.

[7] CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox.

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use of 2010 model year[8] 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 trucks. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. Include the requirement 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. H-12 (CONT.)

- 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 higher activity level. H-13
- Provide electric vehicle (EV) charging stations or at a minimum, provide the electrical infrastructure and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment. H-14

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Final EIR may include the following:

- Maximize use of solar energy by installing solar energy arrays. H-15
- Use light colored paving and roofing materials. H-16
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances. H-17
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113. H-18

Design considerations for the Proposed Project that the Lead Agency should consider to further reduce air quality and health risk impacts include the following:

- Clearly mark truck routes with trailblazer signs, so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, day care centers, etc.). H-19
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site. H-20
- Design the Proposed Project such that any check-in point for trucks is inside the Proposed Project site to ensure that there are no trucks queuing outside. H-21
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors. H-22
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site. H-23

[8] 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.

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3. South Coast AQMD Rule 2305 and Rule 316

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NOx) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of a 1,328,853-square-foot building that would be used for warehouse activities, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation[9]. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage[10].

H-24

4. Responsible Agency and South Coast AQMD Permits

If implementation of the Proposed Project requires the use of stationary equipment, including but not limited to, emergency generators and emergency fire pumps, permits from South Coast AQMD are required. South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Final EIR. The assumptions in the air quality analysis in the Final EIR will be the basis for evaluating permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

H-25

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the

H-26

[9] South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf.
[10] South Coast AQMD WAIRE Program. Accessed at: http://www.aqmd.gov/waire.

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Final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project. Further, if the Lead Agency makes the findings that additional recommended air quality mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

H-26 (CONT.)

7

RESPONSES TO COMMENT LETTER H:
South Coast Air Quality Management District (SCAQMD)

H-1 This introductory comment is acknowledged; no response is required.

H-2 The SCAQMD's summary of the proposed Project is accurate.

H-3 The commenter requested that the emissions from the use of diesel-fueled transport refrigeration units (TRUs) be quantified in the FEIR. This was done in the DEIR. All of the emissions calculations presented in the Project's supplemental air quality, GHG emissions, and health risk assessment analyses (DEIR Technical Appendices B5 and B6) include emissions from TRUs. The emissions calculations from DEIR Technical Appendices B5 and B6 are presented in various tables as the "with cold storage" option in DEIR Sections 4.2, Air Quality and 4.7, Greenhouse Gas Emissions.

As discussed in Technical Appendices B5 and B6, all trucks assigned to the high-cube cold storage land use were assumed to utilize TRUs. The Project's Warehouse Scenario with Cold Storage Option would result in a net decrease in peak operational-source NO_X and CO emissions when compared to peak operational-source criteria pollutant emissions generated by the proposed Project. As the increase in VOC, SO_X, PM_{10}, $PM_{2.5}$ emissions are nominal, this option would not result in new or substantively different or substantively increased operational-source air quality impacts than the emissions associated with the proposed Project. Similarly, the Project's E-Commerce Scenario with Cold Storage Option would result in a net decrease in peak operational-source VOC, NO_X, CO, and SO_X emissions when compared to peak operational-source criteria pollutant emissions generated by the proposed Project. As such, this option would also not result in new or substantively different or substantively increased operational-source air quality impacts than the emissions associated with the proposed Project. Therefore, the Project with cold storage would not affect the findings and conclusions of the DEIR. Thus no, revisions to the DEIR is required. In addition, although not required under this CEQA analysis, the Project Applicant has requested that the City add, as a Project benefit, a condition of approval that provides that only electric appliances shall be used in building office areas (e.g., electric stoves) albeit this is not considered to be a required mitigation measure under the CEQA analysis of the Project. Moreover, the Project Applicant has requested that the City add a condition of approval that will prohibit diesel power generators unless necessary due to an emergency situation or constrained supply which is also not a required mitigation measure under the CEQA analysis of the Project.

H-4 The commenter acknowledges the conclusion drawn by the DEIR that the proposed Project would have significant and unavoidable impacts during construction and operation, and the commenter encourages the City of Moreno Valley to require the use of clean off-road and on-road construction equipment, and clean heavy duty-trucks during operation. Refer to Responses H-10 through H-23, which respond to the commenter's specific, suggested mitigation measures. In light of the significant and unavoidable impacts due to the Project's greenhouse gas emissions, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

Notwithstanding the foregoing, the Project Applicant has requested that a condition of approval be added, as a Project benefit, to provide that all construction equipment shall meet or be cleaner than Tier 4 standards, except if the construction contractor certifies that it is not feasible to use exclusively Tier 4 equipment due to limited availability, albeit this and the following conditions of approval shall

not be considered mitigation measures necessitated by the instant CEQA analysis of the Project. In light of the foregoing, the Project Applicant shall comply with the following:

- At least 80% of construction equipment shall meet or be cleaner than Tier 4 standards throughout the duration of the of the Project's construction phase.
- In the event that diesel-powered construction equipment becomes available with improved emission control devices that reduce particulate matter emissions, including fine particulate matter, and reduces NOx emissions, at commercially reasonable prices, and in sufficient quantities to be reasonably available, then the Project Applicant shall cause the use of such construction equipment.
- No diesel-powered portable generators shall be used, unless necessary due to emergency situations or constrained supply.

H-5 The commenter states that the proposed Project's warehouse owner and operators will be required to comply with the requirements of the SCAQMD Rule 2305 and provides information language on Rule 316. This is an informational comment to which no response is required.

H-6 The commenter states that permits from SCAQMD would be required if the proposed Project will use emergency generators and fire pumps during operation and that SCAQMD should be identified as a Responsible Agency in the FEIR. The City acknowledges that permit will be required if such equipment will be used during operation. Thus, no further response is required. Incidentally, although not required under the instant CEQA analysis, the Project Applicant has requested that the City add a condition of approval that will prohibit diesel power generators unless necessary due to an emergency situation or constrained albeit the condition is not considered to be a mitigation measure.

H-7 The City acknowledges Lijin Sun as the SCAQMD contact person; no response is required.

H-8 The commenter asserts that the emissions from the use of TRUs be quantified in the FEIR. This comment was addressed by Response H3.

H-9 The commenter introduces their suggestion to add additional mitigation measures in the FEIR to address the Project's significant and unavoidable construction and operational-related air quality impacts. No additional mitigation measures or revisions to mitigation measures are offered by this comment. The City acknowledges that Comments H-10 through H-23 include the commenter's specific mitigation requests; refer to Responses H-10 through H-23, which respond to these specific, suggested mitigation measures.

H-10 The commenter requests that off-road diesel-powered construction equipment over 50 horsepower be CARB and USEPA Tier 4 compliant. As specified in DEIR Table 4.2-9, Project-related construction emissions would be less than significant. (**DEIR at 4.2-26**). Additionally, mitigation measures MM 4.2-1 through MM 4.2-4 were identified to ensure compliance with standard SCAQMD rules and minimize the construction-related air quality impacts. (**DEIR starting at 4.2-37**). Thus, additional mitigation is not required. Because the DEIR adequately addressed and mitigated the Project's air quality impacts during construction, the City determines that additional mitigation is not warranted.

Notwithstanding the above, the Project Applicant has requested that a condition of approval be added to require that all construction equipment shall meet or be cleaner than Tier 4 standards, except in cases where the construction contractor certifies that it is not feasible to use exclusively Tier 4 equipment due to limited availability. The Project Applicant has further requested that the condition of approval reflect that in all events, at least 80% of construction equipment shall meet or be cleaner than Tier 4 standards throughout the duration of the Project's construction phase, albeit this condition of approval shall not be considered to be required mitigation measure necessitated by the instant CEQA analysis of the Project.

H-11 The commenter asserts that the Project should utilize zero-emission, near-zero-emission, or 2010 model year on-road construction vehicles. The City of Moreno Valley acknowledges that technological advancements in the transportation sector are advancing and will continue to advance and phase into use over time. Yet, there are still many unknowns and much speculation about the nature and pace of such advancements becoming available in mass. As a large majority of trucks traveling on the roads today in California are diesel-fueled, prohibiting diesel-fueled trucks from accessing the Project site during its construction would essentially render the Project inviable; therefore, the suggested mitigation measure is infeasible. Further, as described in Response H-10, the Project's air quality effects during construction would be less than significant with the imposition of the mitigation measures already identified in the Draft EIR. Because the Draft EIR adequately addressed and mitigated the Project's air quality impacts during construction, the City determines that additional mitigation is not warranted.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-

Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of these additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

H-12 The commenter asserts that the Project should be required to use zero-emission, near-zero-emission, or 2010 model year heavy-duty trucks to reduce ongoing and long-term NOx emissions. Regarding a requirement for 2010 model year heavy duty trucks, all trucks registered in California were required to comply with this requirement per State law by January 1, 2023 (13 California Code of Regulations Section 2025; the "CARB Truck and Bus Regulation"). The requirements of this Regulation were disclosed in the DEIR and the Project's future building users will be required to comply with the applicable phase-in timeline. (**DEIR at 4.2-16**). To advance phase-in of electric equipment related to the Project site, MM 4.2-10, as revised in the FEIR, will require the future Project site owner or occupant to provide written statements to all tenants and occupants of the Project site that the use of diesel-powered outdoor cargo handling equipment (e.g., yard trucks, hostlers, yard goats, pallet jacks, forklifts) on-site is prohibited.

At present, requiring zero-emission vehicles is economically and technologically infeasible; also, such vehicles are not available on a large enough scale to be relied upon. In a report titled "Transitioning to Zero-Emission Heavy-Duty Freight Vehicles," the International Council on Clean Transportation (ICCT) provides an overview of advancing technologies (ICCT, September 2017)[1]. The ICCT reports that although the technology is advancing and although at some point in the distant future non-diesel technology will likely be used in mass to power freight movement, "zero-emission vehicle technologies

do present considerable challenges. They have a combination of near- and long-term barriers, issues, and questions that will have to be addressed before they can become widespread replacements for conventional trucks and tractor-trailers that are typically diesel fueled" (ICCT, p. 31). "Tesla's announced battery electric semi-tractor prototype is the only (emphasis added) battery electric project we found in our [world-wide] assessment targeting long-haul heavy-duty applications" (ICCT, p. 31). Imposing extensive requirements on the proposed Project related to emerging technology, when the various types of technological advancements and their timeframes for common availability are not known with any certainty, is not a feasible mitigation measure.

An EIR must describe feasible measures that could minimize the project's significant adverse impacts. 14 Cal Code Regs §15126.4(a)(1). An EIR may decline to propose a mitigation measure that would not effectively address a significant impact. *Napa Citizens for Honest Gov't v Napa County Bd. of Supervisors* (2001) 91 CA4th 342, 365. An EIR also need not identify and discuss mitigation measures that are infeasible. "Nothing in CEQA requires an EIR to explain why certain mitigation measures are infeasible." *Clover Valley Found. v City of Rocklin* (2011) 197 CA4th 200, 245. Nor must an EIR analyze in detail mitigation measures it concludes are infeasible. *Cherry Valley Pass Acres & Neighbors v City of Beaumont* (2010) 190 CA4th 316, 351.

It is also important to note that the analysis provided in the DEIR presents a "snapshot in time" of the Project's worst-case air pollutant emissions under the current regulatory environment. The DEIR recognizes that by January 1, 2023, the CARB's Truck and Bus Regulation will be in full effect and that all heavy-duty trucks traveling to and from the Project site will be required to comply with applicable engine standards to minimize air pollutant emissions. (**DEIR at 4.2-16**) After the Truck and Bus Regulation becomes fully effective, the air pollutant emissions reported in the DEIR would be reduced commensurately once the more stringent engine requirements go into effect; but, operational NOx emissions are assumed to remain significant and unavoidable based on the SCAQMD's daily significance thresholds. In light of the foregoing, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project

Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle grant programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of these additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

Further, the SCAQMD recently adopted a Warehouse Indirect Source Rule (ISR), Rule 2305, in May 2021.[2] The ISR applies to warehouse operators and owners of warehouses greater than or equal to 100,000 square feet of indoor floor space within a single building that may be used for warehousing activities. The proposed Project would be subject to compliance. In general, the Rule establishes the Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, which is a points system that is based upon the actual number of trucks that come to and leave the warehouse. Each year the operator will be obligated to determine how many points the warehouse is required to achieve using a formula set out in the Rule. If the required number of points are not achieved, the warehouse operator would be required to pay a fee to the SCAQMD, which would use collected funds to improve air quality. Although compliance with Rule 2305 is not mitigation and the SCAQMD has not published a

nexus study showing how the use of collected funds has nexus to the warehouse's air quality impacts, the ISR program is intended to reduce air quality effects associated with the warehouse industry, including the proposed Project, throughout the Air Basin.

Notwithstanding the above, the Project Applicant has requested that a Residential Air Filtration System Reimbursement Program be established and administered by the Project Applicant as an additional Project benefit. The Project Applicant has offered to deposit $40,000 into an escrow account to pay up to 90% of a homeowner's cost of purchasing and installing non-portable air filtration systems including any necessitated HVAC modification, not exceeding $5,000 per home, as follows:

- The home is an eligible home as shown in an area map on file with the City;
- The homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building;
- In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the air filtration system, not exceeding $5,000 per home;
- The Project Applicant shall mail notice of the Residential Air Filtration System Reimbursement Program via registered or certified mail to homeowners of record of the qualified homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends; and
- The homeowner may select and contract with a contractor or installer of the homeowner's choice.

It should be noted that these conditions of approval shall not be considered as required mitigation measures necessitated by the CEQA analysis of the Project.

[1] https://www.theicct.org/sites/default/files/publications/Zero-emission-freight-trucks_ICCT-white-paper_26092017_vF.pdf
[2] SCAQMD, Indirect Source Rule 23005, found at http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/facility-based-mobile-source-measures/warehs-distr-wkng-grp

H-13 The commenter asserts that the City should restrict the amount of daily truck traffic to and from the Project. The recommendation to impose and enforce a truck trip cap is not feasible or practical nor required by CEQA. The Project entails the establishment of one warehouse building and the Project Applicant intends for the building to be occupied by a warehouse or e-commerce user, with potentially up to 50,000 sf used for cold storage (chilled, cooled, or freezer space). CEQA requires that an EIR evaluate the proposed Project based on reasonable assumptions and foreseeable actions. The number of passenger vehicle and truck trips that the Project is expected to generate is based on Institute of Transportation Engineers (ITE) in their Trip Generation Manual (10th Edition), and SCAQMD recommendations for vehicle mix, which rely on surveyed data from other operating industrial warehouse buildings, which is reasonable and reliable information. Information on ITE and SCAQMD trip rate and vehicle type mixes are found on **DEIR p. 4.12-10**, as well as in Technical Appendices L3 and L4. The comment does not present any evidence that truck trips associated with the proposed Project would be greater than disclosed in the DEIR. There is no substantive information presented by this comment or by any of the information in the Project's administrative record that contradicts the reasonable assumptions made in the Draft EIR about the expected number of truck trips. Instituting a cap on the number of trucks that can access the Project's building is not required under CEQA, nor would it be reasonable or feasible for the City of Moreno Valley to monitor and enforce such a

requirement. The DEIR has made reasonable assumptions based on substantial evidence by using ITE and SCAQMD recommendations based on a reasonable type of building occupant that would be permitted by the site's zoning. For this reason, the City respectfully rejects the commenter's recommendation to impose and enforce a numerical cap on the number of trucks that the Project attracts during its operation.

Based on the foregoing discussion, the City concludes that it would be infeasible to impose and enforce a numerical cap on the number of trucks that access the site on a daily basis during the Project's operation.

An EIR must describe feasible measures that could minimize the project's significant adverse impacts. 14 Cal Code Regs §15126.4(a)(1). An EIR may decline to propose a mitigation measure that would not effectively address a significant impact. *Napa Citizens for Honest Gov't v Napa County Bd. of Supervisors* (2001) 91 CA4th 342, 365. An EIR also need not identify and discuss mitigation measures that are infeasible. "Nothing in CEQA requires an EIR to explain why certain mitigation measures are infeasible." *Clover Valley Found. v City of Rocklin* (2011) 197 CA4th 200, 245. Nor must an EIR analyze in detail mitigation measures it concludes are infeasible. *Cherry Valley Pass Acres & Neighbors v City of Beaumont* (2010) 190 CA4th 316, 351.

H-14 The commenter requests that electrical vehicle (EV) charging station or appropriately sized electrical infrastructure and electrical panels be provided. As stated in MM 4.2-7, the Project Applicant or successor in interest is required to provide documentation to the City of Moreno Valley demonstrating that the Project includes the energy efficiency design features such as installation of the minimum number of passenger vehicle EV charging stations required by Title 24, sufficiently sized building's electrical room to hold additional panels that may be needed in the future to supply power for the future installation of EV truck charging stations on the site, and sufficiently sized building's electrical room to hold additional panels that may be needed in the future to supply power to trailers with TRUs. (**DEIR starting at 4.2-37**). The DEIR adequately included electrical vehicle charging stations and accommodations for additional charging stations in the future; thus, no additional mitigation measures are needed. However, the Project Applicant has offered to provide at a minimum, 12 onsite EV charging stations, if the minimum number EV charging stations required by Title 24 turns out to be less than 12. In addition, the Project Applicant has requested a condition of approval be added that provides that at least one APU plug-in be installed for every 35 dock doors at multiple locations within the Project site where trucks park, with signage that identifies in English and Spanish where such APU plug-ins are located. None of these additional conditions of approval offered by the Project Applicant shall be considered mitigation measures necessitated by the instant CEQA review of the Project.

H-15 The commenter requests that the Project maximize use of solar energy by the installation of solar panels to reduce area source emissions. As shown on DEIR Table 4.2-10 through Table 4.2-13, only a small percentage of the Project's air pollutant emissions are associated with energy use; as such, the installation of solar panels does not have a proportional nexus to a majority of the Project's air pollutant emissions, which are attributed to mobile sources (vehicle exhaust). (**DEIR starting at 4.2-27**). Nonetheless, Mitigation Measure MM 4.2-7 requires the building's roof be designed to accommodate a photovoltaic (PV) solar array taking into consideration limitations imposed by other rooftop equipment. (**DEIR starting at 4.2-39**). As such the buildings will be designed to accommodate the future installation of solar panels should the Project owner and/or occupant decide to rely on solar energy for a portion of the Project's energy needs. Notwithstanding, the Project Applicant has requested to add conditions of approval which require that warehouse roof areas not covered by solar

panels shall be constructed with material with an installation Solar Reflective Index Value of not less than 39 and that the Project Applicant donate $5,000 to a Solar Advocacy Fund, albeit these conditions of approval shall not be considered to be mitigation measures necessitated by the instant CEQA review of the Project. The purpose of the Solar Advocacy Fund is to contribute the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of solar-generated electricity and/or provides outreach, education, and training on the installation and maintenance of solar panels and equipment.

H-16 The commenter requests that light-colored paving materials be used. The Project applicant already proposes light-colored concrete materials, as indicated on the Project's site plans on file with the City of Moreno Valley and DEIR MM 4.2-7 also requires the use of light-colored paving materials. (**DEIR at 4.2-40**). No changes to the DEIR are needed.

H-17 The commenter requests that the DEIR be revised to include a mitigation measure that requires the use of "Energy Star" heating and cooling equipment, appliances and fixtures. The DEIR already includes a mitigation measure – MM 4.2-7 – that requires the use of Energy Star heating and cooling equipment, appliances and fixtures. (**DEIR at 4.2-40**). Therefore, no revisions to the DEIR are needed.

H-18 The Project's operational VOC emissions are less than significant; therefore, mitigation is not required to reduce the Project's operational VOC emissions. (**DEIR at 4.2-31**). Furthermore, the City does not have an enforcement mechanism or the staffing resources to monitor and enforce the chemical composition of cleaning products used during the normal course of private business operations. CEQA Guidelines §15091 provides that mitigation measures must be within the responsibility and jurisdiction of the lead agency and have a proportional nexus to the Project's impact on the environment. Therefore, the City has determined that this recommendation is not feasible to require as a mitigation measure.

H-19 The commenter suggests that truck routes be marked with trailblazer signs. DEIR MM 4.2-8 requires that, prior to the issuance of occupancy permits, signs be installed at each truck exit driveway that provides directional information to the City's truck route(s). **(DEIR at 4.2-41**). Also see Response C-15. For these reasons, the commenter's suggestion is accommodated and no revisions to the DEIR are warranted.

H-20 The commenter suggests that the Project's truck entrances and exits be designed such that trucks do not pass sensitive receptors. A mitigation measure is already included in the DEIR to address this suggestion. MM 4.2-8 requires that, prior to the issuance of occupancy permits, signs be installed at each truck exit driveway that provides directional information to the City's truck route(s). (**DEIR at 4.2-41**). Moreover, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to design and install on-site physical improvements, including but not limited to curbs, street humps, street bumps or textured pavement, approved by the City, that discourage truck operators from turning their trucks in the wrong direction when entering or leaving the Project site. The Project Applicant has also requested a condition of approval that requires the developer to install on-site signage clearly stating which directions trucks must turn at all streets exiting the Project site.

H-21 The commenter suggests that check-in gates be placed well inside the Project site to prevent truck queuing and idling on public streets. A mitigation measure is already included in the DEIR to address this suggestion: MM 4.2-6 requires the City of Moreno Valley to verify prior to the issuance of building

permits, that each building's parking lot striping and security gating plan allows for adequate truck stacking at gates to prevent queuing of trucks outside the property. (**DEIR at 4.2-39**).

H-22 The commenter suggests that truck traffic inside the Project site should be as far away as feasible from sensitive receptors. The existing residential homes located south of Encelia Avenue, approximately 118 feet south of the Project site, would be the closest sensitive receptors to the Project. As discussed in Section 3.0, Project Description, of the DEIR, the truck court on the southern side of the building would be located approximately 205 feet north of the southern Project site boundary (and approximately 250 feet north of the Encelia Avenue centerline and approximately 300 feet north of the southern limit of the Encelia Avenue right-of-way). The truck courts/loading areas would be enclosed and screened from public viewing areas by 14-foot-tall solid screen walls.

H-23 The commenter asserts that Encelia Avenue is not a truck route and the DEIR infers that Encelia Avenue, including surrounding street in the Project vicinity are truck routes. The commenter also raises concern about parking in neighborhood streets not being protected. As stated in the DEIR, the proposed driveways to Encelia Avenue would be restricted to passenger vehicle traffic only and are designed such that heavy trucks would be unable to utilize the driveways due to narrow curb radii and drive aisles. (**DEIR at 3-8 and 4.12-14**). The Project's design provides off-street parking on the Project site in accordance with applicable provisions of the City of Moreno Valley Municipal Code. Furthermore, City of Moreno Valley Municipal Code Section 12.38.020(B) prohibits commercial vehicles exceeding a manufacturer's gross vehicle weight (commonly referred to as GVW) rating of 10,000 pounds (as defined by California Vehicle Code Section 390) from stopping, standing, or parking on any public street or highway, or any portion thereof. For these reasons, it is not reasonably foreseeable that vehicles accessing the Project site would park in residential areas overnight. The proposed Project would provide a total of 607 on-site passenger vehicle parking spaces, which exceeds City requirements and provides Project employees with ample opportunities to park on the Project site. The commenter does not provide evidence to support the claim and the commenter's assertion is unsupported. Therefore, no revisions to the DEIR are required.

Notwithstanding the above, the Project Applicant has requested that the following conditions of approval be added, as a Project benefit, for the purpose of addressing neighborhood parking concerns, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis:

- The Project Applicant shall provide free and sufficient parking for all employees, visitors, guests, customers, truck operators and other invitees in on-site parking lots and/or other common areas of the Project site to enable all such persons reasonably expected to visit the Project site to park on-site (as determined by a qualified transportation engineer).
- The Project Applicant shall adopt a policy or rule that all employees, visitors, guests, customers, truck operators and other invitees shall park onsite in designated parking areas within the Project site, with such policy or rule included in any conditions, covenants and restrictions applicable to the Project site and in all leases, rental agreements, licenses or other such documents that permit access or occupancy within the Project site.
- The Project Applicant shall install permanent signs in English and Spanish to inform all employees, visitors, guests, customers, truck operators and other invitees of the on-site parking requirement.

- The Project Applicant shall install conspicuous onsite directional signs to designated City truck routes at prominent locations near or at driveways and drive aisles where vehicles exit the Project site.

Moreover, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to design and install on-site physical improvements, including but not limited to curbs, street humps, street bumps or textured pavement, approved by the City, that discourage truck operators from turning their trucks in the wrong direction when entering or leaving the Project site. The Project Applicant has also requested a condition of approval that requires the developer to install on-site signage clearly stating which directions trucks must turn at all streets exiting the Project site.

H-24 The commenter states that the proposed Project's warehouse owner and operators will be required to comply with the requirements of the SCAQMD Rule 2305 and provides information language on Rule 316. The City of Moreno Valley acknowledges that the proposed Project will be subjected to the applicable provisions of Rules 2305 and 316. No further response is needed.

H-25 The future users/operators of the Project's buildings are unknown at this time. As such, it cannot presently be determined whether future users/operators will require the use of stationary equipment. However, the City of Moreno Valley acknowledges the requirement for users/operators to adhere to mandatory SCAQMD Rules and to obtain SCAQMD permits as may be needed for the operation of their business.

H-26 Written responses to the SCAQMD's comments are included in the FEIR. A copy of the FEIR will be provided to the SCAQMD prior to the City's consideration of the FEIR for certification. At least 10 days before certifying a final EIR, the lead agency must provide any public agency that commented on the EIR with a written proposed response to the agency's comments. This requirement may be met by providing the agency with a copy of the final EIR. Pub Res C §21092.5.

Comment Letter I

From: Gabriel Diaz
To: David Ornelas
Cc: Patty Nevins
Subject: FW: Moreno Valley Trade Center DEIR
Date: Wednesday, July 7, 2021 10:52:58 AM
Attachments: image52dc84.PNG

Hello David,

I received this email from the Deputy Attorney General for your review.

Thank you,

Gabriel

Gabriel Diaz
Associate Planner
Community Development
City of Moreno Valley
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14177 Frederick St., Moreno Valley, CA 92553

City of Moreno Valley

From: Robert Swanson <Robert.Swanson@doj.ca.gov>
Sent: Wednesday, July 7, 2021 10:36 AM
To: Gabriel Diaz <gabrield@moval.org>
Cc: Scott Lichtig <Scott.Lichtig@doj.ca.gov>
Subject: Moreno Valley Trade Center DEIR

Warning: External Email – Watch for Email Red Flags!

Hi Gabriel,

I'm a Deputy Attorney General with the California Attorney General's Office. My colleague Scott Lichtig and I have taken a look at the draft EIR for the Moreno Valley Trade Center, and we wanted to make sure you were aware of our office's Warehouse Best Practices and Mitigation Measures document, which we released in March. It is available here: https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/warehouse-best-practices.pdf. The document aims to help cities like yours plan for warehouse development, from broad planning efforts like general plans all the way down to specific measures to mitigate the environmental impacts of particular projects under CEQA. As you prepare the final EIR and work to respond to comments, we would encourage you and the CEQA consultants for the Moreno Valley Trade Center to review the Warehouse Best Practices and Mitigation Measures document and consider including measures from the document to mitigate the project's significant and unavoidable impacts. As the document notes, nearly all of the suggested mitigation measures have been implemented in a warehouse project in California, so they are generally feasible. Please do not hesitate to get in touch if you have any questions. I-1

Best regards,

Rob Swanson
Deputy Attorney General | Environment Section
California Department of Justice
1300 I Street, 15th Floor | Sacramento, CA 95814
Tel.: 916-210-7808

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RESPONSES TO COMMENT LETTER I:
California Department of Justice, Environment Section

I-1 The commentor requests the City review the California Attorney General Office's Best Practices and Mitigation Measures document to comply with the California Environmental Quality Act ("Best Practices") and consider the inclusion of additional mitigation measures. The comment does not identify any purported noncompliance with CEQA or deficiency with the DEIR. Notwithstanding, the proposed Project was designed with consistency with the Best Practices guidance in mind. The technical reports, for instance, relied on very conservative assumptions. As a few examples, the technical reports relied on modeling assumptions using a version of California Emissions Estimator Model (CalEEMod) which was the most updated version at the time in which the proposed Project commenced environmental review which overestimates emissions compared to the latest version and did not take into account any benefits derived from implementation of SCAQMD's Warehouse Indirect Source Rule - Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program.[1] The SCAQMD has determined that "[b]ased on the analysis of 19 WAIRE Menu scenarios, [the Rule] could achieve NOx reductions in the range of 2.5 – 4 tons per day beyond CARB Rules, which represents about a 10-15% reduction beyond baseline for both NOx and PM."[2] In addition, the DEIR implemented all best practices when studying air quality and greenhouse gas emission impacts. (Best Practices at 6). *Many* of the mitigation measures included in the Best Practices are already included in the DEIR and all feasible mitigation measures have been incorporated to mitigate significant and unavoidable impacts. Notwithstanding, the Project Applicant also has requested additional conditions of approval be added to minimize the Project's air quality and greenhouse gas emissions, albeit these conditions of approval are not considered to be mitigation measures. The following list summarizes the mitigation measures and conditions of approval that will be required to minimize the Project's air quality and greenhouse gas emissions.

<u>EIR Mitigation Measures</u>

- Requiring legible, durable, weather-proof signs to be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations, including instructions for (a) drivers of diesel trucks to restrict idling to no more than three (3) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged and (b) drivers of trucks equipped with transport refrigeration units ("TRU") to limit TRU idling durations to less than 15 minutes per day. (MM 4.2-5)
- Restrict any operation of the facility for use as "cold storage" to 50,000 square feet. (MM 4.2-7)
- Requiring on-site equipment, such as forklifts and yard trucks, to be non-diesel-powered. (MM 4.2-10)

<u>Requested Conditions of Approval</u>

- Requiring operator to provide annual reports to the City demonstrating compliance with SCAQMD Rule 2305.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.

Lastly, the Best Practices guidance recommends "[p]er CARB guidance, siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors."

However, the CARB guidance that is cited in support of the 1,000-foot buffer relies 2003 cancer risk methodology guidance that utilizes even earlier cancer risk data sets. Further, the CARB guidance specifically states that the 1,000 foot buffer "recommendation [is] designed to fill a gap where information about existing facilities may not be readily available and are not designed to substitute for more specific information if it exists" and notes that "[t]o determine the actual risk near a particular facility, a site-specific analysis would be required." Moreover, the guidance acknowledges that "[r]isk from diesel PM will decrease over time as cleaner technology phases in." In the DEIR, a specific site analysis was prepared. Diesel particulate matter emissions from heavy-duty trucks and TRUs have reduced significantly over the last 16 years with the implementation of federal and state regulations such as United States Environmental Protection Agency's (USEPA) Emission Standards for Heavy-Duty Highway Engines and Vehicles, CARB's Truck and Bus Regulation, and CARB's Airborne Toxic Control Measure for TRUs. See also Homestead Final Environmental Impact Report at 2-23 through 2-30.[3]

Additionally, the California Office of Environmental Health Hazard Assessment (OEHHA) updated their guidance for estimating health risk in 2015. Therefore, an analysis, such as the Project-specific analyses performed here, using present-day emissions data for modern trucks and TRUs along with the most recent risk assessment guidance yields both a conservative and accurate finding.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend

to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle grant programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of these additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

[1] http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf?sfvrsn=15
[2] http://www.aqmd.gov/docs/default-source/planning/fbmsm-docs/legal-response-to-cta-letter.pdf?sfvrsn=8.
[3] https://www.eastvaleca.gov/home/showpublisheddocument/13911/637211577832870000

COMMENT LETTER J

From: Gabriel Diaz
To: David Ornelas; "Grace, John"
Cc: Patty Nevins; Sean P. Kelleher
Subject: FW: I am writing today in opposition to the proposed Moreno Valley Trade Center project
Date: Monday, July 12, 2021 11:58:29 AM
Attachments: imageddee15.PNG

Hello David and John,

I received this public comment email below for your review.

Thank you,

Gabriel

Gabriel Diaz
Associate Planner
Community Development
City of Moreno Valley
p: 951.413.3226 | e: gabrield@moval.org w: www.moval.org
14177 Frederick St., Moreno Valley, CA 92553

City of Moreno Valley

From: Eric Little <elphotomancer@gmail.com>
Sent: Wednesday, July 7, 2021 7:39 PM
To: Gabriel Diaz <gabrield@moval.org>
Subject: I am writing today in opposition to the proposed Moreno Valley Trade Center project

Warning: External Email – Watch for Email Red Flags!

Gabriel Diaz, Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Submitted via email

Dear Gabriel,

I am writing today in opposition to the proposed Moreno Valley Trade Center project. Based on the draft EIR which has been prepared, there remain a number of deficiencies in what is proposed. The project does not go far enough to mitigate the proposed impacts on air quality that will impact the ability to meet the SCAQMD Air Quality Management Plan and it is unacceptable to refuse to fully mitigate the projected impacts. J-1

There are a number of options available to further improve the air quality. For example, although the project is large enough to be subject to the AQMD's Rule 2305, it is noted that yard trucks are assumed to not be zero emissions even though the technology for that use case already exists today. It is absolutely vital that this EIR be reevaluated with a goal of ensuring that the impacts are actually mitigated and not dumped on the Moreno Valley community. J-2

Thank you for your time and consideration in this matter. J-3

-Eric Little

RESPONSES TO COMMENT LETTER J:
Eric Little

J-1 The commenter asserts that the EIR should provide additional mitigation measures to address the Project's conflict with the SCAQMD Air Quality Management Plan. As discussed in DEIR Section 4.2, *Air Quality*, the DEIR concludes that the Project will conflict with the SCAQMD Air Quality Management Plan due to operational NO_X emissions. Mobile source emissions account for approximately 96 percent, by weight, of the Project's total operational NO_X emissions (under both the warehouse distribution/logistics and e-commerce/fulfillment uses). Mobile source emissions are regulated by standards imposed by federal and State agencies, not local governments. No other mitigation measures related to vehicle tailpipe emissions are available that are within the City of Moreno Valley's jurisdictional authority that, also, are feasible for the City of Moreno Valley to enforce and have a proportional nexus to the Project's level of impact. The DEIR specified seven mitigation measures (MM 4.2.5 to MM 4.2.11) to reduce the Project's overall demand for energy resources and would reduce the Project's operational NO_X emissions. (**DEIR starting at 4.2-39**). Additionally, the commenter does not identify any additional feasible mitigation measures that can be incorporated into the Project. Therefore, no revisions to the DEIR are required.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend

to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle grant programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of these additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

J-2 The commenter raised concern on the proposed Project's assumption of not using zero emission yard trucks when the technology for that use exist today and the project compliance with the SCAQMD Rule 2305. MM 4.2-10 was revised in the FEIR to prohibit the use of diesel-powered outdoor cargo handling equipment (e.g., yard trucks, hostlers, yard goats, pallet jacks, forklifts).

Notwithstanding the above, the Project Applicant has requested that a condition of approval be added to require that all construction equipment shall meet or be cleaner than Tier 4 standards, except in cases where the construction contractor certifies that it is not feasible to use exclusively Tier 4 equipment due to limited availability. The Project Applicant has further requested that the condition of approval reflect that in all events, at least 80% of construction equipment shall meet or be cleaner than Tier 4 standards throughout the duration of the Project's construction phase, albeit this condition of approval shall not be considered to be required mitigation measure necessitated by the instant CEQA analysis of the Project.

Further, the SCAQMD recently adopted Rule 2305, the Warehouse Indirect Source Rule, which sets forth additional requirements "to reduce local and regional emissions of nitrogen oxides and particulate matter, and to facilitate local and regional emission reductions associated with warehouses and the mobile sources attracted to warehouses in order to assist in meeting state and federal air quality

standards for ozone and fine particulate matter."[1] This rule applies to "owners and operators of warehouses located in the [SCAQMD] jurisdiction with greater than or equal to 100,000 square feet of indoor floor space."[2] The proposed Project would be subjected to the applicable provisions of Rule 2305. In general, the Rule establishes the Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, which is a points system that is based upon the actual number of trucks that come to and leave a warehouse. Each year the operator will be obligated to determine how many points the warehouse is required to achieve using a formula set out in the Rule. Points are awarded for electric equipment. If the required number of points are not achieved, the warehouse operator would be required to pay a fee to the SCAQMD, and the SCAQMD would use collected funds to improve air quality. Although compliance with Rule 2305 is not mitigation and the SCAQMD has not published a nexus study showing how the use of collected funds has nexus to the warehouse's air quality impacts, the ISR program is intended to reduce air quality effects associated with the warehouse industry, including the proposed Project, throughout the South Coast Air Basin.

J-3 The commenter provides concluding remarks; no response is required.

[1] Rule 2305, Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, adopted May 7, 2021, p. 1. Available at: http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf?sfvrsn=15.
[2] *Id.*

Comment Letter K

Moreno Valley Trade Center dEIR concerns

To whom it may (or may not) concern,

Please include this in the public record to voice my concerns on the inadequacy of the draft EIR related to the Moreno Valley Trade Center proposed at a location on Redlands Blvd. south of Eucalyptus. K-1

As with the other warehouse projects, the city staff and developers make light of the significant negative impacts that can't be mitigated and they unethically continue to override them without adequately addressing the cumulative effect of all the previous projects who also had their significant negative impacts unmitigated (pollution, noise, traffic etc.). Some of these projects that directly affect the residents south of Encelia include the wlc, Aldi, Prologis warehouses and the sleep disrupting Solaris paper company and now commercial zoning just north of them. The developers and staff that promote these obscene projects do not live here and leave us to suffer the consequences of their bad decisions and yes outright false data in order to get their projects approved. K-2

Many at city hall have forgotten who they work for- it's the residents not the developers and our health and quality of life should be their priority, not the financial enrichment of developers. Would the city staff and developers want this to happen where they live- have their views blocked, breathe bad air, have non-stop truck traffic 24/7 disrupting their sleep with beeping and brakes noise etc.? People moved out here for the larger lots, animal keeping, quiet, night skies, low crime to name a few. We poured our life savings into purchasing our homes in an area we researched and thought was the right place for our families. Warehouses were never intended out here and especially the encroachment into residential areas as the MV Trade Center intends to do. The 2006 comprehensive general plan protected the residents, the new plan does not. K-3

This project was already included on the general plan update as a done deal. It was on the map and consultant thought it was already approved. How did that happen when it hadn't even come forward yet? Again underhanded action at city hall just like when the city promoted the wlc prematurely. This warehouse does not belong here and needs to be eliminated. K-4

The land that this abomination intends to rezone is resident R2 with animal keeping rights. The city keeps whining about losing control if they don't meet certain housing numbers yet they want to remove residential land in favor of another warehouse. They just allowed Chung/Benzeevi committee to remove more animal keeping residential land so we need to preserve what is left. The city needs to stop contradicting themselves and using RHNA when it suits them. DO NOT ALLOW THIS LOSS OF RESIDENTIAL LAND FOR ANOTHER WAREHOUSE ENCROACHING INTO AN EXISTING NEIGHBORHOOD! K-5

Their traffic studies and analysis contain many areas that need to be addressed more completely and false data/info removed. Encelia is not a high traffic street and is not a K-6

Comment Letter K

truck route and should never become one. **Why have the traffic numbers been inflated for** Encelia **to make it seem like all the project driveways won't impact the residents??**

This project intends to direct a huge amount of traffic onto a quiet street and onto Redlands. Redlands Blvd south of Eucalyptus is NOT a truck route although large numbers of trucks break the law daily.

This study seems to assume that Encelia and Redlands will be ok for their trucks when they are not truck routes. **Why hasn't this study adequately addressed the illegal trucks using Redlands Blvd south of Eucalyptus? Will this project pay for additional police patrols to stop the illegal truck traffic? The trucks going south on Redlands to Cactus will have severe negative impacts on the other housing tracks along Redlands and Cactus so why isn't this addressed satisfactorily? These large trucks also destroy our roads much quicker than passenger vehicles- will this project (and wlc) be held accountable in paying for the damage to our roads? It has been mentioned that this will be another Amazon distribution center, if so is their adequate parking and law enforcement for all their small delivery trucks?** We have Amazon in our city already and do not need another. Their drivers are dangerous and invade neighborhoods parking their vehicles off the premises. Again, all these neighborhoods will suffer compounded health and quality life issues associated with adding another warehouse to their already affected community. **Will this project finance the additional police we will need to protect our residents from all these negative impacts associated with our residential road use?**

Employee traffic- we all know that people look for quicker routes to and from their destinations. **How will you protect the existing residents from excessive employee/truck traffic through their quiet neighborhoods?** Non-residential traffic is much more dangerous than residential. **How will you stop employees from parking in our residential neighborhoods? Where are the safe guards and the non-residential traffic noise, dangerous driving, pollution needs to be addressed not over ridden.**

Why have the safe equestrian trails been eliminated from this study? Our master planned trail system includes a safe equestrian overpass at Theodore and it should be down Redlands (and Theodore) to connect with Lake Perris. Only pedestrian and bikes get mentioned.

Aesthetics-The 2006 general plan included many more protections to our residents that this project will destroy. The wlc high cube warehouses will obstruct the resident's wonderful views to the east and now this project will obstruct their views to the north. Just another severe negative impact that is compounded by other projects that have already been approved. Loss of the substantial views to east is bad enough so do not allow this project to obstruct their remaining views. **Why isn't the city protecting the residents better rather than over riding this compounded severe negative impact?**

Pollution- the city and out of town developers continue to play Russian roulette with our health by approving unlimited warehouses to encroach into our residential areas. There

K-6 (CONT.)
K-7
K-8
K-9
K-10
K-11
K-12
K-13

Comment Letter K

are so many studies already done that show the damage done to our lungs from diesel and other fuels- especially the young and seniors. **Why didn't this EIR address the NOx pollution that will be associated with the project operation? Along with air pollution there will be substantial noise and light pollution 24/7 that are not adequately addressed- will the truck noise and lights be stopped at 10 pm as other activities need to? Will the city finally address this issue and amend our noise ordinance to include warehouses in residential areas?** The beeping trucks at skechers all night have disrupted sleep of those who live north of it and since it opened they haven't been able to sleep with their windows open. Since the paper company opened the noise has disrupted both daytime and night time sleep and that should not be allowed to occur with any more warehouses. **Why hasn't the compounded effect been addressed adequately to include the injustice that this neighborhood will suffer from with the already approved wlc? Do NOT claim it doesn't need to be addressed!**

K-13 (CONT.)

K-14

Water- I don't believe that the EMWD is being truthful on being able to supply water to all these projects coming forward- wlc and the commercial north of the freeway will suck up so much water. I was appalled to read that they will dig a well for their project and suck out the aquifers which aren't getting adequately replenished during so many years of drought. The Festival also dug a well recently and will also be taking aquifer water. We have residents whose property relies on well water that these projects may deplete. **Where are the safeguards for these residents? Why was there no research and data collected on what happens when excessive underground water is removed? How much water will they be pumping from their well? When the underground water is pumped out, the ground will settle and homes could start sinking and sink holes could develop on our roads. Will this project be responsible later down the road for all the damage they've done? This well pumping by warehouses should NOT be allowed and certainly without safe guards and restrictions.**

K-15

Jobs- once again the promise of jobs is bandied about to entice people to like this project. The 2006 and 2021 general plans as well as city propaganda every year promise to bring high paying jobs to Moreno Valley so people don't have to commute. Warehouses do not bring those high paying jobs promised. This project like the wlc will swallow up in huge amount of valuable land for a small number of jobs that are not high paying. **What guarantee is there that there will be 2000 permanent high paying jobs? Why hasn't the city learned from past lies from developers in order to get their project approved (skechers/benzeevi promised thousands and did not deliver)?** Warehouses and even trucks are becoming more automated, therefore less jobs and most are temporary. **Why do you keep bringing up the commuting issue when it's been shown that our resident commute times are on average or less than surrounding communities?** In fact the majority of city staff commute into Moreno Valley to work so it is a non-issue intended to instill fear. **Why does the city staff continue to condemn our residents to low paying warehouse jobs?** We deserve better.

K-16

For too long now the city staff have wantonly used the "override" to approve too many projects with significant negative impacts in a manner that I believe is illegal. For too

K-17

Comment Letter K

long, staff have incorrectly asserted that the City may simply adopt a statement of override when a project results in impacts.

Not so — procedurally, the lead agency can only approve a project with significant environmental impacts if: (1) the adverse environmental effects of a project have been substantially mitigated, or (2) mitigation measures or alternatives are infeasible *and* overriding considerations exist which allow approval of the project. (PRC § 21081; Guideline §§ 15091, 15093.)

Overriding considerations do not come into play unless there are *no* feasible project alternatives. (*City of Marina v. Board of Trustees of the California State University,* 2006, 39 Cal.4th 341,368.) The lead agency, therefore, cannot merely adopt a statement of overriding considerations and approve a project with significant impacts; it must first adopt feasible alternatives and mitigation measures. "CEQA does not authorize an agency to proceed with a project that will have significant, unmitigated effects on the environment, based simply on a weighing of those effects against the project's benefits, unless the measures necessary to mitigate those effects are truly infeasible. (*Id.* at 376.)

K-17 (CONT.)

Now with CEQA in play, the city/developer try to claim that rejecting the project and leaving the zoning as is will result in the same if not more severe negative impacts that just leave me speechless. With RHNA in play we need these residential homes- especially as the pandemic has shown kids and adults need larger yards to play in to remain safely distanced. Our large lot neighborhood home sell quickly and are in demand so we need to keep our R2 designation. The **NO PROJECT ALTERNATIVE** is the correct selection and the MV TRADE CENTER needs to be denied.

K-18

Our city has been overwhelmed by warehouses and at this point there needs to be a moratorium. No more warehouses and we need more open space per the law. The compounded effects are real and dangerous and should no longer be ignored.

K-19

As residents we don't have investor money to afford legal services and PR staff the way developers do. Our hard earned money went into purchasing our homes in a place chosen that suited our life styles. We moved further out of town to larger lots, space, low crime, night skies, views etc. and trusted that our city government would actually work to protect us as city governments were set up to do. Staff and elected officials take ethics training and oaths of office to do so. Unfortunately developer money has completely corrupted our system of government and the residents have not been protected. Rejection of the Moreno Valley Trade Center will be the start to reverse prior environmental injustices inflicted on the tax paying residents of Moreno Valley.

K-20

Thank you,

Lindsay Robinson

Resident of Moreno Valley

RESPONSES TO COMMENT LETTER K:
Lindsay Robinson

K-1 The commenter makes introductory remarks; no further response is required.

K-2 The commenter asserts that City staff and developers make light of the significance and unavoidable impacts from previous projects and do not adequately address the cumulative effects of all previous projects. As discussed in Section 4.0.2, Scope of Cumulative Effects Analysis, of the DEIR, CEQA requires that an EIR contain an assessment of the cumulative impacts that may be associated with a proposed project. (**DEIR at 4.0-1**). Table 4.0-1, List of Cumulative Projects, includes the 73 other known past, present, and reasonably foreseeable projects used in the cumulative transportation impact analysis as well as vehicular-related air quality, greenhouse gas, and noise impact analyses. (**DEIR starting at 4.0-3**). Moreover, a cumulative impact analysis is provided for each environmental topic in the DEIR. Additionally, the commenter does not provide evidence to support the claim; thus, no revisions to the DEIR are required.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants

include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of the additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

With respect to noise, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as

determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

K-3 This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

K-4 The commenter also raises concern about the proposed Project being approved in the draft General Plan Update. The Project site's General Plan designation was not modified in the recent General Plan update and the commenter does not provide evidence to support the claim; furthermore, the comment does not raise any issues with the environmental analysis provided in the DEIR; thus, no revisions to the DEIR are required.

K-5 The commenter raises concern about the zone change required under the proposed Project from "Residential Agriculture (RA2) District" and "Primary Animal Keeping Overlay Zone (PAKO)" to "Light Industrial (LI) District and the loss of residential land due to the zone change. As discussed in Section 4.10, Land Use and Planning, although implementation of the Project would result in the re-classification of the Project site from a residential land use (R2) to a non-residential land use (BP/LI), the City of Moreno Valley has enacted the "Density Bonus Program for SB 330" ordinance (Municipal Code Section 9.03.065) that includes density bonus/transfer provisions to ensure that land use actions taken by the City of Moreno Valley would result in no net loss of residential capacity within the City. Accordingly, the residential units assigned to the Project site by the General Plan under existing conditions could be developed elsewhere in the City in the future, in areas specifically targeted by the City for a range of dwelling types – including more affordable dwelling types. Therefore, no revisions to the DEIR are required.

K-6 The commenter asserts that the traffic analysis for the proposed Project provides false data and information, Encelia Avenue should not be a truck route, and that the traffic numbers on Encelia Avenue has been inflated. As stated in the DEIR, weekday AM and PM peak hour traffic count data was collected at study area intersections and roadway segments on October 30, 2019. (**DEIR at 4.12-4**). The raw manual peak hour turning movement traffic count data sheets are included in Appendix B of Technical Appendices L1 and L2. On the date that traffic counts were collected, there were no atypical traffic conditions (e.g. construction activity or detour routes) and nearby schools were in session and operating on normal schedules. In addition, the proposed driveways to Encelia Avenue would be restricted to passenger vehicle traffic only; no heavy trucks would be permitted to enter/exit the site from the proposed Encelia Avenue driveways. (**DEIR at 3-8)**. Additionally, the driveways on Encelia Avenue are strictly designed for passenger vehicles only. The width and curb radii for the

driveways on Encelia Avenue are designed to prohibit truck access. The number of passenger vehicle and truck trips that the Project is expected to generate is based on Institute of Transportation Engineers (ITE) in their Trip Generation Manual (10th Edition), and SCAQMD recommendations for vehicle mix, which rely on surveyed data from other operating industrial warehouse buildings, which is reasonable and reliable information. Information on ITE and SCAQMD trip rate and vehicle type mixes are found in the DEIR, as well as in Technical Appendices L3 and L4. (**DEIR at 4.12-10**). The commenter does not provide evidence to support the claim that traffic numbers on Encelia Avenue are inflated. Therefore, no revisions to the DEIR are required.

K-7 The commenter raises concern about the traffic impacts to the neighborhood due to the implementation of the proposed Project and asserts that Redlands south of Eucalyptus is not a truck route. As discussed in Section 4.10, Transportation, of the DEIR, the proposed Project would result in less than significant transportation impacts. Although the proposed Project would contribute to traffic congestion and hinder compliance with General Plan Circulation Element Policy 5.3 related to LOS criteria, SB 743 and the CEQA Guidelines stipulate that LOS is not to be used as a criteria for determining significant effects on the environment. The proposed Project would also not result in a significant VMT impact under the scenarios where the proposed Project is operated as either a warehouse distribution/logistics use or an ecommerce/fulfillment use when all Project design features that would promote non-vehicular transportation and would reduce VMT from employee commutes are considered.

The commenter asserts that Redlands Blvd. south of Eucalyptus Avenue is not a truck route per the City's truck route map and suggests that Encelia Avenue be used for emergency services only. The commenter correctly identifies that Redlands Boulevard south of Eucalyptus is not a truck route. However, the City of Moreno Valley is allowing trucks use this segment of Redlands Blvd., to access the proposed Project. Access to the Project site would be provided by two driveways from Eucalyptus Avenue, two driveways from Redlands Boulevard, and two driveways from Encelia Avenue (or three driveways under the fulfillment/e-commerce option). The western driveway from Eucalyptus Avenue would provide inbound/outbound access for passenger vehicles and trucks and the eastern driveway from Eucalyptus Avenue would be restricted to outbound right-turn truck traffic only. The northern driveway from Redlands Boulevard would provide right-in/right-out access only for passenger vehicles and the southern driveway from Redlands Boulevard would provide access for inbound and outbound passenger vehicles (right-in/right-out only) and inbound truck traffic. Onsite design features such as a pork-chop designed driveway, signage posted at the driveway exit, or other measures based on specifications provided by City staff would be installed at the southern driveway from Redlands Boulevard to prohibit outbound truck traffic. (**DEIR at 3-8**). The City require these design features as a condition of the Project's approval and the City will assure their installation as part of the City's standard building permit review and inspection process. The proposed driveways to Encelia Avenue would be restricted to passenger vehicle traffic only and heavy trucks would be unable to utilize the driveways from Encelia Avenue because they are designed with curb radii and drive aisles too narrow for truck turning movements. (**DEIR at 4.2-14**). Moreover, MM 4.2-8 requires that, prior to the issuance of occupancy permits, signs be installed at each truck exit driveway that provides directional information to the City's truck route. Based on the foregoing, the Project's design adequately mitigates and precludes the potential for heavy trucks to travel south along Redlands Boulevard after leaving the Project site and from using proposed driveways along Encelia Avenue. No changes to the DEIR are warranted.

Moreover, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to design and install on-site physical

improvements, including but not limited to curbs, street humps, street bumps or textured pavement, approved by the City, that discourage truck operators from turning their trucks in the wrong direction when entering or leaving the Project site. The Project Applicant has also requested a condition of approval that requires the developer to install on-site signage clearly stating which directions trucks must turn at all streets exiting the Project site.

K-8 The commenter raise concern about truck traveling on Encelia Avenue and Redland Boulevard south of Eucalyptus. See Response K-7 above.

K-9 The commenter shares their concern regarding potential impacts to police protection services. The DEIR demonstrates that the Project would result in a less than significant impact to police protection services. (**DEIR at 5-8**). The commenter does not provide any evidence to rebut the analysis in the DEIR. No further response is necessary.

K-10 The comment raises concern about employee and truck traffic, parking on residential streets, noise, and pollution impacts from residential traffic. The Project's design provides off-street parking on the Project site in accordance with applicable provisions of the City of Moreno Valley Municipal Code. Furthermore, City of Moreno Valley Municipal Code Section 12.38.020(B) prohibits commercial vehicles exceeding a manufacturer's gross vehicle weight (commonly referred to as GVW) rating of 10,000 pounds (as defined by California Vehicle Code Section 390) from stopping, standing, or parking on any public street or highway, or any portion thereof. For these reasons, it is not reasonably foreseeable that vehicles accessing the Project site would park in residential areas overnight. The proposed Project would provide a total of 607 on-site passenger vehicle parking spaces, which exceeds City requirements and provides Project employees with ample opportunities to park on the Project site. The commenter does not provide evidence to support the claim and the commenter's assertion is unsupported. Therefore, no revisions to the DEIR are required.

Notwithstanding the above, the Project Applicant has requested that the following conditions of approval be added, as a Project benefit, for the purpose of addressing neighborhood parking concerns, albeit the following conditions of approval are not considered to be required mitigation measures under the instant CEQA analysis:

- The Project Applicant shall provide free and sufficient parking for all employees, visitors, guests, customers, truck operators and other invitees in on-site parking lots and/or other common areas of the Project site c to enable all such persons reasonably expected to visit the Project site to park on-site (as determined by a qualified transportation engineer).
- The Project Applicant shall adopt a policy or rule that all employees, visitors, guests, customers, truck operators and other invitees shall park onsite in designated parking areas within the Project site, with such policy or rule included in any conditions, covenants and restrictions applicable to the Project site and in all leases, rental agreements, licenses or other such documents that permit access or occupancy within the Project site.
- The Project Applicant shall install permanent signs in English and Spanish to inform all employees, visitors, guests, customers, truck operators and other invitees of the on-site parking requirement.

The Project Applicant shall install conspicuous onsite directional signs to designated City truck routes at prominent locations near or at driveways and drive aisles where vehicles exit the Project site.

Moreover, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of the additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of

contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

With respect to noise, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

K-11 The commenter questions why the DEIR does not address potential impacts to equestrian trails. The City's Master Plan of Trails does not identify any equestrian trails on or in the vicinity of the Project

site. Furthermore, the Master Plan of Trails does not identify an equestrian overpass on Theodore Street but does identify an equestrian staging area at Quincy Street and Cottonwood Avenue. As shown in the DEIR, the Project would not send substantial traffic in the direction of Quincy Street and Cottonwood Avenue and, therefore, the Project would not adversely affect the equestrian staging area at this location. (**DEIR Figures 4.12-7 to 4.12-18**). According to the Master Plan of Trails, Redlands Boulevard is identified as a proposed trail along the Project site frontage. As discussed in the DEIR, an approximately 11-foot-wide decomposed granite trail would be installed abutting the west side of the Redlands Boulevard public right-of-way. (**DEIR at 3-18**). The trail design would conform to City of Moreno Valley Standard Plan MVGF-610H-0 for a "Multi-Use Trail Adjacent to Street with Sidewalk." Additionally, an approximately 16.5-foot-wide combination trail and sidewalk would be installed as part of the Project along the western Project site boundary abutting the existing Quincy Channel. Therefore, the DEIR adequately addresses the trail system planned for the City and no revisions to the DEIR is required.

K-12 The commenter raised concern about the impacts on aesthetics and the obstruction of views due to the implementation of the proposed Project. As discussed in Section 4.1, Aesthetics, of the DEIR, implementation of the proposed Project would mostly or completely block existing views of Reche Canyon and the Foothills and the Badlands (and the San Bernardino Mountains beyond) from the Encelia Avenue segment abutting the Project site and located west of Shubert Street. In addition, implementation of the Project would mostly or completely obstruct views of Mount Russell and its foothills from the Eucalyptus Avenue segment that abuts the Project site. However, no feasible mitigation is available to reduce the proposed Project's significant impact to scenic resources because the components of the Project that are the cause of the impact – the proposed grading plan and building height – are directly related to the ability of the Project to meet minimum functional requirements. First, due to the site's existing topography – which is not level and slopes from north to south – the proposed grading plan must raise the ground elevation of the southern portion of the site while simultaneously lowering the northern portion of the site in order to create a pad that can support a safe building design and parking areas that meet minimum safety and accessibility requirements while, also, safely and effectively convey stormwater runoff through the Project site. Second, the Project would be constructed as a speculative building and the building height is comparable to the typical building height for new light industrial buildings in the Inland Empire; these buildings are designed to accommodate the minimum interior clear height and equipment and storage specifications that operators of these buildings require. Accordingly, the loss of scenic vistas represents a significant and unavoidable direct impact of the Project and in approving the project, decisionmakers would need to determine if the benefits of the project would outweigh the unavoidable impacts through adoption of a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093. In light of the foregoing, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

K-13 The commenter raised concern about air quality impacts and asserts that the DEIR did not address the NOx emissions during operation of the proposed Project. As discussed in Section 4.2, Air Quality, of the DEIR, the Project will result in significant and unavoidable impacts from operational NO_X emissions. Mobile source emissions account for approximately 96 percent, by weight, of the Project's total operational NO_X emissions (under both the warehouse distribution/logistics and e-commerce/fulfillment uses). As such, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093. However, mobile source emissions are regulated by standards imposed by federal and State agencies, not local governments. No other mitigation measures related to vehicle tailpipe emissions

are available that are within the City of Moreno Valley's jurisdictional authority that, also, are feasible for the City of Moreno Valley to enforce and have a proportional nexus to the Project's level of impact. Additionally, the Project has included a total of seven mitigation measures (MM 4.2.5 to MM 4.2.11) would reduce the Project's overall demand for energy resources and would reduce the Project's operational NO_X emissions. Therefore, no revisions to the DEIR are required.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

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Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

K-14 The commenter asserts that noise and lighting impacts were not adequately addressed in the DEIR but does not offer any specific critique(s) of the analysis in the DEIR. The commenter's concerns related to potential noise and lighting impacts were addressed by Responses B-13 and B-15, respectively. No additional response is necessary and no changes to the DEIR are warranted.

The Project Applicant however has requested that a condition of approval be added, as a Project benefit, that requires the Project's building be set back at least 370 feet from the existing centerline of Encelia Avenue (which provides for more than 400 feet of separation between the proposed building and the nearest existing residential structures).

In addition, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building.

In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

K-15 The commenter raised concern about water supply from the proposed Project and asserts that Eastern Municipal Water District (EMWD) is not being truthful about having adequate water supply to support the proposed Project. A Water Supply Assessment was prepared to assess the Project's effect on the EMWD's ability to provide adequate water service to its customers during normal, dry, and multiple dry years. The Water Supply Assessment, which is provided as Technical Appendix M to this EIR, was prepared in accordance with SB 610 and SB 221. According to the WSA, the estimated annual water demand for the Project is 186.7 acre-feet (AF), which is greater than the 28.0 AF planned for the site by the 2015 UWMP. The rate of demand growth in EMWD's service area has occurred at a lower rate than the projections used in the 2015 UWMP, which forecast retail potable/raw water demands to reach 93,400 AF by calendar year 2020. Retail potable/raw water deliveries (including temporary construction meters but excluding system losses) in 2019 totaled approximately 71,140 AF, well below the demands projected for 2020. Because local growth demands have not kept up with the 2015 UWMP projected deliveries, EMWD is able to meet the Project water demand without the need for offsets or the acquisition of additional water supplies. Additionally, EMWD calculates that it will have sufficient water supplies to meet all water existing demands for the Project in addition to its existing and projected future responsibilities through the planning horizon year (2040) during all climate scenarios, including normal year, single dry year, and multiple dry years. The commenter does not provide evidence to support the claim; thus, no revisions to the DEIR is required.

K-16 This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

K-17 This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

K-18 This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

K-19 This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

K-20 This comment does not raise any issues with the environmental analysis provided in the DEIR, thus, no further response is required.

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VIA E-MAIL

July 7, 2021

Gabriel Diaz

Associate Planner
City of Moreno Valley, Planning Dept.
14177 Frederick Street
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RE: Moreno Valley Trade Center Draft Environmental Impact Report

Dear Mr. Diaz,

On behalf of the Southwest Regional Council of Carpenters ("**Commenter**" or "**Carpenters**"), my Office is submitting these comments on the City of Moreno Valley's ("**City"** or "**Lead Agency**") Draft Environmental Impact Report ("**DEIR**") (SCH No. 2020039038) for the proposed Moreno Valley Trade Center Project, wherein the applicant proposes to construct and operate a 1,328,853 square foot light industrial building meant for warehouse distribution/logistics or e-commerce/fulfillment uses, in addition to a General Plan Amendment, a Change of Zone, a Plot Plan, and a Tentative Parcel Map to accommodate the construction of he light industrial building ("**Project**").

L-1

The Southwest Carpenters is a labor union representing more than 50,000 union carpenters in six states and has a strong interest in well ordered land use planning and addressing the environmental impacts of development projects.

L-2

Individual members of the Southwest Carpenters live, work and recreate in the City and surrounding communities and would be directly affected by the Project's environmental impacts.

Commenters expressly reserves the right to supplement these comments at or prior to hearings on the Project, and at any later hearings and proceedings related to this Project. Cal. Gov. Code § 65009(b); Cal. Pub. Res. Code § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.

L-3

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Commenters incorporates by reference all comments raising issues regarding the EIR submitted prior to certification of the EIR for the Project. *Citizens for Clean Energy v City of Woodland* (2014) 225 Cal. App. 4th 173, 191 (finding that any party who has objected to the Project's environmental documentation may assert any issue timely raised by other parties). L-3 (CONT.)

Moreover, Commenter requests that the Lead Agency provide notice for any and all notices referring or related to the Project issued under the California Environmental Quality Act ("**CEQA**"), Cal Public Resources Code ("**PRC**") § 21000 *et seq*, and the California Planning and Zoning Law ("**Planning and Zoning Law**"), Cal. Gov't Code §§ 65000–65010. California Public Resources Code Sections 21092.2, and 21167(f) and Government Code Section 65092 require agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body. L-4

The City should require the Applicant provide additional community benefits such as requiring local hire and use of a skilled and trained workforce to build the Project. The City should require the use of workers who have graduated from a Joint Labor Management apprenticeship training program approved by the State of California, or have at least as many hours of on-the-job experience in the applicable craft which would be required to graduate from such a state approved apprenticeship training program or who are registered apprentices in an apprenticeship training program approved by the State of California. L-5

Community benefits such as local hire and skilled and trained workforce requirements can also be helpful to reduce environmental impacts and improve the positive economic impact of the Project. Local hire provisions requiring that a certain percentage of workers reside within 10 miles or less of the Project Site can reduce the length of vendor trips, reduce greenhouse gas emissions and providing localized economic benefits. Local hire provisions requiring that a certain percentage of workers reside within 10 miles or less of the Project Site can reduce the length of vendor trips, reduce greenhouse gas emissions and providing localized economic benefits. As environmental consultants Matt Hagemann and Paul E. Rosenfeld note: L-6

> [A]ny local hire requirement that results in a decreased worker trip length from the default value has the potential to result in a reduction of construction-related GHG emissions, though the significance of the

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> reduction would vary based on the location and urbanization level of the project site.

L-6 (CONT.)

March 8, 2021 SWAPE Letter to Mitchell M. Tsai re Local Hire Requirements and Considerations for Greenhouse Gas Modeling.

Skilled and trained workforce requirements promote the development of skilled trades that yield sustainable economic development. As the California Workforce Development Board and the UC Berkeley Center for Labor Research and Education concluded:

> . . . labor should be considered an investment rather than a cost – and investments in growing, diversifying, and upskilling California's workforce can positively affect returns on climate mitigation efforts. In other words, well trained workers are key to delivering emissions reductions and moving California closer to its climate targets.[1]

L-7

Recently, on May 7, 2021, the South Coast Air Quality Management District found that that the "[u]se of a local state-certified apprenticeship program or a skilled and trained workforce with a local hire component" can result in air pollutant reductions.[2]

L-8

Cities are increasingly adopting local skilled and trained workforce policies and requirements into general plans and municipal codes. For example, the City of Hayward 2040 General Plan requires the City to "promote local hiring . . . to help achieve a more positive jobs-housing balance, and reduce regional commuting, gas consumption, and greenhouse gas emissions."[3]

L-9

In fact, the City of Hayward has gone as far as to adopt a Skilled Labor Force policy into its Downtown Specific Plan and municipal code, requiring developments in its Downtown area to requiring that the City "[c]ontribute to the stabilization of regional

L-10

[1] California Workforce Development Board (2020) Putting California on the High Road: A Jobs and Climate Action Plan for 2030 at p. ii, *available at* https://laborcenter.berkeley.edu/wp-content/uploads/2020/09/Putting-California-on-the-High-Road.pdf

[2] South Coast Air Quality Management District (May 7, 2021) Certify Final Environmental Assessment and Adopt Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program, and Proposed Rule 316 – Fees for Rule 2305, Submit Rule 2305 for Inclusion Into the SIP, and Approve Supporting Budget Actions, *available at* http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2021/2021-May7-027.pdf?sfvrsn=10

[3] City of Hayward (2014) Hayward 2040 General Plan Policy Document at p. 3-99, *available at* https://www.hayward-ca.gov/sites/default/files/documents/General_Plan_FINAL.pdf.

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construction markets by spurring applicants of housing and nonresidential developments to require contractors to utilize apprentices from state-approved, joint labor-management training programs, . . .”[4] In addition, the City of Hayward requires all projects 30,000 square feet or larger to “utilize apprentices from state-approved, joint labor-management training programs.”[5]

L-10 (CONT.)

Locating jobs closer to residential areas can have significant environmental benefits. As the California Planning Roundtable noted in 2008:

> People who live and work in the same jurisdiction would be more likely to take transit, walk, or bicycle to work than residents of less balanced communities and their vehicle trips would be shorter. Benefits would include potential reductions in both vehicle miles traveled and vehicle hours traveled.[6]

L-11

In addition, local hire mandates as well as skill training are critical facets of a strategy to reduce vehicle miles traveled. As planning experts Robert Cervero and Michael Duncan noted, simply placing jobs near housing stock is insufficient to achieve VMT reductions since the skill requirements of available local jobs must be matched to those held by local residents.[7] Some municipalities have tied local hire and skilled and trained workforce policies to local development permits to address transportation issues. As Cervero and Duncan note:

> In nearly built-out Berkeley, CA, the approach to balancing jobs and housing is to create local jobs rather than to develop new housing.” The city’s First Source program encourages businesses to hire local residents, especially for entry- and intermediate-level jobs, and sponsors vocational training to ensure residents are employment-ready. While the program is voluntary, some 300 businesses have used it to date, placing more than 3,000 city residents in local jobs since it was launched in 1986. When

L-12

[4] City of Hayward (2019) Hayward Downtown Specific Plan at p. 5-24, *available at* https://www.hayward-ca.gov/sites/default/files/Hayward%20Downtown%20Specific%20Plan.pdf.
[5] City of Hayward Municipal Code, Chapter 10, § 28.5.3.020(C).
[6] California Planning Roundtable (2008) Deconstructing Jobs-Housing Balance at p. 6, *available at* https://cproundtable.org/static/media/uploads/publications/cpr-jobs-housing.pdf
[7] Cervero, Robert and Duncan, Michael (2006) Which Reduces Vehicle Travel More: Jobs-Housing Balance or Retail-Housing Mixing? Journal of the American Planning Association 72 (4), 475-490, 482, *available at* http://reconnectingamerica.org/assets/Uploads/UTCT-825.pdf.

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needed, these carrots are matched by sticks, since the city is not shy about negotiating corporate participation in First Source as a condition of approval for development permits.

L-12 (CONT.)

The City should consider utilizing skilled and trained workforce policies and requirements to benefit the local area economically and mitigate greenhouse gas, air quality and transportation impacts.

L-13

The City should also require the Project to be built to standards exceeding the current 2019 California Green Building Code to mitigate the Project's environmental impacts and to advance progress towards the State of California's environmental goals.

L-14

I. THE PROJECT WOULD BE APPROVED IN VIOLATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

A. Background Concerning the California Environmental Quality Act

CEQA has two basic purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. 14 California Code of Regulations ("**CCR**" or "**CEQA Guidelines**") § 15002(a)(1).[8] "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions *before* they are made. Thus, the EIR 'protects not only the environment but also informed self-government.' [Citation.]" *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 564. The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return." *Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs.* (2001) 91 Cal. App. 4th 1344, 1354 ("*Berkeley Jets*"); *County of Inyo v. Yorty* (1973) 32 Cal. App. 3d 795, 810.

L-15

Second, CEQA directs public agencies to avoid or reduce environmental damage when possible by requiring alternatives or mitigation measures. CEQA Guidelines § 15002(a)(2) and (3). *See also, Berkeley Jets,* 91 Cal. App. 4th 1344, 1354; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553; *Laurel Heights Improvement Ass'n v.*

[8] The CEQA Guidelines, codified in Title 14 of the California Code of Regulations, section 150000 *et seq*, are regulatory guidelines promulgated by the state Natural Resources Agency for the implementation of CEQA. (Cal. Pub. Res. Code § 21083.) The CEQA Guidelines are given "great weight in interpreting CEQA except when . . . clearly unauthorized or erroneous." *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal. 4th 204, 217.

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Regents of the University of California (1988) 47 Cal.3d 376, 400. The EIR serves to provide public agencies and the public in general with information about the effect that a proposed project is likely to have on the environment and to "identify ways that environmental damage can be avoided or significantly reduced." CEQA Guidelines § 15002(a)(2). If the project has a significant effect on the environment, the agency may approve the project only upon finding that it has "eliminated or substantially lessened all significant effects on the environment where feasible" and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns" specified in CEQA section 21081. CEQA Guidelines § 15092(b)(2)(A–B).

While the courts review an EIR using an "abuse of discretion" standard, "the reviewing court is not to 'uncritically rely on every study or analysis presented by a project proponent in support of its position.' A 'clearly inadequate or unsupported study is entitled to no judicial deference.'" *Berkeley Jets*, 91 Cal.App.4th 1344, 1355 (emphasis added) (quoting *Laurel Heights,* 47 Cal.3d at 391, 409 fn. 12). Drawing this line and determining whether the EIR complies with CEQA's information disclosure requirements presents a question of law subject to independent review by the courts. *Sierra Club v. Cnty. of Fresno* (2018) 6 Cal. 5th 502, 515; *Madera Oversight Coalition, Inc. v. County of Madera* (2011) 199 Cal.App.4th 48, 102, 131. As the court stated in *Berkeley Jets*, 91 Cal. App. 4th at 1355:

> A prejudicial abuse of discretion occurs "if the failure to include relevant information precludes informed decision-making and informed public participation, thereby thwarting the statutory goals of the EIR process.

The preparation and circulation of an EIR is more than a set of technical hurdles for agencies and developers to overcome. The EIR's function is to ensure that government officials who decide to build or approve a project do so with a full understanding of the environmental consequences and, equally important, that the public is assured those consequences have been considered. For the EIR to serve these goals it must present information so that the foreseeable impacts of pursuing the project can be understood and weighed, and the public must be given an adequate opportunity to comment on that presentation before the decision to go forward is made. *Communities for a Better Environment v. Richmond* (2010) 184 Cal. App. 4th 70, 80 (quoting *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 449–450).

L-15 (CONT.)

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B. CEQA Requires Revision and Recirculation of an Environmental Impact Report When Substantial Changes or New Information Comes to Light

Section 21092.1 of the California Public Resources Code requires that "[w]hen significant new information is added to an environmental impact report after notice has been given pursuant to Section 21092 … but prior to certification, the public agency shall give notice again pursuant to Section 21092, and consult again pursuant to Sections 21104 and 21153 before certifying the environmental impact report" in order to give the public a chance to review and comment upon the information. CEQA Guidelines § 15088.5.

Significant new information includes "changes in the project or environmental setting as well as additional data or other information" that "deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative)." CEQA Guidelines § 15088.5(a). Examples of significant new information requiring recirculation include "new significant environmental impacts from the project or from a new mitigation measure," "substantial increase in the severity of an environmental impact," "feasible project alternative or mitigation measure considerably different from others previously analyzed" as well as when "the draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded." *Id.*

L-16

An agency has an obligation to recirculate an environmental impact report for public notice and comment due to "significant new information" regardless of whether the agency opts to include it in a project's environmental impact report. *Cadiz Land Co. v. Rail Cycle* (2000) 83 Cal.App.4th 74, 95 [finding that in light of a new expert report disclosing potentially significant impacts to groundwater supply "the EIR should have been revised and recirculated for purposes of informing the public and governmental agencies of the volume of groundwater at risk and to allow the public and governmental agencies to respond to such information."]. If significant new information was brought to the attention of an agency prior to certification, an agency is required to revise and recirculate that information as part of the environmental impact report.

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C. Due to the COVID-19 Crisis, the City Must Adopt a Mandatory Finding of Significance that the Project May Cause a Substantial Adverse Effect on Human Beings and Mitigate COVID-19 Impacts

CEQA requires that an agency make a finding of significance when a Project may cause a significant adverse effect on human beings. PRC § 21083(b)(3); CEQA Guidelines § 15065(a)(4).

Public health risks related to construction work requires a mandatory finding of significance under CEQA. Construction work has been defined as a Lower to High-risk activity for COVID-19 spread by the Occupations Safety and Health Administration. Recently, several construction sites have been identified as sources of community spread of COVID-19.[9]

SWRCC recommends that the Lead Agency adopt additional CEQA mitigation measures to mitigate public health risks from the Project's construction activities. SWRCC requests that the Lead Agency require safe on-site construction work practices as well as training and certification for any construction workers on the Project Site.

L-17

In particular, based upon SWRCC's experience with safe construction site work practices, SWRCC recommends that the Lead Agency require that while construction activities are being conducted at the Project Site:

Construction Site Design:

- The Project Site will be limited to two controlled entry points.
- Entry points will have temperature screening technicians taking temperature readings when the entry point is open.
- The Temperature Screening Site Plan shows details regarding access to the Project Site and Project Site logistics for conducting temperature screening.
- A 48-hour advance notice will be provided to all trades prior to the first day of temperature screening.

[9] Santa Clara County Public Health (June 12, 2020) COVID-19 CASES AT CONSTRUCTION SITES HIGHLIGHT NEED FOR CONTINUED VIGILANCE IN SECTORS THAT HAVE REOPENED, *available at* https://www.sccgov.org/sites/covid19/Pages/press-release-06-12-2020-cases-at-construction-sites.aspx.

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- The perimeter fence directly adjacent to the entry points will be clearly marked indicating the appropriate 6-foot social distancing position for when you approach the screening area. Please reference the Apex temperature screening site map for additional details.
- There will be clear signage posted at the project site directing you through temperature screening.
- Provide hand washing stations throughout the construction site.

Testing Procedures:

- The temperature screening being used are non-contact devices.
- Temperature readings will not be recorded.
- Personnel will be screened upon entering the testing center and should only take 1-2 seconds per individual.
- Hard hats, head coverings, sweat, dirt, sunscreen or any other cosmetics must be removed on the forehead before temperature screening.
- Anyone who refuses to submit to a temperature screening or does not answer the health screening questions will be refused access to the Project Site.
- Screening will be performed at both entrances from 5:30 am to 7:30 am.; main gate [ZONE 1] and personnel gate [ZONE 2]
- After 7:30 am only the main gate entrance [ZONE 1] will continue to be used for temperature testing for anybody gaining entry to the project site such as returning personnel, deliveries, and visitors.
- If the digital thermometer displays a temperature reading above 100.0 degrees Fahrenheit, a second reading will be taken to verify an accurate reading.
- If the second reading confirms an elevated temperature, DHS will instruct the individual that he/she will not be

L-17 (CONT.)

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allowed to enter the Project Site. DHS will also instruct the individual to promptly notify his/her supervisor and his/her human resources (HR) representative and provide them with a copy of Annex A.

Planning

- Require the development of an Infectious Disease Preparedness and Response Plan that will include basic infection prevention measures (requiring the use of personal protection equipment), policies and procedures for prompt identification and isolation of sick individuals, social distancing (prohibiting gatherings of no more than 10 people including all-hands meetings and all-hands lunches) communication and training and workplace controls that meet standards that may be promulgated by the Center for Disease Control, Occupational Safety and Health Administration, Cal/OSHA, California Department of Public Health or applicable local public health agencies.[10]

L-17 (CONT.)

The United Brotherhood of Carpenters and Carpenters International Training Fund has developed COVID-19 Training and Certification to ensure that Carpenter union members and apprentices conduct safe work practices. The Agency should require that all construction workers undergo COVID-19 Training and Certification before being allowed to conduct construction activities at the Project Site.

D. The DEIR's Project Description is Not Accurate, Stable, and Finite

"[A]n accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient" environmental document. (*County of Inyo v. City of Los Angeles* (1977) 71 Cal. App. 3d 185, 200.) "A curtailed or distorted project description may stultify the objectives of the reporting process" as an accurate, stable and finite project description is necessary to allow "affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost,

L-18

[10] *See also* The Center for Construction Research and Training, North America's Building Trades Unions (April 27 2020) NABTU and CPWR COVIC-19 Standards for U.S Constructions Sites, *available at* https://www.cpwr.com/sites/default/files/NABTU_CPWR_Standards_COVID-19.pdf; Los Angeles County Department of Public Works (2020) Guidelines for Construction Sites During COVID-19 Pandemic, *available at* https://dpw.lacounty.gov/building-and-safety/docs/pw_guidelines-construction-sites.pdf.

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consider mitigation measures, assess the advantage of terminating the proposal (i.e., the "no project" alternative) and weigh other alternatives in the balance. (*Id.* at 192 – 93.) Courts determine *de novo* whether an agency proceeded "in a manner required by law" in maintaining a stable and consistent project description. (*Id.* at 200.)

A project description fails for not including sufficient detail when there is not enough information provided to accurately evaluate the project's environmental impacts. Here, the DEIR's project description is not accurate, stable, or finite, thus undermining much of the subsequent analysis in the DEIR. The DEIR's project description states that the future tenants of the Project are as-yet unknown. (DEIR, 3-8.) The project description states that depending upon the eventual future occupant, the building may be a 48 foot-tall warehouse (without or without cold storage facilities) a 48-foot tall e-commerce/fulfillment facility (again, with or without cold storage facilities), or a 100 foot-tall e-commerce/fulfillment facility. (DEIR, 3-9.)

Specificity is crucial when evaluating the environmental impacts of a warehouse project because the type of warehousing generally dictates the project's air quality, greenhouse gas emissions, and transportation impacts. In this case, the DEIR notes that if the ultimate use of the building is a e-commerce/fulfillment facility, the Project would consume an additional 1,349,289 gallons of fuel and 202,860 kWh of electricity per year (1,299,869 gallons of fuel and 202,860 kWh of electricity per year if cold storage is involved). (DEIR, 4.5-8 through 4.5-9.) The consumption numbers are further exacerbated when cold storage facilities are considered. Comparing the DEIR's analysis of a warehouse without cold storage to an e-commerce facility with cold storage results in an additional 1,346,618 gallons of fuel, 2,468,000 kBTU of natural gas, 2,053,860 kWh of electricity per year. (*See* DEIR 4.5-8 through 4.5-9). The increased level of consumption results in a significant increase in GHG emissions, (DEIR 4.7-19 through 4.7-20), and should merit consideration of the e-commerce fulfillment facility a completely different project.

The number of truck trips and vehicle miles travelled will substantially change depending on whether the warehouse will be utilized as high-cube transload and short-term storage warehousing, high-cube fulfillment and short-term storage warehousing, high-cube fulfillment center warehousing, high-cube parcel hub warehousing, or high-cube cold storage warehousing.[11] Vehicle trip generation rates can change dramatically

L-18 (CONT.)

[11] ITE Trip General Manual, 10th Ed., Land Use Codes, available at https://www.ite.org/pub/?id=794f62d6%2Df31f%2D9ea7%2D4506%2Def5df11de8f6.

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based upon the type of warehousing that is operated at a site.[12] For example, cold-storage uses generate significantly higher average daily vehicle trip rates than non-cold-storage uses.[13] High-cube sort and non-sort fulfillment centers may also generate dramatically different trip rates but the DEIR fails to justify its assumptions for future tenants. Here, use as a e-commerce/fulfillment facility would generate an additional 4,286 vehicle trips. (DEIR, 4.12-10.)

The DEIR confines its environmental analysis based upon a 50,000 square foot cold storage limit, but otherwise fails to explain or analyze how the Project plans would limit unknown future tenants to this specific cold storage metric. (DEIR, 3-26.) The DEIR should take a more conservative approach as required by CEQA and assume that additional square footage could be used for cold storage purposes or any other uses that may generate higher average daily trip rates than the DEIR's current environmental analyses indicate.

L-18 (CONT.)

The DEIR needs to be revised to include a stable and finite description and worst case scenario land use projections as cold storage to accurately reflect the potential environmental impacts of future tenants.

E. CEQA Bars the Deferred Development of Environmental Mitigation Measures

CEQA mitigation measures proposed and adopted into an environmental impact report are required to describe what actions that will be taken to reduce or avoid an environmental impact. CEQA Guidelines § 15126.4(a)(1)(B) [providing "[f]ormulation of mitigation measures should not be deferred until some future time."]. While the same Guidelines section 15126.5(a)(1)(B) acknowledges an exception to the rule against deferrals, but such exception is narrowly proscribed to situations where "measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way." (Id.) Courts have also recognized a similar exception to the general rule against deferral of mitigation measures where the performance criteria for each mitigation

L-19

[12] *High-Cube Warehouse Vehicle Trip Generation Analysis* (Oct. 2016), Institute of Transportation Engineers, available at https://www.ite.org/pub/?id=a3e6679a%2De3a8%2Dbf38%2D7f29%2D2961becdd498.
[13] *Id.* at 26-8.

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measure is identified and described in the EIR. *Sacramento Old City Ass'n v. City Council* (1991) 229 Cal.App.3d 1011.

Impermissible deferral can occur when an EIR calls for mitigation measures to be created based on future studies or describes mitigation measures in general terms but the agency fails to commit itself to specific performance standards. *Preserve Wild Santee v. City of Santee* (2012) 210 Cal. App. 4th 260, 281 [city improperly deferred mitigation to butterfly habitat by failing to provide standards or guidelines for its management]; *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal. App. 4th 645, 671 [EIR failed to provide and commit to specific criteria or standard of performance for mitigating impacts to biological habitats]; see also *Cleveland Nat'l Forest Found. v San Diego Ass'n of Gov'ts* (2017) 17 Cal. App. 5th 413, 442 [generalized air quality measures in the EIR failed to set performance standards]; *California Clean Energy Comm. v City of Woodland* (2014) 225 Cal. App. 4th 173, 195 [agency could not rely on a future report on urban decay with no standards for determining whether mitigation required]; *POET, LLC v. State Air Resources Bd.* (2013) 218 Cal. App. 4th 681, 740 [agency could not rely on future rulemaking to establish specifications to ensure emissions of nitrogen oxide would not increase because it did not establish objective performance criteria for measuring whether that goal would be achieved]; *Gray v. County of Madera* (2008) 167 Cal. App. 4th 1099, 1119 [rejecting mitigation measure requiring replacement water to be provided to neighboring landowners because it identified a general goal for mitigation rather than specific performance standard]; *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal. App. 4th 777, 794 [requiring report without established standards is impermissible delay].

L-19 (CONT.)

Here, the DEIR defers the development of the following mitigation measures for potentially significant environmental impacts:

- Cultural Resources Mitigation Measures 4.4-1 through 4.4-5 propose to retain a qualified archaeologist to conduct monitoring duties without detailing any specific plan for resource monitoring that would be established using a generally accepted performance criteria or standard.
- Geology and Soils Mitigation Measures 4.6-1 through 4.6-3 proposes mitigation for paleontological resources that relies on retention of a qualified paleontologist without specifying any

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specific plan for mitigation established using generally accepted performance criteria or standards.

- Air Quality Mitigation Measures 4.2-1, 4.2-2, 4.2-3, 4.2-4, and 4.2-5 simply call for compliance with various SCAQMD Rule 403 ("Fugitive Dust"); Rule 1186 ("PM_{10} Emissions from Paved and Unpaved Roads and Livestock Operations"); Rule 1113 (re: architectural coatings); and CARB construction equipment air quality and anti-idling regulations.
- Hazards and Hazardous Materials Measures 4.8-1 through 4.8-3 call for survey of the buildings existing on the property, and disposal of hazardous materials "according to applicable laws and regulations." (DEIR, 4.8-16 through 4.8-17.)

These are deferred mitigation because the City is merely making a conclusory statement about future compliance with the law and does not commit itself to any specific or binding course of action which is project-specific. A determination that regulatory compliance will be sufficient to prevent significant adverse impacts must be based on a project-specific analysis of potential impacts *and the effect of regulatory compliance.* In *Californians for Alternatives to Toxics v. Department of Food & Agric.* (2005) 136 Cal.App.4th 1, the court set aside an EIR for a statewide crop disease control plan because it did not include an evaluation of the risks to the environment and human health from the proposed program but simply presumed that no adverse impacts would occur from use of pesticides in accordance with the registration and labeling program of the California Department of Pesticide Regulation. There is no analysis in the DEIR connecting the effect of compliance with regulatory requirements such that the impacts could be determined to be less than significant. The City is essentially requesting a good-faith assumption that regulatory compliance will serve as a backstop without developing any mitigation measures.

L-20 (CONT.)

The DEIR needs to be amended to include specific mitigation measures with any applicable performance standards. The DEIR needs to be revised to specify what the plan to relocate or replant the heritage trees will look like—sufficiency cannot be assumed.

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F. The DEIR Fails to Support Its Findings with Substantial Evidence

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When new information is brought to light showing that an impact previously discussed in the DEIR but found to be insignificant with or without mitigation in the DEIR's analysis has the potential for a significant environmental impact supported by substantial evidence, the EIR must consider and resolve the conflict in the evidence. See *Visalia Retail, L.P. v. City of Visalia* (2018) 20 Cal. App. 5th 1, 13, 17; see also *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th 1099, 1109. While a lead agency has discretion to formulate standards for determining significance and the need for mitigation measures—the choice of any standards or thresholds of significance must be "based to the extent possible on scientific and factual data and an exercise of reasoned judgment based on substantial evidence. CEQA Guidelines § 15064(b); *Cleveland Nat'l Forest Found. v. San Diego Ass'n of Gov'ts* (2017) 3 Cal. App. 5th 497, 515; *Mission Bay Alliance v. Office of Community Inv. & Infrastructure* (2016) 6 Cal. App. 5th 160, 206. And when there is evidence that an impact could be significant, an EIR cannot adopt a contrary finding without providing an adequate explanation along with supporting evidence. *East Sacramento Partnership for a Livable City v. City of Sacramento* (2016) 5 Cal. App. 5th 281, 302.

L-22

In addition, a determination that regulatory compliance will be sufficient to prevent significant adverse impacts must be based on a project-specific analysis of potential impacts and the effect of regulatory compliance. *Californians for Alternatives to Toxics v. Department of Food & Agric.* (2005) 136 Cal. App. 4th 1; See also *Ebbetts Pass Forest Watch v Department of Forestry & Fire Protection* (2008) 43 Cal. App. 4th 936, 956 (fact that Department of Pesticide Regulation had assessed environmental effects of certain herbicides in general did not excuse failure to assess effects of their use for specific timber harvesting project).

1. *The DEIR's Air Quality and Greenhouse Gas Emissions Analyses are Not Supported by Substantial Evidence.*

   i. *The DEIR Fails to Substantiate Proposed Warehousing Uses.*

L-23

According to SCAQMD's Warehouse Truck Trip Study Data Results and Usage report, warehouse cold storage uses significantly increase truck trip rates.[14] As noted above, the DEIR states the proposed Project may include cold storage facilities and, depending on who the future tenants will be, may be used either for

[14] SCAQMD, Warehouse Truck Trip Study Data Results and Usage (June 2014). Available at https://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/final-ielc_6-19-2014.pdf?sfvrsn=2.

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warehousing/logistics purposes or e-commerce/fulfillment purposes. Vehicle trip generation rates and trip lengths can change dramatically based upon the type of warehousing that is operated at a site.[15] For example, cold-storage uses generate significantly higher average daily vehicle trip rates than non-cold-storage uses.[16] SCAQMD's recommended air quality analysis approach, following the CEQA requirement to use a conservative analysis, is to *utilize the cold storage trip rates* when the tenant(s) is unknown and when the proposed warehousing may accommodate that use.[17]

L-23 (CONT.)

Here, the DEIR's air quality and greenhouse gas emissions analyses are flawed and not based upon substantial evidence because they fail to use a conservative analysis which utilizes the highest daily emissions rates for cold storage or any other possible warehousing uses that were not considered.

2. *Compliance with Regulations is Not Enough to Support a Finding of Less-than-Significant Impacts*

The DEIR's analysis of Aesthetic Threshold d refers to municipal requirements for exterior lighting on buildings found in Moreno Valley Municipal Code, section 9.08.100. (DEIR, 4.1-14). The DEIR concludes that the exterior lighting, which would be running throughout the night, would have a less-than-significant impact. Similarly, the analysis of Hydrology and Water Quality Threshold c refers to the requirement to obtain an NPDES permit, and the requirement to prepare a Storm Water Pollution Prevention Plan, erosion control plan, and Water Quality Management Plan. The DEIR concludes that these would ensure that Project construction activities would result in less-than-significant impacts on soil erosion, sedimentation, stormwater drainage, and polluted runoff.

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However,"[c]ompliance with the law is not enough to support a finding of no significant impact under . . . CEQA." (*Californians for Alternatives to Toxics v. Department of Food & Agriculture* (2005) 136 Cal. App. 4th 1, 15 – 17 [finding that a lead agency "abused its discretion by relying on DPR's regulatory scheme as a substitute for performing its own evaluation of the environmental impacts of using pesticides."].).

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[15] *High-Cube Warehouse Vehicle Trip Generation Analysis* (Oct. 2016), Institute of Transportation Engineers, available at https://www.ite.org/pub/?id=a3e6679a%2De3a8%2Dbf38%2D7f29%2D2961becdd498.
[16] *Id.* at 26-8.
[17] *Id.*

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Bare conclusions or opinions of the agency are not sufficient to satisfy an agency's obligation under CEQA to adequately support their environmental determinations. (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal. 3d 376, 403 – 404.) "To facilitate CEQA's informational role, the EIR must contain facts and analysis, not just the agency's bare conclusions or opinions. . . . [to] enable[] the decision-makers and the public to make an 'independent, reasoned judgment' about a proposed project." (*Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 935 [(quoting *Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831.)

As the Court noted in *East Sacramento Partnerships for a Livable City v. City of Sacramento* (2016) 5 Cal. App. 5th 281, 301, compliance with a regulatory scheme "in and of itself does not insulate a project from the EIR requirement, where it may be fairly argued that the project will generate significant environmental effects." (Internal quotations omitted.) A project's effects can be significant even if they are not greater than those deemed acceptable in a general plan or other regulatory law. (*Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1416; see also *Keep Our Mountains Quiet v. County of Santa Clara* (2015) 236 Cal.App.4th 714, 732 [finding that a full environmental impact report is required "if substantial evidence supports a fair argument that the Project may have significant unmitigated noise impacts, even if other evidence shows the Project will not generate noise in excess of the County's noise ordinance and general plan."].)

A public agency cannot apply a threshold of significance or regulatory standard "in a way that forecloses the consideration of any other substantial evidence showing there may be a significant effect." (*Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 342.) Where comments from a responsible sister agency, such as the Water District, disclose new or conflicting data or opinions that cause concern that the agency may not have fully evaluated the project and its alternatives, these comments may not simply be ignored based on a conclusory statement about compliance with regulatory standards; there must be a good faith, reasoned analysis. (*Berkeley Keep Jets Over the Bay Com. v. Board of Port Cmrs.* (2001) 91 Cal. App. 4th 1344, 1367.) The District's approach fails to meet its obligation to engage in good faith reasoned analysis to provide the public, public agencies and decisionmakers with detailed information about the effects that the Project will have on the environment, ways to mitigate those effects, as well as alternatives. (PRC § 21061)

L-24 (CONT.)

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An agency must "explain how the particular requirements of that environmental standard reduce project impacts, including cumulative impacts, to a level that is less that significant , and why the environmental standard is relevant to the analysis of a project that is less than significant. CEQA Guidelines § 15067.7.

L-24 (CONT.)

II. THE PROJECT VIOLATES THE STATE PLANNING AND ZONING LAW AS WELL AS THE CITY'S GENERAL PLAN

A. Background Regarding the State Planning and Zoning Law

An EIR must identify, fully analyze and mitigate any inconsistencies between a proposed project and the general, specific, regional, and other plans that apply to the project. CEQA Guidelines § 15125(d); *Pfeiffer v. City of Sunnyvale City Council* (2011) 200 Cal.App.4th 1552, 1566; *Friends of the Eel River v. Sonoma County Water Agency* (2003) 108 Cal.App.4th 859, 881. There does not need to be a direct conflict to trigger this requirement; even if a project is "incompatible" with the "goals and policies" of a land use plan, the EIR must assess the divergence between the project and the plan, and mitigate any adverse effects of the inconsistencies. *Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 378-79; *see also Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903 (holding under CEQA that a significant impact exists where project conflicts with local land use policies); *Friends of "B" Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 998 (held county development and infrastructure improvements must be consistent with adopted general plans) (citing Gov. Code 65302).

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B. The DEIR Fails to Demonstrate Consistency with SCAG's RTP/SCS Plan

Senate Bill No. 375 requires regional planning agencies to include a sustainable communities strategy in their regional transportation plans. Gov. Code § 65080, sub.(b)(2)(B).) CEQA Guidelines § 15125(d) provides that an EIR "shall discuss any inconsistencies between the proposed project and…regional plans. Such regional plans include…regional transportation plans." Thus, CEQA requires analysis of any inconsistencies between the Project and the relevant RTP/SCS plan.

In April 2012, SCAG adopted its 2012-2035 RTP/ SCS ("2012 RTP/SCS"), which proposed specific land use policies and transportation strategies for local governments to implement that will help the region achieve GHG emission reductions of 9 percent per capita in 2020 and 16 percent per capita in 2035. In April 2016, SCAG adopted

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the 2016-2040 RTP/SCS ("2016 RTP/SCS")[18], which incorporates and builds upon the policies and strategies in the 2012 RTP/SCS[19],that will help the region achieve GHG emission reductions that would reduce the region's per capita transportation emissions by eight percent by 2020 and 18 percent by 2035.[20] SCAG's RTP/SCS plan ais based upon the same requirements outlined in CARB's 2017 Scoping Plan and SB 375.

For both the 2012 and 2016 RTP/SCS, SCAG prepared Program Environmental Impact Reports ("PEIR") that include Mitigation Monitoring and Reporting Programs ("MMRP") that list project-level environmental mitigation measures that directly and/or indirectly relate to a project's GHG impacts and contribution to the region's GHG emissions.[21] These environmental mitigation measures serve to help local municipalities when identifying mitigation to reduce impacts on a project-specific basis that can and should be implemented when they identify and mitigate project-specific environmental impacts.[22]

L-26 (CONT.)

Here, the DEIR claims the Project is consistent with SCAG's 2016-2040 RTP/SCS Plan[23] ("RTP/SCS Plan") through the analysis of nine general goals or policies of that plan. However, the goals that the RDEIR analyzes for Project consistency are not applicable at the project level, only at a plan level to inform implementation of the RTP/SCS Plan. Thus, the DEIR incorrectly relies upon plan level goals outlined in the RTP/SCS. In the 2016 RTP/SCS Plan, SCAG states that:

> The RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. Ultimately, the Plan is intended to help guide transportation and land use decisions and public investments…This Plan's goals are intended to help carry out our vision for improved mobility, a strong economy and sustainability."[24]

The DEIR simply does not demonstrate that it is consistent with many of the RTP/SCS Plan's *project-level* goals, including:

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[19] SCAG (Apr. 2016) 2016 RTP/SCS, p. 69, 75-115, http://scagrtpscs.net/Documents/2016/final/f2016RTPSCS.pdf.
[20] *Id.*, p. 8, 15, 153, 166.
[21] *Id.*, p. 116-124; see also SCAG 2012 RTP/SCS, supra fn. 38, p. 77-86.
[22] SCAG 2012 RTP/SCS, p. 77; see also SCAG 2016 RTP/SCS, fn. 41, p. 115.

[24] SCAG 2016-2040 RTP/SCS Plan, pp. 63, 65 (emphasis added).

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GHG Emissions Goals[25]

- Reduction in emissions resulting from a project through implementation of project features, project design, or other measures, such as those described in Appendix F of the State CEQA Guidelines,[26] such as:
  - o Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
  - o The potential siting, orientation, and design to minimize energy consumption, including transportation energy.
  - o The potential for reducing peak energy demand.
  - o Alternate fuels (particularly renewable ones) or energy systems.
  - o Energy conservation which could result from recycling efforts.
- Off-site measures to mitigate a project's emissions.
- Measures that consider incorporation of Best Available Control Technology (BACT) during design, construction and operation of projects to minimize GHG emissions, including but not limited to:
  - o Use energy and fuel-efficient vehicles and equipment;
  - o Deployment of zero- and/or near zero emission technologies;

L-26 (CONT.)

[25] SCAG 2012 RTP/SCS (Mar. 2012) Final PEIR MMRP, p. 6-2—6-14 (including mitigation measures ("MM") AQ3, BIO/OS3, CUL2, GEO3, GHG15, HM3, LU14, NO1, POP4, PS12, TR23, W9 [stating "[l]ocal agencies can and should comply with the requirements of CEQA to mitigate impacts to [the environmental] as applicable and feasible …[and] may refer to Appendix G of this PEIR for examples of potential mitigation to consider when appropriate in reducing environmental impacts of future projects." (Emphasis added)]), http://rtpscs.scag.ca.gov/Documents/peir/2012/final/Final2012PEIR.pdf; see also id., Final PEIR Appendix G (including MMs AQ1-23, GHG1-8, PS1-104, TR1-83, W1-62), http://rtpscs.scag.ca.gov/Documents/peir/2012/final/2012fPEIR_AppendixG_ExampleMeasures.pdf; SCAG 2016 RTP/SCS (Mar. 2016) Final PEIR MMRP, p. 11–63 (including MMs AIR-2(b), AIR-4(b), EN- 2(b), GHG-3(b), HYD-1(b), HYD-2(b), HYD-8(b), TRA-1(b), TRA-2(b), USS-4(b), USS-6(b)), http://scagrtpscs.net/Documents/2016/peir/final/2016fPEIR_ExhibitB_MMRP.pdf.

[26] CEQA Guidelines, Appendix F-Energy Conservation, http://resources.ca.gov/ceqa/guidelines/Appendix_F.html.

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o Use cement blended with the maximum feasible amount of flash or other materials that reduce GHG emissions from cement production;

o Incorporate design measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse;

o Incorporate design measures to reduce energy consumption and increase use of renewable energy;

o Incorporate design measures to reduce water consumption;

o Use lighter-colored pavement where feasible;

o Recycle construction debris to maximum extent feasible;

- Adopting employer trip reduction measures to reduce employee trips such as vanpool and carpool programs, providing end-of-trip facilities, and telecommuting programs.

- Land use siting and design measures that reduce GHG emissions, including:

o Measures that increase vehicle efficiency, encourage use of zero and low emissions vehicles, or reduce the carbon content of fuels, including constructing or encouraging construction of electric vehicle charging stations or neighborhood electric vehicle networks, or charging for electric bicycles; and

o Measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse.

L-26 (CONT.)

The DEIR fails to mention or demonstrate consistency with measures and strategies of the SCAG RTP/SCS Plan. The DEIR should be revised to indicate what *specific project-level* mitigation measures that will be followed that demonstrate consistency with the RTP/SCS Plan.

C. The DEIR Fails to Analyze the Project's Consistency with Connect SoCal

CEQA Guidelines section 15125(d) requires that an environmental impact report "discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans." *See also Golden Door Properties, LLC v. County of San Diego* (2020) 50 Cal. App. 5th 467, 543.

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Here, the DEIR includes insufficient analysis of compliance with SCAG's Connect SoCal regional RTP/SCS plan which includes specific warehouse project mitigation strategies that apply to the Project.[27] SoCal Connect specifies that industrial warehouses and other "goods movement" activities need to integrate sustainable strategies to reduce emissions to near-zero because the SCAG region "does not meet federal ozone and fine particulate air quality standards, and goods movement is a major source of greenhouse gas emissions…the region will need to aggressively pursue the reduction of freight emissions that contributes to regional air pollution problems and localized 'hot spots' that have adverse health impacts…**Connect SoCal proposes an environmental strategy to address the air quality impacts of goods movements**…"

Connect SoCal's Goods Movement Technical Report outlines specific steps that lead agencies should take to ensure that goods movement projects comply with the goals and strategies of Connect SoCal.[28] Some of these steps include:

- Use of heavy-duty vehicles that are model year 2010 or newer;
- Use of low NO_x engines in heavy-duty vehicles;
- Use of electric, hybrid-electric and near-zero emissions trucks;
- Operating time limits on TRUs and transition to use of zero emission TRUs;
- Extended truck warranties and improved maintenance protocols on diesel after treatment systems; and
- Increase fleet fuel emissions standards.

The DEIR fails to consider any of these steps or strategies that directly apply to this Project. Connect SoCal requires that the Project incorporate concrete strategies to reduce its GHG emissions impacts, regardless of its overall emissions outputs. Connect SoCal does not exempt projects from its requirements. As such, the DEIR

L-27 (CONT.)

[27] SCAG Connect SoCal Plan, p. 78. Available at https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal-plan_0.pdf?1606001176.
[28] SCAG Connect SoCal Goods Movement Technical Report, pp. 57-69, available at https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_goods-movement.pdf.

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fails to demonstrate consistency with Connect SoCal and needs to incorporate a consistency analysis with that plan in a revised and recirculated EIR for the Project.

L-27 (CONT.)

III. **FAILURE TO INCLUDE CONSULTATION AND PREPARATION SECTION**

CEQA requires all EIRs contain certain contents. *See* CEQA Guidelines §§ 15122 – 15131. CEQA expressly requires an EIR "identify all federal, state, or local agencies, other organizations, and private individuals consulted in preparing the draft EIR, and the persons, firm, or agency preparing the draft EIR, by contract or other authorization." CEQA Guidelines § 15129. This information is critical to demonstrating a lead agency fulfilled its obligation to "consult with, and obtain comments from, each responsible agency, trustee agency, any public agency that has jurisdiction by law with respect to the project, and any city or county that borders on a city or county within which the project is located …." PRC § 21104(a).

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Failure to provide sufficient information concerning the lead agency's consultation efforts could undermine the legal sufficiency of an EIR. Courts determine *de novo* whether a CEQA environmental document sufficiently discloses information required by CEQA as "noncompliance with the information disclosure provisions" of CEQA is a failure to proceed in a manner required by law. PRC § 21005(a); *see also Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502, 515.

Here, the DEIR fails to identify which federal agencies, state agencies, local agencies, or other organizations, if any, that were consulted in the preparation of this DEIR other than individuals from T&B Planning, Inc. (DEIR, 7-1). The DEIR should be revised to identify the organizations the City consulted with in the preparation of the DEIR in compliance with Section 21104(a) of the Public Resources Code.

IV. **CONCLUSION**

Commenters request that the City revise and recirculate the Project's DEIR and/or prepare an environmental impact report which addresses the aforementioned concerns. If the City has any questions or concerns, feel free to contact my Office.

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Sincerely,

Comment Letter L

Mitchell M. Tsai
Attorneys for Southwest Regional Council of Carpenters

Attached:

March 8, 2021 SWAPE Letter to Mitchell M. Tsai re Local Hire Requirements and Considerations for Greenhouse Gas Modeling (Exhibit A);

Air Quality and GHG Expert Paul Rosenfeld CV (Exhibit B);

Air Quality and GHG Expert Matt Hagemann CV (Exhibit C);

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EXHIBIT A

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March 8, 2021

Mitchell M. Tsai
155 South El Molino, Suite 104
Pasadena, CA 91101

Subject: Local Hire Requirements and Considerations for Greenhouse Gas Modeling

Dear Mr. Tsai,

Soil Water Air Protection Enterprise ("SWAPE") is pleased to provide the following draft technical report explaining the significance of worker trips required for construction of land use development projects with respect to the estimation of greenhouse gas ("GHG") emissions. The report will also discuss the potential for local hire requirements to reduce the length of worker trips, and consequently, reduced or mitigate the potential GHG impacts.

Worker Trips and Greenhouse Gas Calculations

The California Emissions Estimator Model ("CalEEMod") is a "statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects."[1] CalEEMod quantifies construction-related emissions associated with land use projects resulting from off-road construction equipment; on-road mobile equipment associated with workers, vendors, and hauling; fugitive dust associated with grading, demolition, truck loading, and on-road vehicles traveling along paved and unpaved roads; and architectural coating activities; and paving.[2]

The number, length, and vehicle class of worker trips are utilized by CalEEMod to calculate emissions associated with the on-road vehicle trips required to transport workers to and from the Project site during construction.[3]

[1] "California Emissions Estimator Model." CAPCOA, 2017, *available at:* http://www.aqmd.gov/caleemod/home.
[2] "California Emissions Estimator Model." CAPCOA, 2017, *available at:* http://www.aqmd.gov/caleemod/home.
[3] "CalEEMod User's Guide." CAPCOA, November 2017, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 34.

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Specifically, the number and length of vehicle trips is utilized to estimate the vehicle miles travelled ("VMT") associated with construction. Then, utilizing vehicle-class specific EMFAC 2014 emission factors, CalEEMod calculates the vehicle exhaust, evaporative, and dust emissions resulting from construction-related VMT, including personal vehicles for worker commuting.[4]

Specifically, in order to calculate VMT, CalEEMod multiplies the average daily trip rate by the average overall trip length (see excerpt below):

> "$VMT_d = \Sigma(\text{Average Daily Trip Rate}_i * \text{Average Overall Trip Length}_i)_n$
>
> Where:
>
> n = Number of land uses being modeled."[5]

Furthermore, to calculate the on-road emissions associated with worker trips, CalEEMod utilizes the following equation (see excerpt below):

> "$\text{Emissions}_{pollutant} = VMT * EF_{running,pollutant}$
>
> Where:
>
> $\text{Emissions}_{pollutant}$ = emissions from vehicle running for each pollutant
>
> VMT = vehicle miles traveled
>
> $EF_{running,pollutant}$ = emission factor for running emissions."[6]

Thus, there is a direct relationship between trip length and VMT, as well as a direct relationship between VMT and vehicle running emissions. In other words, when the trip length is increased, the VMT and vehicle running emissions increase as a result. Thus, vehicle running emissions can be reduced by decreasing the average overall trip length, by way of a local hire requirement or otherwise.

Default Worker Trip Parameters and Potential Local Hire Requirements

As previously discussed, the number, length, and vehicle class of worker trips are utilized by CalEEMod to calculate emissions associated with the on-road vehicle trips required to transport workers to and from the Project site during construction.[7] In order to understand how local hire requirements and associated worker trip length reductions impact GHG emissions calculations, it is important to consider the CalEEMod default worker trip parameters. CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but the California Environmental Quality Act ("CEQA") requires that such changes be justified by substantial evidence.[8] The default number of construction-related worker trips is calculated by multiplying the

[4] "Appendix A Calculation Details for CalEEMod." CAPCOA, October 2017, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 14-15.
[5] "Appendix A Calculation Details for CalEEMod." CAPCOA, October 2017, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 23.
[6] "Appendix A Calculation Details for CalEEMod." CAPCOA, October 2017, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 15.
[7] "CalEEMod User's Guide." CAPCOA, November 2017, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 34.
[8] CalEEMod User Guide, *available at:* http://www.caleemod.com/, p. 1, 9.

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number of pieces of equipment for all phases by 1.25, with the exception of worker trips required for the building construction and architectural coating phases.[9] Furthermore, the worker trip vehicle class is a 50/25/25 percent mix of light duty autos, light duty truck class 1 and light duty truck class 2, respectively."[10] Finally, the default worker trip length is consistent with the length of the operational home-to-work vehicle trips.[11] The operational home-to-work vehicle trip lengths are:

> "[B]ased on the *location* and *urbanization* selected on the project characteristic screen. These values were *supplied by the air districts or use a default average for the state*. Each district (or county) also assigns trip lengths for urban and rural settings" (emphasis added). [12]

Thus, the default worker trip length is based on the location and urbanization level selected by the User when modeling emissions. The below table shows the CalEEMod default rural and urban worker trip lengths by air basin (see excerpt below and Attachment A).[13]

Worker Trip Length by Air Basin		
Air Basin	**Rural (miles)**	**Urban (miles)**
Great Basin Valleys	16.8	10.8
Lake County	16.8	10.8
Lake Tahoe	16.8	10.8
Mojave Desert	16.8	10.8
Mountain Counties	16.8	10.8
North Central Coast	17.1	12.3
North Coast	16.8	10.8
Northeast Plateau	16.8	10.8
Sacramento Valley	16.8	10.8
Salton Sea	14.6	11
San Diego	16.8	10.8
San Francisco Bay Area	10.8	10.8
San Joaquin Valley	16.8	10.8
South Central Coast	16.8	10.8
South Coast	19.8	14.7
Average	**16.47**	**11.17**
Minimum	**10.80**	**10.80**
Maximum	**19.80**	**14.70**
Range	**9.00**	**3.90**

[9] "CalEEMod User's Guide." CAPCOA, November 2017, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 34.
[10] "Appendix A Calculation Details for CalEEMod." CAPCOA, October 2017, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 15.
[11] "Appendix A Calculation Details for CalEEMod." CAPCOA, October 2017, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 14.
[12] "Appendix A Calculation Details for CalEEMod." CAPCOA, October 2017, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 21.
[13] "Appendix D Default Data Tables." CAPCOA, October 2017, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, p. D-84 – D-86.

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As demonstrated above, default rural worker trip lengths for air basins in California vary from 10.8- to 19.8-miles, with an average of 16.47 miles. Furthermore, default urban worker trip lengths vary from 10.8- to 14.7-miles, with an average of 11.17 miles. Thus, while default worker trip lengths vary by location, default urban worker trip lengths tend to be shorter in length. Based on these trends evident in the CalEEMod default worker trip lengths, we can reasonably assume that the efficacy of a local hire requirement is especially dependent upon the urbanization of the project site, as well as the project location.

Practical Application of a Local Hire Requirement and Associated Impact

To provide an example of the potential impact of a local hire provision on construction-related GHG emissions, we estimated the significance of a local hire provision for the Village South Specific Plan ("Project") located in the City of Claremont ("City"). The Project proposed to construct 1,000 residential units, 100,000-SF of retail space, 45,000-SF of office space, as well as a 50-room hotel, on the 24-acre site. The Project location is classified as Urban and lies within the Los Angeles-South Coast County. As a result, the Project has a default worker trip length of 14.7 miles.[14] In an effort to evaluate the potential for a local hire provision to reduce the Project's construction-related GHG emissions, we prepared an updated model, reducing all worker trip lengths to 10 miles (see Attachment B). Our analysis estimates that if a local hire provision with a 10-mile radius were to be implemented, the GHG emissions associated with Project construction would decrease by approximately 17% (see table below and Attachment C).

Local Hire Provision Net Change	
Without Local Hire Provision	
Total Construction GHG Emissions (MT CO_2e)	3,623
Amortized Construction GHG Emissions (MT CO_2e/year)	120.77
With Local Hire Provision	
Total Construction GHG Emissions (MT CO2e)	3,024
Amortized Construction GHG Emissions (MT CO_2e/year)	100.80
% Decrease in Construction-related GHG Emissions	***17%***

As demonstrated above, by implementing a local hire provision requiring 10 mile worker trip lengths, the Project could reduce potential GHG emissions associated with construction worker trips. More broadly, any local hire requirement that results in a decreased worker trip length from the default value has the potential to result in a reduction of construction-related GHG emissions, though the significance of the reduction would vary based on the location and urbanization level of the project site.

This serves as an example of the potential impacts of local hire requirements on estimated project-level GHG emissions, though it does not indicate that local hire requirements would result in reduced construction-related GHG emission for all projects. As previously described, the significance of a local hire requirement depends on the worker trip length enforced and the default worker trip length for the project's urbanization level and location.

[14] "Appendix D Default Data Tables." CAPCOA, October 2017, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, p. D-85.

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Disclaimer

SWAPE has received limited discovery. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,

Matt Hagemann, P.G., C.Hg.

Paul E. Rosenfeld, Ph.D.

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EXHIBIT B

COMMENT LETTER L

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

SOIL WATER AIR PROTECTION ENTERPRISE
2656 29th Street, Suite 201
Santa Monica, California 90405
Attn: Paul Rosenfeld, Ph.D.
Mobil: (310) 795-2335
Office: (310) 452-5555
Fax: (310) 452-5550
Email: prosenfeld@swape.com

Paul Rosenfeld, Ph.D. **Chemical Fate and Transport & Air Dispersion Modeling**

Principal Environmental Chemist **Risk Assessment & Remediation Specialist**

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.

M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.

B.A. Environmental Studies, U.C. Santa Barbara, 1991. Thesis on wastewater treatment.

Professional Experience

Dr. Rosenfeld has over 25 years' experience conducting environmental investigations and risk assessments for evaluating impacts to human health, property, and ecological receptors. His expertise focuses on the fate and transport of environmental contaminants, human health risk, exposure assessment, and ecological restoration. Dr. Rosenfeld has evaluated and modeled emissions from unconventional oil drilling operations, oil spills, landfills, boilers and incinerators, process stacks, storage tanks, confined animal feeding operations, and many other industrial and agricultural sources. His project experience ranges from monitoring and modeling of pollution sources to evaluating impacts of pollution on workers at industrial facilities and residents in surrounding communities.

Dr. Rosenfeld has investigated and designed remediation programs and risk assessments for contaminated sites containing lead, heavy metals, mold, bacteria, particulate matter, petroleum hydrocarbons, chlorinated solvents, pesticides, radioactive waste, dioxins and furans, semi- and volatile organic compounds, PCBs, PAHs, perchlorate, asbestos, per- and poly-fluoroalkyl substances (PFOA/PFOS), unusual polymers, fuel oxygenates (MTBE), among other pollutants. Dr. Rosenfeld also has experience evaluating greenhouse gas emissions from various projects and is an expert on the assessment of odors from industrial and agricultural sites, as well as the evaluation of odor nuisance impacts and technologies for abatement of odorous emissions. As a principal scientist at SWAPE, Dr. Rosenfeld directs air dispersion modeling and exposure assessments. He has served as an expert witness and testified about pollution sources causing nuisance and/or personal injury at dozens of sites and has testified as an expert witness on more than ten cases involving exposure to air contaminants from industrial sources.

COMMENT LETTER L

Professional History:

Soil Water Air Protection Enterprise (SWAPE); 2003 to present; Principal and Founding Partner
UCLA School of Public Health; 2007 to 2011; Lecturer (Assistant Researcher)
UCLA School of Public Health; 2003 to 2006; Adjunct Professor
UCLA Environmental Science and Engineering Program; 2002-2004; Doctoral Intern Coordinator
UCLA Institute of the Environment, 2001-2002; Research Associate
Komex H_2O Science, 2001 to 2003; Senior Remediation Scientist
National Groundwater Association, 2002-2004; Lecturer
San Diego State University, 1999-2001; Adjunct Professor
Anteon Corp., San Diego, 2000-2001; Remediation Project Manager
Ogden (now Amec), San Diego, 2000-2000; Remediation Project Manager
Bechtel, San Diego, California, 1999 – 2000; Risk Assessor
King County, Seattle, 1996 – 1999; Scientist
James River Corp., Washington, 1995-96; Scientist
Big Creek Lumber, Davenport, California, 1995; Scientist
Plumas Corp., California and USFS, Tahoe 1993-1995; Scientist
Peace Corps and World Wildlife Fund, St. Kitts, West Indies, 1991-1993; Scientist

Publications:

Remy, L.L., Clay T., Byers, V., **Rosenfeld P. E.** (2019) Hospital, Health, and Community Burden After Oil Refinery Fires, Richmond, California 2007 and 2012. *Environmental Health.* 18:48

Simons, R.A., Seo, Y. **Rosenfeld, P**., (2015) Modeling the Effect of Refinery Emission On Residential Property Value. Journal of Real Estate Research. 27(3):321-342

Chen, J. A, Zapata A. R., Sutherland A. J., Molmen, D.R., Chow, B. S., Wu, L. E., **Rosenfeld, P. E.,** Hesse, R. C., (2012) Sulfur Dioxide and Volatile Organic Compound Exposure To A Community In Texas City Texas Evaluated Using Aermod and Empirical Data. *American Journal of Environmental Science*, 8(6), 622-632.

Rosenfeld, P.E. & Feng, L. (2011). *The Risks of Hazardous Waste.* Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2011). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Agrochemical Industry*, Amsterdam: Elsevier Publishing.

Gonzalez, J., Feng, L., Sutherland, A., Waller, C., Sok, H., Hesse, R., **Rosenfeld, P.** (2010). PCBs and Dioxins/Furans in Attic Dust Collected Near Former PCB Production and Secondary Copper Facilities in Sauget, IL. *Procedia Environmental Sciences*. 113–125.

Feng, L., Wu, C., Tam, L., Sutherland, A.J., Clark, J.J., **Rosenfeld, P.E.** (2010). Dioxin and Furan Blood Lipid and Attic Dust Concentrations in Populations Living Near Four Wood Treatment Facilities in the United States. *Journal of Environmental Health*. 73(6), 34-46.

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Wu, C., Tam, L., Clark, J., **Rosenfeld, P**. (2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. *WIT Transactions on Ecology and the Environment, Air Pollution,* 123 (17), 319-327.

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Hensley, A.R. A. Scott, J. J. J. Clark, **Rosenfeld, P.E.** (2007). Attic Dust and Human Blood Samples Collected near a Former Wood Treatment Facility. *Environmental Research*. 105, 194-197.

Rosenfeld, P.E., J. J. J. Clark, A. R. Hensley, M. Suffet. (2007). The Use of an Odor Wheel Classification for Evaluation of Human Health Risk Criteria for Compost Facilities. *Water Science & Technology* 55(5), 345-357.

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Sullivan, P. J. Clark, J.J.J., Agardy, F. J., **Rosenfeld, P.E.** (2007). *Toxic Legacy, Synthetic Toxins in the Food, Water, and Air in American Cities.* Boston Massachusetts: Elsevier Publishing

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash. *Water Science and Technology*. 49(9),171-178.

Rosenfeld P. E., J.J. Clark, I.H. (Mel) Suffet (2004). The Value of An Odor-Quality-Wheel Classification Scheme For The Urban Environment. *Water Environment Federation's Technical Exhibition and Conference (WEFTEC) 2004*. New Orleans, October 2-6, 2004.

Rosenfeld, P.E., and Suffet, I.H. (2004). Understanding Odorants Associated With Compost, Biomass Facilities, and the Land Application of Biosolids. *Water Science and Technology*. 49(9), 193-199.

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash, *Water Science and Technology*, 49(9), 171-178.

Rosenfeld, P. E., Grey, M. A., Sellew, P. (2004). Measurement of Biosolids Odor and Odorant Emissions from Windrows, Static Pile and Biofilter. *Water Environment Research*. 76(4), 310-315.

Rosenfeld, P.E., Grey, M and Suffet, M. (2002). Compost Demonstration Project, Sacramento California Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Integrated Waste Management Board Public Affairs Office*, Publications Clearinghouse (MS–6), Sacramento, CA Publication #442-02-008.

Rosenfeld, P.E., and C.L. Henry. (2001). Characterization of odor emissions from three different biosolids. *Water Soil and Air Pollution*. 127(1-4), 173-191.

Rosenfeld, P.E., and Henry C. L., (2000). Wood ash control of odor emissions from biosolids application. *Journal of Environmental Quality*. 29, 1662-1668.

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Rosenfeld, P.E., and C.L. Henry. (2001). Activated Carbon and Wood Ash Sorption of Wastewater, Compost, and Biosolids Odorants. *Water Environment Research*, 73, 388-393.

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Chollack, T. and **P. Rosenfeld. (**1998). Compost Amendment Handbook For Landscaping. Prepared for and distributed by the City of Redmond, Washington State.

Rosenfeld, P. E. (1992). The Mount Liamuiga Crater Trail. *Heritage Magazine of St. Kitts*, 3(2).

Rosenfeld, P. E. (1993). High School Biogas Project to Prevent Deforestation On St. Kitts. *Biomass Users Network*, 7(1).

Rosenfeld, P. E. (1998). Characterization, Quantification, and Control of Odor Emissions From Biosolids Application To Forest Soil. Doctoral Thesis. University of Washington College of Forest Resources.

Rosenfeld, P. E. (1994). Potential Utilization of Small Diameter Trees on Sierra County Public Land. Masters thesis reprinted by the Sierra County Economic Council. Sierra County, California.

Rosenfeld, P. E. (1991). How to Build a Small Rural Anaerobic Digester & Uses Of Biogas In The First And Third World. Bachelors Thesis. University of California.

Presentations:

Rosenfeld, P.E., Sutherland, A; Hesse, R.; Zapata, A. (October 3-6, 2013). Air dispersion modeling of volatile organic emissions from multiple natural gas wells in Decatur, TX. *44th Western Regional Meeting, American Chemical Society.* Lecture conducted from Santa Clara, CA.

Sok, H.L.; Waller, C.C.; Feng, L.; Gonzalez, J.; Sutherland, A.J.; Wisdom-Stack, T.; Sahai, R.K.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Atrazine: A Persistent Pesticide in Urban Drinking Water. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Feng, L.; Gonzalez, J.; Sok, H.L.; Sutherland, A.J.; Waller, C.C.; Wisdom-Stack, T.; Sahai, R.K.; La, M.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Bringing Environmental Justice to East St. Louis, Illinois. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Rosenfeld, P.E. (April 19-23, 2009). Perfluoroctanoic Acid (PFOA) and Perfluoroactane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*, Lecture conducted from Tuscon, AZ.

Rosenfeld, P.E. (April 19-23, 2009). Cost to Filter Atrazine Contamination from Drinking Water in the United States" Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tuscon, AZ.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P**. (20-22 July, 2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. Brebbia, C.A. and Popov, V., eds., *Air Pollution XVII: Proceedings of the Seventeenth International Conference on Modeling, Monitoring and Management of Air Pollution*. Lecture conducted from Tallinn, Estonia.

Rosenfeld, P. E. (October 15-18, 2007). Moss Point Community Exposure To Contaminants From A Releasing Facility. *The 23rd Annual International Conferences on Soils Sediment and Water.* Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). The Repeated Trespass of Tritium-Contaminated Water Into A Surrounding Community Form Repeated Waste Spills From A Nuclear Power Plant. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

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Rosenfeld, P. E. (October 15-18, 2007). Somerville Community Exposure To Contaminants From Wood Treatment Facility Emissions. The *23rd Annual International Conferences on Soils Sediment and Water*. Lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld P. E. (March 2007). Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP). *The Association for Environmental Health and Sciences (AEHS) Annual Meeting*. Lecture conducted from San Diego, CA.

Rosenfeld P. E. (March 2007). Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florala, Alabama. *The AEHS Annual Meeting.* Lecture conducted from San Diego, CA.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (August 21 – 25, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006*. Lecture conducted from Radisson SAS Scandinavia Hotel in Oslo Norway.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (November 4-8, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *APHA 134 Annual Meeting & Exposition.* Lecture conducted from Boston Massachusetts.

Paul Rosenfeld Ph.D. (October 24-25, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. Mealey's C8/PFOA. *Science, Risk & Litigation Conference.* Lecture conducted from The Rittenhouse Hotel, Philadelphia, PA.

Paul Rosenfeld Ph.D. (September 19, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, *Toxicology and Remediation PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel, Irvine California.

Paul Rosenfeld Ph.D. (September 19, 2005). Fate, Transport, Toxicity, And Persistence of 1,2,3-TCP. *PEMA Emerging Contaminant Conference.* Lecture conducted from Hilton Hotel in Irvine, California.

Paul Rosenfeld Ph.D. (September 26-27, 2005). Fate, Transport and Persistence of PDBEs. *Mealey's Groundwater Conference.* Lecture conducted from Ritz Carlton Hotel, Marina Del Ray, California.

Paul Rosenfeld Ph.D. (June 7-8, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. *International Society of Environmental Forensics: Focus On Emerging Contaminants*. Lecture conducted from Sheraton Oceanfront Hotel, Virginia Beach, Virginia.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Fate Transport, Persistence and Toxicology of PFOA and Related Perfluorochemicals. *2005 National Groundwater Association Ground Water And Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation. *2005 National Groundwater Association Ground Water and Environmental Law Conference.* Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. and Rob Hesse R.G. (May 5-6, 2004). Tert-butyl Alcohol Liability and Toxicology, A National Problem and Unquantified Liability. *National Groundwater Association. Environmental Law Conference*. Lecture conducted from Congress Plaza Hotel, Chicago Illinois.

Paul Rosenfeld, Ph.D. (March 2004). Perchlorate Toxicology. *Meeting of the American Groundwater Trust*. Lecture conducted from Phoenix Arizona.

Hagemann, M.F., **Paul Rosenfeld, Ph.D.** and Rob Hesse (2004). Perchlorate Contamination of the Colorado River. *Meeting of tribal representatives*. Lecture conducted from Parker, AZ.

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Paul Rosenfeld, Ph.D. (April 7, 2004). A National Damage Assessment Model For PCE and Dry Cleaners. *Drycleaner Symposium. California Ground Water Association*. Lecture conducted from Radison Hotel, Sacramento, California.

Rosenfeld, P. E., Grey, M., (June 2003) Two stage biofilter for biosolids composting odor control. *Seventh International In Situ And On Site Bioremediation Symposium Battelle Conference* Orlando, FL.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. (February 20-21, 2003) Understanding Historical Use, Chemical Properties, Toxicity and Regulatory Guidance of 1,4 Dioxane. *National Groundwater Association. Southwest Focus Conference. Water Supply and Emerging Contaminants*.. Lecture conducted from Hyatt Regency Phoenix Arizona.

Paul Rosenfeld, Ph.D. (February 6-7, 2003). Underground Storage Tank Litigation and Remediation. *California CUPA Forum*. Lecture conducted from Marriott Hotel, Anaheim California.

Paul Rosenfeld, Ph.D. (October 23, 2002) Underground Storage Tank Litigation and Remediation. *EPA Underground Storage Tank Roundtable*. Lecture conducted from Sacramento California.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Understanding Odor from Compost, *Wastewater and Industrial Processes. Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Using High Carbon Wood Ash to Control Compost Odor. *Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Grey, M. A. (September 22-24, 2002). Biocycle Composting For Coastal Sage Restoration. *Northwest Biosolids Management Association*. Lecture conducted from Vancouver Washington..

Rosenfeld, P.E. and Grey, M. A. (November 11-14, 2002). Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Soil Science Society Annual Conferenc*e. Lecture conducted from Indianapolis, Maryland.

Rosenfeld. P.E. (September 16, 2000). Two stage biofilter for biosolids composting odor control. *Water Environment Federation.* Lecture conducted from Anaheim California.

Rosenfeld. P.E. (October 16, 2000). Wood ash and biofilter control of compost odor. *Biofest.* Lecture conducted from Ocean Shores, California.

Rosenfeld, P.E. (2000). Bioremediation Using Organic Soil Amendments. *California Resource Recovery Association*. Lecture conducted from Sacramento California.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. *Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings*. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., and C.L. Henry. (1999). An evaluation of ash incorporation with biosolids for odor reduction. *Soil Science Society of America*. Lecture conducted from Salt Lake City Utah.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Brown and Caldwell.* Lecture conducted from Seattle Washington.

Rosenfeld, P.E., C.L. Henry. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. *Biofest.* Lecture conducted from Lake Chelan, Washington.

COMMENT LETTER L

Rosenfeld, P.E, C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., C.L. Henry, R. B. Harrison, and R. Dills. (1997). Comparison of Odor Emissions From Three Different Biosolids Applied to Forest Soil. *Soil Science Society of America*. Lecture conducted from Anaheim California.

Teaching Experience:

UCLA Department of Environmental Health (Summer 2003 through 20010) Taught Environmental Health Science 100 to students, including undergrad, medical doctors, public health professionals and nurses. Course focused on the health effects of environmental contaminants.

National Ground Water Association, Successful Remediation Technologies. Custom Course in Sante Fe, New Mexico. May 21, 2002. Focused on fate and transport of fuel contaminants associated with underground storage tanks.

National Ground Water Association; Successful Remediation Technologies Course in Chicago Illinois. April 1, 2002. Focused on fate and transport of contaminants associated with Superfund and RCRA sites.

California Integrated Waste Management Board, April and May, 2001. Alternative Landfill Caps Seminar in San Diego, Ventura, and San Francisco. Focused on both prescriptive and innovative landfill cover design.

UCLA Department of Environmental Engineering, February 5, 2002. Seminar on Successful Remediation Technologies focusing on Groundwater Remediation.

University Of Washington, Soil Science Program, Teaching Assistant for several courses including: Soil Chemistry, Organic Soil Amendments, and Soil Stability.

U.C. Berkeley, Environmental Science Program Teaching Assistant for Environmental Science 10.

Academic Grants Awarded:

California Integrated Waste Management Board. $41,000 grant awarded to UCLA Institute of the Environment. Goal: To investigate effect of high carbon wood ash on volatile organic emissions from compost. 2001.

Synagro Technologies, Corona California: $10,000 grant awarded to San Diego State University.
Goal: investigate effect of biosolids for restoration and remediation of degraded coastal sage soils. 2000.

King County, Department of Research and Technology, Washington State. $100,000 grant awarded to University of Washington: Goal: To investigate odor emissions from biosolids application and the effect of polymers and ash on VOC emissions. 1998.

Northwest Biosolids Management Association, Washington State. $20,000 grant awarded to investigate effect of polymers and ash on VOC emissions from biosolids. 1997.

James River Corporation, Oregon: $10,000 grant was awarded to investigate the success of genetically engineered Poplar trees with resistance to round-up. 1996.

United State Forest Service, Tahoe National Forest: $15,000 grant was awarded to investigating fire ecology of the Tahoe National Forest. 1995.

Kellogg Foundation, Washington D.C. $500 grant was awarded to construct a large anaerobic digester on St. Kitts in West Indies. 1993

COMMENT LETTER L

Deposition and/or Trial Testimony:

In the United States District Court For The District of New Jersey
Duarte et al, *Plaintiffs,* vs. United States Metals Refining Company et. al. *Defendant.*
Case No.: 2:17-cv-01624-ES-SCM
Rosenfeld Deposition. 6-7-2019

In the United States District Court of Southern District of Texas Galveston Division
M/T Carla Maersk, *Plaintiffs,* vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS "Conti Perdido" *Defendant.*
Case No.: 3:15-CV-00106 consolidated with 3:15-CV-00237
Rosenfeld Deposition. 5-9-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants
Case No.: No. BC615636
Rosenfeld Deposition, 1-26-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants
Case No.: No. BC646857
Rosenfeld Deposition, 10-6-2018; Trial 3-7-19

In United States District Court For The District of Colorado
Bells et al. Plaintiff vs. The 3M Company et al., Defendants
Case: No 1:16-cv-02531-RBJ
Rosenfeld Deposition, 3-15-2018 and 4-3-2018

In The District Court Of Regan County, Texas, 112th Judicial District
Phillip Bales et al., Plaintiff vs. Dow Agrosciences, LLC, et al., Defendants
Cause No 1923
Rosenfeld Deposition, 11-17-2017

In The Superior Court of the State of California In And For The County Of Contra Costa
Simons et al., Plaintiffs vs. Chevron Corporation, et al., Defendants
Cause No C12-01481
Rosenfeld Deposition, 11-20-2017

In The Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants
Case No.: No. 0i9-L-2295
Rosenfeld Deposition, 8-23-2017

In The Superior Court of the State of California, For The County of Los Angeles
Warrn Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC
Case No.: LC102019 (c/w BC582154)
Rosenfeld Deposition, 8-16-2017, Trail 8-28-2018

In the Northern District Court of Mississippi, Greenville Division
Brenda J. Cooper, et al., *Plaintiffs,* vs. Meritor Inc., et al., *Defendants*
Case Number: 4:16-cv-52-DMB-JVM
Rosenfeld Deposition: July 2017

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In The Superior Court of the State of Washington, County of Snohomish
Michael Davis and Julie Davis et al., Plaintiff vs. Cedar Grove Composting Inc., Defendants
Case No.: No. 13-2-03987-5
Rosenfeld Deposition, February 2017
Trial, March 2017

In The Superior Court of the State of California, County of Alameda
Charles Spain., Plaintiff vs. Thermo Fisher Scientific, et al., Defendants
Case No.: RG14711115
Rosenfeld Deposition, September 2015

In The Iowa District Court In And For Poweshiek County
Russell D. Winburn, et al., Plaintiffs vs. Doug Hoksbergen, et al., Defendants
Case No.: LALA002187
Rosenfeld Deposition, August 2015

In The Iowa District Court For Wapello County
Jerry Dovico, et al., Plaintiffs vs. Valley View Sine LLC, et al., Defendants
Law No,: LALA105144 - Division A
Rosenfeld Deposition, August 2015

In The Iowa District Court For Wapello County
Doug Pauls, et al.,, et al., Plaintiffs vs. Richard Warren, et al., Defendants
Law No,: LALA105144 - Division A
Rosenfeld Deposition, August 2015

In The Circuit Court of Ohio County, West Virginia
Robert Andrews, et al. v. Antero, et al.
Civil Action N0. 14-C-30000
Rosenfeld Deposition, June 2015

In The Third Judicial District County of Dona Ana, New Mexico
Betty Gonzalez, et al. Plaintiffs vs. Del Oro Dairy, Del Oro Real Estate LLC, Jerry Settles and Deward DeRuyter, Defendants
Rosenfeld Deposition: July 2015

In The Iowa District Court For Muscatine County
Laurie Freeman et. al. Plaintiffs vs. Grain Processing Corporation, Defendant
Case No 4980
Rosenfeld Deposition: May 2015

In the Circuit Court of the 17th Judicial Circuit, in and For Broward County, Florida
Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality, Defendant.
Case Number CACE07030358 (26)
Rosenfeld Deposition: December 2014

In the United States District Court Western District of Oklahoma
Tommy McCarty, et al., Plaintiffs, v. Oklahoma City Landfill, LLC d/b/a Southeast Oklahoma City Landfill, et al. Defendants.
Case No. 5:12-cv-01152-C
Rosenfeld Deposition: July 2014

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In the County Court of Dallas County Texas
Lisa Parr et al, *Plaintiff*, vs. Aruba et al, *Defendant.*
Case Number cc-11-01650-E
Rosenfeld Deposition: March and September 2013
Rosenfeld Trial: April 2014

In the Court of Common Pleas of Tuscarawas County Ohio
John Michael Abicht, et al., *Plaintiffs,* vs. Republic Services, Inc., et al., *Defendants*
Case Number: 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)
Rosenfeld Deposition: October 2012

In the United States District Court of Southern District of Texas Galveston Division
Kyle Cannon, Eugene Donovan, Genaro Ramirez, Carol Sassler, and Harvey Walton, each Individually and on behalf of those similarly situated, *Plaintiffs,* vs. BP Products North America, Inc., *Defendant.*
Case 3:10-cv-00622
Rosenfeld Deposition: February 2012
Rosenfeld Trial: April 2013

In the Circuit Court of Baltimore County Maryland
Philip E. Cvach, II et al., *Plaintiffs* vs. Two Farms, Inc. d/b/a Royal Farms, Defendants
Case Number: 03-C-12-012487 OT
Rosenfeld Deposition: September 2013

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EXHIBIT C

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SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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Geologic and Hydrogeologic Characterization
Industrial Stormwater Compliance
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
CEQA Review

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist
California Certified Hydrogeologist
Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 25 years of experience in environmental policy, assessment and remediation. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) while also working with permit holders to improve hydrogeologic characterization and water quality monitoring.

Matt has worked closely with U.S. EPA legal counsel and the technical staff of several states in the application and enforcement of RCRA, Safe Drinking Water Act and Clean Water Act regulations. Matt has trained the technical staff in the States of California, Hawaii, Nevada, Arizona and the Territory of Guam in the conduct of investigations, groundwater fundamentals, and sampling techniques.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2014;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);

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- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt's responsibilities have included:

- Lead analyst and testifying expert in the review of over 100 environmental impact reports since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, Valley Fever, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at industrial facilities.
- Manager of a project to provide technical assistance to a community adjacent to a former Naval shipyard under a grant from the U.S. EPA.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.
- Expert witness on two cases involving MTBE litigation.
- Expert witness and litigation support on the impact of air toxins and hazards at a school.
- Expert witness in litigation at a former plywood plant.

With Komex H2O Science Inc., Matt's duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

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- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.

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- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

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- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9. Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, Oxygenates in Water: Critical Information and Research Needs.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

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Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt taught physical geology (lecture and lab and introductory geology at Golden West College in Huntington Beach, California from 2010 to 2014.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Coloradao.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

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Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal repesentatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

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Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F.** 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

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Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examination, 2009-2011.

RESPONSES TO COMMENT LETTER L:
Mitchell M. Tsai (Southwest Regional Council of Carpenters)

L-1 The commenter identifies themselves as representing the Southwest Regional Council of Carpenters (Southwest Carpenters) and provides a general summary of the Project Description as provided in the DEIR. This comment does not raise any issues with the environmental analysis provided in the DEIR and no further response is required.

L-2 The commenter provides background information about the Southwest Carpenters. This comment does not raise any issues related to the environmental analysis provided in the DEIR and no further response is required.

L-3 The commenter indicates that they are reserving the right to comment further on the Project. This comment is acknowledged.

L-4 The commenter makes a request that the City provide the commenter with copies of any and all notices referring or related to the Project issued under CEQA. The City acknowledges the commenter's request and the City will include the commenter on the mailing list for future CEQA notices related to the Project.

L-5 The commenter asserts that the City should require the Project Applicant to utilize local hire union labor during construction of the Project. The City has no authority over the hiring practices of private businesses and there is no feasible or enforceable mechanism for the City to accommodate the commenter's request. The comment does not dispute the analysis provided in the DEIR and no additional response is necessary

L-6 The commenter makes broad assertions, citing a study prepared by environmental consultants Matt Hagemann and Paul E. Rosenfeld, that local hire provisions reduce greenhouse gas emissions. The information provided by the commenter does not address the proposed Project and does not provide any information to dispute the analysis provided in the DEIR or to demonstrate that local hire would specifically reduce any of the Project's environmental impacts that were disclosed in the DEIR. No additional response in necessary.

L-7 The commenter makes additional statements that the use of skilled trade workers can facilitate California's climate mitigation efforts, citing a publication from the California Workforce Development Board. The information provided by the commenter does not address the proposed Project and does not provide any information to dispute the analysis provided in the DEIR. No additional response in necessary.

L-8 The commenter offers statements made by SCAQMD regarding the potential air quality benefits of using local hire, skilled trades. The information provided by the commenter does not address the proposed Project and does not provide any information to dispute the analysis provided in the DEIR. No additional response is necessary.

L-9 The commenter offers an example of a city (the City of Hayward) that has adopted policies promoting local hire. The proposed Project is located within the City of Moreno Valley and will be required to comply with the applicable City of Moreno Valley policies and regulations. This comment does not

make any specific claims regarding the environmental analysis provided in the DEIR and no additional response is necessary.

L-10 The commenter provides additional detail to expand on the prior comment. This comment is addressed by Response L-9.

L-11 Citing a publication from the California Planning Roundtable, the commenter states that local hire reduces vehicle miles traveled and commute times. This comment does not make any specific claims regarding the environmental analysis provided in the DEIR. Notwithstanding, the DEIR discloses that the Project would not generate excessive vehicles miles traveled and would result in a less than significant impact. (**DEIR at 4.12-24 and 4.12-25**).

L-12 The commenter provides additional information to support their prior comment. This comment is addressed by Response L-11.

L-13 This comment recommends that the City enact policies requiring local hire of skilled labor. This comment does not raise any issues related to the environmental analysis provided in the DEIR and no further response is required.

L-14 The commenter states that the City should require the Project to be built to standards exceeding the 2019 California Green Building Code. As noted in the DEIR, the Project will be conditioned by the City of Moreno Valley to achieve the equivalent of Leadership in Energy and Environmental Design (LEED) "Silver" for building core and shell. **(DEIR at 3-8)**. The LEED "Silver" classification exceeds the standards of the 2019 California Green Building Code.

L-15 This comment incorrectly asserts in its heading that approval of the Project would be in violation of CEQA. This comment summarizes CEQA requirements and case law related to analysis of environmental impacts and requirements for recirculation of a DEIR. As noted by commenter, an EIR is meant to "provide public agencies and the public in general with information about the effect that a proposed project is likely to have on the environment and to 'identify ways that environmental damage can be avoided or significantly reduced," which is exactly what the DEIR does. While this comment quotes several provisions of CEQA, the Guidelines, and case law, it does not raise any issues with the environmental analysis provided in the DEIR. As such, no further response is required.

L-16 This comment continues to summarize CEQA requirements and case law related to the recirculation of an EIR when substantial changes or new information comes to light. While this comment quotes several provisions of CEQA, the Guidelines, and case law, it does not raise any issues with the environmental analysis provided in the DEIR. The City's position is that none of the conditions requiring recirculation within of CEQA, the Guidelines, or case law have been met and recirculation is not required. As such, no further response is required.

L-17 This comment incorrectly asserts that the City must adopt a mandatory finding of significance that the Project may cause a substantial adverse effect on human beings due to the COVID-19 crisis. We incorporate by reference the response made therein.[3] Specifically, we note that neither provision cited by commenter, CEQA § 21083(b)(3) nor Guidelines § 15065(a)(4) require the City to analyze the

[3] City of Victorville – Victorville CarMax Auto Superstore Project RDEIR (SCH 2019070975), p. 3-44 – 3-93; available at: https://www.victorvilleca.gov/home/showpublisheddocument/4578/637381839182670000.

effects of COVID-19 on the general public. The purpose of CEQA, as noted by commenter, is to analyze the "significant effects of the proposed project on the environment."[4] The sections cited by commenter, CEQA Section 21083(b)(3) and Guidelines Section 15065(a)(4), provide that the lead agency is required to make a mandatory finding of significance if "the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly." Courts have repeatedly held that agencies "are not required to analyze the impact of existing environmental conditions on a project's future users or residents."[5] The Project, in this case, is neither a source nor a cause of COVID-19 and, as such, exposure to COVID-19 is not a direct or indirect effect of the Project. We also note that commenter's source for its statement that "[r]ecently, several construction sites have been identified as sources of community spread of COVID-19" was more than a year old at the time of the comment letter. While this time period may constitute "recent" in other contexts, it represents more than half of the length of the COVID-19 crisis as a whole, which has been ongoing in the United States for less than two years. In addition, at the time of the article, no vaccines were yet available for COVID-19, compared to the time of the comment letter when 60.1% of California residents have received at least one dose of a vaccine that protects against COVID-19.[6] As such, circumstances, including the rate and causes of transmission, have changed significantly since the date of the article cited by commenter.

The Project will comply with all state and local regulations regarding the prevention of the transmission of COVID-19 in place at the time of construction and Project operation, respectively. Commenter's suggestions regarding additional methods to prevent the spread of COVID-19 are acknowledged.

L-18 This comment incorrectly asserts that the DEIR does not include an accurate and complete Project Description, while summarizing CEQA requirements and case law related to a project description. The commenter correctly states that a project description must be "accurate, stable, and finite," which is what is provided in the DEIR. As disclosed in the DEIR, the future tenant(s) of the Project is/are were not known at the time the DEIR was prepared and remain unknown at the time of preparation of the FEIR. However, the speculative nature of the Project does not preclude a thorough analysis of its potential effects. Based on the experience and expertise of the EIR preparer (T&B Planning), information provided by the Project Applicant, and the independent judgment of the City of Moreno Valley, the DEIR made reasonable assumptions that the Project was most likely to be used by a either a warehouse distribution business or an e-commerce/fulfillment business. To provide a conservative ("worst case") analysis, and to inform the public and City decision-makers of the full scope of environmental impacts that could occur should be the Project be approved, the DEIR provided a comprehensive analysis of the potential environmental impacts that would occur under both a warehouse distribution use and an e-commerce/fulfillment use. Additionally, the DEIR clearly states that the City is only considering the development of the Project as a 48-foot-tall building. (**DEIR at 3-8 and 3-9**). For information disclosure, the DEIR does acknowledge that a future building user could request modifications to the proposed 48-foot-tall building to increase its height up to a maximum height of 100 feet; however, this scenario is intentionally referred to within the Project Description and throughout the DEIR as a "concept" – and not part of the Project – and the DEIR notes that any future plan modifications would be subject to future City review and, at that time, the City could determine that additional CEQA analysis is needed. (**DEIR at 3-28**). Furthermore, the DEIR explicitly notes that if the Project were modified in the future for a 100-foot height, "this modification would be referred to

[4] CEQA § 21100(b)(1).
[5] California Building Industry Association v. Bay Area Air Quality Management District (2015) 62 Cal.4th 369, 377.
[6] https://www.latimes.com/projects/california-coronavirus-cases-tracking-outbreak/covid-19-vaccines-distribution/.

the Planning Commission for consideration." (**DEIR at 3-28**). Lastly, the commenter provides no evidence to support their assertion that it was not appropriate for the DEIR to assume that up to 50,000 s.f. of the proposed building could be used for cold storage. The assumption used in the DEIR was informed by the Project Applicant's extensive real estate experience, their portfolio holdings, and the local real estate market. Because the Project Description presented in the DEIR already describes a stable and finite, "worst case" land use scenario, no changes to the DEIR are warranted.

L-19 This comment summarizes CEQA requirements and case law related to mitigation and the prohibition on deferring mitigation. While this comment quotes several provisions of CEQA, the Guidelines, and case law, it does not raise any issues with the environmental analysis provided in the DEIR. As such, no further response is required.

L-20 The commenter asserts that the DEIR defers mitigation for several of the Project's significant impacts, citing examples of mitigation from the DEIR. Responses to the specific claims made by the commenter are provided below.

The commenter's assertion that MMs 4.4-1 through 4.4-5 do not adequately address the requirements for archaeological monitoring is incorrect. There is no "one size fits all" standard for the recovery or relocation of archaeological resources. Such recovery/relocation programs depend on numerous variables, including but not limited to, the type of resource uncovered, its condition, and the location of discovery. MMs 4.4-1 through 4.4-5 establish monitoring requirements, establish a protection protocol should any resources be discovered, identify the method for addressing any resources that are found (preservation in-place and on-site reburial/relocation), and establish the coordination protocol for the Project's archaeologist, the City of Moreno Valley, and interested Native American tribe representatives to ensure that all affected parties are satisfied with the method of addressing the discovered resource. No changes to MMs 4.4-1 through 4.4-5 are warranted. Incidentally, as part of the SB 18/AB 52 consultation process required by CEQA, the City of Moreno Valley sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project site. The City consulted with each tribe (including SMBMI) that requested consultation, and consultation was closed on April 21, 2021. During the course of the tribal consultation process, the City shared the mitigation measures presented in the DEIR (Mitigation Measure [MM] 4.4-1 to MM 4.4-6) with each tribe and received no responses. MM 4.4-1 to MM 4.4-6 apply to the potential discovery of subsurface cultural resources to ensure that impacts will be reduced to less than significant. MM 4.4-1 to MM 4.4-6 take all tribal interests and comments expressed to the City into consideration.

L-21 The comment makes a non-specific statement that the DEIR needs to be revised to specify how the Project will relocate or replant heritage trees. As disclosed in DEIR Subsection 4.3, *Biological Resources*, the Project site does not contain any heritage trees and implementation of the Project will not affect heritage trees. Therefore, no revisions to the DEIR are needed.

L-22 This comment summarizes CEQA requirements and case law related to the provision of substantial evidence to support the analysis findings in an EIR. While this comment quotes several provisions of CEQA, the Guidelines, and caselaw, it does not raise any issues with the environmental analysis provided in the DEIR. As such, no further response is required.

L-23 The commenter makes non-specific claims that air quality and GHG analyses presented in the DEIR are flawed and not based on substantial evidence. Because the commenter does not provide any

evidence to support these claims, no response is necessary. Additionally, the commenter incorrectly asserts that the air quality analysis and GHG analysis presented in the DEIR is not representative of a conservative, "worst-case" scenario. The air quality and GHG analyses presented in the DEIR quantify the Project's potential impacts under four different user scenarios: warehousing/distribution, warehousing/distribution with cold storage, fulfillment/e-commerce, and fulfillment/e-commerce with cold storage. In the analysis scenarios that include cold storage, the higher cold storage truck trip rate that the commenter alludes to was used and applied on a proportional basis based on the amount of cold storage area provided within the proposed building. The use of this site-specific rate is in conformance with SCAQMD recommendations. [7] No revision to the DEIR is needed.

L-24 The commenter asserts that reliance on the regulations in the Moreno Valley Municipal Code is not sufficient to ensure that the Project would have a less than significant impact related to lighting/glare. Also, the commenter asserts that reliance on State water quality regulations (that are enforced by the City via their Municipal Code) are not sufficient to ensure that the Project would have a less than significant impact to water quality. Although the commenter cites examples from case law as evidence to support their overall premise that compliance with regulations is not enough to support a finding of no significant impact, the examples cited by the commenter are not applicable to the Project or to the analysis presented in the DEIR. Furthermore, the commenter does not identify any specific reasons why the Municipal Code would not adequately address potential Project-related lighting impacts or why State water quality regulations are not adequate to reduce the Project's water quality impacts. As noted in the DEIR, the City's Municipal Code establishes specific standards related to the design, intensity, and orientation of exterior light fixtures and the application of these specific and defined standards would be sufficient to preclude significant lighting/glare impacts. (**DEIR at 4.1-2 and 4.1-14**). As further noted in the DEIR, State water quality regulations require the Project to identify pollutants of concerns of downstream receiving waters, incorporate design measures to address these pollutants of concerns and perform on-going maintenance of these design measures to ensure their effectiveness, and require other various measures during construction and operation to minimize pollutants such as sediment. (**DEIR at 4.9-8 to 4.8-11**). The City would ensure the Project complies with applicable City lighting standards and State water quality regulations as part of the building permit review process and their on-going code enforcement process. The analysis presented in the DEIR accurately concludes that reliance on applicable lighting and water quality regulations would be sufficient to ensure that Project impacts under the topics of aesthetics (lighting/glare) and hydrology and water quality would be less than significant.

Notwithstanding the foregoing, the Project Applicant has requested that the following conditions of approval be added to address lighting concerns, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis:

- Lighting
  - Reduce light and glare to maximum extent practicable.
  - Implement a campus-wide lighting program in compliance with International Dark Sky Association standards with at least the following measures, except where doing so would violate safety requirements or federal, state, county or City regulations.
  - Light color of all exterior lighting, including street lights, shall be 2,700 Kelvin.

[7] *Id.* at p. 11.

- Install motion sensors on all interior lighting consistent with applicable Title 24 regulations.
- Install full cut-off luminaries on buildings and poles.
- Post signs on site stating that truck head lights shall be turned off within five minutes of truck parking.
- All construction lighting shall be shielded and directed away from the Project's property lines.
- The heights of all outdoor freestanding and wall-mounted lights shall not exceed 20 feet within 180 feet of the centerline of any public streets, except where doing so would violate safety requirements or any federal, state, county or City regulations.

L-25 This comment summarizes CEQA requirements and case law related to analyzing inconsistencies between a project and planning documents. While this comment quotes several provisions of CEQA, the Guidelines, and caselaw, it does not raise any issues with the environmental analysis provided in the DEIR. As such, no further response is required.

L-26 The commenter incorrectly asserts that that the bulleted items presented in this comment are "project-level" goals of which a Project needs to be consistent with in order to conclude consistency with the RTP/SCS. To quote from the commenter's Footnote 25, "[l]ocal agencies can and should comply with the requirements of CEQA to mitigate impacts to [the environmental] as applicable and feasible …[and] may refer to Appendix G of this PEIR *for examples of potential mitigation to consider* when appropriate in reducing environmental impacts of future projects" [*Emphasis added*]. The DEIR provides numerous mitigation measures that are feasible for the Project to implement and that would reduce the Project's air quality and GHG emissions. (**DEIR at 4.2-37**). The provision of these mitigation measures further demonstrates the Project's compliance with the SCAG RTP/SCS, as noted in the DEIR. (**DEIR at 4.10-8**). The analysis provided in the DEIR is adequate and no revision to the DEIR is necessary.

L-27 The commenter incorrectly asserts that that the DEIR fails to demonstrate consistency with the SCAG's Connect SoCal and, also, fails to incorporate strategies to reduce the Project's GHG impacts. The DEIR properly analyzes consistency with SCAG's Connect SoCal in several places, including consistency with its purpose and objectives,[8] as well as in the land use and planning chapter.[9] This analysis is consistent with SCAG's guidance on how to implement plan consistency, which provides that "[f]or the purpose of determining consistency with Connect SoCal for … CEQA … lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency."[10] Furthermore, as noted in Response L-26, the DEIR includes numerous mitigation measures to reduce the Project's air quality and GHG emissions. The analysis provided in the DEIR is adequate and no revision to the DEIR is necessary.

L-28 The commenter incorrectly asserts that the DEIR fails to identify which agencies and organizations were consulted in the preparation of the DEIR. A lead agency is responsible for preparing the environmental documents for a project, including any environmental impact report (EIR). See, *e.g.,* 14 Cal Code Regs §§15081.5, 15082. A lead agency must consult with responsible agencies as part of the

[8] DEIR, p. 3-1.
[9] DEIR, p. 4.10-10 – 11.
[10] Connect SoCal, p. xiv; available at: https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal-plan_0.pdf?1606001176.

lead agency's efforts to prepare the environmental document. 14 Cal Code Regs §§15072(a), 15086(a). In addition to consulting with responsible agencies, lead agencies must solicit consultation and comments from trustee agencies. See, *e.g.,* 14 Cal Code Regs §15063(g). "Responsible agency" means a public agency other than the lead agency that has responsibility for carrying out or approving the project. Pub Res C §21069; 14 Cal Code Regs §15381. "Trustee agency" means a state agency with "jurisdiction by law" over natural resources affected by a project that are "held in trust for the people of the State of California," though the agency need not have any approval authority over the project. Pub Res C §21070. The DEIR identifies all the responsible and trustee agencies which were invited to comment on the Draft EIR. DEIR Section 7.0, *References* also lists the individuals who were actively involved in the preparation of the DEIR, which included City staff. The preparation of the DEIR did not require contacting representatives of federal, local, and state agencies and organizations because the publicly available websites and documents from federal, local, and state agencies cited in DEIR Section 7.0 provided sufficient information to complete the analysis in the DEIR. Therefore, no changes or revisions to the DEIR are required.

L-29 The commenter reiterates their opinion that the EIR requires revision and recirculation. As evidenced by the preceding responses, the analysis and conclusions of the DEIR were appropriate and supported by substantial evidence. Recirculation of the DEIR is not warranted according to the guidance set forth in CEQA Guidelines Section 15088.5.

COMMENT LETTER M

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
"Bringing People Together to Improve Our Social and Natural Environment"

July 8, 2021

Gabriel Diaz
Associate Planner
14177 Frederick Street
Moreno Valley, Ca 92553

Submitted via email

Re: Moreno Valley Trade Center DEIR (SCH #2020039038)

Dear Gabriel,

This letter is being written on behalf of the Center for Community Action and Environmental Justice in response to the Draft Environmental Impact Report for the Moreno Valley Trade Center ("Project") which has been proposed there in the city. We have taken the time to review the information provided in the DEIR documents and are providing the following comments as a response. Overall, we have identified numerous issues with the Project due to the impacts which will happen if it is constructed. They are summarized into three major areas of concern: Air Quality, GHG Emissions, and Land Use. M-1

Table S-1 Mitigation Monitoring and Reporting Program in the DEIR identifies a summary of the findings for all the various sections which have been studied as part of the DEIR. After reviewing them, remain concerned that they simply do not go far enough in mitigating the impacts the Project would have upon the community. These impacts are most pronounced in the areas of Aesthetics, Air Quality, and GHG Emissions which are listed as significant and unavoidable in the table as well as Land Use which is listed as mitigated, but which we do not believe meets the requirements of rezoning as set forth by SB 330. M-2

We also question the genesis of the numbers used in the Air Quality analyses which were carried out for the Project. According to Table 4.2-4 Passenger Car Fleet Mix (Urban Crossroads, 2020), the breakdown of vehicle types assumes a whopping 62.3% of passenger vehicles would be classified as light-duty auto (LDA) and the combination of light-duty trucks 1 & 2 (LDT1 & LDT2) would only amount to 25.25% of Project traffic.

However, this assumption appears to be wildly out-of-touch with reality. Per the California New Car Dealer Association's 1st Quarter 2021 report, Light Duty Trucks make up 66.8% of all new car sales in the state[1] and while certainly it is not reasonable to assume that the new sales mix is M-3

[1] California New Car Dealers Association (May 2021). State new light vehicle registrations predicted to increase by 10 percent in 2021. California Auto Outlook™: Comprehensive Information on the California vehicle market. Volume 17, Number 2. Retrieved from: https://www.cncda.org/wp-content/uploads/Cal-Covering-1Q-21.pdf.

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COMMENT LETTER M

exactly the same as the existing fleet, CNCDA data from the four years prior to 2021[2345] show that light-duty trucks have been growing rapidly over the past five years from a low of 44.3% in the 1st quarter of 2016 to 61.6% over the same period in 2020 before eclipsing the ⅔ mark in 2021. All of those numbers are substantially larger than the 25.25% number for the combined light-duty truck segments used in the analyses for the DEIR and also logically necessitate that a reduction in LDAs is also occurring in tandem. Therefore, we believe that this DEIR is not providing an accurate assessment of the Air Quality impacts and that in fact, the true numbers would be even higher. M-3 (CONT.)

Additionally, in the discussion of Threshold b of Section 4.10.4 Impact Analysis, it is noted that the Project would result in a change of zoning from current R2 to Business Park/Light Industrial. This triggers a need to rezone another area within the City to maintain the same capacity for residential use as required by Senate Bill 330 (Skinner, 2019). The DEIR acknowledges that this impact is made and has led to that requirement and provides information relating to how the Project would comply with that requirement. However, we have reviewed the referenced "Density Bonus Program for SB 330" ordinance (Moreno Valley Municipal Code Section 9.03.065) and question whether it meets the requirements of compliance with SB 330. M-4

Finally, we have reviewed the proposed Mitigation Measures and have the following concerns:

- MM 4.2-4: We would like to see the City provide a minimum schedule of when inspection of logs and records would be conducted. M-5
- MM 4.2-5: Installation of these signs should include some which are in any Spanish and any other non-English language which would make up at least five percent of the truck driver workforce. M-6
- MM 4.2-6: Establish an action plan for the City to ensure that no such queuing occurs including enforcement. M-7
- MM 4.2-7 b): Bicycle parking needs to be sited and installed per guidelines set forth by the Association of Pedestrian and Bicycle Professionals including rack type, distance to entrance(s), visibility, etc. Additionally, provision should be made for electric bicycles to be charged while parked. M-8
- MM 4.2-7 e): Include coordination with local utility to ensure buildout is done efficiently and provide load balancing capabilities. M-9

[2] California New Car Dealers Association (May 2020). COVID-19 pandemic put the brakes on state new vehicle market. California Auto Outlook™: Comprehensive Information on the California vehicle market. Volume 16, Number 2. Retrieved from: https://www.cncda.org/wp-content/uploads/Cal-Covering-1Q-20-REVISED.pdf.
[3] California New Car Dealers Association (May 2019). New vehicle registrations should exceed 1.9 million units in 2019; despite mild decline. California Auto Outlook™: Comprehensive Information on the California vehicle market. Volume 15, Number 2. Retrieved from: https://www.cncda.org/wp-content/uploads/Cal-Covering-1Q-19.pdf.
[4] California New Car Dealers Association (May 2018). New vehicle registrations in state could exceed 2 million for fourth straight year in '18. California Auto Outlook™: Comprehensive Information on the California vehicle market. Volume 14, Number 2. Retrieved from: https://www.cncda.org/wp-content/uploads/California-Covering-1Q-2018-1.pdf.
[5] California New Car Dealers Association (May 2017). State new vehicle market predicted to remain strong in 2017. California Auto Outlook™: Comprehensive Information on the California vehicle market, 13(2). Retrieved from: https://www.cncda.org/wp-content/uploads/CA-Auto-Outlook-1Q-2017.pdf.

Comment Letter M

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
"Bringing People Together to Improve Our Social and Natural Environment"

- MM 4.2-7 h): Emissions for the Project are already far too high, it is imperative that other materials than concrete are used outside of the drive aisles to reduce the emissions which accompany the use of concrete. M-10
- MM 4.2-10: It is unacceptable for there to be any diesel-operated outdoor handling equipment even if they meet CARB Tier 4 compliance. Tier 4 diesels still produce the same diesel toxins and we also are opposed to the use of natural gas as it has the same problem. It is imperative that all yard equipment be zero emissions from Day One. M-11

In summary, we remain opposed to this Project for a number of reasons. It would an unwelcome intrusion into the community (especially in the e-commerce form) and exacerbate the creep of warehousing into residential spaces as continues to occur around the region and in this city. This is made worse by the refusal to work to make sure that the Project is able to comply with the SCAQMD's Air Quality Management Plan, putting the entire region at risk of not just bad air quality, but losing vital funding from the federal government for various programs and potentially them in charge of standards. This is especially concerning given the outcome of the *Center for Biological Diversity v. California Department of Fish and Wildlife* which set a precedent and expectation that projects do in fact have to mitigate their impacts. Therefore, we call on the City to reject this Project and instead focus on maintaining (or optimally improving) the existing plans. M-12

Sincerely,

Alma Marquez

Alma Marquez
Executive Director

CC:
YIMBY Law
Robert Swanson, Deputy Attorney General

CCAEJ is a long-standing community based organization with over 40 years of experience advocating for stronger regulations through strategic campaigns and building a base of community power. Most notably, CCAEJ's founder Penny Newman won a landmark federal case against Stringfellow Construction which resulted in the `Stringfellow Acid Pits' being declared one of the first Superfund sites in the nation. ***CCAEJ*** prioritizes community voices as we continue our grassroots efforts to bring lasting environmental justice to the Inland Valley Region.

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RESPONSES TO COMMENT LETTER M:
Center for Community Action and Environmental Justice

M-1 This introductory comment is acknowledged; no response is required.

M-2 The commenter makes general claims that the additional mitigation should be warranted to address the Project's impacts under the issues of Aesthetics, Air Quality, and GHG emissions but does not offer suggestions for additional mitigation measures to be considered. The DEIR provides a detailed description of the reasons why no feasible mitigation is available to reduce the Project's impacts under the issue of Aesthetics to a less than significant level. (**DEIR at 4.1-21**). The commenter does not rebut the discussion in the DEIR or offer mitigation measures to consider, thus no additional response is necessary. The DEIR also provides numerous mitigation measures to reduce the Project's air pollutant and GHG emissions. (**DEIR at 4.2-37 through 4.2-41**). The DEIR also includes a detailed description of the reasons why no feasible mitigation is available to make substantial additional reductions to Project impacts. (**DEIR at 4.2-41**). The commenter does not rebut the discussion in the DEIR or offer mitigation measures to consider, thus no additional response is necessary.

The commenter also states their opinion that the Project's entitlement actions do not comply with SB 330 but does not offer any evidence to support their claim. Consistent with Senate Bill 330 and the Housing Crisis Act of 2019, Ordinance 965 (adding Section 9.03.065 to the City Municipal Code) creates a regulatory mechanism whereby the City grants a density bonus for development of other residentially zoned properties to make up for any loss of residential development intensity due to general plan amendments or zone changes that authorize non-residential development on previously zoned residential property. No further response in necessary.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty

Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of the additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

M-3 The commenter questions the composition of the passenger vehicle fleet mix used in the Project's air quality analysis, citing data published by the California New Car Dealer Association. The Project's air quality analysis uses the default passenger vehicle fleet mix from CalEEMod. (**DEIR Technical Appendix B1 at 45 and DEIR Technical Appendix B2 at 45**). CalEEMod is a Statewide land use emission computer model developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts, including the SCAQMD, that provides a uniform platform to quantify potential criteria pollutant emissions associated with construction and operation of land development projects. The underlying assumptions of CalEEMod, including the passenger vehicle mix, were approved by SCAQMD and are appropriate to use for air quality analyses in the South Coast Air Basin. No changes to the air quality analysis or EIR are necessary.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties

for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of the additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-

emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

M-4 Response M-2 addresses the commenter's opinion that the Project would not be consistent with the requirements of SB 330.

M-5 The commenter requests that MM 4.2-4 be revised to provide additional detail regarding the schedule and procedure for reviewing construction equipment maintenance logs. The Project Applicant and its contractors are required to comply with all laws, regulations, and rules regarding the operation and maintenance of diesel-powered construction equipment. As supplement to this mitigation measure, the Project Applicant has requested that a condition of approval be added that provides that in the event that diesel-powered construction equipment becomes available (1) with improved emission control devices that reduce particulate matter emissions, including fine particulate matter, and reduces NOx emissions, (2) at commercially reasonable prices, and (3) in sufficient quantities to be reasonably available, then the use such construction equipment shall be required. The Project Applicant also requested that a condition of approval be added that provides that no diesel-powered portable generators shall be used, unless necessary due to emergency situations or constrained supply. It should be noted that the aforementioned conditions of approval offered by the Project Applicant shall not be considered to be mitigation measures necessitated by the instant CEQA review of the Project. The City will inspect Project construction activities at its discretion, as it does for all construction projects in the City. No further changes to the EIR are needed.

M-6 The commenter requests that MM 4.2-5 be revised to require information signs to be posted in English and Spanish.MM 4.2-5 has been revised in the FEIR in accordance with this request.

M-7 The commenter requests that MM 4.2-6 be revised to establish an action and enforcement plan to preclude truck queuing on City streets. The proposed design of the Project already is sufficient to preclude truck queuing on City streets; the Project accommodates on-site truck queuing areas interior to the Project site. The purpose of MM 4.2-6 is to ensure that the final construction plan does not substantially alter the amount of truck queuing that is shown on the proposed site plan that will be considered by the City Council. No changes to MM 4.2-6 are needed.

M-8 The commenter requests that the Project incorporate provisions for bicycle parking and electrical bicycle parking. The Project provides bicycle parking at building office locations in accordance with Moreno Valley Municipal Code requirements; 16 "U"-shaped racks are provided with each rack holding two bicycles. MM 4.2-7, sub-item "b" has been revised per the request of the commenter to provide opportunities for future electric bicycle parking.

M-9 The commenter requests that MM 4.2-7 be revised to require the Project Applicant to coordinate with the local electricity provider during Project building but does not specify what this coordination would entail or how it would reduce any of the Project's significant impacts. Moreno Valley Utility (MVU) is the electricity service provider for the Project area. The Project Applicant has coordinated with MVU during the entitlement review process and will continue to coordinate with MVU during the preparation of construction drawings and during Project buildout. Furthermore, additional mitigation for the Project's construction phase is not warranted because the Project would result in less than significant

air quality impacts during construction. (**DEIR at 4.2-26**). No changes to mitigation measures are needed.

M-10 The commenter requests that the use of concrete be minimized within parking and loading areas on the Project site. The use of alternate materials is not feasible, as concrete is required to support the weight of heavy equipment and trucks. Additionally, the commenter does not suggest an alternate material or provide evidence to support this claim that use a material other than concrete will lead to reduced air quality emissions. Therefore, no revisions to the DEIR are required.

M-11 The commenter requests that Mitigation Measure 4.2-10 be revised to prohibit the use of diesel fuel and natural gas to power yard trucks that are used on-site. MM 4.2-10 has been revised to accommodate the commenter's request.

M-12 The commenter provides concluding remarks; no response is required.

COMMENT LETTER N

Moreno Valley Group of the Sierra Club
P.O. Box 1325
Moreno Valley, CA 92556

July 8, 2021

Gabriel Diaz
Associate Planner
City of Moreno Valley

RE: Comments Draft Environmental Impact Report (DEIR) for the Moreno Valley Trade Center

The Sierra Club made significant Notice of Preparation comments and we find that this Draft EIR has failed to address most of those concerns/recommendations. You will therefor read many of those concerns again throughout this letter. N-1

The Moreno Valley Trade Center (MVTC) is being proposed on land currently zoned for homes. Other cities are very upfront when they implement SB 330, by explaining how many units will have to be built elsewhere to make up for those that could have been built on the land the MVTC would use. Other Cities explain as part of the environmental review process which lands will be used to replace lands zoned for housing lost by a project like the MVTC. This project must do the same. Those home/land owners which will be impacted by up zoning or by density bonuses caused by this project have a right to know during the MVTC environmental review so they can make comments on a project which could impact their lives. Waiting until the up zoning is made as part of another project must not be allowed and is totally counter to the purpose of CEQA – which is primarily designed to identify and disclose to decision maker and the public the significant environmental impacts of a proposed project prior to its consideration and approval. The environmental impacts to those up zoned lands must be made part of this MVTC's environmental review of the Final EIR is inadequate. Moreno Valley Ordinance NO 965 poses problems in this regard and must not be used for the application of SB 330. Under this ordinance the public will never know what offsite impacts are caused by a project needing to honor SB 330. Ordinance NO 965 would allow the MVTC to remove land meant for housing and the city would allow some future developer(s) to ask for a Density Bonus to make up for those lost units caused by the MVTC. The public under CEQA has a right to know as part of the MVTC review process the project's offsite impacts as a result of SB 330 to allow them to make comments. N-2

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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. N-3

California Senate Bill 835 passed about five years ago designates places throughout the state that are officially listed at Disadvantaged Communities as explained in the following link: https://oehha.ca.gov/calenviroscreen/sb535 Disadvantaged communities in California are specifically targeted for investments. These investments are aimed at improving public health, quality of life and economic opportunity in California's most burdened communities at the same time reducing pollution that causes climate change.

The maps/figures in the link found above as well as at the end of this letter indicated Moreno Valley has a large state designated Disadvantaged Areas south of SR-60 which includes the land for the proposed MVTC as well as the nearby existing neighborhoods. Many of those areas are also disadvantaged because of their proximity to approved warehouse projects as well as their diesel truck traffic. The Final EIR must show these maps/figures and the location of this project as well as how the project will make these disadvantaged areas better and/or worse. The Sierra Club expects to read the Final EIR's way of protecting the people in this state designated Disadvantaged Area near (at least 1500 feet) this project as well as how the MVTC will improve their health and quality of life. N-4

The Project and its Final EIR 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." 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 which was not evident in the Draft EIR and must be in the Final EIR. N-5

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Part of the project is a large plant nursery and therefore there is impact on Agricultural lands. This 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 FEIR and not just comment that it is insignificant. The Sierra Club believes all biologically significant lands that are destroyed as a result of this project must be replaced with a 2:1 ratio and not the 1:1 mentioned in the Draft EIR. N-6

The Draft EIR (DEIR) reads as follows:

"Threshold a: Significant Direct and Cumulatively-Considerable Impact. Under warehouse distribution/logistics and ecommerce/fulfillment options, the Project would exceed the growth projections contained in SCAQMD's 2016 AQMP and, also, would emit air pollutants that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB. As such, the Project would conflict with and could obstruct implementation of the AQMP. "

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. 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 sweepers, forklifts, hostlers, pallet jacks and yard trucks. The Project must include the phase-in of zero emission heavy duty trucks and complete the transition by 2030, *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 Plan 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*. 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. N-7

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Transport refrigeration units (TRUs) trucks and trailers can emit large quantities of diesel exhaust while operating within the Project site. Residences located near where these TRUs could be operating, would be exposed to diesel exhaust emissions that would result in significant cancer risk. The Sierra Club urges the Applicant and City to clearly define the final use of the Project in the FEIR so the public can fully understand the potential environmental effects of the Project on their communities. The air quality and diesel impact analysis needs to be done again with the knowledge of who the tenant is and their needs/requirements. How much of the MVTC will be dedicated to refrigeration – both square feet and cubic feet? Its energy needs must be electric and solar energy must be it main source. N-8

The Draft EIR does little to indicate how the MVTC would exceed existing regulations/laws by state and federal agencies to improve air quality and GHG emissions. Even the three minute idling restriction would only apply when the truck's transmission is in neutral or park and the parking brake is engaged. N-9

The Draft EIR failed to require/condition the MVTC so that project trucks of all sizes and delivery vans are specifically prohibited on Encelia Avenue and do not utilize residential streets or impact sensitive receptors such as family homes. 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. N-10

The Project's Final EIR must 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 Draft EIR failed adopt significant measures that promote energy efficiency beyond existing regulatory requirements. Electricity generation accounts for approximately 30% of California's GHG emissions. Utilization of solar energy is one feasible means to ensure that the State can meet its laudable energy efficiency goals. The MVTC must install the maximum amount of solar allowed under the restrictions imposed by the Moreno Valley Electric Utility. N-11

While building the roof to accept maximum number of photovoltaic solar arrays, little is explained as to how they will use that space to generate enough electricity to meet the 50% of the project's electrical needs — both inside and outside of the building. The proposed refrigeration section of the MVTC must be electric as well as all appliances, water heaters and HVAC systems. This includes all the service equipment such as, but not limited to sweepers, forklifts, hostlers, pallet jacks and yard trucks as well as lighting. N-12

Where are the plug ins for all the electric Auxiliary Power Units (APU)? N-13

There are so many more ways to reduce the project's impact on air pollutants, ozone, NOx and Greenhouse Gas (GHG) that other jurisdictions have incorporated into warehouse projects. The Final EIR will be inadequate unless it includes the follow to reduce the project's impacts on the N-14

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environment and people **as well as explains why the project decides not to implement each with concrete and enforceable wording**:

- Creating physical, structural, and/or vegetative buffers between warehouses and any areas where sensitive receptors are likely to be present, such as homes.
- Providing adequate areas for on-site parking, on-site queuing, and truck check-in that prevent all type of 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 in English and Spanish clearly showing the designated entry and exit points for trucks and service vehicles.
- Posting signs in English and Spanish 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 only electric tools.
- 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.
- 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.
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.

N-14
(CONT.)

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- 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 by 2030 and beginning well before then.
- 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 and without the additional requirement like the parking brake must be on and the transmission in neutral or park as written in the DEIR.
- Posting both permanent 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 permanent air filtration/HVAC 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.

N-14 (CONT.)

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- Installing solar photovoltaic systems on the project site to generate at least 50% all proposed project's electric demand for inside and outside uses which include all equipment, vehicles and onsite lighting. 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 destinations.
- Posting signs at every truck exit driveway providing directional information to the truck route which must be away from sensitive receptors.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area which means palm trees must not be used on site.
- 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 public, 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.
- 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 to make sure parking lots are 50% covered with shade within ten years of occupancy.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Require use of electric sweepers with HEPA filters.
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113.

The Final EIR must explain why each of the above bullet points are not part of the project. Each bullet point throughout this Sierra Club letter needs its own number in your response to our comments. When they are included the wording must read that they are required and not just encouraged. They also must be concrete, monitored, enforceable and verifiable.

N-14
(CONT.)

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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 and the Draft EIR fails miserably to require the MVTC to significantly require mitigations to accomplish this. 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 and its Final EIR must 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). The Sierra Club will expect to read in the Final EIR all of the measure required of the project to significantly reduce VMT by all forms of vehicles, because the Draft EIR only used words like "encourage" which requires nothing. N-15

Greenhouse gas (GHG) data and analysis in the Draft EIR needs to be updated. Page 54 reads the Project's buildout year is 2021. The DEIR is also using the old 2006 City General Plan even though there is an approved 2021 General Plan Update (GPU) and Climate Action Plan (CAP) whose draft documents were available for public review before the Draft EIR on this project. They were also approved by the City council on June 15, 2021. Relying on the old General Plan for consistency does very little to reduce the project's acknowledged "direct and indirect GHG gas emissions that would result in a significant impact on the environment"(page 54) N-16

"As shown on Table 3-6, the Project will result in approximately 16,336.94 $MTCO_2/yr$; the proposed project would exceed the SCAQMD/City's screening threshold of 10,000 $MTCO_2e$ per year. Thus, the Project has the potential to result in a cumulatively considerable impact with respect to GHG emissions." (page 54) N-17

We need to significantly reduce GHG from construction activities now and amortizing it over a 30 year period provides a false sense that we are not impacting our planet. Table 3-3 shows the real GHG impacts prior to and after amortizing. The table's bottom line would have you believe the project is having little impact on GHG during construction. The total GHG emissions in table 3-6 would be almost 30% greater if you did not amortize construction activities. This needs to change for a complete analysis of this project's GHG impacts. What TIER level are the off road construction equipment? the Final EIR must include this information for the GHG analysis to be valid. Off road equipment must be certified TIER 4 or greater. N-18

Operational emissions categories are pointed out on page 50, but then little is done to reduce them. N-19

Landscape Maintenance Equipment can be required to be all electric and California Air Resources Board (CARB) certified….but it isn't N-20

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Energy Source Emissions fails to address how the buildings more than one million square feet of roof can be used for solar panels…but isn't

N-21

Passenger Cars with trips of only 16.6 miles would indicate few people would be hired from outside of Moreno Valley and that seems unlikely. There is already enough warehouses in the city to provide job opportunities for Moreno Valley residents. This project will not reduce Vehicle Miles Traveled (VMT) just by saying they will. R2-T3 requires a Traffic Demand Management (TDM) program to reduce automobile travel. More needs to be done than encourage volunteer efforts to reduce GHG, but the MVTC only encourages. (page 61) The GHG associated with the project's asphalt used by vehicles has not been addressed and must in the Final EIR

N-22

Truck trip lengths of 40 miles falls far short of the distance of warehouse trucks coming from the ports and upon leaving this warehouse. According to Table 3-5 three and four axle trucks account for more than 83% of those serving this project. Using truck trip lengths of 40 miles for a project in eastern Moreno Valley produces data that is false and very misleading to any analysis of the warehouse project's GHG impacts from this source and in total. The Final EIR must show this projects cumulative GHG impacts when included with past, current and foreseeable project. There must be a list of those projects and their cumulative impacts.

N-23

On-site cargo handling equipment emissions yard goats, utility tractors, hustlers, yard hostlers, yard tractors as well as other equipment are available as electric equipment. At least 50% of their energy demand could be supplied by the maximum use of solar arrays on this project's massive roof…..but it isn't. The MVTC's proximity to family homes demand they use the quietest equipment possible and electric equipment usually satisfies this requirement. The Final EIR must demonstrate that this project is serious about reducing GHG emissions as part of its operation or it will be inadequate.

N-24

Water supply, treatment and distribution needs to be addressed. Landscaping needs to be xeriscape as our current ongoing drought and new normal demands. More and more cities and school districts are incorporating waterless urinals in their own buildings — this massive building requires nothing less.

N-25

Solid waste requires an aggressive recycling effort in the office area and within the warehouse portion of the building. Where is that plan to divert waste from the landfill and this must include the implementation of SB 1383 on food recovery as well as handling of food waste by all the workers/employees.

N-26

The project needs to be LEED certified to show they are serious about reducing GHG and other impacts to the environment. On pages 55 through 59 of the E-Commerce GHG Report by Urban Crossroads repeatedly uses the following words: "The Project would not obstruct or interfere agency efforts to …….". The Project therefore is willing to allow existing rules and regulations and laws to be implemented on this project. It is very evident it is mainly these agencies' requirements that will help reduce GHG and other pollutions caused by this project, but the

N-27

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project adds little to those to reduce pollution in our non-attainment area. The Final EIR (FEIR) must provide the public with required methods of reducing GHG and other pollutions which are verifiable and enforceable of the document will be inadequate.

N-27 (CONT.)

The Draft EIR GHG refers to "the latest version of the CalEEMod Version 2016.3.2. " (page 46). The real latest CalEEMod Version 2020.4.0 must be used in the FEIR or it will be inadequate.

N-28

Noise Impacts:

The Draft EIR noise impact appendix's Exhibit 2-A shows the "Effects of Noise". That exhibit clearly shows that noise levels below 60 dBA cause speech interference and sleep disturbance. This can be the result of constant noise from truck or equipment operations or from single event noise like loud speakers and trucks' warning back up bells/dings.

N-29

In the absence of the city of Moreno Valley having noise standards for all aspects of the MVTC, the Draft EIR relies on the California Office of Planning and Research (OPR) General Plan Guidelines which read as follows: "When the unmitigated exterior noise levels approach 70 dBA CNEL industrial land use is considered *normally acceptable*. With exterior noise levels ranging from 70 to 80 dBA CNEL, industrial land uses are considered *conditionally acceptable*, and with exterior noise levels greater than 80 dBA CNEL, they are considered *normally unacceptable*." This project is currently zoned for homes and is across the street from existing homes. The DEIR reads "for the purposes of this analysis, industrial land use such as the Project". (page 18 of appendix) The use of OPR's standards for the MVTC's lands are not acceptable because of its location near homes and its current zoning.

N-30

The appendix reads "Therefore, at a distance of 200 feet from the property line, the Project's operational noise levels shall not exceed the 65 dBA L_{eq} daytime and 60 dBA L_{eq} nighttime noise level standards for commercial land uses, as shown on Table 3-1. " (page 20) This easily shows the families could have their sleep and speech interrupted. This includes their speech while trying to enjoy their backyards.

N-31

The analysis is not valid until it can be guaranteed that loud speakers and the backup truck warning sounds and equipment operations will not disturb people's sleep and speech during its 24 hour/7days per week operation. Will the MVTC's speaker system be turned off between 8 pm and 8 am? What barriers will be installed to protect families from the sounds generated by the project? Since trucks are 14 feet in height, the walls must exceed the 14 feet depicted in Exhibit 9-A. The walls that are only in front of the loading docks must be significantly extended east and west to buffer the noise of trucks moving to the loading docks. Both trash enclosures must be on the north side of the project and towards the east. What other mitigations will the MVTC use to significantly reduce noise and vibrations? The noise study was done before a tenant was known. Now that the developer knows the proposed tenant an updated noise and vibration study is required. The public also needs to know the tenant to better make comments on the project.

N-32

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If the project is built and the nearby families have trouble sleeping and having normal conversations because of the noise/vibrations from the project, what can/will be done to correct this problem which could easily impact the health of Moreno Valley residents—this also includes construction noise? OPR standards are not appropriate or acceptable for this neighborhood. Since many of the appendix's charts show that the project will exceed 60dBA, then it is expected both speech and sleep of families will be interrupted. Many people enjoy sleeping with their windows open and appreciate the evening breeze which reduces the need to run the HVAC system. N-33

The noise appendix reads that the following are exempt from sound level regulations: "All sounds coming from the normal operations of interstate motor and rail carriers". (page 83 appendix) The MVTC will have "approximately"2,321 trip-ends per day (actual vehicles)' (page 56) Much needs to be done to mitigate the noise generated by over 2,000 vehicles. Now that the MVTC knows its tenant the traffic/trip analysis needs to be done again with significant enforceable mitigations. N-34

The Final EIR needs to show the difference between noise/vibration levels generated by the proposed project versus allowing the current zoning to be built. This will provide the public and decision makers necessary/important information they need to make decisions. N-35

The Sierra Club is sure those who are responding to this letter would not want to live in the existing family homes that are across the street from the project. The noise, vibration, light, and air pollution will all impact the well-being and health of their families. Light standards and those on the building need to be limited to 20 feet throughout the entire project site. All roof mounted equipment must be shielded from public view by using what looks like an integral part of the building. The shielding must also act to significantly buffer any sounds from roof mounted equipment. The FEIR must show how tall the building will be when roof mounted equipment is included and explain the need for the height as well as its impact on the environment and nearby residents? More concrete and enforceable mitigation is needed to be provided in each of these areas to protect the Health, Safety and Welfare to all residents within 1500 feet – especially those in a state designated Disadvantage Community as is the case here. N-36

The Sierra Club appreciates this opportunity to provide comments on the MVTC's Draft EIR and look forward to reading the responses and project improvements in the Final EIR. Please keep us informed of all meetings and documents related to the project. N-37

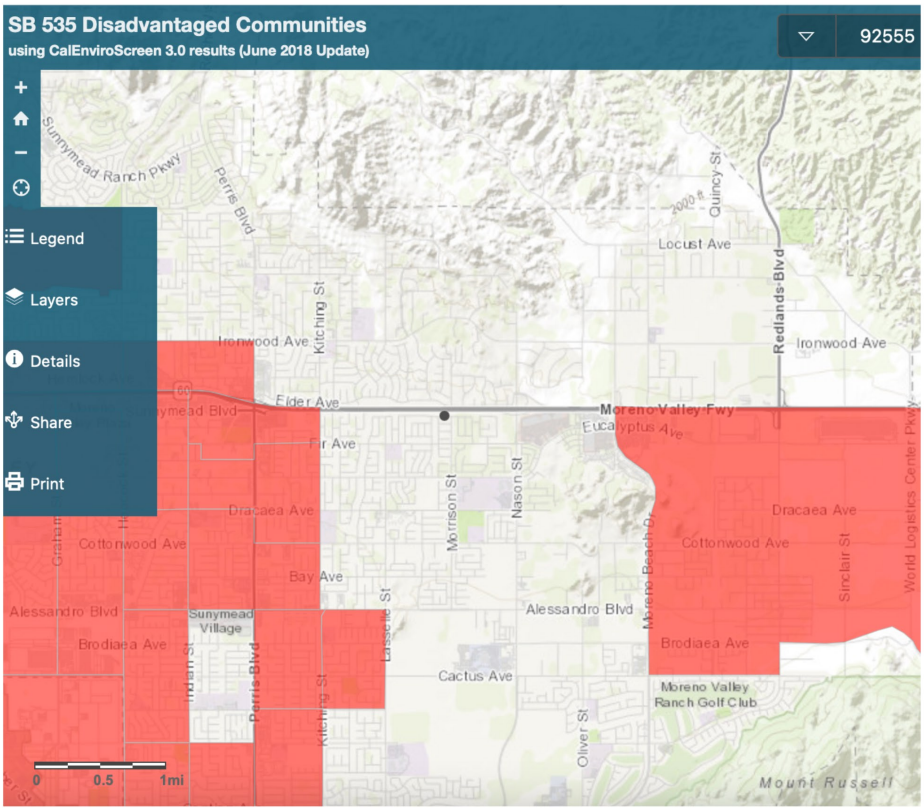
Sincerely,

George Hague

Conservation Chair of the Moreno Valley Group of the Sierra Club

Comment Letter N

Comment Letter N



RESPONSES TO COMMENT LETTER N:
Sierra Club

N-1 Commentor alludes to comments that were made during the Notice of Preparation publication period and asserts that "most" of those comments were not addressed in the DEIR but does not provide any evidence or examples to support their claim. The comment letter received in response to the Notice of Preparation was included within DEIR Technical Appendix A and identifies comments related to air quality, energy, GHG emissions, land use plan consistency, and transportation (including truck routes). All comments received in response to the Notice of Preparation that were applicable to the Project were addressed in the DEIR and the City disagrees with the premise of this comment.

N-2 Commentor asserts that the City is violating CEQA because the Project DEIR does not analyze the specific parcels of residentially zoned property that will receive increased residential development densities pursuant to the recently adopted City of Moreno Valley Ordinance No. 965. CEQA does not require the EIR for the current Project to analyze environmental impacts of future, speculative projects that will be developed consistent with the density bonus provisions of Ordinance 965 (adding Section 9.03.065 to the City Municipal Code). Consistent with Senate Bill 330 and the Housing Crisis Act of 2019, Ordinance 965 creates a regulatory mechanism whereby the City grants a density bonus for development of other residentially zoned properties to make up for any loss of residential development intensity due to general plan amendments or zone changes that authorize non-residential development on previously zoned residential property. The actual parcels that will be developed at a higher intensity pursuant to these provisions are currently unknown and therefore there is no way to identify the specific parcels as part of the DEIR for this Project. Any such environmental review will be completed when such Projects are proposed. Any concerns regarding adequacy of environmental review may be raised at that time. The proper time to raise this comment would have been during the public hearing process prior to adoption of Ordinance 965, not during the public review period for the current DEIR.

N-3 Commentor asserts the City is required to provide copies of the DEIR in Spanish due to the large Hispanic population residing in the City of Moreno Valley. The commentor cites no legal authority for this position. The City is not legally required to provide environmental documents in Spanish as well as English. No changes to the DEIR are needed.

N-4 Commentor asserts the FEIR must include an analysis of impacts to disadvantaged communities as those communities are determined by applicable State law including SB 535 and AB 617. Both SB 535 and AB 617 are primarily concerned about the vulnerability of disadvantaged and low-income communities to poor air quality. The City acknowledges that the Project is in proximity to residential uses and identifies the residential uses in the immediate vicinity of the Project siteProject site as "sensitive receptors." The DEIR includes a comprehensive analysis of potential impacts to sensitive receptors including an analysis of impacts from emissions of regional and localized criteria pollutants and toxic air contaminants including diesel particulate matter. (**DEIR at 4.2-31**).

This analysis concluded that the Project would exceed regulatory levels of emissions of Oxides of Nitrogen (NO_X) on a regional basis. (**DEIR at 4.2-36**). The regional impact was identified as a significant and unavoidable impact on both a Project specific and cumulative basis. (**DEIR at 4.2-36**). The DEIR included mitigation measures that would reduce impacts to the extent feasible. In light of the foregoing, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

However, the DEIR also concluded that the Project would not result in a localized criteria pollutant impact to the sensitive receptors nearest the to the Project site and the truck routes that would be used by the Project. (**DEIR at 4.2-31-33**). Additionally, the Project would not exceed regulatory levels for toxic air contaminant emissions nor increase potential cancer and non-cancer risk to significant levels. Based on a conservative analysis, cancer risk would be at most 7.25 in 1 million which is less than the 10 in 1 million threshold from SCAQMD, while non-cancer risk would be no more than 0.002 which is less than the applicable SCAQMD threshold of 1.0. (**DEIR at 4.2-33-34**). Therefore, the DEIR adequately analyzed the potential impact of the Project on area sensitive receptors, which would include those within identified disadvantaged communities.

N-5 Contrary to commentor's assertion, the DEIR includes a comprehensive analysis of the Project's consistency with the SCAG RTP/SCS. (**DEIR at 4.10-8-11; Table 4.10-1**). The DEIR includes an analysis of whether the Project would result in a significant environmental impact due to a conflict with any land use plan, which includes the 2016 SCAG RTP/SCS. The DEIR concluded the Project was consistent with any of the identified goals of the 2016 RTP/SCS. Commentor has not identified any inconsistency that would result in a significant environmental impact.

N-6 The commenter asserts the Project site should be considered agriculture land solely on the basis of the commercial plant nursery that occupies approximately 12 percent of the Project site under existing conditions. The commenter also asserts that the DEIR does not provide an analysis of potential cumulative impacts to raptor species and that any loss of "biologically significant land" should be mitigated at a 2:1 ratio. First, the Initial Study provided a detailed analysis of potential impacts to agricultural resources and concluded that impacts would be less than significant even with the loss of the commercial plant nursery on-site (this same analysis also was provided in the **DEIR starting at 5-4**). In their comment letter in response to the Notice of Preparation, the commenter did not dispute the conclusions from the Initial Study and the City does not believe that any changes to the DEIR re warranted. Second, the DEIR includes a comprehensive analysis of potential impacts to Biological Resources (**DEIR Section 4.3**). The DEIR concluded the Project would result in significant impacts to one raptor species: the burrowing owl. DEIR MM 4.3-1 would ensure that pre-construction surveys are conducted for the burrowing owl to determine the presence or absence of the species on the Project site. If present, the mitigation measure provides performance criteria that requires avoidance and/or relocation of burrowing owls in accordance with MSHCP and CDFW protocols. As concluded in the DEIR, MM 4.3-1would reduce potential direct and cumulatively-considerable impacts to the burrowing owl to a less than significant level. (**DEIR at 4.3-23**). In addition, the DEIR identifies 0.57-acre of riparian/riverine habitat on-site, which the City, their technical experts, and CDFW agree to be the only "biologically significant land" on the Project site. MM 4.3-2 requires the impacts to the riparian/riverine habitat on the Project site to be mitigated at a 2:1 ratio, which is consistent with the commenter's request. (**DEIR at 4.3-22**). No changes to the DEIR are needed.

N-7 The commentor requests the City consider the inclusion of additional mitigation measures to address the Project's air quality and GHG emissions impacts. The comment does not identify any purported noncompliance with CEQA or deficiency with the DEIR. The technical reports, for instance, relied on very conservative assumptions. As a few examples, the technical reports relied on modeling assumptions using a version of California Emissions Estimator Model (CalEEMod) which was the most updated version at the time in which the Project commenced environmental review and that overestimates emissions compared to the latest version and did not take into account any benefits derived from implementation of SCAQMD's Warehouse Indirect Source Rule - Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. This Rule can be located at

http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf?sfvrsn=15. The SCAQMD has determined that "[b]ased on the analysis of 19 WAIRE Menu scenarios, [the Rule] could achieve NOx reductions in the range of 2.5 – 4 tons per day beyond CARB Rules, which represents about a 10-15% reduction beyond baseline for both NOx and PM."[11]

In addition, notably, the DEIR implemented all best practices when studying air quality and greenhouse gas impacts. All feasible mitigation measures have been incorporated to mitigate significant and unavoidable impacts. Notwithstanding, the Project Applicant also has requested additional conditions of approval be added to minimize the Project's air quality and greenhouse gas emissions, albeit these conditions of approval are not considered to be mitigation measures. The following list summarizes the mitigation measures and conditions of approval that will be required to minimize the Project's air quality and greenhouse gas emissions.

EIR Mitigation Measures

- Requiring legible, durable, weather-proof signs to be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations, including instructions for (a) drivers of diesel trucks to restrict idling to no more than three (3) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged and (b) drivers of trucks equipped with transport refrigeration units ("TRU") to limit TRU idling durations to less than 15 minutes per day. (MM 4.2-5)
- Restrict any operation of the facility for use as "cold storage" to 50,000 square feet. (MM 4.2-7)
- Requiring on-site equipment, such as forklifts and yard trucks, to be non-diesel-powered. (MM 4.2-10)

Requested Conditions of Approval

- Requiring operator to provide annual reports to the City demonstrating compliance with SCAQMD Rule 2305.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.

N-8 The commenter requests that the Project Applicant identify the ultimate end user of the Project and that the air quality impact calculations be re-done to account for the operational characteristics of the end user. As of now, the Project ultimate end user is unknown. CEQA does not require disclosure of the identity of the end user as part of the environmental review as long as the environmental impacts of the use are adequately analyzed. (See *Maintain Our Desert Environment v. Town of Apple Valley* (2004) 124 Cal.App.4th 430, 441) To address the uncertainty regarding the ultimate end user, and in order to provide the most comprehensive environmental analysis possible under the circumstances, the DEIR Project Description notes the proposed building would either be occupied by a warehouse distribution/logistics operator or possibly be used for fulfillment/e-commerce use. (**DEIR at 3-8**). Regardless of end user, the Project would have no more than 50,000 square feet dedicated to cold storage uses. (**DEIR at 3-26**). Based on this Project Description, the DEIR and associated technical studies analyze both development scenarios. However, the City is currently only considering the site plan for the warehouse/distribution user as part of the requested Plot Plan approval (PEN19-0193).

[11] http://www.aqmd.gov/docs/default-source/planning/fbmsm-docs/legal-response-to-cta-letter.pdf?sfvrsn=8.

(**DEIR at 3-8, 3-9**). Here, Section 4.2 of the DEIR, as well as the supporting Air Quality Impact Analysis, included as Appendix B to the DEIR, includes a comprehensive analysis of potential impacts of both development concepts including if the Project ultimately includes uses involving Transport Refrigeration Units (TRUs). This analysis alerts the residents and other interested parties of the possibility that trucks with TRUs may ultimately be a component of the Project. This is consistent with the requirements of CEQA. If ultimately the end use is different than disclosed and analyzed in the DEIR, additional CEQA review may be required. No changes to the DEIR are needed.

N-9 Commentor asserts the DEIR doesn't indicate how the Project will improve air quality and greenhouse gas emissions. The purpose of CEQA is to analyze whether the Project will have a significant impact on the environment. In doing so, the DEIR considers whether the Project will have a significant impact with reference to applicable thresholds of significance. If there are potentially significant impacts, CEQA requires adoption of mitigation measures that avoid or substantially reduce the impacts to the extent feasible. CEQA does not require the Project show that it is improving air quality. The DEIR includes a comprehensive analysis of potential impacts to air quality including implementation of numerous mitigation measures consistent with CEQA's requirements. No changes to the DEIR are needed.

N-10 The Project does not propose any truck access to the Project site from the driveways located on Encelia Avenue. As discussed in Section 3.0 of the DEIR, the proposed driveways on Encelia Avenue will be restricted to passenger vehicle traffic only. (**DEIR pg. 3-8**). Based on design features provided by the Project, no trucks will be able to enter or exit the site from the proposed Encelia Avenue driveways. The Project Applicant or successor in interest will install signage notifying truck drivers of allowable entrance points as well as signage directing trucks to the City of Moreno Valley approved truck routes and away from sensitive receptors along Encelia Avenue. No changes to the DEIR are needed.

However, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to design and install on-site physical improvements, including but not limited to curbs, street humps, street bumps or textured pavement, approved by the City, that discourage truck operators from turning their trucks in the wrong direction when entering or leaving the Project site. The Project Applicant has also requested a condition of approval that requires the developer to install on-site signage clearly stating which directions trucks must turn at all streets exiting the Project site.

N-11 The commentor asserts that the Project must comply with Senate Bill 100 which provides guidelines for obtaining 100% clean energy production by 2045. SB 100 provides regulations relating to publicly owned utilities and requires renewable portfolio standards requiring all retail sellers to procure a minimum quantity of electricity from eligible renewable energy sources. SB 100 does not regulate the design, construction or operation of private development Projects. No changes to the DEIR are needed.

N-12 MM 4.2-7(d) provides "[t]he building's roof shall be designed and constructed to accommodate the potential, future construction of maximally-sized photovoltaic (PV) solar arrays taking into consideration limitations imposed by other rooftop equipment, roof warranties, building and fire code requirements, and other physical or legal limitations." (**DEIR at 4.2-39, 40**). This mitigation measure further requires the building's electrical room to have sufficient size and capacity to supply power for the future EV truck charging stations on site and to power TRU's during loading and unloading of refrigerated goods. Outdoor electrical outlets are provided at reasonable locations to allow opportunities to use electric-powered landscape maintenance equipment. The eventual location of these

outlets will be determined when final building plans are developed, but at a minimum, the building design must be consistent with these design performance standards. The Project Applicant must provide the City with documentation showing implementation of this design feature prior to obtaining a building permit. Notwithstanding the above, the Project Applicant has requested a condition of approval be added that provides that at least one APU plug-in be installed for every 35 dock doors at multiple locations within the site where trucks park with signage that identifies in English and Spanish where such APU plug-ins are located, albeit these conditions of approval are not considered to be mitigation measures.

N-13 The commenter requests that the location(s) of electric plug-ins for TRUs be shown on the Project's plans. The ultimate location for all utility components such as EV plug-ins will be determined when final building plans are developed. No changes to the DEIR are needed.

N-14 The commentor provides a list of 47 mitigation measures that are purported to reduce the Project's air quality and GHG emissions impacts. The commenter asserts that the City must revise the EIR to require the Project to comply with all of the listed measures. The commenter does not provide any evidence that the listed mitigation measures would: 1) be applicable to the Project; 2) have a reasonable nexus to the Project's level of impact; 3) result in a substantive reduction of the Project's air pollutant and/or GHG emissions; or 4) be feasible for the Project Applicant to implement or for the City to enforce. Furthermore, in *Santa Clarita Organization for Planning the Environment v. City of Santa Clarita* ("SCOPE") (2011) 197 Cal.App.4th 1042, the Court ruled that it would be unreasonable to impose on a lead agency an obligation to explore each and every one of a large number of possible mitigation measures that may not be appropriate for a project. Lastly, see Response N-7, which demonstrates that the EIR already includes all feasible mitigation measures to address the significant and unavoidable impacts related to air pollutant and GHG emissions from the Project. Based on the above response, the City determines that no changes to the DEIR are needed.

N-15 The commenter asserts the DEIR does not provide adequate analysis or mitigation to address the Project's GHG impacts. Section 4.7 of the DEIR includes a comprehensive analysis of the Project's potential to result in a significant impact due to greenhouse gas emissions. The DEIR discusses the current regulatory framework and applicable laws related to regulation of greenhouse gas emissions in the State of California. This discussion also includes reference to Executive Order S-3-05, B-30-15 and AB 32 and the relationship between Project emissions and goals and strategies implemented by these laws and regulatory orders. The DEIR concludes the Project will result in a significant and unavoidable impact due to the Project's greenhouse gas emissions. Accordingly, the DEIR imposes numerous mitigation measures to reduce the impacts to the extent feasible. (**DEIR MM 4.2-5 through MM 4.2-11**). These mitigation measures include incentives for employees including a requirement to provide preferential parking for carpool, vanpool EV and CNG vehicles and potentially development of a transportation demand management program that will result in a reduction of work-related trips to the Project site. The commenter does not provide any evidence that there are additional, feasible mitigation measures that were not included in the DEIR.

Notwithstanding the above, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing parking related to the Project, albeit the following conditions of approval are not considered to be mitigation measures:

- Prohibit Off-Site employee parking;

- Provide free on-site employee parking;
- Provide short-term bike racks near employee building entrances;
- Provide preferential parking for carpools and vanpools equal to 5% of total parking spaces; and
- Provide designated parking spaces for motorcycles.

In light of the significant and unavoidable impacts due to the Project's greenhouse gas emissions, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

N-16 The commentor asserts that the greenhouse gas emissions analysis needs to be revised and updated because the analysis assumed buildout and occupancy of the Project would be in 2021 which is unrealistic at this point. CEQA requires the analysis of the potential impact of the Project on the environment. Generally, the lead agency should limit its examination to the changes in the existing physical conditions in the affected area as they exist at the time of the issuance of the notice of preparation. (CEQA Guidelines §15126.2) The Greenhouse Gas Analysis included as Appendix H to the DEIR is dated January 7, 2021, and assumed emissions would occur in 2021 which was appropriate under the circumstances. Use of a future opening year for the analysis would have likely reflected lower emissions due to the increasing regulations and cleaner technology in the future. Therefore, the current analysis provides the most conservative estimate of Project emissions. Commentor further asserts that the Project DEIR should have analyzed the Project's consistency with the City's General Plan by reference to the updated General Plan and Climate Action Plan approved by the City Council on July 15, 2021. The commentor fails to note any specific revisions in the updated General Plan or Climate Action Plan that would impact the validity of the existing analysis in the DEIR.

N-17 The commenter summarizes the conclusion of the DEIR regarding the potential for the Project to result in a significant unavoidable impact due to greenhouse gas emissions. As such, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

N-18 The commenter asserts that it was not appropriate for the Project's GHG analysis to amortize construction GHG emissions over a 30-year time period. Because GHG impacts from construction activities occur over a relatively short time period, they contribute a relatively small portion of the overall lifetime project GHG emissions. In addition, GHG emission reduction measures for construction emissions are relatively limited. Therefore, South Coast Air Quality Management District (SCAQMD) staff has recommended that construction emissions be amortized over a 30-year project lifetime, so that GHG reduction measures will address construction GHG emissions as part of the operational GHG reduction strategies. The preparers of the DEIR are entitled to rely upon the expertise of a responsible agency with regard to analysis of impacts within that responsible agency's purview. (See *Rodeo Citizens Assn. v. County of Contra Costa* (2018) 22 Cal.App.5th 214, 228 [lead agency properly relied upon responsible agency expertise in emissions]). Therefore, Tables 3-3 and 3-6 in the Greenhouse Gas Analysis (DEIR Technical Appendices H1 and H2) are accurate and represent a complete analysis of the Project's GHG emissions.

MM 4.2.4 requires Project construction contractors to ensure that all construction equipment complies with all applicable California Air Resources Board (CARB) air quality regulations. Therefore, off-road

construction equipment will be required to meet the tier specification in effect at the time of building permit issuance.

Notwithstanding the above, the Project Applicant has requested that a condition of approval be added, as a Project benefit, to require that all construction equipment shall meet or be cleaner than Tier 4 standards, except if the construction contractor certifies that it is not feasible to use exclusively Tier 4 equipment due to limited availability. The Project Applicant has further requested that the condition of approval reflect that in all events, at least 80% of construction equipment shall meet or be cleaner than Tier 4 standards throughout the construction phase of the Project.

N-19 The commenter notes that the GHG Analysis report identifies Project-related GHG emissions across different operational categories and asserts that the GHG Analysis does not offer strategies to reduce GHG emissions. Page 50 of the Greenhouse Gas Analysis broadly alludes to potential operational sources of GHG emissions which include: Area Source Emissions, Energy Source Emissions, Mobile Source Emissions, On-Site Cargo Handling Equipment Emissions, Water Supply, Treatment, and Distribution, and Solid Waste. Emissions from these sources are discussed at length and quantified within Section 4.7 of the DEIR. (**DEIR Tables 4.7-4 to 4.7-7**).

The Project would include contemporary, energy-efficient/energy-conserving design features and operational procedures which will reduce GHG emissions. Warehouse distribution/logistics and e-commerce/fulfillment uses are not inherently energy-intensive. The Project's total energy demands would be comparable to, or less than, other goods movement projects of similar scale and configuration due to the Project's modern construction and requirement to be constructed in accordance with the most recent California Building Standards Code. As such, the Project's energy demands would be minimized through design features and operational programs that, in aggregate, would ensure that Project energy efficiencies would comply with – or exceed – incumbent energy efficiency requirements, thereby minimizing GHG emissions produced during from energy consumption. The Project would be consistent with all mandatory regulations under both the warehouse distribution/logistics and ecommerce/fulfillment options. (**DEIR at 4.7-21**).

The application of MM 4.2-5 through MM 4.2-11 in DEIR Subsection 4.2 would also reduce Project-related GHG emissions; however, these measures would not substantially reduce Project mobile source emissions, which comprise more than 78 percent (for the warehouse distribution/logistics option) or more than 87 percent (for the e-commerce/fulfillment option) of all Project-related GHG emissions. Mobile source GHG emissions are regulated by State and federal fuel standards and tailpipe emissions standards, and are outside of the control and authority of the City of Moreno Valley, the Project Applicant, and future Project occupants. CEQA Guidelines Section 15091 provides that mitigation measures must be within the responsibility and jurisdiction of the Lead Agency (i.e., City of Moreno Valley) in order to be implemented. No other mitigation measures are available that are feasible for the City of Moreno Valley to enforce that have a proportional nexus to the Project's level of impact. The Commenter does not suggest additional specific reduction strategies to allow for a more detailed response; therefore, no further response is required.

Notwithstanding, please also refer to Response to Comment N-7, which states that the following mitigation measures and conditions of approval reduce the Project's GHG emissions:

EIR Mitigation Measures

- Requiring legible, durable, weather-proof signs to be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations, including instructions for (a) drivers of diesel trucks to restrict idling to no more than three (3) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged and (b) drivers of trucks equipped with transport refrigeration units ("TRU") to limit TRU idling durations to less than 15 minutes per day. (MM 4.2-5)
- Restrict any operation of the facility for use as "cold storage" to 50,000 square feet. (MM 4.2-7)
- Requiring on-site equipment, such as forklifts and yard trucks, to be non-diesel-powered. (MM 4.2-10)

Requested Conditions of Approval

- Requiring operator to provide annual reports to the City demonstrating compliance with SCAQMD Rule 2305.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.

N-20 The commenter asserts that the City should require the use of electric landscape maintenance equipment. MM 4.2-7(g) in the DEIR requires that outdoor electrical outlets be provided in reasonable locations to maximize the opportunities to use electric-powered landscape maintenance equipment. The Project will be required to comply with CalGreen Tier 2 standards in effect at the time of building permit application, including the standards related to landscape maintenance equipment. **(DEIR at 4.2-39 to 4.2-40)**. No further analysis is required.

N-21 The commenter questions why the GHG analysis does not require the Project to utilize photovoltaic (PV) solar arrays. MM 4.2-7(d) in the DEIR requires that the Project building's roof be designed and constructed to accommodate the potential, future construction of maximally-sized PV solar arrays taking into consideration limitations imposed by other rooftop equipment, roof warranties, building and fire code requirements, and other physical or legal limitations. The building shall include an electrical system and other infrastructure sufficiently-sized to accommodate the potential installation of maximally-sized PV arrays in the future. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage which informs future occupants/owners of the existence of this infrastructure. The Project will be required to comply with CalGreen Tier 2 standards in effect at the time of building permit application, including the standards related to the use of solar photovoltaic panels. **(DEIR at 4.2-39 to 4.2-40)**. Notwithstanding, the Project Applicant has requested to add conditions of approval which require that warehouse roof areas not covered by solar panels shall be constructed with material with an installation Solar Reflective Index Value of not less than 39 and that the Project Applicant donate $5,000 to a Solar Advocacy Fund, albeit these conditions of approval shall not be considered to be mitigation measures necessitated by the instant CEQA review of the Project. The purpose of the Solar Advocacy Fund is to contribute the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of solar-generated electricity and/or provides outreach, education, and training on the installation and maintenance of solar panels and equipment.

N-22 The commenter asserts that the GHG emissions analysis does not adequately evaluate the trip length of Project-related passenger vehicle traffic and does not adequately evaluate emissions from paving. The default passenger (one-way) car trip length of 16.6 miles from CalEEMod was used for air quality modeling purposes, which is standard industry practice. (**DEIR at 4.2-21**). This trip length represents an average, as determining the exact distance driven by each employee or other visitors would be speculative and impractical. The 16.6-mile one-way trip length includes many geographic areas within the greater Inland Empire beyond the City of Moreno Valley from which vehicles may travel. The Project's VMT is discussed at **DEIR page 4.12-25**. An employee trip reduction program is required pursuant to MM 4.2-9, and would reduce Project-related VMT from employee commutes by approximately 6.1%. (**DEIR at 4.2-41; 4.12-25**). For a discussion of mitigation and other GHG-reduction measures that will be implemented by the Project, please refer to Response N-19. It is unclear what the commentor means by "asphalt used by vehicles". Emissions from paving are included within the Project's construction-related GHG emissions, which have been fully evaluated (see DEIR Technical Appendices H1 and H2, Table 3-2). Therefore, no further analysis or response is required.

N-23 The commenter asserts that the GHG emissions analysis does not adequately evaluate the trip length of Project-related truck traffic. The 40-mile (one-way) truck trip length is recommended by SCAQMD, which is the responsible agency with jurisdiction over air quality in the region. (**DEIR at 4.2-20**). As discussed under Response N-18, the preparers of the DEIR are entitled to rely upon the expertise of a responsible agency with regard to analysis of impacts within that responsible agency's purview. The DEIR utilized a combination of the "summary of projections" and the "list of projects" approaches in its evaluation of cumulative GHG emissions, as discussed at **DEIR page 4.0-2**. Accordingly, the DEIR's analysis of cumulative GHG impacts includes the 73 other known past, present, and reasonably foreseeable projects described in Draft EIR Table 4.0-1 and illustrated on Figure 4.0-1, in addition to the summary of projections, which, in the context of GHG impacts includes projections contained within the CARB Scoping Plan and other state and local plans aimed at reducing GHG emissions. No further analysis is required.

N-24 The commenter asserts that the Project should utilize on-site cargo handling equipment that does not produce tailpipe GHG emissions or excessive noise. DEIR MM 4.2-10 requires that prior to issuance of occupancy permit, the future Project site owner or occupant shall provide a written statement to the City of Moreno Valley that the use of diesel-powered outdoor cargo handling equipment (e.g., yard trucks, hostlers, yard goats, pallet jacks, forklifts) on-site is prohibited unless such equipment meets CARB Tier 4 standards. Notwithstanding the measure provided in the DEIR, as stated in Response N-19, the Project Applicant has voluntarily agreed to require on-site cargo handling equipment, such as forklifts and yard trucks, to be non-diesel powered and MM 4.2-10 has been revised accordingly. All operational noise impacts of the Project were found to be less than significant, and therefore no additional mitigation is required. (**DEIR 4.11-21 to 4.11-30; 4.11-35**). With regard to the Project's overall measures to reduce GHG emissions, please refer to Response N-19.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate

vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of the additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

With respect to noise, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

N-25 The commenter requests that the topics of water supply, treatment, and distribution be addressed. The commenter also asserts that the Project should provide xeriscape landscaping. The DEIR addressed all of the topics listed in this comment. DEIR Section 4.14 addresses the topics of water supply, treatment, and distribution and, based on substantial evidence – including a Water Supply Assessment prepared by EMWD, concluded that the Project would result in less than significant impacts to water supply, treatment and distribution. The Project is designed to include structural source control BMPs (including water quality/detention basins) as well as operational source control BMPs (including but not limited to the installation of water-efficient landscape irrigation systems) to maximize on-site water quality treatment. (**DEIR at 4.9-9**). In addition, the Project will be required to comply with EMWD's water

efficiency landscape requirements for new development and the City's landscape and water-efficiency requirements (**see DEIR Technical Appendix M, Water Supply Assessment, p. 14; DEIR at 3-10**). The Project design, which will ultimately include building components and systems to be shown on construction drawings (including water fixtures), will be conditioned by the City of Moreno Valley to achieve Leadership in Energy and Environmental Design (LEED)-equivalent "Silver" certification for building core and shell. (**DEIR at 3-8**). The Project will incorporate options to achieve the necessary "points" total which may include water-efficient features such as low-flow sinks, toilets or waterless urinals; however, the exact specifications and combination of features will be determined at the time of building permit issuance and the LEED and CalGreen standards then in effect. The Project's impacts related to water supply were determined to be less than significant; therefore, no mitigation is required. (**DEIR at 4.14-11**).

N-26 The commenter requests that the Project implement a waste diversion program to minimize the amount of landfilled waste. The Project's operational solid waste impacts are discussed at **DEIR page 4.14-13**. A minimum of 50% of all solid waste would be required to be recycled pursuant to AB 939, consistent with the State's solid waste reduction goals. Specifically, the Project's building occupant(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, 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. Further, 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. The implementation of these mandatory requirements would reduce the amount of solid waste generated by the Project and diverted to landfills. (**DEIR at 4.14-14**). The Project would be required to comply with all applicable solid waste statutes and regulations, which would include Senate Bill 1383 (to the extent it is applicable to the Project). No further analysis or response is necessary.

N-27 The commenter requests that the City require the Project to be LEED certified. As discussed under Response N-25, the Project will be conditioned by the City of Moreno Valley to achieve LEED-equivalent "Silver" certification for building core and shell. (**DEIR at 3-8**). With regard to GHG-reduction mitigation and voluntary measures that will be incorporated into the Project, please refer to Response N-19. All voluntary measures that are incorporated as conditions of approval by the City will be fully verifiable and enforceable.

N-28 The commenter asserts that the Project's EIR will be inadequate unless the air quality and GHG analyses are updated to utilize CalEEMod 2020.4.0. The DEIR utilized the version of CalEEMod (2016.3.2) which was in effect at the time of EIR preparation and release for public review; CalEEMod 2020.4.0 was not available for use until June 1, 2021, and the Draft EIR was released for public review on May 24, 2021. The environmental setting to be evaluated within an EIR is that which exists at the time the Notice of Preparation is issued (CEQA Guidelines Section 15125(a)(1), and impacts listed in the Notice of Availability are to be based upon what is known to the lead agency at the time the Notice of Availability is published (CEQA Guidelines Section 15087(c)(4)). The air quality and GHG analyses contained within the EIR are not required to be revised utilizing CalEEMod 2020.4.0, which was not yet available when either the Notice of Preparation or the Notice of Availability for the DEIR were published. This does not impact the validity or adequacy of the Draft EIR. The Project's air quality and GHG impacts were determined to be significant and unavoidable and this impact

conclusion is not be anticipated to change based on modeling using CalEEMod 2020.4.0. In light of the foregoing, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

Notwithstanding the above, due to the Project Applicant's genuine interest in encouraging the use of the electric vehicles, the Project Applicant has offered to establish, fund, and administer several grant programs that include: a) providing $125,000 for the purpose of providing grants to private third parties for the purchase of at least five Class 8 Heavy-Duty Electric Trucks; b) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least two Class 6 and/or Class 7 Medium-Duty Electric Trucks; c) providing $27,000 for the purpose of providing grants to private third parties for the purchase of at least three Local Delivery Electric Vehicles (generally referred to as Class 1, 2, and 3 trucks) for use for deliveries within the City of Moreno Valley and the immediate vicinity; and d) providing $25,000 for the purpose of providing 25 $1,000 grants to Moreno Valley residents for the purchase of electric passenger vehicles.

For the Heavy-Duty Electric Trucks Program, the Project Applicant has offered to provide special priority for drayage trucks that will be used in the City of Moreno Valley and along the Highway 60 corridor. The award of the Heavy-Duty Electric Truck Grants will also include the following two conditions: (1) a prohibition on the resale of the Heavy-Duty Electric Truck to an entity that will operate trucks outside of California; and (2) 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Heavy-Duty Electric Truck that has been funded by the Program. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to prioritize grant applicants who will use their Medium Electric Trucks in the City of Moreno Valley and along the Highway 60 corridor. Only if there is no demand for Class 6 and Class 7 Medium-Duty Electric Trucks, shall the grants be provided for the purchase of Class 4 and Class 5 Medium-Duty Electric Trucks, with priority given to Class 5 over Class 4 Medium-Duty Electric Trucks. For the Medium-Duty Electric Truck Grant Program, the Project Applicant has offered to condition the grants to prohibit the resale of the Medium-Duty Electric Truck to an entity that will operate trucks outside of California and require that 85% of the mileage must occur in the SCAQMD region, which shall be enforced using a geo-fencing electronic system on each Medium-Duty Electric Truck that has been funded by the Program. For the Local Delivery Electric Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy buildings situated within the Project site that are located the closest to any developed residential areas and intend to use the grant proceeds to purchase the highest class of Class 1, 2, and 3 trucks for which there is demand. The Project Applicant has offered that the award of the Local Delivery Electric Truck Grants include a condition that requires that 50% of the mileage must occur in Moreno Valley and the Highway 60 corridor, which shall be enforced using a geo-fencing electronic system on each Local Delivery Electric Vehicle that has been funded by the Program. For the Electric Passenger Vehicle Grant Program, the Project Applicant has offered to prioritize grant applicants who occupy households earning not more than 150% of the Area Median Income, as calculated by the U.S. Department of Housing and Urban Development. To ensure that these electric vehicle grant programs are funded, established and implemented, the Project Applicant has requested that these grant programs be memorialized as Project conditions of approval.

None of these additional conditions of approval related to the electric vehicle grant programs offered by the Project Applicant shall be considered mitigation measures necessitated by the CEQA review of the Project.

Furthermore, the Project Applicant has offered to establish and fund an Electric Vehicle Advocacy Fund in the amount of $5,000. The Project Applicant has requested a condition of approval that provides that prior to the issuance of the first building permit for the Project, the Developer shall establish a trust account or escrow account in which Developer shall deposit $5,000 for the purpose of contributing the proceeds to a bona fide California non-profit organization, in good standing, that focuses on informing and educating members of the general public about the environmental benefits of electric vehicles and/or provides outreach, education, and training on the maintenance of zero-emissions vehicles. The Developer shall be responsible for establishing, funding and administering the Electric Vehicle Advocacy Fund to ensure that the grant funds are properly used, and provide a hyperlink to information regarding the availability of the funds that the City that may post on the City's official website for interested parties to access information about the Fund.

N-29 The commenter asserts that the DEIR is internally inconsistent because the Project's noise report includes and exhibit that shows that interruption of speech or sleep can occur at levels lower than the thresholds of significance used in the EIR. Exhibit 2-A referred to by the commentor (**DEIR Appendix K, page 9**) must be read in context, taking distance from the noise source into account; for example, the noise levels cited by the commentor include a conversation at three feet; a vacuum cleaner at ten feet; or heavy traffic at 300 feet, which can result in sleep or speech disturbance. All operational noise impacts from the Project, including those from truck and equipment operations (i.e., truck backup alarms), were specifically evaluated by the DEIR and were determined to be less than significant based on the noise source and the distance from sensitive receptors. (**DEIR at 4.11-23**). As shown in DEIR Tables 4.11-10 and 4.11-11, the Project's operational noise will be far below the 65 dBA (daytime) and 60 dBA (nighttime) thresholds under either development scenario. (**DEIR at 4.11-23**). Although no mitigation is required, the Project applicant has agreed to improve the full paved width of Encelia Avenue between the western Project site boundary and Redlands Boulevard with rubberized asphalt to minimize roadway noise. (**DEIR at 3-18 and 4.11-35**). This will further minimize noise impacts to the surrounding residences and ensure that sleep or speech disturbances do not occur.

The Project Applicant has requested that a condition of approval be added, as a Project benefit, that requires the Project's building be set back at least 370 feet from the existing centerline of Encelia Avenue (which provides for more than 400 feet of separation between the proposed building and the nearest existing residential structures).

In addition, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise

Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

N-30 The commenter asserts that the thresholds of significance used in the DEIR to evaluate the Project's potential noise impacts are inadequate due to the Project site's location near existing residential land uses. The thresholds cited by the commentor must be read in context with the remaining information that follows in the Noise Impact Analysis (**DEIR Technical Appendix K**). Exhibit 3-A shows acceptable noise levels based on the receiving land use category. Therefore, regardless of the fact that the Project is an industrial land use, noise impacts were evaluated based on the acceptable noise level thresholds for off-site receivers (65 dBA (daytime) and 60 dBA (nighttime)). The OPR thresholds referenced by the commentor (70 to 80 dBA CNEL) were provided as background information but were not used in the analysis to determine whether a significant impact would occur. It should also be noted that existing (ambient) noise levels within the Project vicinity are already elevated due to SR-60 and surrounding surface streets (**DEIR Technical Appendix K, Tables 5-1 and 7-1**). As shown in DEIR Technical Appendix K, the Project would not result in any significant contributions to these existing noise levels, and all noise impacts would be less than significant. (**DEIR Technical Appendix K at Tables 7-7 to 7-9 and 9-3 to 9-7**).

Notwithstanding the above, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be mitigation measures.

The Project Applicant has requested that a condition of approval be added, as a Project benefit, that requires the Project's building be set back at least 370 feet from the existing centerline of Encelia Avenue (which provides for more than 400 feet of separation between the proposed building and the nearest existing residential structures).

In addition, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

N-31 The commenter's assertion regarding the Project's operational noise causing speech interference or sleep disruption is addressed by Response N-29.

N-32 The commenter asserts that the noise analysis cannot guarantee that speech interference or sleep disruption will not occur – in part because the user of the Project is not known – and, therefore, is inadequate. As stated on DEIR, the noise analysis took into account the fact that noise levels may be more disturbing if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping) hours. (**DEIR at 4.11-1**). To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours. The time of

day corrections require the addition of five (5) dB to sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 dB to sound levels at night between 10:00 p.m. and 7:00 a.m. These additions are made to account for the noise sensitive time periods during the evening and nighttime hours when sound is perceived to be louder.

Truck backup alarms were accounted for throughout the operational noise analysis and all operational noise impacts were found to be less than significant and therefore will not disturb sleep or speech, based on the thresholds used to analyze noise impacts (65 dBA (daytime) and 60 dBA (nighttime)). (**DEIR Technical Appendix K, pages 55, 56, 59, 60; and DEIR at 4.11-22**), With regard to potential sleep and speech disturbance, please also refer to Response N-29.

Moreno Valley Municipal Code Section 9.10.140 prohibits the use of loudspeakers, bells, gongs, buzzers, or other noise attention or attracting devices on industrial properties that exceed 55 dBA at any one time beyond the boundaries of the subject property. Therefore, this standard will apply during the hours of 8:00 p.m. and 8:00 a.m.

Notwithstanding the above, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be mitigation measures.

The Project Applicant has requested that a condition of approval be added, as a Project benefit, that requires the Project's building be set back at least 370 feet from the existing centerline of Encelia Avenue (which provides for more than 400 feet of separation between the proposed building and the nearest existing residential structures).

In addition, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building.

In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

The Draft EIR evaluated two potential development scenarios which include: 1) the construction and operation of a 1,328,853 square-foot, modern light industrial building that could be occupied by warehouse distribution/logistics; or 2) e-commerce/fulfillment uses on the approximately 72.5-net-acre property. The Project Applicant currently expects that the proposed light industrial building would be occupied by a warehouse distribution/logistics operator, and the proposed site design is intended to facilitate warehouse distribution/logistics business operations. Notwithstanding, there is the potential that the Project could instead be occupied in the future by a fulfillment/e-commerce use depending on future market conditions and demand. As such, the EIR evaluates the potential noise impacts of the Project under both scenarios (warehouse distribution/logistics user or a fulfillment/e-commerce user). (**DEIR at 4.11-23, 4.11-25 to 4.11-30**). However, the City is currently only considering the site plan for the warehouse/distribution user as part of the requested Plot Plan approval (PEN19-0193). (**DEIR at 3-8, 3-9**). The identity of the future tenant has not yet been confirmed.

Please also refer to DEIR Technical Appendix K, Exhibit 9-A, which shows that the trash enclosure is located within the northeast portion of the Project site as recommended by commentor. In addition, the detention basin shown along the southern boundary will provide additional distance between loading dock activity and the residential uses across Encelia Avenue. With regard to the commentor's remaining suggestions regarding wall height and wall placement, these comments will be provided to the City decision makers for their review and consideration. However, the Project's noise impacts were each determined to be less than significant without the need for mitigation; CEQA does not require the consideration of mitigation measures for less than significant impacts. (*Santa Clarita Organization for Planning the Environment v. Santa Clarita* (2011) 197 Cal.App.4th 1042, 1058.)

It is also well established that CEQA does not require identification of a project's end user in an EIR. (*Maintain Our Desert Environment v. Town of Apple Valley* (2004) 124 Cal. App. 4th 430, 444 [CEQA does not require "tenant specific review"]). The potential noise impacts that would be expected to occur due to any warehouse distribution/logistics operator or fulfillment/e-commerce tenant have been fully analyzed within the DEIR. Therefore, an updated noise impact analysis is not required.

N-33 The commenter reiterates their prior comments that the thresholds of significance used in the DEIR to evaluate the Project's potential noise impacts are inadequate due to the Project site's location near

existing residential land uses and that the Project will interfere with speech and disrupt sleep. Any noise complaints (whether related to construction or operations) may be reported to the City of Moreno Valley online at the following link: http://www.moval.org/online-forms/code.shtml. With regard to discussion of the OPR noise thresholds, please refer to Response N-30. With regard to potential sleep and speech disturbances, please refer to Response N-29.

Notwithstanding the above, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be mitigation measures.

The Project Applicant has requested that a condition of approval be added, as a Project benefit, that requires the Project's building be set back at least 370 feet from the existing centerline of Encelia Avenue (which provides for more than 400 feet of separation between the proposed building and the nearest existing residential structures).

In addition, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno

Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

N-34 The commenter asserts that mitigation is required to address transportation-related noise from the Project. Transportation-related noise impacts are evaluated at **DEIR pages 4.11-14 to 4.11-16, 4.11-18 and 4.11-23 to 4.11-30**. As demonstrated in the DEIR, noise from Project-related operational traffic would not exceed the applicable significance thresholds under any scenario; therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. With regard to the identity of the Project's tenant, please refer to Response N-32. The potential traffic noise impacts that would be expected to occur due to any typical warehouse distribution/logistics operator or fulfillment/e-commerce tenant have been fully analyzed within the DEIR. Therefore, an updated noise impact analysis or transportation analysis are not required.

Notwithstanding the above, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be mitigation measures.

The Project Applicant has requested that a condition of approval be added, as a Project benefit, that requires the Project's building be set back at least 370 feet from the existing centerline of Encelia Avenue (which provides for more than 400 feet of separation between the proposed building and the nearest existing residential structures).

In addition, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay

100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

N-35 The commenter requests that the EIR provide a comparative analysis of the proposed Project versus potential development that could occur under the existing land use regulations applicable to the Project site. Development of the Project site with residential uses in accordance with its current general plan and zoning designations is evaluated as the "No Project Alternative" in Section 6.0 of the Draft EIR. This scenario would include a master-planned residential community with 145 single-family dwelling units on minimum 20,000 s.f. lots. (**DEIR at 6-8**). Noise associated with the No Project Alternative would occur during short-term construction activities and under long-term operation of residential uses. Under both the construction and operational scenarios, the No Project Alternative would reduce the Project's less-than-significant noise impacts due to the decrease in the intensity of construction activities. The No Project Alternative would also develop the Project site with residential uses which generate less noise and less traffic than the industrial uses proposed by the Project. Thus, the No Project Alternative would result in decreased operational noise due to the residential on-site operational activities and decrease in the amount of traffic traveling to and from the Project site. (**DEIR at 6-11**).

An EIR must include a "no-project" alternative among the project alternatives, along with a comparative analysis of the impacts. 14 Cal Code Regs §15126.6(e). The no-project alternative compares the impacts of approving a project with the impacts of not approving it; it is not necessarily the baseline for determining a project's significant impacts. The no-project alternative must be evaluated even if it is not feasible or would not reduce significant environmental impacts of the project. *Planning & Conserv. League v Department of Water Resources* (2000) 83 CA4th 892, 917; 14 Cal Code Regs §15126.6(e)(1). This comparative analysis has been fully disclosed to the public and decision makers in the DEIR, and no further analysis is necessary.

Notwithstanding the above, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be mitigation measures.

The Project Applicant has requested that a condition of approval be added, as a Project benefit, that requires the Project's building be set back at least 370 feet from the existing centerline of Encelia Avenue (which provides for more than 400 feet of separation between the proposed building and the nearest existing residential structures).

In addition, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following

conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

N-36 The commenter states their opinion that the Project's noise and vibration, lighting and air quality, and aesthetics impacts make the residential areas to the south of the Project site unlivable. Noise and vibration, lighting and air quality impacts are discussed at **DEIR sections 4.11, 4.1 and 4.2**, respectively. Regional air quality impacts were found to be significant and unavoidable due to the Project's NOx emissions; however, a toxic air contaminant emissions analysis was conducted to ensure that the Project would not result in health risks to nearby residents. (**DEIR at 4.2-33 to 4.2-34**). As concluded within the DEIR, the Project's operation as either a warehouse distribution/logistics use or as an e-commerce/ fulfillment use would not directly cause or contribute to the exposure of residential receptors near the Project site to substantial diesel particulate emissions. In light of the foregoing, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

Impacts related to noise and vibration and light and glare were each found to be less than significant without the need for mitigation. As discussed under Response N-32, CEQA does not require the consideration of mitigation measures for less than significant impacts. However, the Project has committed to voluntary design features to further reduce impacts on surrounding uses, and will also be required to comply with mandatory regulations (in addition to compliance with noise regulations under Section 11.80.030 of the City's Municipal Code) to ensure that impacts do not occur, such as:

- The Project applicant has agreed to improve the right-of-way width from the Project's southwestern boundary to Redlands Boulevard with rubberized asphalt. To minimize roadway noise, the rubberized asphalt is to cover the entire width of the Encelia Avenue vehicular travel way – the 32-foot-wide travel way that would be installed on the north side of the street as part of the Project plus the existing travel way on the southern half of the street. (**DEIR at 4.11-35**).

- The City of Moreno Valley Municipal Code Section 9.08.100 regulates light and glare associated with new development in the City, and requires that all outdoor lighting associated with nonresidential uses shall be fully shielded and directed away from surrounding residential uses. Such lighting shall not exceed one-quarter foot-candle minimum maintained lighting measured from within five feet of any property line, and shall not blink, flash, oscillate, or be of unusually high intensity or brightness.

Notwithstanding the above, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be mitigation measures.

The Project Applicant has requested that a condition of approval be added, as a Project benefit, that requires the Project's building be set back at least 370 feet from the existing centerline of Encelia Avenue (which provides for more than 400 feet of separation between the proposed building and the nearest existing residential structures).

In addition, the Project Applicant has requested that the following conditions of approval be added for the purpose of addressing noise related to the Project's operations and construction, albeit the following conditions of approval are not considered to be required mitigation measures under the CEQA analysis of the Project: a) No nighttime grading or outside construction between 6:00 p.m. and 7:00 a.m. shall be conducted within 1,000 feet of any existing homes, except if necessary for concrete pours; and b) Notice shall be provided to residents within 100 feet of the Project site at least one week prior to construction between 6:00 p.m. and 7:00 a.m. Also, the Project Applicant has requested a condition of approval that will require all portions of truck yards that are visible from any existing homes shall be shielded by walls at least 14 feet high, which is already provided as a Project design feature and shown on the proposed site plan, and that all portions of truck circulation drive aisles that are visible from any existing homes within 1,000 feet of the Project site shall be shielded by walls at least 14 feet high, if the City so permits, but in no event shall such walls be lower than 12 feet high.

Furthermore, although not required as a mitigation measure, the Project Applicant has requested that a condition of approval be added to require the developer to establish and fund a Residential Noise Insulation Reimbursement Program in the amount of $64,000. As such, prior to the issuance of the first building permit for the Project, the developer shall be required to establish a trust account or escrow account in which Developer shall deposit $64,000 for the purpose of paying up to 90% of a Moreno

Valley's homeowner's cost of purchasing and installing noise insulation measures, not exceeding $8,000 per home, as follows: (a) the homeowner's home is an eligible home as shown in an area map attached hereto (refer to FEIR Figure F-1); and (b) the homeowner requests payment within five years of the commencement of grading or commencement of construction of the first warehouse building. In the event a homeowner has a household income less than 80% of the Area Median Income as determined by the Department of Housing and Urban Development, the Project Applicant shall pay 100% of the cost of the noise insulation, not exceeding $10,000 per home. The homeowner shall be permitted to select and contract with a contractor or installer of the homeowner's choice. The Developer shall also be required to mail notice of the Residential Noise Insulation Reimbursement Program via registered or certified mail to homeowners of record of the eligible homes prior to the issuance of the Project's first grading or building permit and annually thereafter for four years. The notice shall identify the exact date when the five-year period starts and ends.

Finally, the City's Municipal Code under Chapter 11.80 (Noise Regulation) consist of a comprehensive regulatory scheme that is intended to protect residents from excessive sound since the City of Moreno Valley recognizes that such excessive sound is a detriment to the public health, safety, and welfare and quality of life of the residents of the City. As such, Chapter 11.80 sets forth various remedies that may be pursued against any person or entity that violates the City's noise standards as specifically described in Chapter 11.80.

N-37 The commenter provides concluding remarks and requests notice of future meetings; no response is required.

Comment Letter O

CALIFORNIA AIR RESOURCES BOARD

Gavin Newsom, Governor
Jared Blumenfeld, CalEPA Secretary
Liane M. Randolph, Chair

July 9, 2021

Gabriel Diaz
Associate Planner
City of Moreno Valley
14117 Frederick Street
Moreno Valley, California 92553
GabrielD@moval.org

Dear Gabriel Diaz:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Moreno Valley Trade Center Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2020039038. The Project is proposed within the City of Moreno Valley (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes. The Project consists of the construction and operation of a light industrial building with a total floor area of approximately 1,328,853 square feet, which includes 50,000 square feet of cold storage space.

Although the Project's future occupant(s) are unknown, the City expects that the proposed light industrial building would be occupied by either a warehouse/logistics operator(s) or a fulfillment center. Consequently, the DEIR evaluated the Project's air quality and health risk impacts under a warehouse/logistics center scenario and a fulfillment center scenario, with and without cold storage. Under the warehouse/logistics center scenario, the Project would generate 2,321 daily vehicle trips, including 885 daily heavy-duty truck trips. Alternatively, under the fulfillment center scenario, the Project would generate 6,607 daily vehicle trips, including 857 daily heavy-duty truck trips. O-1

CARB submitted a comment letter, which is attached to this letter, on the Notice of Preparation (NOP) for the DEIR released in March 2020. CARB's comments, dated April 14, 2020, highlighted the need for preparing a health risk assessment (HRA) for the Project and encouraged the City and applicant to implement all existing and emerging zero-emission technologies to minimize exposure to diesel particulate matter (diesel PM) and nitrogen oxide (NO_x) emissions for all neighboring communities, and to minimize the greenhouse gases that contribute to climate change. O-2

CARB also expressed a concern about the potential individual and cumulative air quality and greenhouse gas (GHG) impacts if the City approves the Project. As described in CARB's comment letter on the NOP for the DEIR, the Project is located within 60 feet from the eastern boundary of the World Logistics Center (WLC), which is anticipated to be fully operational in the year 2035. The WLC would result in in the construction and operation of 40 million square feet of warehouse space and will add approximately 70,000 daily heavy-duty truck trips along local roadways. Due to the Project's proximity to residences already disproportionately burdened by multiple sources of pollution, such as the future O-3

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development of the WLC, CARB's comments expressed concerns with the potential cumulative health risks associated with the construction and operation of the Project. O-3 (CONT.)

The Health Risk Assessment Used Inappropriate Assumptions When Modeling the Project's Health Risk Impacts from On-Site Transport Refrigeration units

Chapter 3 (Project Description) of the DEIR states that approximately 50,000 square feet of the proposed light industrial building would be used for cold storage. Warehouses containing cold storage are serviced by trucks with transport refrigeration units (TRU) to transport refrigerated goods to and from the facility.[1] Based on CARB's research, TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within a facility. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near the Project would be exposed to diesel exhaust emissions that would result in significant cancer risk. CARB has reviewed the Project's HRA and has concerns regarding the assumptions used to estimate the Project's health impacts. O-4

The HRA assumed all TRUs visiting the Project site would not idle longer than 15 minutes.Data obtained by CARB staff indicates that TRUs can operate for as long as two hours per visit, which is well above the 15-minute duration assumed in the HRA. Unless the applicant and City restrict TRU idling durations to less than 15 minutes, the Project's HRA should be revised to assume a TRU idling duration legitimized by substantial evidence. O-5

The HRA prepared for the warehouse/logistics center cold storage scenario assumed 48 of the Project's total daily heavy-duty truck traffic would consist of trucks equipped with TRUs. It is unclear in the HRA how this estimate was derived. Due to the large size of the proposed warehouse development, CARB is concerned that the number of TRUs visiting the Project site may be underestimated in the HRA. CARB urges the City and applicant to provide substantial evidence to support this assumption. O-6

The HRA prepared for the fulfillment center cold storage scenario in Appendix B6 concluded that the Project would result in a cancer risk of 2.29 in a million. This cancer risk estimate is substantially lower than the 7.25 per million cancer risk estimated in the HRA prepared for the warehouse/logistics center cold storage scenario. Since both scenarios have similar heavy-duty truck trip rates, it is unclear why the cancer risks would be so different. Furthermore, the modeling emission rates for trucks with TRUs provided in Table 12 in the HRA states that 857 trucks equipped with TRUs would travel within the Project site under the warehouse cold storage scenario. The truck trip rates and modeling emission rates in Table 12 are also identical to those for trucks without TRUs provided in Table 11. Lastly, the daily trip estimate for trucks with TRUs in Table 12 conflicts with the 48 trucks with TRUs estimate in the Project's CalEEMod output files, which are also provided in Appendix B6. O-7

1 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.

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Because of these inconsistencies, CARB staff are concerned that cancer risks from trucks equipment with TRUs were no appropriately account for in the HRA. O-7 (CONT.)

The HRA assumed the TRUs accessing the Project site would have an average power rating of 34 hp. TRUs with a power rating of less than 25 hp have a higher PM emission rate (0.3 g/bhp-hr) than those greater than 25 hp (0.02 g/bhp-hr). Unless the applicant and City prohibit TRUs with a power rating of less than 25 hp from accessing the Project site, the Project's HRA should be revised. The revised HRA should assume a conservative percentage of the TRUs entering the Project site have a power rating of less than 25 hp, legitimized by substantial evidence. O-8

The DEIR Does Not Analyze Potential Air Quality Impacts from the Project's Transport Refrigeration Units

Although the HRA prepared for the Project evaluated cancer risks from the operation of on-site and off-site TRUs, the City and applicant did not model and report air pollutant emissions from TRUs in the DEIR. The air pollutant emission estimates, found in Table 4.2-11 (Peak Operational Emissions Summary (With Cold Storage)) and Table 4.2-13 (Peak Operational Emissions Summary – E-Commerce/Fulfillment (With Cold Storage)) of the DEIR, were modeled using the California Emissions Estimator Model (CalEEMod). Although CalEEMod can estimate air pollutant emissions from area, energy, and mobile sources, the current version of CalEEMod does not account for air pollutant emissions from TRUs. Since a portion of the Project will be used for cold storage, CARB urges the City and applicant to model and report the Project's air pollution emissions from TRUs using CARB's latest emission factors. As indicated above, the City and applicant should assume that a conservative percentage of the Project's truck fleet is equipped with TRUs, as well as a conservative idling duration for each TRU. O-9

Recommended Mitigation Measures

Chapter 4.2 (Air Quality) of the DEIR concludes that the Project's operational emissions of volatile organic compounds of nitrogen oxides (NO_x) would exceed the South Coast Air Quality Management District's (SCAQMD) significance thresholds. To reduce the Projects air quality impact, the DEIR included 11 mitigation measures (MM 4.2-1 through MM 4.2-11). These mitigation measures include requiring the applicant to comply with SCAMD's rules and CARB regulations aimed at reducing fugitive dust and air pollutant emissions, and constructing the proposed light industrial building so that it meets or exceeds CalGreen Tier 2 standards. Although complying with local air district rules and CARB's regulations would reduce the Project's air pollutant and fugitive dust emissions, the regulations should not be relied on to mitigate the Project's impact on air quality. O-10

The DEIR concluded that the NOx emissions emitted by the Project would result in a significant and unavoidable impact. Even where impacts will remain significant and unavoidable after mitigation, CEQA requires that all feasible mitigation measures be incorporated (see California Public Resources Code§ 21081; 14 CCR§ 15126.2(b)). O-11

COMMENT LETTER O

To meet this requirement, CARB urges the City and applicant to add all of the emission reduction measures listed in CARB's attached comment letter on the NOP for the DEIR in the Final Environmental Impact Report (FEIR). O-11 (CONT.)

Conclusion

CARB is concerned about the potential public health impacts should the City approve the Project. As concluded in Chapter 4.2 (Air Quality) of the DEIR, the Project's operation would expose residences to NO_x emissions that would result in a significant and unavoidable impact on air quality. Due to the Project's close proximity and concurrent operation with the World Logistics Center, CARB is also concerned with the Project's potential cumulative impacts to the surrounding community. CARB urges the City to address the deficiencies in the Project's HRA and air quality analysis identified in this letter in the FEIR. Lastly, to reduce the Project's impact on public health, CARB urges the City to implement all the mitigation measures listed in CARB's attached letter on the NOP for the DEIR. O-12

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. O-13

CARB appreciates the opportunity to comment on the DEIR for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. If you have questions, please contact Michaela Nucal, Air Pollution Specialist, via email at *michaela.nucal@arb.ca.gov*. O-14

Sincerely,



Robert Krieger, Branch Chief, Risk Reduction Branch

Attachment

cc: See next page.

Comment Letter O

cc: State Clearinghouse
state.clearinghouse@opr.ca.gov

Carlo De La Cruz, Senior Campaign Representative, Sierra Club
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Michaela Nucal, Air Pollution Specialist, Risk Reduction Branch

Comment Letter O

Attachment A

Comment Letter O

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. O-15

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. O-16
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. O-17
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. O-18
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. O-19
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] O-20
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. O-21

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

Comment Letter O

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. O-22
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] O-23
3. Include contractual language in tenant lease agreements that requires all TRUs entering the project site be plug-in capable. O-24
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. O-25
5. Include contractual language in tenant lease agreements requiring all TRUs, trucks, and cars entering the Project site be zero-emission. O-26
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. O-27
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. 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] O-28

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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*

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/hdvip/hdvip.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*.

Attachment-2

Comment Letter O

8. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than 5 minutes while on site. O-29
9. 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. O-30
10. 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. O-31

Attachment-3

Comment Letter O

CALIFORNIA AIR RESOURCES BOARD

Gavin Newsom, Governor
Jared Blumenfeld, CalEPA Secretary
Mary D. Nichols, Chair

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.

O-32

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.

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COMMENT LETTER O

Gabriel Diaz
April 14, 2020
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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 disproportionally 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 Burden[3] and is considered a disadvantaged community; therefore, CARB

O-32 (CONT.)

[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.

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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]

O-32 (CONT.)

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.

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[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." (*stopthemilleniumhollywood.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.

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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.

O-32 (CONT.)

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.

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[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/crnr/2015guidancemanual.pdf.
[7] SCAQMD's 1993 Handbook can be found at: http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook.

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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 PM_{10}) 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

O-32 (CONT.)

[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.

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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 element[11] (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 disproportionally 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

O-32 (CONT.)

[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.

O-32 (CONT.)

Sincerely,



Richard Boyd, Chief
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Transportation and Toxics Division

Attachment

cc: See next page.

Comment Letter O

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Comment Letter O

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]

O-32 (CONT.)

[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.

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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.

O-32 (CONT.)

[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.

Attachment - 2

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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.

O-32 (CONT.)

[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/hdvip/hdvip.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.

Attachment - 3

RESPONSES TO COMMENT LETTER O:
California Air Resources Board

O-1 This introductory comment describes information from the Project Description presented in the DEIR and summarizes information found in the underlying technical appendices.

O-2 This comment summarizes that CARB provided a comment letter on the Notice of Preparation (NOP) and that the comment letter provided on the NOP is attached again. The comment goes on to express CARB's general concern about air pollution and health risks and that the NOP comment encouraged the City to implement emerging technologies to minimize impacts.

O-3 The commenter expresses a general concern about air pollution burden and cumulative impacts. No specific comments are made that warrant a response or revision to the DEIR. Also, DEIR Subsection 4.1, **Pages 4.2-6 to 4.2-13** and *Technical Appendix B1* document the substantial improvement in air quality that has occurred across the South Coast Air Basin over the past several decades, and the improvement trend that is projected to continue as a result of increasingly stringent federal and State regulations that have been put in place to reduce air pollution concurrently with population and business growth. Furthermore, *Technical Appendix B1* includes a cumulative impacts assessment for purposes of air quality, as noted in Section 3.13 of the report, the Project's cumulative impacts are evaluated consistent with the SCAQMD's recommendation to address cumulative impacts.

Consistent with SCAQMD guidance, the DEIR and underlying technical analysis assumes that individual projects that do not generate operational or construction emissions that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Alternatively, individual project-related construction and operational emissions that exceed SCAQMD thresholds for project-specific impacts would be considered cumulatively considerable. In conclusion the DEIR and underlying technical appendices identify that the Project would *not* result in a cumulatively considerable impact during construction activity, however the Project *would* result in a cumulatively considerable significant impact with respect to operational activity.

O-4 This comment summarizes the inclusion in the DEIR of up to 50,000 square feet of cold-storage use and goes on to summarize CARB's general concerns with the use of transport refrigeration units (TRUs) that would be needed for a cold-storage use. The comment goes on to state that there are concerns with the assumptions used to estimate the Project's health impacts, which are identified in the comments that follow.

O-5 The commenter questions the assumptions used in the Project's health risk assessment related to operating time of TRUs on-site. Use of a 15-minute idling period utilized in the Project's analysis is appropriate – and extremely conservative as it represents a 3x exceedance of CARB's anti-idling rules, which prohibit idling for more than 5-minutes. The DEIR includes a mitigation measure (MM 4.2-7) that requires loading docks for trailers with TRUs to be outfitted with electrical hook-ups that can be used to power TRUs during loading/unloading activities to minimize pollutant emissions from TRU operations. Accordingly, idling while the TRU is powered by diesel should not exceed 5 minutes on the Project site, but was studied for as long as 15 minutes before the TRU is plugged into an electrical

hook-up. Based on the foregoing, no revisions to the DEIR or its supporting air quality analyses are warranted.

O-6 This comment summarizes that the HRA prepared for the warehouse/logistics center cold storage scenario assumed 48 of the Project's total daily heavy-duty truck traffic could consist of trucks equipped with TRUs. The commenter questions this assumption and opines that given the size of the project this number should be higher. As summarized in the DEIR and acknowledged by the commenter in comment O-4, the Project includes up to 50,000 square feet of space to allow for refrigerated space. As summarized in Appendix L3 to the DEIR, specifically Table B (page 4,205 of Appendix L), the Project's 50,000 square feet of cold storage space would generate 48 daily truck trips per day based on an assessment of trips associated with this land use provided by Translutions, Inc. As stated in Appendix B5: "For the Project Cold Storage Option, all trucks assigned to the high-cube cold storage land use were assumed to utilize TRUs." This assumption is consistent with the 48 daily truck trips that have been assigned TRUs based on the trip generation summary included in the DEIR. Based on the foregoing, no revisions to the DEIR or its supporting air quality analyses are warranted.

O-7 As noted in response to comment O-6, the Project correctly accounts for up to 48 trucks with TRUs. This has accordingly been accounted for in the underlying technical appendices. Table 12 in Appendix B6 inadvertently duplicates the data for Table 11 (E-Commerce), the data that was actually modeled in the study correctly reflects the 48 TRUs and is presented on the following page:

Truck Emission Rates						
Source	Trucks Per Day	VMT [a] (miles/day)	Truck Emission Rate [b] (grams/mile)	Truck Emission Rate [b] (grams/idle-hour)	Daily Truck Emissions [c] (grams/day)	Modeled Emission Rates [d] (g/second)
On-Site Idling	12			0.1036	1.39	1.611E-05
On-Site Travel	48	29.95	0.0465		1.83	2.113E-05
Off-Site Travel 40% Inbound/Outbound Dwy 1 to SR-60/Moreno Beach Dr.	19	17.84	0.0205		0.62	7.171E-06
Off-Site Travel 30% Inbound Dwy 1 from SR-60/Redlands	7	4.08	0.0205		0.14	1.630E-06
Off-Site Travel 50% Outbound Dwy 1 to SR-60/Redlands	12	6.81	0.0205		0.24	2.747E-06
Off-Site Travel 10% Outbound Dwy 5 to SR-60/Redlands	2	1.14	0.0205		0.04	4.289E-07
Off-Site Travel 30% Inbound Dwy 7 from SR-60/Redlands	7	2.14	0.0205		0.07	8.528E-07
Off-Site Travel 10% Inbound SR-60	2	0.70	0.0205		0.02	2.633E-07

[a] Vehicle miles traveled are for modeled truck route only.

[b] Emission rates determined using EMFAC 2017. Idle emission rates are expressed in grams per idle hour rather than grams per mile.

[c] This column includes the total truck travel and truck idle emissions. For idle emissions this column includes emissions based on the assumption that each truck idles for 15 minutes.

[d] This column includes TRU emissions expressed in grams per hour.

The variance in the cancer risk calculations has to do with the difference in the site layout of the Fulfillment/E-Commerce site plan which only has truck loading docks on the north side of the building (farther away from the maximally exposed residents), versus the site plan for the Warehouse use which has a higher cancer risk factor because it would place loading docks on both the north and south side of the building (resulting in heavy truck activity closer to the maximally impacted residents to the south of the Project). Lastly, CalEEMod does not have an option to separately quantify emissions for TRUs as discussed further in response to comment O-9. Based on the foregoing, no revisions to the DEIR or its supporting air quality analyses are warranted.

O-8 The HRA conservatively calculates TRU emissions based on the 34 horsepower (HP) and an emission rate consistent with applicable CARB regulation (see TRU Advisory 08-05, https://ww2.arb.ca.gov/sites/default/files/classic/diesel/tru/documents/advisory_08-05(rev04-10).pdf) which identifies the applicable standard of 0.02 g/hp-hr which is required based on the compliance schedule set forth in Table 1 of CARB's TRU Advisory 08-05. The average horsepower rating of 34 HP is a reasonable estimate and consistent with CARB's regulatory requirements for TRUs. In fact, based on CARB-published data, the majority of TRUs are already greater than 25 HP and, as such, the assumption used in the Project's analysis was appropriate. Based on the foregoing, no revisions to the DEIR or its supporting air quality analyses are warranted.

O-9 The commenter correctly summarizes that CalEEMod does not separately account for emissions associated with TRUs. However, the Project's Health Risk Assessment attached to the DEIR as *Technical Appendix B2* accounts for the potential diesel exhaust and associated impacts from the operation of TRUs and therefore impacts from TRUs are accounted for in the DEIR.

Emissions from TRUs can be estimated based on the operation of 156 two-way trucks with TRUs (the total trucks presumed to accommodate refrigerated space) per day. For criteria pollutants, the aggregated Instate Trailer TRU emission rates were generated from the CARB's OFFROAD2017, Version 1.0.1 emissions estimator model. Potential regional criteria pollutant emissions from TRUs associated with the Project are summarized in the table below.

Peak Operational Emissions Including Additional Emissions from TRUs

	Emissions (lbs/day)					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Maximum Daily Emissions Total from DEIR (Table 4.2-12)	51.06	217.92	263.63	1.49	105.84	30.52
Emissions Estimates from TRUs	0.24	2.80	3.66	0	0.02	0.02
Maximum Daily Emissions	**51.30**	**220.72**	**267.29**	**1.49**	**105.86**	**30.54**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**YES**	**NO**	**NO**	**NO**	**NO**

As shown, the addition of potential TRU-related criteria pollutant emissions would be negligible when added to the operational emissions estimates presented in the DEIR and would therefore not affect the findings and conclusions presented in the DEIR.

O-10 The commenter notes the DEIR's conclusion that after application of the eleven mitigation measures listed in the DEIR to address air pollutant emissions, impacts would still be significant and unavoidable. The commenter asks the City to consider additional mitigation measures suggested in an attachment to the comment letter. Refer to Responses O-16 to O-31, below, which address the

suggested inclusion of additional mitigation measures. However, in light of the foregoing, the City decisionmakers will consider whether to adopt a Statement of Overriding Considerations for the Project in accordance with CEQA Guidelines Section 15093.

O-11 See Response to Comment O-10.

O-12 The commenter summarizes its comments and concerns. Refer to Responses O-1 through O-11, above, for responses to those comments.

O-13 The commenter provides closing comments and offers assistance to the Lead Agency as needed. No specific comments are made that warrant a response or revision to the DEIR.

O-14 The commenter provides closing comments and offers assistance to the Lead Agency as needed. No specific comments are made that warrant a response or revision to the DEIR.

O-15 The commenter requests that the City consider additional mitigation measures to address air pollution emissions. Refer to Responses O-16 to O-31, below, which address the suggested inclusion of additional mitigation measures.

O-16 through O-31

The commentor requests the City consider the inclusion of additional mitigation measures. The comment does not identify any purported noncompliance with CEQA or deficiency with the EIR. The technical reports, for instance, relied on very conservative assumptions. As a few examples, the technical reports relied on modeling assumptions using a version of California Emissions Estimator Model (CalEEMod) which was the most updated version at the time in which the project commenced environmental review which overestimates emissions compared to the latest version and did not take into account any benefits derived from implementation of SCAQMD's Warehouse Indirect Source Rule - Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. This Rule can be located at http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf?sfvrsn=15. The SCAQMD has determined that "[b]ased on the analysis of 19 WAIRE Menu scenarios, [the Rule] could achieve NOx reductions in the range of 2.5 – 4 tons per day beyond CARB Rules, which represents about a 10-15% reduction beyond baseline for both NOx and PM." http://www.aqmd.gov/docs/default-source/planning/fbmsm-docs/legal-response-to-cta-letter.pdf?sfvrsn=8.

Notwithstanding, the Project Applicant has requested additional conditions of approval be added to minimize the Project's air quality and greenhouse gas emissions, albeit these conditions of approval are not considered to be mitigation measures. The following list summarizes the mitigation measures that already were in the DEIR and conditions of approval that will be required to minimize the Project's air quality and greenhouse gas emissions.

EIR Mitigation Measures

- Requiring legible, durable, weather-proof signs to be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations, including instructions for (a) drivers of diesel trucks to restrict idling to no more than three (3) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the

parking brake is engaged and (b) drivers of trucks equipped with transport refrigeration units ("TRU") to limit TRU idling durations to less than 15 minutes per day. (MM 4.2-5)

- Restrict any operation of the facility for use as "cold storage" to 50,000 square feet. (MM 4.2-7)
- Requiring on-site equipment, such as forklifts and yard trucks, to be non-diesel-powered. (MM 4.2-10)

Requested Conditions of Approval

- Requiring operator to provide annual reports to the City demonstrating compliance with SCAQMD Rule 2305.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.

The Project Applicant has also requested to add the following conditions of approval that address certain emissions concerns, albeit these conditions of approval do not constitute mitigation measures necessitated by the CEQA analysis of the Project:

- Electrification/No Diesel/Alternative Fuels:
  - Only electric appliances shall be used in building office areas (e.g., electric stoves).
  - Diesel powered generators shall be prohibited unless necessary due to emergency situations or constrained supply.
- Auxiliary Power Unit (APU):
  - There shall be at least one APU plug-in for every 35 dock doors at multiple locations within the site where trucks park with signage provided in English and Spanish identifying where such APU plug-ins are located.
- Warehouse Construction:
  - Warehouse roof areas not covered by solar panels shall be constructed with materials with an initial installation Solar Reflective Index Value of not less than 39.
- Construction Emissions/Dust
  - All construction equipment shall meet or be cleaner than Tier 4 standards, except in cases wherein the construction contractor certifies that it is not feasible to use exclusively Tier 4 equipment due to limited availability. In all events, at least 80% of construction equipment shall meet or be cleaner than Tier 4 standards for the life of the project's construction.
  - In the event that diesel-powered construction equipment becomes available (1) with improved emission control devices that reduce particulate matter emissions, including fine particulate matter, and reduces NOx emissions, (2) at commercially reasonable prices, and (3) in sufficient quantities to be reasonably available, then HIP shall use such construction equipment.

O-32 See Response to Comments O-1 through O-31.

F.3 ADDITIONS, CORRECTIONS, AND REVISIONS TO THE DEIR

Changes made to the text, tables, and/or exhibits of the DEIR in responsible to public comments on the DEIR are itemized in Table F-2, *Errata Table of Additions, Corrections, and/or Revisions to the DEIR*. Additions are shown in Table F-2 as underline text and deletions shown as ~~stricken~~ text. Minor changes to the DEIR (e.g., corrections of non-substantive typographical errors) are not listed in Table F-2. No corrections or additions made to the DEIR are considered substantial new information requiring recirculation or additional environmental review under CEQA Guidelines Section 15088.5.

Table F-2 Errata Table of Additions, Corrections, and/or Revisions to the DEIR

Page(s)	Section(s)	Additions, Corrections, and/or Revisions to the DEIR
S-11 4.2-39	*S.0, Executive Summary* *4.2, Air Quality*	In response to comments received on the DEIR, Mitigation Measure (MM) 4.2-5 was revised to: 1) ensure that information signs are posted on-site in both English and Spanish and 2) require future building occupants to implement additional programs to minimize NO_X emissions during Project operation. MM 4.2-5 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations in both English and Spanish. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use for more than three (3) minutes; ~~and~~ 2) instructions for drivers of diesel trucks to restrict idling to no more than three (3) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) instructions for drivers of diesel trucks equipped with transport refrigeration units (TRUs) to park on the north side of the building and limit TRU idling durations to no more than 15 minutes on-site. Prior to the issuance of an occupancy permit, the City of Moreno Valley shall conduct a site inspection to ensure that the signs are in place.
S-14 4.2-40	*S.0, Executive Summary* *4.2, Air Quality*	In response to comments received on the DEIR, sub-item "b" to MM 4.2-7 was revised to provide opportunities for future electric bicycle parking. b) Secure, weather protected bicycle parking. Conduit shall be installed at bicycle parking areas to accommodate the future, optional installation of electric bicycle charging infrastructure;
S-14 4.2-40	*S.0, Executive Summary* *4.2, Air Quality*	In response to comments received on the DEIR, sub-item "m" was added to MM 4.2-7 to limit the maximum allowable amount of cold storage warehouse space within the proposed building. m) The building contains no more than 50,000 square feet of refrigerated warehouse space. For purposes of this mitigation measure, refrigerated warehouse space shall include all areas kept at a sustained temperature of 55 degrees Fahrenheit or lower.

Table F-2 Errata Table of Additions, Corrections, and/or Revisions to the DEIR

Page(s)	Section(s)	Additions, Corrections, and/or Revisions to the DEIR
S-14 4.2-41	*S.0, Executive Summary* *4.2, Air Quality*	In response to comments received on the DEIR, MM 4.2-9 was revised to require future building occupants to implement additional programs to reduce NO_X emissions during Project operation. MM 4.2-9 Prior to building final, the Project Applicant or successor in interest shall provide the City of Moreno Valley with an information packet that will be provided to future building occupants that: 1) provides information regarding the grants available from the Carl Moyer Memorial Air Quality Standards Attainment Program for energy efficiency improvement features – including truck modernization, retrofits, and/or aerodynamic kits and low rolling resistance tires – and the resulting benefits to air quality; 2) recommends the use of electric or alternatively-fueled sweepers with HEPA filters; 3) recommends the use of water-based or low VOC cleaning products; ~~and~~ 4) for occupants with more than 250 employees, information related to SCAQMD Rule 2202, which requires the establishment of a transportation demand management program to reduce employee commute vehicle emissions; 5) notifies occupants of the requirement to provide the City with an annual report demonstrating compliance with SCAQMD Rule 2305; 6) notifies occupants of the requirement to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
S-15 4.2-41	S.0, *Executive Summary* 4.2, *Air Quality*	In response to comments received on the DEIR, MM 4.2-10 was revised to prohibit the use of diesel- and natural gas-powered outdoor cargo handling equipment on-site. MM 4.2-10 Prior to issuance of occupancy permit, future Project site owner or occupant shall provide written statement to the City of Moreno Valley that the use of diesel-powered and natural gas-powered outdoor cargo handling equipment (e.g., yard trucks, hostlers, yard goats, pallet jacks, forklifts) on-site is prohibited ~~unless such equipment meets CARB Tier 4 standards~~.

Table F-2 Errata Table of Additions, Corrections, and/or Revisions to the DEIR

<table>
<tr><th>Page(s)</th><th>Section(s)</th><th>Additions, Corrections, and/or Revisions to the DEIR</th></tr>
<tr><td>4.10-10</td><td>4.10, Land Use</td><td>Table 4.10-1 was revised to ensure that the analysis of the Project's consistency with Connect SoCal Goal 5 is consistent with information presented earlier in EIR Subsection 4.10, Land Use.

<table>
<tr><th>RTP/SCS Goal</th><th>Goal Statement</th><th>Project Consistent Discussion</th></tr>
<tr><td>5</td><td>Reduce greenhouse gas emission and improve air quality.</td><td>Potential conflict identified~~No conflict identified~~. The Project would produce GHG emissions that would exceed the SCAQMD threshold (10,000 MTCO2e per year), which could hinder the ability to reduce Basin-wide GHG emissions.~~Refer to the consistency analysis for goals G6 and G7 of the 2016 RTP/SCS.~~</td></tr>
</table></td></tr>
<tr><td>S-19

4.3-22</td><td>S.0, Executive Summary

4.3, Biological Resources</td><td>Based on verbal comments provided to the City of Moreno Valley by the California Department of Fish and Wildlife, MM 4.3-2 was revised to clarify the mitigation requirements for the Project.

MM 4.3-2 Prior to the issuance of grading permits, the Project Applicant shall obtain a Section 1602 Streambed Alteration Agreement from CDFW and a Section 13260 Waste Discharge Order from the RWQCB. In addition, the Project Applicant shall purchase 0.57-acre of re-establishment credits (a 1:1 mitigation-to-impact ratio) and 0.57-acre of rehabilitation credits (a 1:1 mitigation-to-impact ratio) from the Riverpark Mitigation Bank to compensate for Project impacts to sensitive habitat identified by CDFW.

~~In the event that compensatory mitigation credits are not available from the Riverpark Mitigation Bank at the time of grading permit issuance, the Project Applicant shall instead purchase riparian habitat rehabilitation credits from the Santa Ana River Watershed In-Lieu Fee Program (SARW-ILFP) at a 2:1 mitigation-to-impact ratio (1.14 acres). In such an event, the Project's DBESP report (Technical Appendix C3) shall be amended to note that the SARW-ILFP would be used as the alternative mitigation program for the Project and the amended DBESP shall be provided to the City of Moreno Valley, the USFWS, and CDFW.~~</td></tr>
</table>

F.4 NO RECIRCULATION OF DEIR REQUIRED

CEQA Guidelines Section 15088.5 describes the conditions under which a DEIR that was circulated for public review is required to be re-circulated for additional public review and comment. CEQA Guidelines Section 15088.5 states that new information added to a DEIR is not significant unless the DEIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;
3. A feasible project alternative or mitigation measure considerably different from the others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it; and/or
4. The DEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Based on the comment letters received by the City of Moreno Valley and the responses thereto (presented in Subsection F.2, above) and the minor revisions made to the DEIR (presented in Subsection F.3, above), there were no public comments or changes to the text or analysis presented in the DEIR that resulted in the identification of any new significant environmental effect or a substantial increase in the severity of an environmental effects that were disclosed in the DEIR. In response to comments received on the DEIR, several of the Project's mitigation measures were altered (as described in Table F-2); however, the changes to the mitigation measures did not substantially alter the mitigation actions required of the Project Applicant. Additionally, the DEIR was fundamentally and basically adequate, and all conclusions within the DEIR were supported by evidence provided within the DEIR or the administrative record for the proposed Project. Furthermore, public comment letters on the DEIR did not identify any alternatives to the proposed Project considerably different from those analyzed in the DEIR that would substantially lessen the significant environmental impacts of the proposed Project while still attaining the Project's basic objectives. Based on the foregoing, recirculation of the DEIR is not warranted according to the guidance set forth in Section 15088.5 of the CEQA Guidelines.

S.0 EXECUTIVE SUMMARY

S.1 INTRODUCTION

The California Environmental Quality Act (CEQA) as codified in Public Resources Code Section 21000, *et seq.* requires that before a public agency makes a decision to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the project's potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment.

This Environmental Impact Report (EIR) (California State Clearinghouse (SCH) No. 2020039038), was prepared in accordance with CEQA Guidelines Article 9, Sections 15120-15132 to evaluate the potential environmental impacts associated with planning, constructing, and operating the proposed Moreno Valley Trade Center Project (hereafter, the "Project" or "proposed Project"). This EIR does not recommend approval or denial of the proposed Project; rather, this EIR is a source of factual information regarding potential impacts to the physical environment that may result from the Project's implementation. The Draft EIR will be available for public review for a minimum period of 45 days. After consideration of public comment, the City of Moreno Valley will consider certifying the Final EIR and adopting required findings.

The City of Moreno Valley's preliminary analysis determined that implementation of the Project would have the *potential* to result in significant environmental impacts under 14 environmental topic areas. This determination was based on the completion of an Initial Study that represented the City of Moreno Valley's independent judgment pursuant to CEQA Guidelines Section 15063, and in consideration of public comment received by the City in response to this EIR's Notice of Preparation (NOP). The Initial Study, NOP, and written comments received by the City in response to the NOP, are attached to this EIR as *Technical Appendix A*. The 14 environmental topic areas that have the potential to be significantly affected by planning, constructing, and/or operating the proposed Project and that are analyzed in detail herein include:

1. Aesthetics
2. Air Quality
3. Biological Resources
4. Cultural Resources
5. Energy
6. Geology & Soils
7. Greenhouse Gas Emissions
8. Hazards & Hazardous Materials
9. Hydrology & Water Quality
10. Land Use & Planning
11. Noise
12. Transportation
13. Tribal Cultural Resources
14. Utilities & Service Systems

Refer to EIR Section 4.0, *Environmental Analysis*, for a full account and analysis of the subject matters listed above. Subject areas for which the Initial Study concluded that impacts would be clearly less than significant and that do not warrant detailed analysis in this EIR are addressed in EIR Section 5.0, *Other CEQA Considerations*. For each of the aforementioned subject areas, this EIR describes: 1) the physical conditions that existed at the approximate time this EIR's NOP was published (March 16, 2020); 2) discloses the type and magnitude of potential environmental impacts resulting from Project planning, construction, and operation; and 3) if warranted, recommends feasible mitigation measures that would reduce or avoid significant adverse

environmental impacts that may result from the Project. A summary of the Project's significant environmental impacts and the mitigation measures imposed by the City of Moreno Valley to lessen or avoid these impacts is included in this Executive Summary as Table S-1, *Mitigation Monitoring and Reporting Program*. The City of Moreno Valley applies mitigation measures that it determines 1) are feasible and practical for project applicants to implement, 2) are feasible and practical for the City of Moreno Valley to monitor and enforce, 3) are legal for the City of Moreno Valley to impose, 4) have an essential nexus to the Project's impacts, and 4) would result in a benefit to the physical environment. CEQA does not require the Lead Agency to impose mitigation measures that are duplicative of mandatory regulatory requirements.

S.2 PROJECT OVERVIEW

S.2.1 LOCATION AND SETTING

The Project site is located in the City of Moreno Valley, which is located in western Riverside County, California. The City of Moreno Valley is situated north of the City of Perris, northwest of the City of Hemet, west of the City of Beaumont, east of the City of Riverside, and east of the unincorporated communities of Mead Valley and Woodcrest. The Project site is located approximately 0.4-mile southwest of the Redlands Boulevard on/off-ramp and approximately 0.9-mile southeast of the Moreno Beach Drive on/off-ramp to State Route 60 (SR-60) and approximately 7.3 miles east of Interstate 215 (I-215). The site's location and regional context are illustrated on Figure 3-1, *Regional Map*, in EIR Section 3.0, *Project Description*.

At the local scale, the Project site is located immediately south of Eucalyptus Avenue, immediately west of Redlands Boulevard, immediately north of Encelia Avenue, and immediately east of the Quincy Channel as illustrated on Figure 3-2, *Vicinity Map*, and Figure 3-3, *USGS Topographic Map*.

S.2.2 PROJECT SUMMARY

For purposes of this EIR, the term "Project" refers to the discretionary actions required to implement the proposed Moreno Valley Trade Center project and all of the activities associated with its implementation (including planning, construction, and ongoing operation). The Project would result in the construction and operation of a 1,328,853 square-foot, modern light industrial building that could be occupied by warehouse distribution/logistics or in the alternative e-commerce/fulfillment uses on an approximately 72.5-net-acre property. The Project also includes associated site improvements, including drive aisles, landscaping, utility infrastructure, water quality basins, exterior lighting, walls/fencing, and signage. The principal discretionary actions requested by the Project Applicant to implement the proposed Project include a General Plan Amendment (PEN19-0191), Change of Zone (PEN19-0192), Plot Plan (PEN19-0193), and Tentative Parcel Map (PEN19-0234). Refer to EIR Section 3.0, *Project Description*, for a detailed description of the Project.

S.2.3 PROJECT OBJECTIVES

The fundamental purpose and goal of the Moreno Valley Trade Center Project is to develop a modern light industrial building in the City of Moreno Valley in close proximity to the State highway system, to increase employment opportunities and improve the City's economic competitiveness. This underlying purpose aligns with various aspects of the Southern California Association of Governments' (SCAG's) *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)* primarily related to accommodating goods

movement industries and balancing job and housing opportunities in local areas to reduce long commutes from home to work. SCAG identifies the Inland Empire as a housing rich area and coastal communities as job rich areas and is striving in their policies to achieve more equal balances locally. The Project would achieve its underlying purpose and goal through the following objectives.

A. To expand economic development, facilitate job creation, and increase the tax base for the City of Moreno Valley by establishing new industrial development adjacent to established and planned industrial areas.
B. To attract employment-generating businesses to the City of Moreno Valley to reduce the need for members of the local workforce to commute outside the area for employment, thereby improving the jobs-housing balance in the City.
C. To develop a Class A speculative light industrial building in Moreno Valley that is designed to meet contemporary industry standards and be economically competitive with similar industrial buildings in the local area and region.
D. To attract businesses that can expedite the delivery of essential goods to consumers and businesses in Moreno Valley and beyond the City boundary.
E. To develop a project that has architectural design and operational characteristics that complement other existing and planned buildings in the immediate vicinity and minimize conflicts with other nearby land uses.
F. To develop a light industrial building in close proximity to designated truck routes and the State highway system to avoid or shorten truck-trip lengths on other roadways.
G. To develop a property that has access to available infrastructure, including roads and utilities.

S.3 EIR PROCESS

An Initial Study was prepared by the City of Moreno Valley to determine whether any aspect of the Project, either individually or cumulatively, may cause a significant adverse effect on the physical environment (refer to *Technical Appendix A* for a copy of the Initial Study). For this Project, the Initial Study indicated that this EIR should focus on 14 environmental subject areas listed above in Subsection S.1. After completion of the Initial Study, the City published a NOP and filed a copy with the California Office of Planning and Research State Clearinghouse to inform the general public, trustee and responsible agencies and other interested parties that an EIR would be prepared for the Project. The Initial Study and NOP were distributed for a 30-day public review period, which began on March 16, 2020. The City of Moreno Valley received written comments on the scope of the EIR during those 30 days, which were considered by the City during the preparation of this EIR. The City also held an EIR scoping meeting open to the interested public agencies and members of the general public on April 8, 2020.

This EIR will be circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day review period. During the 45-day public review period, public notices announcing availability of the Draft EIR will be mailed to interested parties, an advertisement will be published in the Press Enterprise (a newspaper of general circulation in the City of Moreno Valley), and copies of the Draft EIR and its Technical Appendices will be available for review at the locations indicated in the public notices.

After the close of the 45-day Draft EIR public comment period, the City will prepare and publish responses to written comments it received on the environmental effects of the Project. Thereafter, the Final EIR will be considered for certification by the Moreno Valley City Council. Certification of the Final EIR would be accompanied by the adoption of written findings and a "Statement of Overriding Considerations" for any significant unavoidable environmental impacts identified in the Final EIR. In addition, pursuant to Public Resources Code Section 21081.6, because the Project will include mitigation measures, the City, as Lead Agency, must adopt a Mitigation, Monitoring, and Reporting Program (MMRP), which describes the process to ensure implementation of the mitigation measures identified in the Final EIR. The MMRP will ensure CEQA compliance during Project construction and operation.

S.4 Areas of Controversy and Issues to be Resolved

CEQA Guidelines Section 15123(b)(2) requires the Lead Agency (City of Moreno Valley) to identify any known issues of controversy in the Executive Summary. Although the City has received letters of opposition to the Project, after consideration of all comments received in response to the NOP, the City has not identified any environmental issues of controversy associated with the Project that were not already identified in the Initial Study for the Project. Notwithstanding, the Lead Agency has identified several issues of local concern including, but not limited to, potential impacts to air quality, biological resources, greenhouse gas emissions, noise, and transportation – and these issues are all addressed in this EIR.

In light of the foregoing, this EIR addresses all environmental issues that are known by the City, that are identified in the Project's Initial Study, and that were identified in the comment letters that the City received in response to the NOP (refer to *Technical Appendix A*) and the EIR scoping meeting. Items raised in written comment to the NOP are summarized in Table 1-1, *Summary of NOP and Scoping Meeting Comments*, in Section 1.0 of this EIR.

S.5 Alternatives to the Proposed Project

In compliance with CEQA Guidelines Section 15126.6, an EIR must describe a range of reasonable alternatives to the Project. A brief description of alternatives considered in this EIR is provided below; however, a detailed description of each alternative evaluated in this EIR, as well as an analysis of the potential environmental impacts associated with each alternative, is provided in EIR Section 6.0, *Alternatives*. Also described in Section 6.0 is a list of alternatives that were considered but rejected from further analysis.

S.5.1 No Development Alternative

The No Development Alternative considers no development on the Project site beyond what occurs on the site under existing conditions. Under this Alternative, the approximately 8.5-acre commercial plant nursery (Adam Hall's Plant Nursery) with associated structures (i.e., an office building and shade and storage structures), three residential buildings with associated accessory buildings and uses would remain on the southeast corner of the Project site for the foreseeable future. The remaining portions of the Project site would also remain undeveloped and would be subject to routine maintenance (i.e., discing) for weed abatement. This Alternative was used to compare the environmental effects of the proposed Project with an alternative that would leave the property in its existing state.

Implementation of the No Development Alternative would result in no physical environmental impacts to the Project site beyond those that have historically occurred on the property. Although all significant effects of the Project would be avoided by the selection of this Alternative, this No Development Alternative would fail to meet any of the Project's objectives.

S.5.2 No Project Alternative

The No Project Alternative considers redevelopment of the Project site in accordance with the site's existing land use designation, "Residential: Max 2 du/ac (R2)" and the site's existing zoning designation, "Residential Agriculture, 2 du/ac (RA2)," which allows up to 2.0 dwelling units per net acre. Under this alternative, the Project site would be developed as a master-planned residential community with 145 single-family dwelling units on minimum 20,000 s.f. lots. The extent of physical ground disturbance is expected to be the same as would occur under the proposed Project. This Alternative was used to compare the environmental effects of the Project against a development proposal that conforms to the land use standards and development regulations prescribed by the City of Moreno Valley General Plan and Municipal Code under the Project site's existing land use and zoning designations.

The No Project Alternative would reduce and likely avoid the Project's significant and unavoidable impacts to air quality. The No Project Alternative would reduce the Project's total GHG emissions (but may continue to result in a significant and unavoidable impact when evaluated against the SCAQMD significance threshold for residential uses). The No Project Alternative would reduce the Project's less-than-significant impacts to aesthetics, energy, hazards and hazardous materials, noise, and utilities and service systems. However, all other impacts from the No Project Alternative would be similar to the Project.

S.5.3 Reduced Building Area Alternative

The Reduced Building Area Alternative considers a proposal where the Project site would be redeveloped with two separate uses: a light industrial building and an outdoor industrial storage area. Under this Alternative, a 965,000 s.f. light industrial building would be developed on the eastern portion of the Project site and a 20-acre outdoor storage area for trailers and/or truck-tractors would be developed on the western portion of the Project site. This Alternative was used to evaluate a scenario that would reduce the total building area on the Project site relative to the Project but still allow productive industrial use of the entire Project site.

The Reduced Building Area Alternative would reduce – but not avoid – the Project's significant and unavoidable air quality and GHG emission impacts. The Reduced Building Alternative would reduce the Project's less-than-significant impacts to energy and utilities and service systems; but, all other impacts from the Reduced Building Alternative would be similar to the Project.

S.6 Summary of Impacts, Mitigation Measures, and Conclusions

S.6.1 Effects Found Not to be Significant

The scope of detailed analysis in this EIR considers and addresses the 14 subject areas identified in the Initial Study prepared under the supervision of the City of Moreno Valley pursuant to CEQA Guidelines Section 15063 and Public Resources Code Section 21002(e), as well as the public comments received in

response to the NOP and the EIR scoping meeting. The Initial Study, NOP, and public comments received in response to the NOP and scoping meeting, are attached to this EIR as *Technical Appendix A*. Subject areas for which the City concluded that impacts clearly would be less than significant and that do not warrant detailed analysis in this EIR include: agriculture and forestry, mineral resources, population and housing, public services, recreation, and wildfire. This EIR addresses these six (6) topics in EIR Subsection 5.0, *Other CEQA Considerations*.

S.6.2 Impacts of the Proposed Project

Table S-1 provides a summary of the Project's environmental impacts, as required by CEQA Guidelines Section 15123(a). Also presented are the mitigation measures recommended by the Lead Agency to further avoid adverse environmental impacts or to reduce their level of significance. After the application of all feasible mitigation measures, the Project would result in five (5) significant and unavoidable environmental effects, as summarized below.

- Aesthetics: Implementation of the Project would mostly or completely block views of Reche Canyon and the Badlands (and the San Bernardino Mountains beyond) from the segment of Encelia Avenue that abuts the Project site on the south (west of Shubert Street). Also, implementation of the Project would mostly or completely block scenic views of Mount Russell and its foothills from the segment of Eucalyptus Avenue that abuts the Project site. This would be a significant and unavoidable direct impact.

- Air Quality (Air Quality Management Plan Conflict): The Project would emit air pollutants (NO_X) that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB. Because the Project requires a General Plan Amendment, it also would exceed the growth projections contained in SCAQMD's *2016 AQMP*. As such, the Project would conflict with and could obstruct implementation of the *AQMP*. Project impacts due to a conflict with the SCAQMD *2016 AQMP* would be significant and unavoidable on both a direct and cumulatively-considerable basis.

- Air Quality (Criteria Pollutant Emissions): After the application of Project design features, mandatory regulatory requirements, and feasible mitigation measures, Project-related NO_X emissions during long-term operation of the Project would remain above the applicable SCAQMD regional thresholds. Accordingly, Project-related emissions would not meet SCAQMD air quality standards and contribute to the non-attainment of ozone standards in the SCAB. As such, Project operational-related impacts due to NO_X emissions would be significant and unavoidable on a direct and cumulative basis.

- Greenhouse Gas Emissions (GHG Emissions Generation): Project-related GHG emissions would exceed the applicable SCAQMD significance threshold for GHG emissions and would result in a cumulatively-considerable impact to the environment.

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
4.1 Aesthetics					
Summary of Impacts					
Threshold a: Significant Direct Impact. Implementation of the proposed Project would mostly or completely block existing views of Reche Canyon and the Foothills and the Badlands (and the San Bernardino Mountains beyond) from the Encelia Avenue segment abutting the Project site and located west of Shubert Street. In addition, implementation of the Project would mostly or completely obstruct views of Mount Russell and its foothills from the Eucalyptus Avenue segment that abuts the Project site. The loss of these existing public views would be significant.	No mitigation feasible mitigation is available.	N/A	N/A	N/A	Significant and Unavoidable Impact
Threshold b: No Impact. The Project site is not located within the viewshed of a scenic highway and does not contain any scenic resources visible from a scenic highway.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold c: Less-than-Significant Impact.. Although the Project would change the visual character of the site from mainly undeveloped with a plant nursery and associated structures to light industrial use, the Project's surrounding area is transitioning from rural to urbanized land uses. Furthermore, the Project proposes a number of site design, architectural, and landscaping elements consistent with the Light Industrial District (LI) requirements of the City's Zoning Ordinance.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold d: Less-than-Significant Impact. Project-related development would not create substantial light or glare. Compliance with Moreno Valley Municipal Code requirements for lighting would ensure less-than-significant impacts associated with light and glare.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
4.2 Air Quality					
Summary of Impacts					
Threshold a: Significant Direct and Cumulatively-Considerable Impact. Under warehouse distribution/logistics and e-commerce/fulfillment options, the Project would exceed the growth projections contained in SCAQMD's *2016 AQMP* and, also, would emit air pollutants that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB. As such, the Project would conflict with and could obstruct implementation of the *AQMP*.	**MM 4.2-1** The Project shall comply with the provisions of South Coast Air Quality Management District Rule 403, "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving, grading, and equipment travel on unpaved roads. Rule 403 also requires activities defined as "large operations" to notify the SCAQMD by submitting specific forms. The following notes shall be listed on the Project's grading plans, to be confirmed by the City of Moreno Valley prior to grading permit issuance. Project construction contractors shall be required by their contracts to ensure compliance with the notes, submit any required "large operations" forms to the SCAQMD, and permit periodic inspection of the construction site by City of Moreno Valley staff or its designee to confirm compliance. a) During grading and ground-disturbing construction activities, the construction contractor shall ensure that all unpaved roads, active soil stockpiles, and areas undergoing active ground disturbance within the Project site are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas by water truck, sprinkler system, or other comparable means, shall occur in the mid-morning, afternoon, and after work is done for the day. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off-site. b) Temporary signs shall be installed on the construction site along all unpaved roads indicating a maximum speed limit of 15 miles per	Project Applicant; Project Construction Contractors	City of Moreno Valley Building and Safety Division, and Land Development Division	Prior to grading permit issuance and on-going during construction	Significant and Unavoidable Direct and Cumulatively-Considerable Impact

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	hour (MPH). The signs shall be installed before construction activities commence and remain in place for the duration of construction activities that include vehicle activities on unpaved roads. c) Gravel pads must be installed at all access points to prevent tracking of mud onto public roads. d) Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (e.g., install wheel shakers, wheel washers, limit site access). e) When materials are transported off-site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. f) All street frontages adjacent to the construction site shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing water trucks (reclaimed water, if available) if visible soil materials are carried to adjacent streets. g) Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and initiate corrective action to legitimate complaints within 24 hours. h) Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil. i) Any on-site stock piles of debris, dirt, or other dusty material shall be covered or watered as				

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	necessary to minimize fugitive dust pursuant to SCAQMD Rule 403. j) A high wind response plan shall be formulated and implemented for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.				
	MM 4.2-2 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 1186 "PM_{10} Emissions from Paved and Unpaved Roads and Livestock Operations" and Rule 1186.1, "Less-Polluting Street Sweepers" by complying with the following requirements. To ensure and enforce compliance with these requirements, prior to grading and building permit issuance, the City of Moreno Valley shall verify that the following notes are included on the grading and building plans and within the construction management plan. Project construction contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by City of Moreno Valley staff or its designee to confirm compliance. a) If visible dirt or accumulated dust is carried onto paved roads during construction, the contractor shall remove such dirt and dust at the end of each work day by street cleaning. b) Street sweepers shall be certified by the South Coast Air Quality Management District as meeting the Rule 1186 sweeper certification procedures and requirements for PM_{10}-efficient sweepers. All street sweepers having a gross vehicle weight of 14,000 pounds or more shall be powered with alternative (non-diesel) fuel or otherwise comply with South Coast Air Quality Management District Rule 1186.1.	Project Applicant; Project Construction Contractors	City of Moreno Valley Building and Safety Division and Land Development Division	Prior to grading and building permit issuance and on-going during construction	
	MM 4.2-3 Prior to building permit issuance, the City of Moreno Valley shall verify that a note is provided on all building plans specifying that compliance with	Project Applicant; Project Construction Contractors	City of Moreno Valley Building and Safety Division and	Prior to building permit issuance	

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	SCAQMD Rule 1113 is mandatory during application of all architectural coatings. Project contractors shall be required to comply with the note and maintain written records of such compliance that can be inspected by the City of Moreno Valley upon request. This note also shall indicate that only "super-compliant" low VOC paint products (no more than 10 gram/liter of VOC) shall be used. All other architectural coatings shall comply with the VOC limits prescribed by SCAQMD Rule 1113.		Land Development Division		
	MM 4.2-4 Project construction contractors shall assure that all construction equipment complies with all applicable California Air Resources Board (CARB) air quality regulations. Also, Project construction contractors shall tune and maintain all construction equipment in accordance with the equipment manufacturer's recommended maintenance schedule and specifications. Maintenance records for all pieces of equipment shall be kept on-site for the duration of construction activities and shall be made available for periodic inspection by City of Moreno Valley staff or their designee.	Project Construction Contractors	City of Moreno Valley Building and Safety Division and Land Development Division	Prior to the issuance of a grading permit and on-going during construction	
	MM 4.2-5 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations in both English and Spanish. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use for more than three (3) minutes; ~~and~~ 2) instructions for drivers of diesel trucks to restrict idling to no more than three (3) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) instructions for drivers of diesel trucks equipped with transport refrigeration units (TRUs) to park on the north side of the building and limit TRU idling durations to no more than 15 minutes on-site. Prior to the issuance of an occupancy permit, the City of	Project Applicant	City of Moreno Valley Building and Safety Division	Prior to the issuance of an occupancy permit	

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	Moreno Valley shall conduct a site inspection to ensure that the signs are in place.				
	MM 4.2-6 Prior to building permit issuance, the City of Moreno Valley shall ensure that the parking lot striping and security gating plan allows for adequate truck stacking at gates to prevent queuing of trucks outside the property.	Project Applicant	City of Moreno Valley Planning Division, Building and Safety Division, and Land Development Division	Prior to the issuance of a building permit	
	MM 4.2-7 Prior to the issuance of a building permit, the Project Applicant or successor in interest shall provide documentation to the City of Moreno Valley demonstrating that the Project is designed to meet or exceed CalGreen Tier 2 standards in effect at the time of building permit application and includes the energy efficiency design features listed below at a minimum. a) Preferential parking locations for carpool, vanpool, EVs and CNG vehicles; b) Secure, weather protected bicycle parking. Conduit shall be installed at bicycle parking areas to accommodate the future, optional installation of electric bicycle charging infrastructure; c) Installation of the minimum number of passenger vehicle EV charging stations required by Title 24 and the installation of conduit at a minimum of five (5) percent of the Project's total number of automobile parking spaces to accommodate the future, optional installation of EV charging infrastructure; d) The building's roof shall be designed and constructed to accommodate the potential, future construction of maximally-sized photovoltaic (PV) solar arrays taking into consideration limitations imposed by other rooftop equipment, roof warranties, building and fire code requirements, and other physical or legal	Project Applicant or successor in interest	City of Moreno Valley Planning Division and Building and Safety Division	Prior to the issuance of a building permit	

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	limitations. The building shall include an electrical system and other infrastructure sufficiently-sized to accommodate the potential installation of maximally-sized PV arrays in the future. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage which informs future occupants/owners of the existence of this infrastructure; e) The building's electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power for the future installation of EV truck charging stations on the site. Conduit should be installed from the electrical room to tractor trailer parking spaces in a logical location(s) on the site determined by the Project Applicant during construction document plan check, for the purpose of accommodating the future installation of EV truck charging stations at such time this technology becomes commercially available and the building is being served by trucks with electric-powered engines. f) The building's electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods. Conduit should be installed from the electrical room to the loading docks determined by the Project Applicant during construction document plan check as the logical location(s) to receive trailers with TRUs. Loading docks that may receive trailers with TRUs shall only be located on the north side of the building. g) Outdoor electrical outlets are provided in reasonable locations to maximize the				

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	opportunities to use electric-powered landscape maintenance equipment. h) Use of light-colored paving materials in the passenger vehicle parking areas, drive aisles, and/or truck court; i) Use of light-colored roofing materials; j) Use of solar or light-emitting diode (LED) fixtures for outdoor lighting; k) All heating, cooling, and lighting devices and appliances shall be Energy Star certified; ~~and~~ l) All fixtures installed in restrooms and employee break areas shall be U.S. EPA Certified WaterSense or equivalent; and m) The building contains no more than 50,000 square feet of refrigerated warehouse space. For purposes of this mitigation measure, refrigerated warehouse space shall include all areas kept at a sustained temperature of 55 degrees Fahrenheit or lower.				
	MM 4.2-8 Prior to building final, the Project Applicant or successor in interest shall install signs and/or painting/striping at on-site driveways and drive aisles to clearly identify the on-site circulation pattern to minimize unnecessary on-site vehicular travel. In addition, the Project owner or operator shall install signs at each truck exit driveway that provides directional information to the City's truck route. Text on the sign shall read "To Truck Route" with a directional arrow.	Project Applicant or successor in interest	City of Moreno Valley Planning Division, Building and Safety Division, and Land Development Division	Prior to building final	
	MM 4.2-9 Prior to building final, the Project Applicant or successor in interest shall provide the City of Moreno Valley with an information packet that will be provided to future building occupants that: 1) provides information regarding the grants available	Project Applicant or successor in interest	City of Moreno Valley Planning Division and Building and Safety Division	Prior to building final	

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	from the Carl Moyer Memorial Air Quality Standards Attainment Program for energy efficiency improvement features – including truck modernization, retrofits, and/or aerodynamic kits and low rolling resistance tires – and the resulting benefits to air quality; 2) recommends the use of electric or alternatively-fueled sweepers with HEPA filters; 3) recommends the use of water-based or low VOC cleaning products; ~~and~~ 4) for occupants with more than 250 employees, information related to SCAQMD Rule 2202, which requires the establishment of a transportation demand management program to reduce employee commute vehicle emissions; 5) notifies occupants of the requirement to provide the City with an annual report demonstrating compliance with SCAQMD Rule 2305; 6) notifies occupants of the requirement to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.				
	MM 4.2-10 Prior to issuance of occupancy permit, future Project site owner or occupant shall provide written statement to the City of Moreno Valley that that the use of diesel-powered and natural-gas powered outdoor cargo handling equipment (e.g., yard trucks, hostlers, yard goats, pallet jacks, forklifts) on-site is prohibited ~~unless such equipment meets CARB Tier 4 standards~~.	Project site owner or occupant	City of Moreno Valley Planning Division and Building and Safety Division	Prior to issuance of occupancy permit	
	MM 4.2-11 Prior to issuance of occupancy permit, future Project site owner or occupant shall install a sign on the Project site with telephone, email, and regular mail contact information for a designated representative of the occupant who would receive complaints about excessive dust, fumes, or odors. The sign shall also identify contact data for the City for perceived Code violations. The occupant's representative shall keep records of any complaints received and actions taken to communicate with the complainant and resolve the complaint. The occupant's	Project site owner or occupant	City of Moreno Valley Planning Division and Building and Safety Division	Prior to issuance of occupancy permit	

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	representative shall endeavor to resolve complaints within 24 hours.				
Threshold b: Significant Direct and Cumulatively-Considerable Impact. Project-related activities would exceed the applicable SCAQMD regional thresholds for NO_X emissions during long-term operation of the warehouse distribution/logistics and e-commerce/fulfillment options. As such, Project-related emissions would violate SCAQMD air quality standards and contribute to the non-attainment of ozone standards in the SCAB.	Refer to MM 4.2-5 through MM 4.2-11, above.				Significant and Unavoidable Direct and Cumulatively-Considerable Impact
Threshold c: Less-than-Significant Impact. Implementation of the Project for either warehouse distribution/logistics or e-commerce/fulfillment uses would not: 1) exceed applicable SCAQMD localized criteria pollution emissions thresholds during construction and operation; 2) expose sensitive receptors to toxic air contaminants (i.e., DPM) that exceed the applicable SCAQMD carcinogenic and non-carcinogenic risk thresholds; nor 3) cause or contribute to the formation of a CO "hot spot."	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold d: Less-than-Significant Impact. The Project would not produce air emissions that would lead to unusual or substantial construction-related or operational-related odors under the warehouse distribution/logistics or e-commerce/fulfillment options.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.3 Biological Resources					
Summary of Impacts					
Threshold a: Significant Direct and Cumulatively-Considerable Impact. The Project site contains suitable foraging and nesting habitat for the burrowing owl. In the event the burrowing owl is present on the	**MM 4.3-1** Within 30 days prior to grading, a qualified biologist shall conduct a survey of suitable habitat on site and make a determination regarding the presence or absence of the burrowing owl. The determination shall be documented in a report and shall	Project Biologist	City of Moreno Valley Planning Division and Building and Safety Division	Within 30 days prior to grading	Less-than-Significant Impact after Mitigation

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Project site at the time construction commences, implementation of the Project has the potential to take burrowing owl individuals.	be submitted, reviewed, and accepted by the City of Moreno Valley prior to the issuance of a grading permit and subject to the following provisions: a) In the event that the pre-construction survey identifies no burrowing owls on the property a grading permit may be issued without restriction. b) In the event that the pre-construction survey identifies the presence of at least one individual but less than three (3) mating pairs of burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall passively or actively relocate any burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit. c) In the event that the pre-construction survey identifies the presence of three (3) or more mating pairs of burrowing owl, the requirements of MSCHP Species-Specific Conservation Objectives 5 for the burrowing owl shall be followed. Objective 5 states that if the site (including adjacent areas) supports three (3) or more pairs of burrowing owls and supports greater than 35 acres of suitable habitat, at least 90 percent of the area with long-term				

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	conservation value and burrowing owl pairs will be conserved onsite until it is demonstrated that Objectives 1-4 have been met. A grading permit shall be issued, either: i. Upon approval and implementation of a property-specific Determination of Biologically Superior Preservation (DBESP) report for the burrowing owl by the CDFW; or ii. A determination by the biologist that the site is part of an area supporting less than 35 acres of suitable Habitat, and upon passive or active relocation of the species following accepted CDFW protocols. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit.				
Threshold b: Significant Direct and Cumulatively-Considerable Impact. The Project would permanently impact 0.57-acre of sensitive habitat as defined by CDFW.	**MM 4.3-2** Prior to the issuance of grading permits, the Project Applicant shall obtain a Section 1602 Streambed Alteration Agreement from CDFW and a Section 13260 Waste Discharge Order from the RWQCB. In addition, the Project Applicant shall purchase 0.57-acre of re-establishment credits (a 1:1 mitigation-to-impact ratio) and 0.57-acre of rehabilitation credits (a 1:1 mitigation-to-impact ratio) from the Riverpark Mitigation Bank to compensate for Project impacts to sensitive habitat identified by CDFW.	Project Applicant	City of Moreno Valley Planning Division and Building and Safety Division	Prior to the issuance of grading permits	Less-than-Significant Impact after Mitigation

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	~~In the event that compensatory mitigation credits are not available from the Riverpark Mitigation Bank at the time of grading permit issuance, the Project Applicant shall instead purchase riparian habitat rehabilitation credits from the Santa Ana River Watershed In Lieu Fee Program (SARW-ILFP) at a 2:1 mitigation-to-impact ratio (1.14 acres). In such an event, the Project's DBESP report (*Technical Appendix C3*) shall be amended to note that the SARW-ILFP would be used as the alternative mitigation program for the Project and the amended DBESP shall be provided to the City of Moreno Valley, the USFWS, and CDFW.~~				
Threshold c: No Impact. The Project would not have a substantial adverse effect on State or federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold d: Significant Direct and Cumulatively-Considerable Impact. There is no potential for the Project to interfere with the movement of fish or impede the use of a native wildlife nursery site. However, the Project has the potential to impact nesting migratory birds protected by the MBTA and CFGC, should habitat removal occur during the nesting season and should nesting birds be present.	**MM 4.3-3** Vegetation clearing and ground disturbance shall be prohibited during the migratory bird nesting season (January 31 through September 1), unless a migratory bird nesting survey is completed in accordance with the following requirements: a) A nesting bird survey shall be conducted on the Project site and within suitable habitat located within a 250-foot radius of the Project site by a qualified biologist within three (3) days prior to initiating vegetation clearing or ground disturbance. b) If the survey identifies the presence of active nests, then the nests shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (i) the adult birds have not begun egg-laying and incubation; or (ii) the juveniles from the occupied nests are capable of independent survival.	Project Biologist	City of Moreno Valley Planning Division and Building and Safety Division	Within three (3) days prior to initiating vegetation clearing or ground disturbance	Less-than-Significant Impact after Mitigation

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	c) If the biologist is not able to verify any of the conditions from sub-item "b," above, then no disturbance shall occur within a buffer zone specified by the qualified biologist for each nest or nesting site. The buffer zone shall be species-appropriate (no less than 100-foot radius around the nest for non-raptors and no more than a 500-foot radius around the nest for raptors) and shall be sufficient to protect the nest from direct and indirect impacts from construction activities, The size and location of buffer zones, if required, shall be based on consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service and shall be subject to review and approval by the City of Moreno Valley. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist with City concurrence verify that the nests are no longer occupied and/or juvenile birds can survive independently from the nests.				
Threshold e: Less-than-Significant Impact. The Project would not conflict with any local policies or ordinances protecting biological resources.	No mitigation is required	N/A	N/A	N/A	Less-than-Significant Impact
Threshold f: Significant Direct and Cumulatively-Considerable Impact. The Project site is subject to the Western Riverside County MSHCP and its survey requirements for the western burrowing owl. Although the Project is compliant with all MSHCP provisions and although burrowing owl is absent from the Project site under existing conditions, the Project site contains habitat suitable for the species. If the species migrates onto the Project site is present on the property at the time a	Refer to MM 4.3-1 through MM 4.3-3, above.				Less-than-Significant Impact after Mitigation

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
grading permit is issued, impacts would be significant. The Project also would impact approximately 0.57-acre of MSHCP riverine area, which would be significant.					
4.4 Cultural Resources					
Summary of Impacts					
Threshold a: No Impact. No historic resources, as defined by CEQA Guidelines Section 15064.5, are present on the Project site; therefore, no historic resources could be altered or destroyed by construction or operation of the Project.	N/A	N/A	N/A	N/A	No Impact
Threshold b: Significant Direct and Cumulatively-Considerable Impact. No known archaeological resources are present on the Project site and the likelihood of uncovering buried prehistoric cultural resources on the Project site is low due to the magnitude of historic ground disturbance on the Project site. Nonetheless, the potential exists for Project-related construction activities to result in a direct and cumulatively-considerable impact to significant subsurface prehistoric archaeological resources should such resources to be discovered during Project-related construction activities.	**MM 4.4-1** Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist, who meets the U.S. Secretary of the Interior Standards (SOI), to conduct monitoring of all mass grading and trenching activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including Agua Caliente Band of Cahuilla Indians, Morongo Band of Mission Indians, Pechanga Band of Luiseño Indians, San Manuel Band of Mission Indians, and Soboba Band of Luiseño Indians, the contractor, and the City, shall develop an Archeological Monitoring Plan to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include: a) Project grading and development scheduling;	Project Developer; Project Archaeologist	City of Moreno Valley Planning Division and Building and Safety Division	Prior to the issuance of a grading permit	Less-than-Significant Impact after Mitigation

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	b) The development of a rotating schedule in coordination with the Developer and the Project Archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work; c) The Project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as-needed basis; d) If the Native American Tribal Representatives suspect that an archaeological resource may have been unearthed, the Project Archaeologist or the Tribal Representatives shall immediately redirect grading operations in a 100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the Native American Tribal Representatives, the				

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	Project Archaeologist shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2. e) The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.				
	MM 4.4-2 The Developer shall provide a minimum of 30 days advance notice to the tribes of all mass grading and trenching activities.	Project Developer; Project Archaeologist	City of Moreno Valley Planning Division and Building and Safety Division	Prior to the issuance of a grading permit	
	MM 4.4-3 In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries: a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Division: i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources. ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure 4.4-1. This shall include measures and provisions to protect the future reburial area from any	Project Developer; Project Archaeologist	City of Moreno Valley Planning Division and Building and Safety Division	In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries)	

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in Mitigation Measure 4.4-1. The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.				
	MM 4.4-4 The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground-disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."	Project Developer; Project Archaeologist	City of Moreno Valley Building and Safety Division	Prior to issuance of grading permit and if any suspected archaeological resources are discovered during ground-disturbing activities	
	MM 4.4-5 If potential historic or cultural resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State	Project Developer; Project Archaeologist	City of Moreno Valley Planning Division and Building and Safety Division	If potential archaeological resources are uncovered during excavation or construction activities at the project site	

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in Mitigation Measure 4.4-1 before any further work commences in the affected area.				
Threshold c: Less-than-Significant Impact. In the unlikely event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with provision of State law related to the discovery, treatment, and disposition of human remains. Mandatory compliance with State law would ensure that human remains, if encountered, are appropriately treated and would preclude the potential for significant impacts to human remains.	**MM 4.4-6** If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98).	County Coroner	City of Moreno Valley Planning Division and Building and Safety Division	If human remains are discovered	Less-than-Significant Impact
4.5 Energy					
Summary of Impacts					
Threshold a: Less-than-Significant Impact. The amount of energy and fuel consumed by construction and operation of the Project would not be inefficient, wasteful, or unnecessary. Furthermore, the Project would not cause or result in the need for additional energy facilities or energy delivery systems.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold b: Less-than-Significant Impact. The Project would not cause or result in the need for additional energy production or transmission facilities. The Project would not conflict with or obstruct the achievement of energy conservation goals within the State of California identified in State and local plans for renewable energy and energy efficiency.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.6 Geology and Soils					
Summary of Impacts					
Threshold a: Less-than-Significant Impact. Implementation of the Project would not expose people or structures to substantial direct or	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

Table S-1 Mitigation Monitoring and Reporting Program

Threshold	Mitigation Measures (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
indirect adverse effects related to liquefaction or fault rupture. The Project site is subject to seismic ground shaking associated with earthquakes; however, mandatory compliance with local and State regulatory requirements and building codes would ensure that the Project minimizes potential hazards related to seismic ground shaking.					
Threshold b: Less-than-Significant Impact. Implementation of the Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities and adhere to a Storm Water Pollution Prevention Plan (SWPPP), and prepare an erosion control plan to minimize water and wind erosion. Following completion of development, the Project's owner or operator would be required to implement a Water Quality Management Plan (WQMP) during operation, which would preclude substantial erosion impacts.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold c: Less-than-Significant Impact. There is no potential for the Project's construction or operation to cause, or be impacted by, on- or off-site landslides or lateral spreading. Potential hazards associated with unstable soils would be precluded through mandatory adherence to the recommendations contained in the site-specific geotechnical report during Project construction.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold d: No Impact. The Project site contains soils with no susceptibility to expansion; therefore, the Project would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils.	No mitigation is required.	N/A	N/A	N/A	No Impact

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Threshold e: No Impact. No septic tanks or alternative wastewater disposal systems are proposed to be installed on the Project site.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold f: Significant Direct and Cumulatively-Considerable Impact. The Project would not impact any known paleontological resource or unique geological feature. However, the Project site contains Pleistocene older alluvium soils with a high sensitivity for paleontological resources. Accordingly, construction activities on the Project site have the potential to unearth and adversely impact paleontological resource that may be buried beneath the ground surface.	**MM 4.6-1** Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a qualified paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.	Project Applicant; Project Paleontologist	City of Moreno Valley Planning Division and Building and Safety Division	Prior to the issuance of a grading permit	Less-than-Significant Impact after Mitigation
	MM 4.6-2 The paleontological monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, Pleistocene older alluvium soils at depths 10 or more feet below the existing ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontological monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by paleontological personnel to have a low potential to contain or yield fossil resources.	Project Applicant; Project Paleontologist	City of Moreno Valley Planning Division and Building and Safety Division	During monitoring activities	
	MM 4.6-3 Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the Western	Project Applicant; Project Paleontologist	City of Moreno Valley Planning Division	If a significant paleontological resource is discovered on the project site	

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	Science Museum in Hemet, California, shall be required for discoveries of significance as determined by the paleontological monitor.				
	MM 4.6-4 A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Moreno Valley prior to final building inspection.	Project Applicant; Project Paleontologist	City of Moreno Valley Planning Division and Building and Safety Division	Prior to final building inspection	
4.7 Greenhouse Gas Emissions					
Summary of Impacts					
Threshold a: Significant Cumulatively-Considerable Impact. Operation of the Project is calculated to generate GHG emissions that exceed the SCAQMD significance threshold of 10,000 $MTCO_2e$ per year, whether the Project is used for warehouse distribution/logistics or e-commerce/fulfillment.	Refer to MM 4.2-5 through MM 4.2-11, above.	N/A	N/A	N/A	Significant and Unavoidable Cumulatively-Considerable Impact
Threshold b: Less-than-Significant Impact. The Project would be consistent with or otherwise would not conflict with, applicable regulations, policies, plans, and policy goals that would further reduce GHG emissions.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.8 Hazards and Hazardous Materials					
Summary of Impacts					
Threshold a and b: Less-than-Significant Impact. During Project construction and operation, mandatory compliance to federal, State, and local regulations would ensure that the proposed Project would not create a significant hazard to the environment due to routine transport, use, disposal, or upset of hazardous materials.	**MM 4.8-1** Prior to the issuance of any demolition permits, the Project Applicant shall provide evidence to the City that a pre-demolition survey for asbestos-containing materials (ACMs) and lead-based paint (LBP) has been conducted for each building to be demolished. If ACMs or LBP are detected, MM 4.8-2 shall be implemented.	Project Applicant	City of Moreno Valley Building and Safety Division	Prior to the issuance of any demolition permits	Less-than-Significant Impact
	MM 4.8-2 In the event that ACMs or LBP are detected during the pre-construction survey required by Mitigation Measure MM 4.8-1, the Project Applicant shall provide evidence to the City that all ACMs and LBP have been removed and disposed of according to	Project Applicant	City of Moreno Valley Building and Safety Division	In the event that ACMs or LBP are detected during the pre-construction survey required by Mitigation Measure MM 4.8-1	

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
	applicable laws and regulations, as outlined in "Steps to Lead Safe Removal, Renovation, and Disposal" (U.S. EPA-740- K-11-001) issued October 2011 (www.epa.gov/lead) for LBP and "Standards for Demolition and Removal" (40 CFR Section 61.145) under the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) (www.epa.gov/asbestos) for ACMs. **MM 4.8-3** In the event that any unidentified subsurface feature, oil, or chemical-stained concrete is discovered during grading or other ground-disturbing construction activity, all activity in the vicinity of the unidentified material shall be halted and a qualified hazardous materials professional shall be called to inspect the site and determine if further assessment is needed. The results of any testing shall be provided to the City. In the event that the material is determined not to be hazardous, no further action is required. In the event that the material is deemed hazardous, removal/remediation shall be conducted pursuant to applicable State Department of Toxic Substances Control (DTSC) or California Code of Regulations (CCR) Title 22 hazardous waste criteria or contamination standards for industrial land uses. This work must be carried out by a qualified hazardous materials professional hired by the Project Applicant. Prior to the completion of material removal, the Project Applicant shall submit evidence to the City for review and approval demonstrating that the hazardous material has been appropriately removed/remediated. This measure shall be implemented to the satisfaction of the City of Moreno Valley's Community Development Department.	Hazardous Materials Professional	City of Moreno Valley Building and Safety Division	In the event that any unidentified subsurface feature, or chemical-stained concrete is discovered during grading or other ground-disturbing construction activity	
Threshold c: Less-than-Significant Impact. The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Threshold d: No Impact. The Project site is not located on any list of hazardous materials sites complied pursuant to Government Code Section 65962.5.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold e: Less-than-Significant Impact. The Project would not result in an airport safety hazard for people residing or working in the Project area.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold f: Less-than-Significant Impact. The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold g: No Impact. The Project site is not located in close proximity to wildlands or areas with high fire hazards. Thus, the Project would not expose people or structures to a significant wildfire risk.	No mitigation is required.	N/A	N/A	N/A	No Impact
4.9 Hydrology and Water Quality					
Summary of Impacts					
Threshold a: Less-than-Significant Impact. The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Adherence to a SWPPP and WQMP is required as part of the Project's implementation to address construction- and operational-related water quality.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold b: Less-than-Significant Impact. The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the Perris North Groundwater Basin.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Threshold c: Less-than-Significant Impact. The Project Applicant would be required to comply with applicable water quality regulatory requirements to minimize erosion and siltation. Additionally, the Project would not result in flooding on- or off-site or impede/redirect flood flows. Lastly, the Project would not create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold d: No Impact. The Project site would not be subject to inundation from tsunamis, seiches, or other hazards.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold e: Less-than-Significant Impact. The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Land Use and Planning					
Summary of Impacts					
Threshold a: No Impact. The Project would not physically divide an established community.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold b: Less-than-Significant Impact. The Project's proposed General Plan Amendment would eliminate inconsistencies between the proposed land use and the site's existing General Plan land use designation. The Project would not result in significant land use and planning conflicts in the context of compliance with applicable environmental plans, policies, and regulations beyond those identified in other Subsections of this EIR.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.10 Noise					
Summary of Impacts					
Threshold a: Less-than-Significant Impact. The Project would generate short-term construction and long-term operational noise but would not generate noise levels during	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
construction and/or operation that exceed the standards established by the City of Moreno Valley General Plan or Municipal Code.					
Threshold b: Less-than-Significant Impact. The Project's construction and operational activities would not result in a perceptible groundborne vibration or noise.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold c: Less-than-Significant Impact. The Project site is not located within an area exposed to high levels of airport noise. As such, the Project would not expose people to excessive noise levels associated with a public airport or public use airport.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.11 Transportation					
Summary of Impacts					
Threshold a: Less-than-Significant Impact. The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system such that the Project would result in a significant impact on the environment. Although the Project would contribute to traffic congestion and hinder compliance with General Plan Circulation Element Policy 5.3 related to LOS criteria, SB 743 and the CEQA Guidelines stipulate that LOS is not to be used as a criteria for determining significant effects on the environment.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold b: Less-than-Significant Impact. The Project would not result in a significant VMT impact under the scenarios where the Project is operated as either a warehouse distribution/logistics use or an e-commerce/fulfillment use when all Project design features that would promote non-vehicular transportation and would reduce VMT from employee commutes are considered.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
Threshold c: Less-than-Significant Impact. No significant transportation safety hazards would be introduced as a result of the proposed Project.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold d: No Impact. Adequate emergency access would be provided to the Project site during construction and long-term operation. The Project would not result in inadequate emergency access to the site or surrounding properties.	No mitigation is required.	N/A	N/A	N/A	No Impact
4.12 Tribal Cultural Resources					
Summary of Impacts					
Threshold a: Significant Direct and Cumulatively-Considerable Impact. The Project site does not contain any recorded, significant tribal cultural resource sites; therefore, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources. Nonetheless, Project construction activities have the potential to unearth and adversely impact tribal cultural resources that may be buried or masked at the Project site.	MM 4.4-1 through 4.4-6 shall apply.	Refer to MM 4.4-1 through 4.4-6	Refer to MM 4.4-1 through 4.4-6	Refer to MM 4.4-1 through 4.4-6	Less-than-Significant Impact
4.13 Utilities and Service Systems					
Summary of Impacts					
Threshold a: Less-than-Significant Impact. The physical environmental effects associated with installing the Project's water, wastewater, stormwater drainage, and electric power infrastructure is evaluated throughout this EIR and no adverse impacts specific to the provision utilities services have been identified.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold b: Less-than-Significant Impact. EMWD is expected to have sufficient water supplies to service the Project. The Project	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

Table S-1 Mitigation Monitoring and Reporting Program

THRESHOLD	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE
would not exceed the EMWD's available supply of water during normal years, single-dry years, or multiple-dry years.					
Threshold c: Less-than-Significant Impact. EMWD would provide wastewater treatment services to the Project site via the Moreno Valley Regional Water Reclamation Facility, which would have adequate capacity to service the Project and no new or expanded facilities would be needed.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold d: Less-than-Significant Impact. There is adequate capacity available at the El Sobrante Landfill, Badlands Sanitary Landfill, and Lamb Canyon Sanitary Landfill to accept the Project's solid waste during both construction and long-term operation. The Project would not generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure to handle the waste.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold e: Less-than-Significant Impact. The Project would comply with all applicable federal, State, and local statutes and regulations related to the management and reduction of solid waste and pertaining to waste disposal, reduction, and recycling.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

1.0 INTRODUCTION

This Environmental Impact Report (EIR) is an informational document that represents the independent judgment of the City of Moreno Valley ("City"), acting as the Lead Agency pursuant to the California Environmental Quality Act (CEQA), and evaluates the physical environmental effects that could result from constructing and operating the proposed Moreno Valley Trade Center project (hereafter, the "Project"). To implement the Project, the Project Applicant has requested that the City approve a General Plan Amendment (PEN19-0191), Change of Zone (PEN19-0192), Plot Plan (PEN19-0193), and Tentative Parcel Map (PEN19-0234). This EIR also described other related discretionary and administrative actions that are required to construct and operate the Project.

When the term "Project" is used in this EIR, it shall mean all aspects of the planning, construction, and operation of Moreno Valley Trade Center, including all discretionary and administrative approvals and permits required for the Project. When the term "Project Applicant" is used, it shall mean Moreno Valley TC, Inc., which is the entity that submitted applications for the Project as proposed and as evaluated in this EIR.

1.1 TYPE OF EIR

As the first step in the CEQA compliance process, the City prepared an Initial Study pursuant to CEQA Guidelines Section 15063. The Initial Study revealed that the Project has the *potential* to cause or contribute to significant environmental effects, and a Project EIR, as defined by CEQA Guidelines Section 15161, would be required. Accordingly, this document serves as a Project EIR.

Pursuant to CEQA Guidelines Section 15161, this Project EIR shall "…focus primarily on the changes in the environment that would result from the development project," and "…examine all phases of the project including planning, construction, and operation." Also, pursuant to CEQA Guidelines Section 15121(a), the purposes of this EIR are to: (1) disclose information by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project; (2) identify possible ways to minimize or avoid those significant effects; and (3) describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.

1.2 LIST OF PROJECT APPROVALS

The Project Applicant proposes to develop one light industrial building on an approximately 72.7 net-acre property ("Project site")[1]. The site is located south of Eucalyptus Avenue, west of Redlands Boulevard, and north of Encelia Avenue in the City of Moreno Valley, Riverside County, California. The Project requires demolition of an existing ornamental plant nursery and associated structures (i.e., one office building, shade and storage structures), three residential buildings with associated garages, storage sheds, and one swimming pool. The Project will also require subsequent construction and operation of a building with up to 1,328,853

[1] The Project site comprises approximately 80 acres (gross), inclusive of property proposed to be dedicated to the City of Moreno Valley as public right-of-way for Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue as well as existing public right-of-way for Quincy Street proposed to be vacated.

square feet (s.f.) of interior floor area. The Project's design also includes the installation of associated site improvements, including drive aisles, landscaping, utility infrastructure, water quality basins, exterior lighting, walls/fencing, and signage as well as street improvements to the segments of Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue that front the Project site.

The Project Applicant has filed applications for the following discretionary actions for the City's consideration:

- **General Plan Amendment (PEN19-0191)** proposes to 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)."
- **Change of Zone (PEN19-0192)** proposes to 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."
- **Plot Plan (PEN19-0193)** proposes a site, architecture, and landscape development plan for the Project site that provides for the construction and operation of a light industrial building with 1,328,853 s.f. of building floor area, inclusive of warehouse/storage space and supporting office space.
- **Tentative Parcel Map (PEN19-0234)** proposes to consolidate all 11 parcels of the Project site into one parcel of approximately 72.5 net acres. In addition, Tentative Parcel Map (PEN19-0234) includes the dedication of public right-of-way (ROW) to the City of Moreno Valley for Redlands Boulevard, Encelia Avenue, and Eucalyptus Avenue. Tentative Parcel Map (PEN19-0234) also would result in the vacation of public ROW for Redlands Boulevard that is no longer needed by the City and will result in the vacation of an on-site paper street (unimproved) segment of Quincy Street.

The Project components listed above are more fully described in detail in EIR Section 3.0, *Project Description*.

1.3 STATEMENT OF LEGAL AUTHORITY

This EIR has been prepared in accordance with all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 *et seq.*).

Pursuant to Public Resources Code Section 21067 and CEQA Guidelines Article 4 and Section 15367, the City of Moreno Valley is the Lead Agency under whose authority this EIR has been prepared. "Lead Agency" refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the Lead Agency and before taking action to approve the Project, the City has the obligation to: (1) ensure that this EIR has been completed in accordance with CEQA and the CEQA Guidelines; (2) review and consider the information contained in this EIR as part of its decision making process; (3) make a statement that this EIR reflects the City's independent judgment; (4) ensure that all significant effects on the environment are eliminated or substantially lessened where feasible; and, if necessary (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or project

alternatives identified in this EIR are not feasible and citing the specific benefits of the Project that outweigh its unavoidable adverse effects (CEQA Guidelines Section 15090 through 15093).

Pursuant to CEQA Guidelines Sections 15040 through 15043, and upon completion of the CEQA review process, the City will have the legal authority under CEQA – and in conjunction with discretionary powers granted to the City by other laws –to do any of the following:

- Approve the Project;
- Require feasible changes in any or all activities involved in the Project in order to substantially lessen or avoid significant effects on the environment;
- Deny the Project in order to avoid one or more significant effects on the environment that would occur if the Project was approved as proposed[2]; or
- Approve the Project even through the Project would cause a significant effect on the environment if the City makes a fully informed and publicly disclosed decision that: 1) there is no feasible way to lessen the effect or avoid the significant effect; and 2) expected benefits from the Project will outweigh significant environmental impacts of the Project.

This EIR fulfills the CEQA environmental review requirements for the proposed General Plan Amendment (PEN19-0191), Change of Zone (PEN19-0192), Plot Plan (PEN19-0193), Tentative Parcel Map (PEN19-0234), and all other governmental discretionary and administrative actions related to the Project.

1.4 RESPONSIBLE AND TRUSTEE AGENCIES

Public Resources Code Section 21104 requires that all EIRs be reviewed by responsible and trustee agencies (see also CEQA Guidelines Sections 15082 and 15086(a)). As defined by CEQA Guidelines Section 15381, "the term 'Responsible Agency' includes all public agencies other than the Lead Agency that have discretionary approval power over the project." A "Trustee Agency" is defined in CEQA Guidelines Section 15386 as "a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California."

- Santa Ana Regional Water Quality Control Board (RWQCB) is identified as a Trustee Agency for the Project because it is responsible for the protection of California's water resources and water quality. The Santa Ana RWQCB is responsible for issuance of a National Pollutant Discharge Elimination System (NPDES) Permit to ensure that during and after Project construction, on-site water flows do not result in siltation, other erosional actions, or degradation of surface or subsurface water quality. The Santa Ana RWQCB would also be responsible for issuing a permit allowing the disturbance of on-site non-wetland waters (roadside drainage ditches) to implement the Project.

[2] The State Constitution grants the City of Moreno Valley broad discretionary powers to consider the City's "general welfare" (i.e., preservation of the public peace, safety, morals, and/or health) when making decisions to approve or disapprove a project, in addition to the environmental considerations under Sections 15040 through 15043 of the CEQA Guidelines,

- California Department of Fish and Wildlife (CDFW) is a Trustee Agency for the Project because it is responsible for considering any permits that would allow the disturbance of on-site non-wetland waters (i.e., roadside drainage ditches) that are necessary to implement the Project.
- Riverside County Department of Environmental Health is identified as a Responsible Agency in regards to the proposed removal of existing water wells on the Project site.

There are no other known Trustee Agencies or Responsible Agencies identified for the Project. Regardless, this EIR can be used by any Trustee Agency or Responsible Agency, whether identified in this EIR or not, as part of their decision-making processes in relation to the Project.

1.5 SCOPE OF THE EIR

1.5.1 EIR SCOPE

The City filed a Notice of Preparation (NOP) with the State Clearinghouse of the California Office of Planning and Research. Pursuant to CEQA Guidelines Section 15082(d), when a state agency is a state agency is a Responsible Agency or a Trustee Agency, the Lead Agency must send a copy of a NOP to the State Clearinghouse which then has responsibility for ensuring that the State Responsible and Trustee Agencies reply to the Lead Agency within the required time. The NOP was filed with the State Clearinghouse and distributed to potential Responsible Agencies, Trustee Agencies, and other interested parties on March 16, 2020, for a 30-day public review period. The NOP was distributed for public review to solicit responses that would help the City identify the full scope and range of potential environmental concerns associated with the Project so that these issues could be fully examined in this EIR.

In addition, a publicly-noticed EIR Scoping Meeting was held on April 8, 2020. Due to the COVID-19 State of Emergency, pursuant to Executive Order N-29-20, the City hosted the EIR Scoping Meeting via an internet-based video and phone conferencing service. The EIR Scoping Meeting provided public agencies, interested parties, and members of the general public an additional opportunity to learn about the Project, the CEQA review process, and how to submit comments on the scope and range of potential environmental concerns be addressed in this EIR.

The NOP, public review distribution list, and written comments received by the City during the NOP public review period are provided in *Technical Appendix A* to this EIR. Substantive issues raised in response to the NOP and during the Scoping Meeting are summarized below in Table 1-1, *Summary of NOP and Scoping Meeting Comments*. The purpose of Table 1-1 is to present a summary of the environmental topics that were identified by public agencies, interested parties, and members of the general public to be of primary interest. Table 1-1 does not list every comment received by the City during the NOP review period. Regardless of whether or not an environmental or CEQA-related comment is listed in Table 1-1, all relevant comments received in response to the NOP and the EIR Scoping Meeting are addressed in this EIR.

Table 1-1 Summary of NOP and Scoping Meeting Comments

Environmental Topic	Comment	Location in EIR Where Comment is Addressed
Aesthetics	- Request that the EIR include an evaluation of the Project's potential to adversely affect views from adjacent residential neighborhood as well as the potential for the Project to introduce substantial, adverse lighting and glare to the surrounding neighborhood.	- Subsection 4.1, *Aesthetics*
Agriculture	- Request that the EIR address the Project's potential effect to local agriculture.	- Subsection 5.0, *Other CEQA Considerations*
Air Quality	- Recommendation to use the SCAQMD's CEQA Air Quality Handbook (1993) when preparing the Project's air quality analysis. - Recommendation to use the CalEEMod land use emissions software when preparing the Project's air quality analysis. - Request to identify any potential adverse air quality impacts that could occur from all phases of the Project (including construction and operation) and all air pollutant sources related to the Project. - Request to quantify criteria pollutant emissions and compare the results to applicable SCAQMD regional and localized significance thresholds (LSTs). - Request that the EIR disclose the potential for the Project to result in adverse health effects related to diesel emissions, particularly to sensitive receptors. - Request that the Project incorporate design/mitigation measures to reduce any significant air pollutant emissions. - Request that the City ensures that the Project does not adversely impact neighboring disadvantaged communities. - Request that the EIR explicitly states whether the Project would include cold storage, and if so, to include design measures in the EIR specific to this use. - Request that the Project's individual and cumulatively-considerable air quality and greenhouse gas impacts and associated public health effects be analyzed. - Request that Project-related trucks are prohibited on Encelia Avenue and are prohibited to park or idle on roadways.	Subsection 4.2, *Air Quality*, and Subsection 4.7, *Greenhouse Gas Emissions*
Biological Resources	- Request that the Project's potential impacts to sensitive species and their habitat be thoroughly addressed in the EIR.	Subsection 4.3, *Biological Resources*
Energy	- Request that the Project incorporate design/mitigation measures to promote energy efficiency.	Subsection, 4.5, *Energy*
Hazards and Hazardous Materials	- Request that the EIR disclose any existing site hazards that could affect nearby sensitive receptors and also disclose any potential effects related to hazardous materials use/storage that could result from operation of the Project.	Subsection 4.8, *Hazards and Hazardous Materials*
Hydrology and Water Quality	- Request that the EIR evaluate potential effects related to water toxins and provide mitigation measures to address any adverse effects (if identified). - Request that the EIR addresses whether the Project would upgrade local storm drain infrastructure.	Section 3.0, *Project Description*, and Subsection 4.9, *Hydrology and Water Quality*

Table 1-1 Summary of NOP and Scoping Meeting Comments

Environmental Topic	Comment	Location in EIR Where Comment is Addressed
Land Use and Planning	- Request the EIR address potential effects related to the Project's compatibility with surrounding land uses. - Request that the EIR address the Project's effect on the local housing supply. - Request that the EIR evaluate the Project's consistency with local and regional land use plans, including the SCAG's *2016-2040 Regional Transportation Plan (RTP)*.	Subsection 4.10, *Land Use and Planning*, and Subsection 5.0, *Other CEQA Considerations*
Noise	- Request that the EIR disclose potential Project-related noise impacts to sensitive receptors.	Subsection 4.11, *Noise*
Transportation	- Request that the EIR address whether the Project would be responsible for the expansion of the freeway overpass bridge at Moreno Beach Drive and Redlands Boulevard. - Request that the EIR address whether the Project would be responsible for the cost of the expansion of Encelia Avenue at the intersection of Encelia Avenue and Redlands Boulevard. - Request that the Project's traffic study be based on the most current modeling data from SCAQMD.	Subsection 4.12, *Transportation*
Tribal Cultural Resources	- Request for the Rincon Band of Luiseño Indians and Pechanga Band of Luiseño Indians to be fully notified and involved in the CEQA environmental review process.	Subsection 4.13, *Tribal Cultural Resources*

In light of the comments received by the City in response to the NOP and the EIR Scoping Meeting, this EIR provides a detailed analysis of the Project's potential to cause adverse effects under the following topic areas:

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

The analysis related to the above topics is provided in EIR Section 4.0, *Environmental Analysis*.

Based on the analysis provided in the Initial Study prepared for the Project (see *Technical Appendix A*), the City concluded that the Project would clearly result in (1) no impacts or (2) less-than-significant to several environmental topic areas, including: agriculture and forestry resources, mineral resources, population and housing, public services, recreation, and wildfire. Potential effects to these topic areas are summarized in EIR Section 5.0, *Other CEQA Considerations.*

1.5.2 EIR Format and Content

This EIR contains all of the information required to be included in an EIR as specified by CEQA (California Public Resources Code, Section 21000 *et. seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 5). CEQA requires that an EIR contain, at a minimum, certain specified content. Table 1-2, *Location of CEQA Required Topics*, provides a quick reference guide for locating the CEQA-required sections within this document.

Table 1-2 Location of CEQA Required Topics

CEQA Required Topic	CEQA Guidelines Reference	Location in this EIR
Table of Contents	§ 15122	Table of Contents
Summary	§ 15123	Section S.0
Project Description	§ 15124	Section 3.0
Environmental Setting	§ 15125	Section 2.0
Consideration and Discussion of Environmental Impacts	§ 15126	Section 4.0
Significant Environmental Effects Which Cannot be Avoided if the Project is Implemented	§ 15126.2(c)	Section 4.0 & Subsection 5.1
Significant Irreversible Environmental Changes Which Would be Caused by the Project Should it be Implemented	§ 15126.2(d)	Subsection 5.2
Growth-Inducing Impact of the Project	§ 15126.2(e)	Subsection 5.3
Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects	§ 15126.4	Section 4.0 & Table S-1
Consideration and Discussion of Alternatives to the Project	§ 15126.6	Section 6.0
Effects Not Found to be Significant	§ 15128	Subsection 5.4
Organizations and Persons Consulted	§ 15129	Section 7.0 & Technical Appendices
Discussion of Cumulative Impacts	§ 15130	Section 4.0
Energy Conservation	§ 15126.2(b) & Appendix F	Subsection 4.5

In summary, the content and format of this EIR are as follows:

- **Section S.0, Executive Summary** provides an overview of the EIR and CEQA process and provides a brief Project Description, which includes references to its objectives, the location and regional setting of the Project site and potential alternatives to the Project as required by CEQA. The Executive Summary also provides a summary of the Project's impacts, mitigation measures, and conclusions, in a table that forms the basis of the Project's Mitigation, Monitoring, and Reporting Program (MMRP).
- **Section 1.0, Introduction** provides introductory information about the CEQA process and the responsibilities of the City in its role as Lead Agency, a brief Project Description, the purpose of the EIR, and an overview of the EIR's format.

- **Section 2.0, Environmental Setting** describes the environmental setting, including descriptions of the Project site's physical conditions and surrounding context used as the baseline for analysis in the EIR.

- **Section 3.0, Project Description**, pursuant to CEQA Guidelines Section 15124, includes a detailed Project Description that identifies the precise location and boundaries of the Project, a map showing the Project's location in a regional perspective, a statement of the Project's objectives, a general description of the Project's technical, economic, and environmental characteristics, and a statement describing the intended uses of the EIR, including a list of agencies expected to use the EIR, and a list of approvals for which the EIR will be used. The purpose of the detailed Project Description is to identify the Project's main features and other information needed for an assessment of the Project's environmental impacts.

- **Section 4.0, Environmental Analysis** provides an analysis of potential direct, indirect, and cumulative impacts that may occur with implementation of the Project. A determination concerning the significance of each impact is addressed and mitigation measures are presented when warranted. The environmental changes identified in Section 4.0 and throughout this EIR are referred to as "effects" or "impacts" interchangeably. CEQA Guidelines Section 15358 describe the terms "effects" and "impacts" as being synonymous.

  In each subsection of Section 4.0, the existing conditions pertaining to the subject area being analyzed are discussed accompanied by a specific analysis of physical impacts that may be caused by implementing the Project. Impacts are evaluated on a direct, indirect, and cumulative basis. Direct impacts are those that would occur directly as a result of the Project. Indirect impacts represent secondary effects that would result from Project implementation. Cumulative effects are defined in CEQA Guidelines Section 15355 as "…two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts."

  The analyses in Section 4.0 are based in part upon technical reports that are included in this EIR. Information also is drawn from other sources of analytical materials that directly or indirectly relate to the Project and are cited in Section 7.0, *References*.

  Where the analysis identifies a significant environmental effect, feasible mitigation measures are recommended. Pursuant to CEQA and the CEQA Guidelines, an EIR must propose and describe mitigation measures to minimize the significant environmental effects identified in the EIR. The requirement that EIRs identify mitigation measures implements CEQA's policy that Lead Agencies adopt feasible measures when approving a project to reduce or avoid its significant environmental effects. Per Public Resources Code Section 21081.6 and CEQA Guidelines Section 15126.4, mitigation measures must be enforceable through conditions of approval, contracts or other means that are legally binding. Pursuant to Public Resources Code Section 21081.6, incorporating mitigation measures into conditions of approval is sufficient to demonstrate that the measures are enforceable. This requirement is designed to ensure that mitigation measures will actually be implemented, not merely adopted and then ignored. In light of the foregoing, the identified mitigation measures are analyzed to determine whether they would effectively reduce or avoid any

significant environmental effects. In most cases, implementation of the mitigation measures would reduce an identified significant environmental effect to below a level of significance. If mitigation measures are not available or feasible to reduce an identified impact to below a level of significance, the environmental effect is identified as a significant and unavoidable adverse impact, for which a Statement of Overriding Considerations would need to be adopted by the Lead Agency pursuant to CEQA Guidelines Section 15093.

- **Section 5.0, Other CEQA Considerations** includes specific topics that are required by CEQA. These include a summary of the Project's significant and unavoidable environmental effects, a discussion of the significant and irreversible environmental changes that would occur should the Project be implemented, as well as potential growth-inducing impacts of the Project. Section 5.0 also includes a discussion of the potential environmental effects that were found not to be significant during preparation of this EIR.
- **Section 6.0, Project Alternatives** describes and evaluates alternatives to the Project that could reduce or avoid the Project's adverse environmental effects. CEQA does not require an EIR to consider every conceivable alternative to the Project but rather to consider a reasonable range of alternatives, including a "No Project" alternative, that will foster informed decision making and public participation.
- **Section 7.0, References** cites all reference sources used in preparing this EIR and lists the agencies and persons that were consulted in preparing this EIR. Section 7.0 also lists the persons who authored or participated in preparing this EIR.

1.6 INCORPORATION BY REFERENCE

CEQA Guidelines Section 15147 states that the "information contained in an EIR shall include summarized…information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public," and that the "[p]lacement of highly technical and specialized analysis and data in the body of an EIR shall be avoided through the inclusion of supporting information and analyses as appendices to the main body of the EIR." CEQA Guidelines Section 15150 allows for the incorporation "by reference all or portions of another document… [and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand." The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of an EIR. Where this EIR incorporates a document by reference, the document is identified in the body of the EIR, citing the appropriate section(s) of the incorporated document and describing the relationship between the incorporated part of the referenced document and this EIR. Refer to EIR Section 7.0, *References*, for a list of documents incorporated into this EIR by reference.

This EIR also relies on a number of Project-specific technical appendices that are bound separately as Technical Appendices. The Technical Appendices are available for review at the City of Moreno Valley Community Development Department Planning Division, 14177 Frederick Street, Moreno Valley, California, 92552, during the City's regular business hours or can be accessed on the City's website at http://www.moval.org/cdd/documents/about-projects.html. The individual technical studies, reports, and supporting documentation that comprise the Technical Appendices are as follows:

A: Initial Study, Notice of Preparation, and Written Comments on the NOP
B1: Air Quality Impact Analysis – Warehouse Use
B2: Air Quality Impact Analysis – E-Commerce Use
B3: Health Risk Assessment – Warehouse Use
B4: Health Risk Assessment – E-Commerce Use
C1: Biological Technical Report
C2: Jurisdictional Delineation
C3: Determination of Biologically Equivalent or Superior Preservation
D: Cultural Resources Report
E1: Energy Analysis – Warehouse Use
E2: Energy Analysis – E-Commerce Use
F: Geotechnical Report
G: Paleontological Resource Assessment
H1: Greenhouse Gas Emissions Analysis – Warehouse Use
H2: Greenhouse Gas Emissions Analysis – E-Commerce Use
I: Phase I Environmental Site Assessment
J1: Hydrology Report – Warehouse Use
J2: Preliminary Water Quality Management Plan – Warehouse Use
J3: Hydrology Report – E-Commerce Use
J4: Preliminary Water Quality Management Plan – E-Commerce Use
J5: Supplemental Hydrology Analysis
K1: Noise Impact Analysis – Warehouse Use
K2: Noise Impact Analysis – E-Commerce Use
L1: Traffic Impact Analysis – Warehouse Use
L2: Traffic Impact Analysis – E-Commerce Use
L3: Trip Generation Comparison – Warehouse Use
L4: Trip Generation Comparison – E-Commerce Use
M: Water Supply Assessment

Other reference sources that are incorporated into this EIR by reference are listed in Section 7.0, *References*, of this EIR. In most cases, documents or websites not included in the EIR's Technical Appendices are cited by a link to the online location where the document/website can be viewed. References relied upon by this EIR will be available for public review at the City of Moreno Valley Community Development Department Planning Division, 14177 Frederick Street, Moreno Valley, California, 92552.

2.0 Environmental Setting

2.1 Regional Setting and Location

The Project site is located in the City of Moreno Valley, which is located in western Riverside County, California. The City of Moreno Valley is situated north of the City of Perris, northwest of the City of Hemet, west of the City of Beaumont, east of the City of Riverside, and northeast of the unincorporated communities of Mead Valley and Woodcrest. The Project site is located approximately 0.4-mile southwest of the Redlands Boulevard on/off-ramp and approximately 0.9-mile southeast of the Moreno Beach Drive on/off-ramp to State Route 60 (SR-60) and approximately 7.3 miles east of Interstate 215 (I-215). The site's location and regional context are shown on Figure 3-1, *Regional Map*, in EIR Section 3.0, *Project Description*.

The Project site is located in an urbanized area of southern California commonly referred to as the "Inland Empire." The Inland Empire is an approximate 28,000 square mile region comprising Riverside County, San Bernardino County, and the eastern tip of Los Angeles County. According to U.S. Census data, the 2019 population of Riverside County was 2,470,546 (USCB, 2019). The Southern California Association of Governments (SCAG) forecast models predict that the population of Riverside County will grow to approximately 3.25 million persons by the year 2045 (SCAG, 2020c).

2.2 Local Setting and Location

The Project site is located immediately south of Eucalyptus Avenue, immediately west of Redlands Boulevard, immediately north of Encelia Avenue, and immediately east of the Quincy Channel as illustrated on Figure 3-2, *Vicinity Map*, and Figure 3-3, *USGS Topographic Map*.

2.3 Surrounding Land Uses

Existing land uses in the immediate vicinity of the Project site are illustrated on Figure 2-1, *Surrounding Land Uses*, and are described below.

- North: Eucalyptus Avenue abuts the Project site on the north. North of Eucalyptus Avenue is a warehouse distribution center (Aldi Distribution Center) and vacant, undeveloped land. The area north of the Project site is designated for "Business Park/Light Industrial" and "Commercial" land uses by the City of Moreno Valley General Plan and zoned "Light Industrial (LI) District" and "Community Commercial (CC) District."

- South: Encelia Avenue abuts the Project site on the south. South of Encelia Avenue is a residential community and vacant, undeveloped land. The area south of the Project site is designated by the General Plan for "Residential 2" land uses and is zoned "Residential Agriculture 2 (RA2) District" with the "Primary Animal Keeping Overlay (PAKO)."

- West: Immediately west of the Project site is a meandering dirt channel (Quincy Channel). Further west is vacant, undeveloped land. The areas west of the Project site are designated by the General Plan

for "Residential 2" and "Residential 5" land uses and are zoned "RA2 District" and "Residential 5 (R5) District;" both zoning classifications carry the "PAKO" designation.

- East: Immediately east of the Project site is Redlands Boulevard. Farther east (beyond Redlands Boulevard) is vacant, undeveloped land that designated by the General Plan for "Business Park/Light Industrial" land uses. This land is within the approved World Logistics Center Specific Plan and is planned for industrial uses.

2.4 PLANNING CONTEXT

2.4.1 CITY OF MORENO VALLEY GENERAL PLAN

The City of Moreno Valley's prevailing planning document is its General Plan, dated July 2006. As depicted on Figure 2-2, *Existing General Plan Land Use Map*, the City's General Plan designates the Project site for "Residential: Max 2 du/ac (R2)" land uses. The "R2" land use designation is intended to provide for suburban lifestyles on residential lots larger than commonly available in suburban subdivisions and to provide a rural atmosphere (Moreno Valley, 2006, p. 9-3). The maximum allowable density for "R2" land uses is 2.0 dwelling units per acre (du/ac) (ibid.). At the time this EIR was prepared, the City of Moreno Valley had initiated a General Plan Update process, but the General Plan Update was not adopted (and a draft of the General Plan Update had yet to be made available to the public) and the 2006 General Plan is the applicable General Plan.

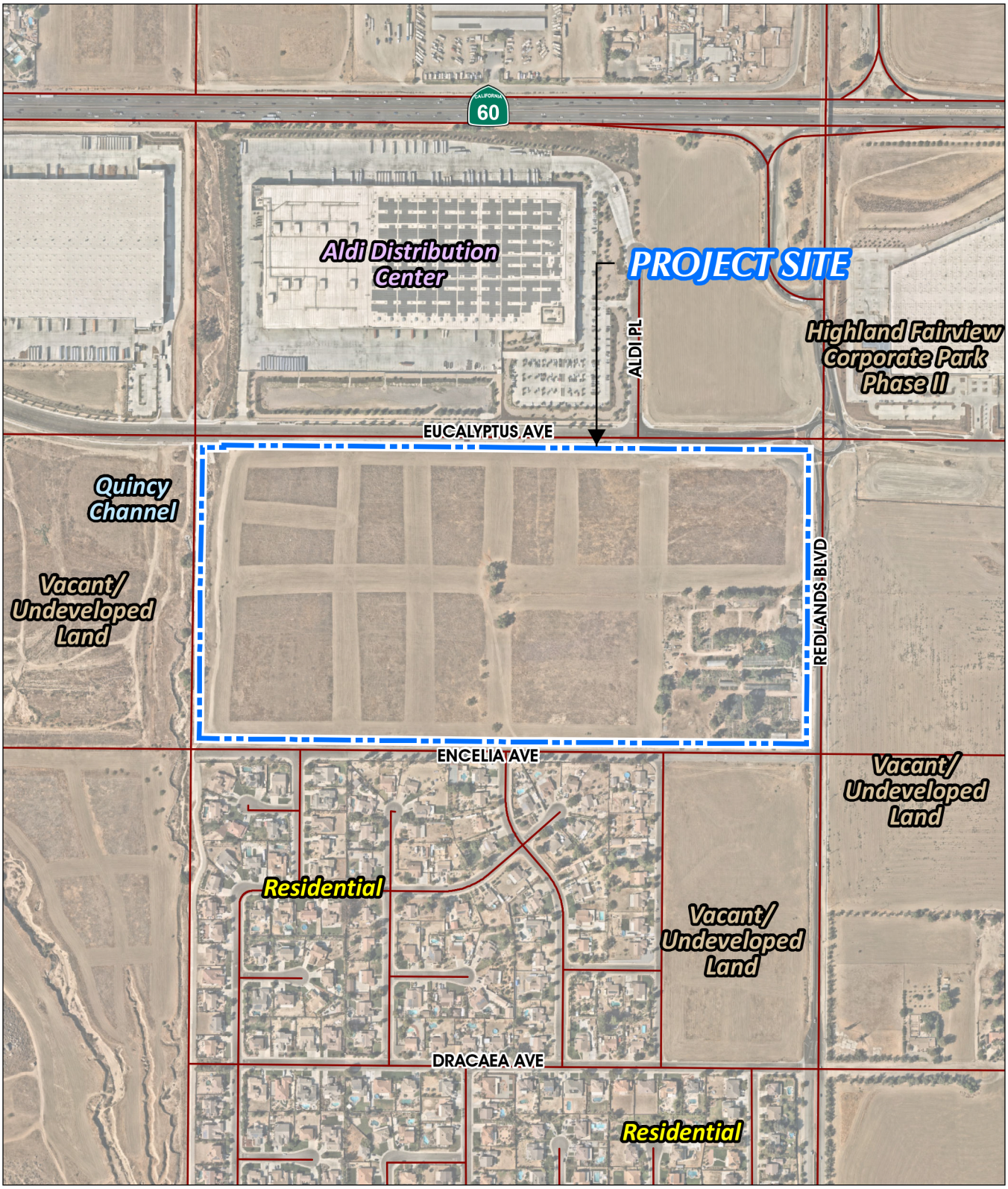
2.4.2 ZONING

As shown on Figure 2-3, *Existing Zoning*, the City of Moreno Valley Zoning Map applies the "Residential Agriculture (RA2) District" zoning classification to the entire Project site. According to the City of Moreno Valley Municipal Code, the primary purpose of the "RA2" zoning district is to provide for suburban lifestyles 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 (Moreno Valley, 2018, § 9.03.020.E). This district is intended as an area for development of large lot, single-family residential development at a maximum allowable density of two dwelling units (DU) per net acre (ibid.).

The City of Moreno Valley's Zoning Ordinance also applies the "Primary Animal Keeping Overlay (PAKO)" zoning overlay to the Project site. The PAKO is intended to maintain animal keeping and the rural character of the area noted within the overlay district and designates a portion of the parcel for medium and large animal keeping. Any proposed development within the PAKO must comply with City Zoning Ordinance Section 9.07.080, *Primary Animal Keeping Overlay (PAKO)* (ibid.).

2.4.3 SCAG REGIONAL TRANSPORTATION PLAN / SUSTAINABLE COMMUNITIES STRATEGY

The Southern California Association of Governments (SCAG) is a Joint Powers Authority (JPA) under California State law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO) and under State law as a Regional Transportation Planning Agency and a Council of

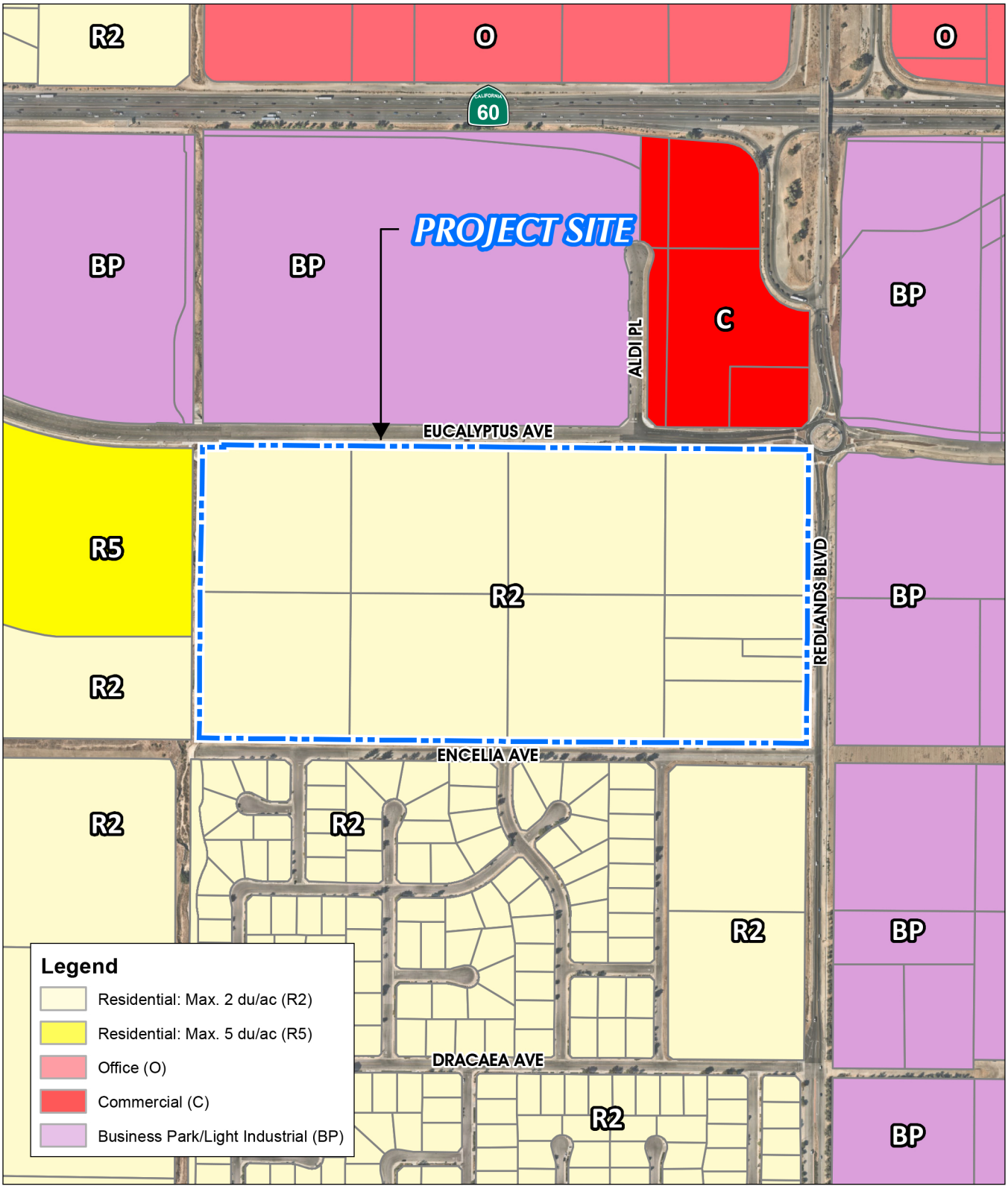


Source(s):ESRI, Nearmap Imagery (2019), RCTLMA (2019)

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Figure 2-1

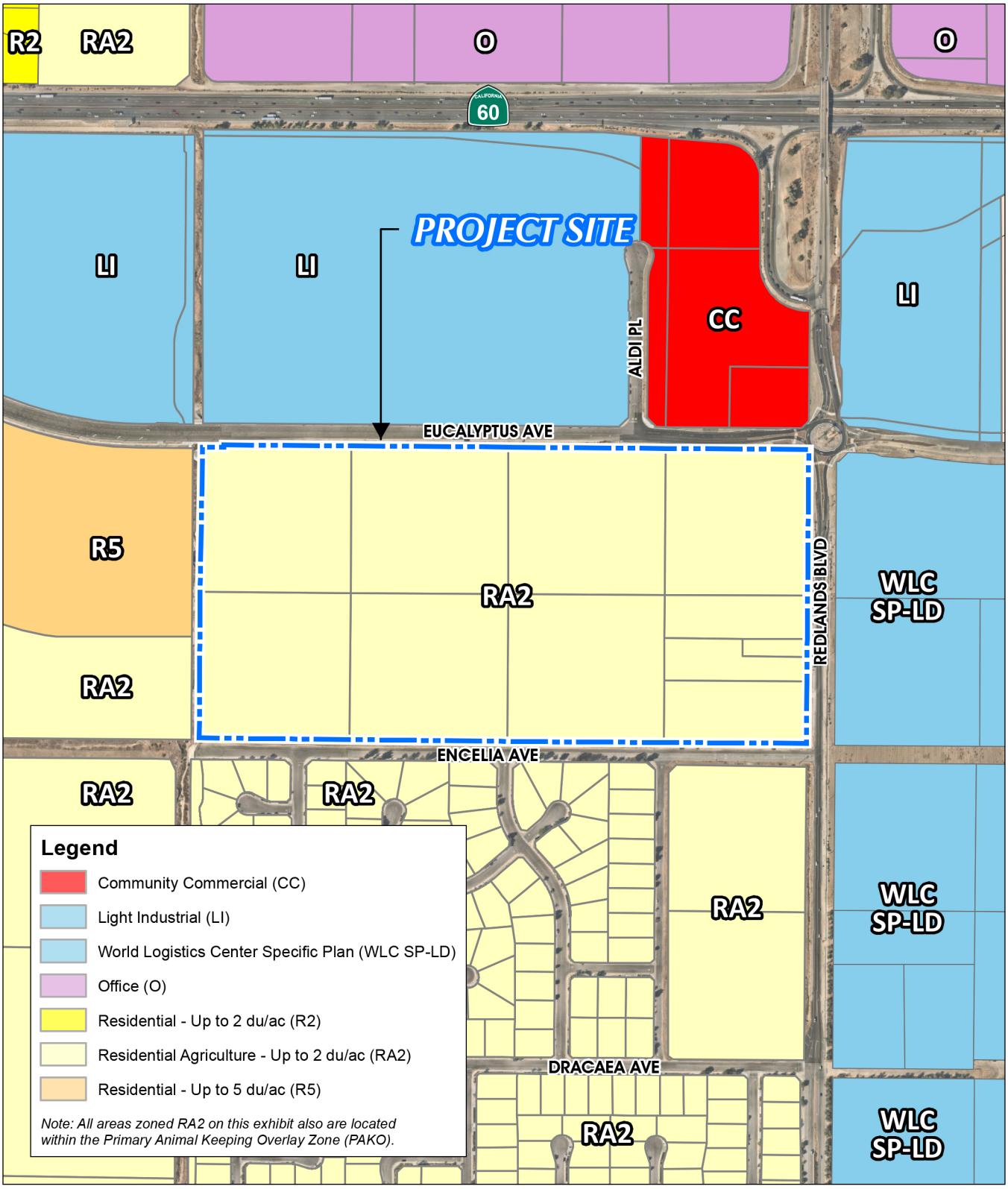
Surrounding Land Uses



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

Figure 2-2

Existing General Plan Land Use Map



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

0 150 300 600 Feet

Figure 2-3

Existing Zoning

Governments (SCAG, 2020a). The SCAG region encompasses six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura) and 191 cities in an area covering more than 38,000 square miles (ibid.). SCAG develops long-range regional transportation plans including sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations and other plans for the region (ibid.).

SCAG's *2020-2045 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS)* develops long-range regional transportation plans including a sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations and other plans for the region. The *RTP/SCS* provides objectives for meeting air pollution emissions reduction targets set forth by the California Air Resources Board (CARB); these objectives were provided in direct response to Senate Bill 375 (SB 375) which was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. The Subregional Sustainable Communities Strategies identifies the Project site as being located in an area with a "Standard Suburban" land use pattern, which is defined as auto-oriented development with a minimal mix of land uses (SCAG, 2020, p. 45).

2.5 Existing Physical Site Conditions

CEQA Guidelines Section 15125(a)(1), recommends that the physical environmental condition that existed at the time an EIR's NOP is released for public review normally be used as the comparative baseline for the EIR analysis. The NOP for this EIR was released for public review on March 16, 2020, and the following pages include a description of the Project site's physical environmental condition ("existing conditions") as of that approximate date. More information regarding the Project's site's environmental setting is provided in the specific subsections of EIR Section 4.0, *Environmental Analysis*.

2.5.1 Land Use

Under existing conditions, the Project site is mainly vacant and undeveloped, except for an approximately 8.5-acre active plant nursery (Adam Hall's Plant Nursery) with associated structures (i.e., an office building, shade and storage structures), three residential buildings with associated garages and storage sheds and one swimming pool/hot tub located at the southeast corner of the Project site. All three of these residential buildings are occupied under existing conditions. A natural meandering dirt channel (Quincy Channel) is located along the western Project site boundary and enters the Project site from the northwest through a culvert and flows in a southerly direction for 1,487 linear feet before continuing off-site past Encelia Avenue. Two dry, isolated drainage ditches that were constructed in and drain wholly upland areas also are located abutting the northern and eastern Project site boundary.

Pursuant to CEQA Guidelines Section 15125(d), the environmental setting should identify any inconsistencies between a proposed project and applicable general, specific, or regional plans. The Project Applicant proposes to develop the Project site with a large light industrial building containing warehouse/storage space and supporting office space. The Project Applicant's proposal is not consistent with the Project site's existing General Plan land use and zoning designations of "R2" and "RA2 and PAKO," respectively, and would necessitate changing the land use and zoning designations applied to the property to "Business Park/Light

Industrial" and "Industrial," respectively. The principal discretionary actions required of the City of Moreno Valley to implement the Project are described in detail in EIR Section 3.0, *Project Description*. The potential environmental effects associated with the Project's inconsistency with existing land use designations are evaluated in Section 4.0, *Environmental Analysis*, of this EIR.

2.5.2 Aesthetics and Topographic Features

The Project site slopes gently from northwest to southeast and is perceived to be moderately flat; the site's high point is approximately 1,755 feet above mean sea level (amsl) in the northwestern portion of the site and its low point as approximately 1,704 amsl in the southeastern portion of the Project site (Google Earth Pro, 2020). Figure 3-3, *USGS Topographic Map*, in EIR Section 3.0, *Project Description*, depicts the Project site's existing topographic conditions. Ornamental landscaping surrounds the three residences on the Project site and the remaining undeveloped area consists of ruderal/weedy vegetation and grassland. There are no rock outcroppings or other unique topographic or aesthetic features present on the property.

2.5.3 Air Quality and Climate

The Project site is located in the 6,745-square-mile South Coast Air Basin (SCAB), which includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. The SCAB is bound by the Pacific Ocean to the west and the San Gabriel, San Bernardino, the San Jacinto Mountains to the north and east, and San Diego County to the south. The SCAB is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD), the agency charged with bringing air quality in the SCAB into conformity with federal and State air quality standards. Although the climate of the SCAB is characterized as semi-arid, the air near the land surface is quite moist on most days because of the presence of a marine layer. More than 90% of the SCAB's rainfall occurs from November through April. Temperatures during the year range from an average minimum of 36°F in January to over 100°F maximum in the summer. During the late autumn to early spring rainy season, the SCAB is subjected to wind flows associated with the traveling storms moving through the region from the northwest. This period also brings five to ten periods of strong, dry offshore winds, locally termed "Santa Ana(s)" each year.

At the regional level, air quality in the SCAB has improved over the past several decades; however, the SCAB is currently not in attainment of State and/or federal standards established for Ozone (O_3; one-hour and eight-hour), particulate matter (PM_{10} (State standard only) and $PM_{2.5}$), and Lead (only in Los Angeles County) (Urban Crossroads, 2020a, p. 23; Urban Crossroads, 2020b, p. 23). No areas of the SCAB exceeded federal or State standards for nitrogen dioxide (NO_2), sulfur dioxide (SO_2), carbon monoxide (CO), or sulfates (ibid.).

Refer to EIR Subsections 4.2, *Air Quality*, and 4.7, *Greenhouse Gas Emissions*, for a more detailed discussion of the existing air quality and climate setting in the Project area.

2.5.4 Cultural Resources & Tribal Cultural Resources

The Project site is located in an area that was historically used for agriculture purposes. The Project site contains two historic-period resources associated with the agricultural history of the area: the remnants of a residential complex and the Adam Hall Plant Nursery. Neither of these resources, however, meet the definition of a historically significant resource (Rincon, 2019a, pp. 29-36).

The Project site is located in the traditional tribal use areas of the Pechanga Band of Luiseño Indians, Rincon Band of Luiseño Indians and the Morongo Band of Mission Indians. No prehistoric resource sites or isolates were identified on the Project site during a field survey conducted by a professional archaeologist and, based on archaeological records from the South Central Coastal Information Center (SCCIC) at University of California, Riverside, no prehistoric artifacts have been previously recorded on the Project site (Rincon, 2019a, pp. 19, 36).

2.5.5 GEOLOGY

Regionally, the Project site is located in the Peninsular Ranges geomorphic province, a prominent natural geomorphic province that extends from the Santa Monica Mountains approximately 900 miles south to the tip of Baja California, Mexico, and is bounded to the east by the Colorado Desert. The Peninsular Ranges province is composed of plutonic and metamorphic rock, lesser amounts of Tertiary Volcanic and sedimentary rock, and Quaternary drainage in-fills and sedimentary veneers. The Project site is underlain by Holocene alluvium, which contains a low paleontological sensitivity. Pleistocene older alluvium, which contains a high paleontological sensitivity, underlies Holocene alluvium at depths of 10 feet below ground surface (bgs) (Rincon, 2019b, p. 10).

The geologic structure of the entire southern California area is dominated mainly by northwest-trending faults associated with the San Andreas system. Similar to other properties throughout southern California, the Project site is located within a seismically active region and is subject to ground shaking during seismic events; however, no known active or potentially active faults exist on or near the Project site nor is the site situated within an "Alquist-Priolo" Earthquake Fault Zone (SCG, 2019, p. 11).

The Project site is underlain by native alluvial soils extending to at least the maximum depth explored at approximately 50 feet bgs (SCG, 2019, p. 7). The majority of the observed native alluvial soils are classified as loose to medium dense fine sandy silts and silty fine sands with varying clay, medium to coarse sand and fine gravel content (ibid.). Some of these soils are classified as loose to medium dense well graded sands and clayey sands as well as medium stiff to hard silty clay, clayey silt, and fine sand clay strata (ibid.). At depths greater than 30 feet, occasional dense sands, silty sands, and clayey sands were encountered (ibid.).

2.5.6 HYDROLOGY

The Project site is located in the Santa Ana River watershed, which drains an approximately 2,650-square-mile area and is the principal surface flow water body within the region. The Santa Ana River starts in Santa Ana Canyon in the southern San Bernardino Mountains and runs southwesterly across San Bernardino, Riverside, and Orange Counties, where it discharges into the Pacific Ocean at the City of Huntington Beach. The Project site and vicinity are within the purview of the Santa Ana Regional Water Quality Control Board (RWQCB). The Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Plan is the governing water quality plan for the region, which sets forth goals and objectives for protecting water quality within the region (RWQCB, 2016, p. 1.1).

Under existing conditions, stormwater flows from the Project site travel as surface sheet flow from north to south to Encelia Avenue, which then travels from west to east to Redlands Boulevard and ultimately discharges to an existing channel adjacent to Redlands Boulevard (Thienes, 2019a).

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. FIRM No. 06065C0770G, dated August 28, 2008, the Project site is located within FEMA Flood Zone X (Shaded (FEMA, 2008). Flood Zone X (Shaded) is correlated with areas within a 500-year floodplain; the Project site is not located in a special flood hazard area (i.e., 100-year floodplain) (ibid.).

Refer to EIR Subsection 4.9, *Hydrology & Water Quality*, for a more detailed discussion of the Project's site existing hydrology and water quality setting.

2.5.7 Noise

Primary sources of noise in the Project site's vicinity include traffic noise from vehicles traveling along roadways that abut the site (i.e., Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue). Urban Crossroads, Inc. collected 24-hour noise measurements at three locations in the Project vicinity on December 12, 2019, to determine the baseline for the existing noise environment. Measured daytime noise levels in the area ranged from 51.0 equivalent level decibels (dBA Leq) to 75.3 dBA Leq and nighttime noise levels ranged from 50.4 dBA Leq to 73.8 dBA Leq (Urban Crossroads, 2020i, pp. 27-29; Urban Crossroads, 2020j, pp. 27-29). The measured noise levels correlate to a Community Noise Equivalent Level (CNEL) ranging from 56.8 CNEL to 80.5 CNEL (ibid.).

Refer to EIR Subsection 4.11, *Noise*, for a more detailed discussion of the Project's site existing noise setting.

2.5.8 Transportation

The Project site is located immediately north of Encelia Avenue, immediately west of Redlands Boulevard, and immediately south of Eucalyptus Avenue. Existing traffic on nearby roadways consist of both passenger vehicles and trucks passing through the area and accessing nearby land uses. The primary regional vehicular travel route serving the Project area is SR-60, which is located approximately 0.25-mile north of the Project site (Google Earth Pro, 2020). The Project site is located approximately 0.25 roadway mile southwest of the Redlands Boulevard on/off-ramp to SR-60 and approximately 0.8 roadway mile southeast of the Moreno Beach Drive on/off-ramp to SR-60 (ibid.). SR-60 provides access to I-215, which is located approximately 7.3 miles to the northwest of the Project site (ibid.).

The average number of miles an employee travels in the City of Moreno Valley per day in 2020 by automobile, according to available data, is 12.3 miles (Translutions, 2020a, p. 66; Translutions, 2020b, pp. 19-20). This is referred to as vehicle miles traveled, or VMT. The length of VMT can be reduced by non-automobile means of transportation. North of the Project site, there is an existing Class II bicycle lane on Eucalyptus Avenue west of the Project site to Nason Street. There are no existing bicycle lanes on Redlands Boulevard bordering the Project site to the east or on Encelia Avenue bordering the Project site to the south. Regarding sidewalks and trails, to the south of the Project site there is a sidewalk on the south side of Encelia Avenue between Shubert Street and the western Project boundary, and there is a sidewalk system within the residential

community to the south. To the north of the Project site along the frontage of the Aldi warehouse development, there is a new sidewalk and a multi-use trail on the north side of Eucalyptus Avenue that were recently installed.

Public transit service in the region is provided by Riverside Transportation Agency (RTA) and commuter rail transportation (Metrolink), which is operated by the Southern California Regional Rail Authority (SCRRA) (Translutions, 2020a, pp. 19-20; Translutions, 2020b, pp. 19-20; Google Earth Pro, 2020). The nearest transit route is located approximately 1.5 miles southwest of the Project site on Eucalyptus Avenue via Route 31 (ibid.). The nearest Metrolink station is located approximately 8.0 miles southwest of the Project site at the March Field Station, 14160 Meridian Parkway (ibid.).

Refer to EIR Subsection 4.12, *Transportation*, for a more detailed discussion of the Project site's existing transportation setting.

2.5.9 Utilities and Service Systems

The Eastern Municipal Water District (EMWD) provides water and sewer service to the Project area. Under existing conditions, water mains and sewer mains are installed beneath Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue. The City of Moreno Valley conveys wastewater flows to the Moreno Valley Regional Water Reclamation Facility, which is operated by EMWD. Solid waste from the City of Moreno Valley is disposed at either the El Sobrante Landfill, Badlands Sanitary Landfill, or Lamb Canyon Sanitary Landfill.

Refer to EIR Subsection 4.14, *Utilities and Service Systems*, for a more detailed discussion of the Project site's existing public utility and service systems.

2.5.10 Vegetation Communities

The Project site does not contain special-status plant species and does not support sensitive vegetation communities (GLA, 2020a, pp. 1, 23-24). The entire Project site has been previously disturbed/developed; the areas that are not covered by the plant nursery and associated structures are covered by ruderal vegetation or ornamental landscaping (ibid.). On-site ruderal vegetation primarily is composed of London rocket (*Sisymbrium irio*), cheeseweed (*Malva parviflora*), common fiddleneck (*Amsinckia intermedia*), red brome (*Bromus madritensis* ssp. *rubens*), and Russian thistle (*Salsola australis*) (ibid.). On-site ornamental landscaping occurs in the central and southeastern portions of the Project site and primarily is composed of non-native or planted tree species, including Fremont cottonwood (*Populus fremontii*) and red gum (*Eucalyptus camaldulensis*) (ibid.). A complete list of plant species observed on the Project site is included Appendix A of *Technical Appendix C1*.

Refer to EIR Subsection 4.3, *Biological Resources*, for a more detailed discussion of the Project's site existing biological setting.

2.5.11 Wildlife

The Project site is not located in an area designated as wildlife habitat with conservation value (GLA, 2020a, pp. 34-37). One special-status wildlife species, the northern harrier (*Circus cyaneus*), was observed on the

Project site during biological field surveys (ibid.). A complete list of wildlife species observed on the Project site and with the potential to occur on the Project site is included Appendix B of *Technical Appendix C1*.

Refer to EIR Subsection 4.3, *Biological Resources*, for a more detailed discussion of the Project's site existing biological setting.

2.5.12 Rare and Unique Resources

As required by CEQA Guidelines Section 15125(c), the environmental setting should place special emphasis on resources that are rare or unique to that region and would be affected by the project. Based on the existing conditions of the Project site and surrounding area described above and discussed in more detail in Section 4.0, *Environmental Analysis*, the Project site does not contain any resources that are rare or unique to the region.

3.0 PROJECT DESCRIPTION

This section provides all of the information required of an EIR Project Description pursuant to CEQA Guidelines Section 15124, including a description of the Project's precise location and boundaries; a statement of the Project's objectives; a description of the Project's technical, economic, and environmental characteristics; and a description of the intended uses of this EIR (including a list of the government agencies that are expected to use this EIR in their decision-making processes); a list of the permits and approvals that are required to implement the Project; and a list of related environmental review and consultation requirements.

3.1 PROJECT LOCATION

As shown on Figure 3-1, *Regional Map*, the Project site is located in the eastern portion of the City of Moreno Valley, Riverside County, California. The City of Moreno Valley is located north of the City of Perris, northwest of the City of Hemet, west of the City of Beaumont, east of the City of Riverside, and northeast of the unincorporated communities of Mead Valley and Woodcrest.

At the local scale, the Project site is located immediately south of Eucalyptus Avenue, immediately west of Redlands Boulevard, immediately north of Encelia Avenue, and immediately east of the Quincy Channel (see Figure 3-2, *Vicinity Map*, and Figure 3-3, *USGS Topographic Map*). The approximately 72.7-net-acre[1] Project site includes 11 parcels, including Assessor Parcel Numbers (APNs): 488-340-002 through -012. Refer to EIR Subsection 2.3, *Surrounding Land Uses*, for a description of existing land uses that abut the Project site.

3.2 STATEMENT OF OBJECTIVES

The fundamental purpose and goal of the Moreno Valley Trade Center Project is to develop a modern light industrial building in the City of Moreno Valley in close proximity to the State highway system, to increase employment opportunities and improve the City's economic competitiveness. This underlying purpose aligns with various aspects of the Southern California Association of Governments' (SCAG's) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) primarily related to accommodating goods movement industries and balancing job and housing opportunities in local areas to reduce long commutes from home to work. SCAG identifies the Inland Empire as a housing rich area and coastal communities as job rich areas and is striving in their policies to achieve more equal balances locally. The Project would achieve its underlying purpose and goal through the following objectives.

A. To expand economic development, facilitate job creation, and increase the tax base for the City of Moreno Valley by establishing new industrial development adjacent to established and planned industrial areas.

B. To attract employment-generating businesses to the City of Moreno Valley to reduce the need for members of the local workforce to commute outside the area for employment, thereby improving the jobs-housing balance in the City.

[1] The Project site comprises approximately 80 acres (gross), inclusive of property proposed to be dedicated to the City of Moreno Valley as public right-of-way for Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue as well as existing public right-of-way for Quincy Street proposed to be vacated.

C. To develop a Class A speculative light industrial building in Moreno Valley that is designed to meet contemporary industry standards and be economically competitive with similar industrial buildings in the local area and region.

D. To attract businesses that can expedite the delivery of essential goods to consumers and businesses in Moreno Valley and beyond the City boundary.

E. To develop a project that has architectural design and operational characteristics that complement other existing and planned buildings in the immediate vicinity and minimize conflicts with other nearby land uses.

F. To develop a light industrial building in close proximity to designated truck routes and the State highway system to avoid or shorten truck-trip lengths on other roadways.

G. To develop a property that has access to available infrastructure, including roads and utilities.

3.3 PROJECT COMPONENTS

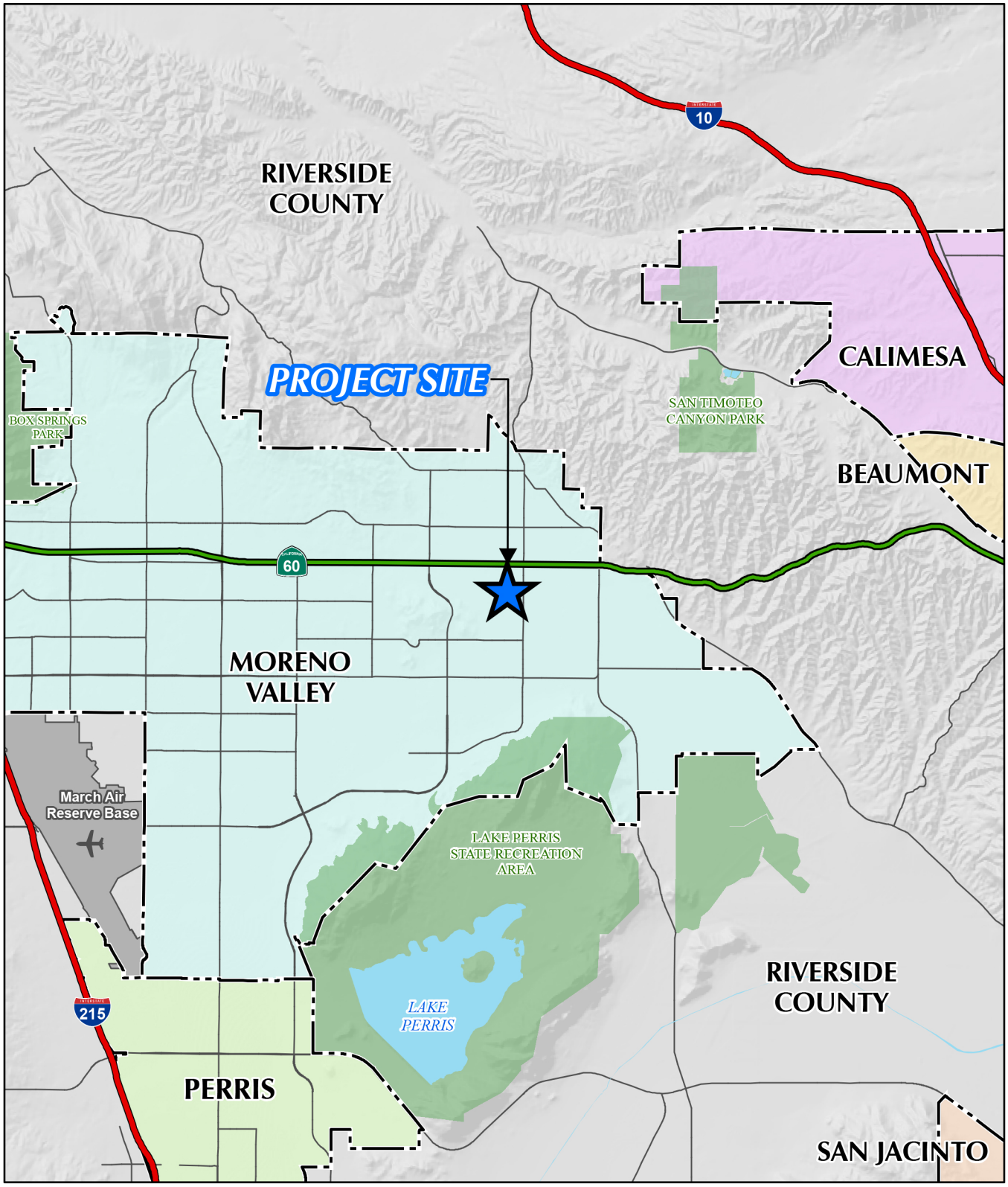
The Project evaluated in this EIR includes legislative and site development actions. The legislative actions entail a proposed General Plan Amendment (PEN19-0191) and Change of Zone (PEN19-0192). The general intent of the proposed legislative actions is to change the land use designation for the Project site from a residential category to an industrial category. The site development actions entail a proposed Plot Plan (PEN19-0193) and Tentative Parcel Map (PEN19-0234) to permit the development and operation of a light industrial building containing warehouse/storage space and supporting office space. The individual components of the Project are discussed below.

3.3.1 GENERAL PLAN AMENDMENT (PEN19-0191)

The proposed General Plan Amendment (GPA) would amend the City of Moreno Valley's 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 3-4, *Proposed General Plan Amendment (PEN19-0191)*. Pursuant to the City's General Plan, the BP land use designation generally provides for manufacturing, research and development, warehousing and distribution, as well as office and supporting commercial activities (Moreno Valley, 2006, p. 9-7).

3.3.2 CHANGE OF ZONE (PEN19-0192)

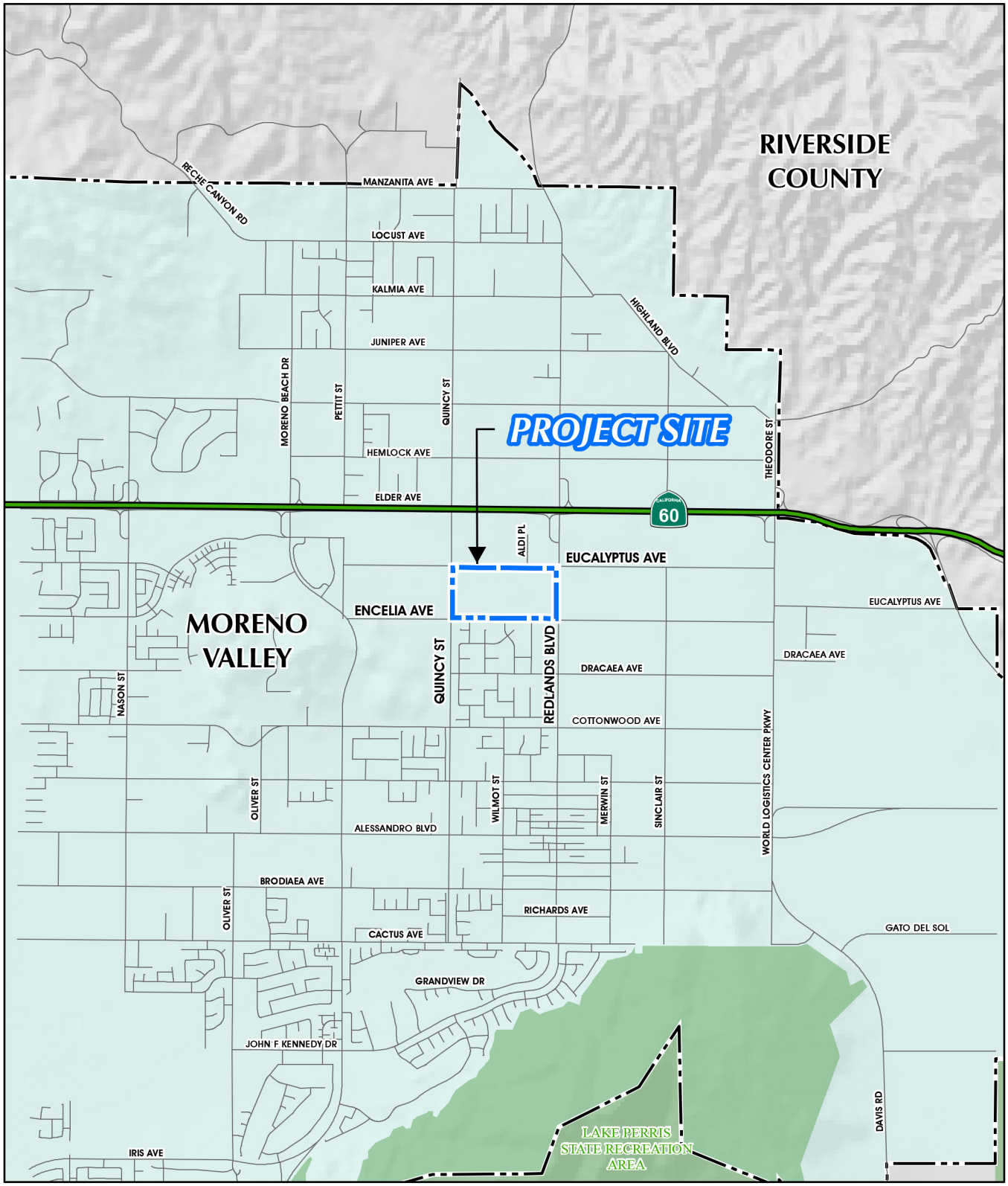
The proposed Change of Zone would amend the City of Moreno Valley Zoning Map to change the zoning designation of the Project site from "Residential Agriculture 2 (RA2) District" with "Primary Animal Keeping Overlay Zone (PAKO)" to "Light Industrial (LI) District." Refer to Figure 3-5, *Proposed Change of Zone (PEN19-0192)*. Pursuant to the City's Zoning Ordinance, the LI land use designation generally provides for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis (Moreno Valley, 2018).



Source(s): ESRI, RCTLMA (2019)

Figure 3-1

Regional Map

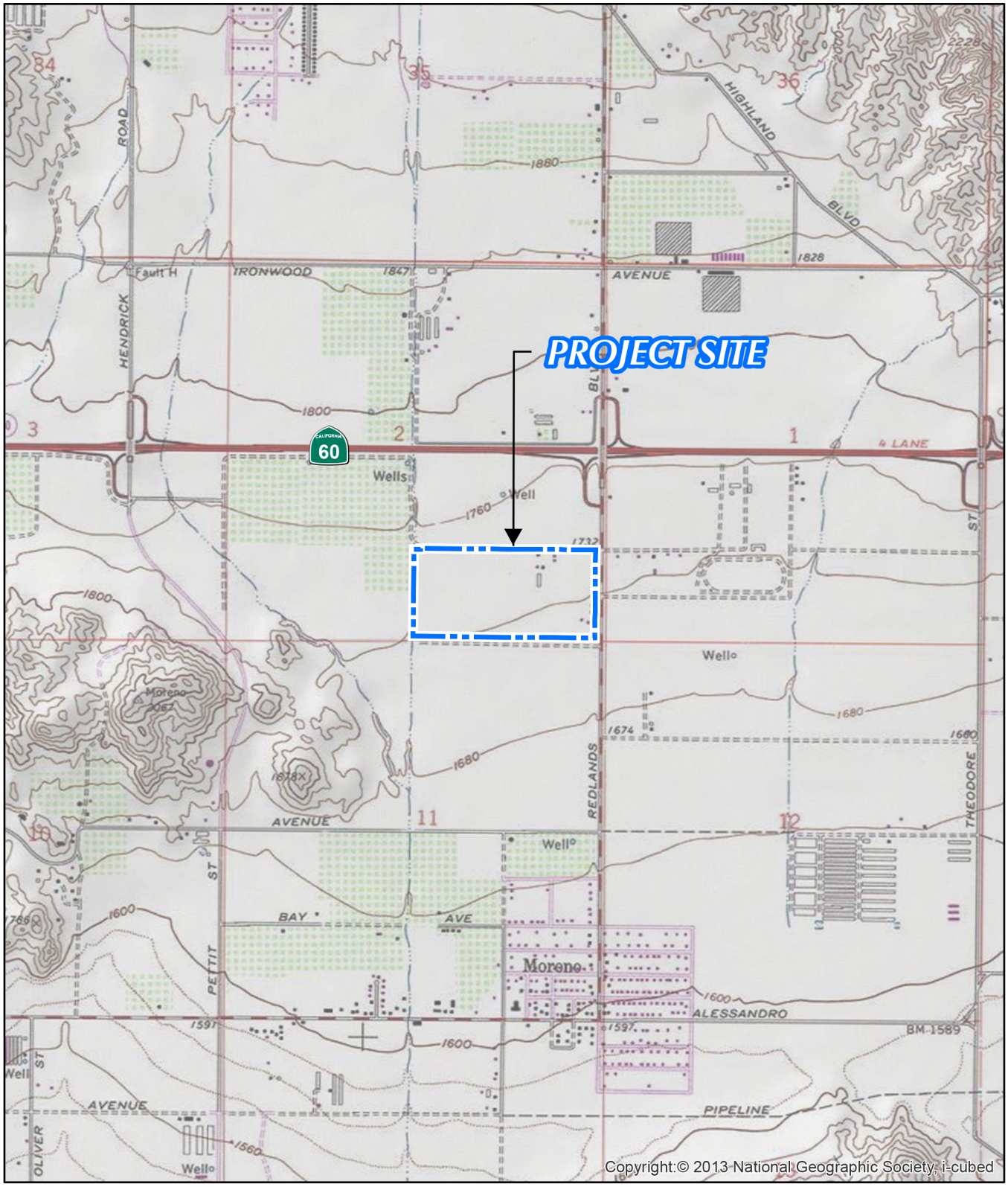


Source(s): ESRI, RCTLMA (2019)

0 875 1,750 3,500 Feet

Figure 3-2

Vicinity Map

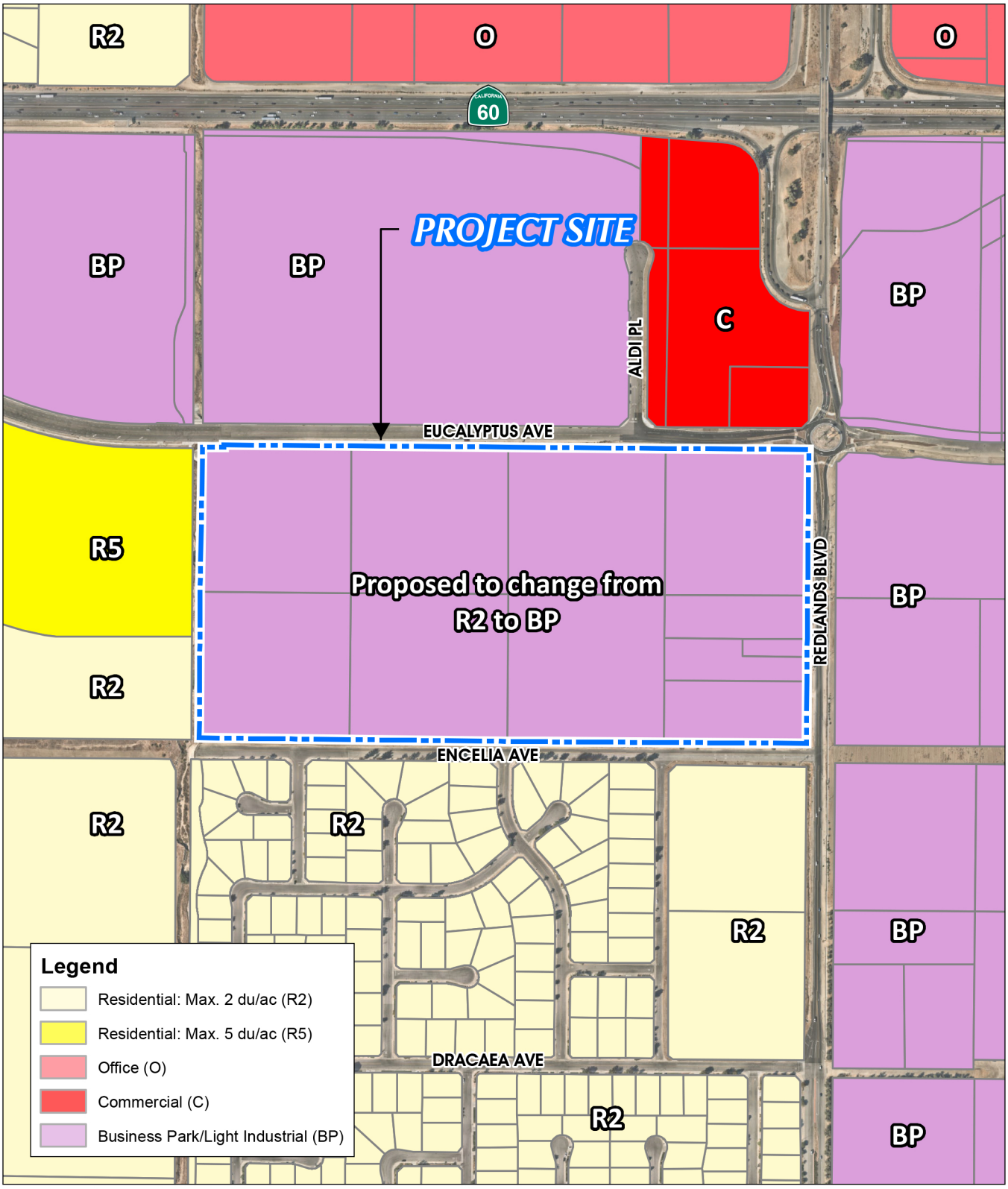


Source(s): USGS (2013)

0 500 1,000 2,000 Feet

Figure 3-3

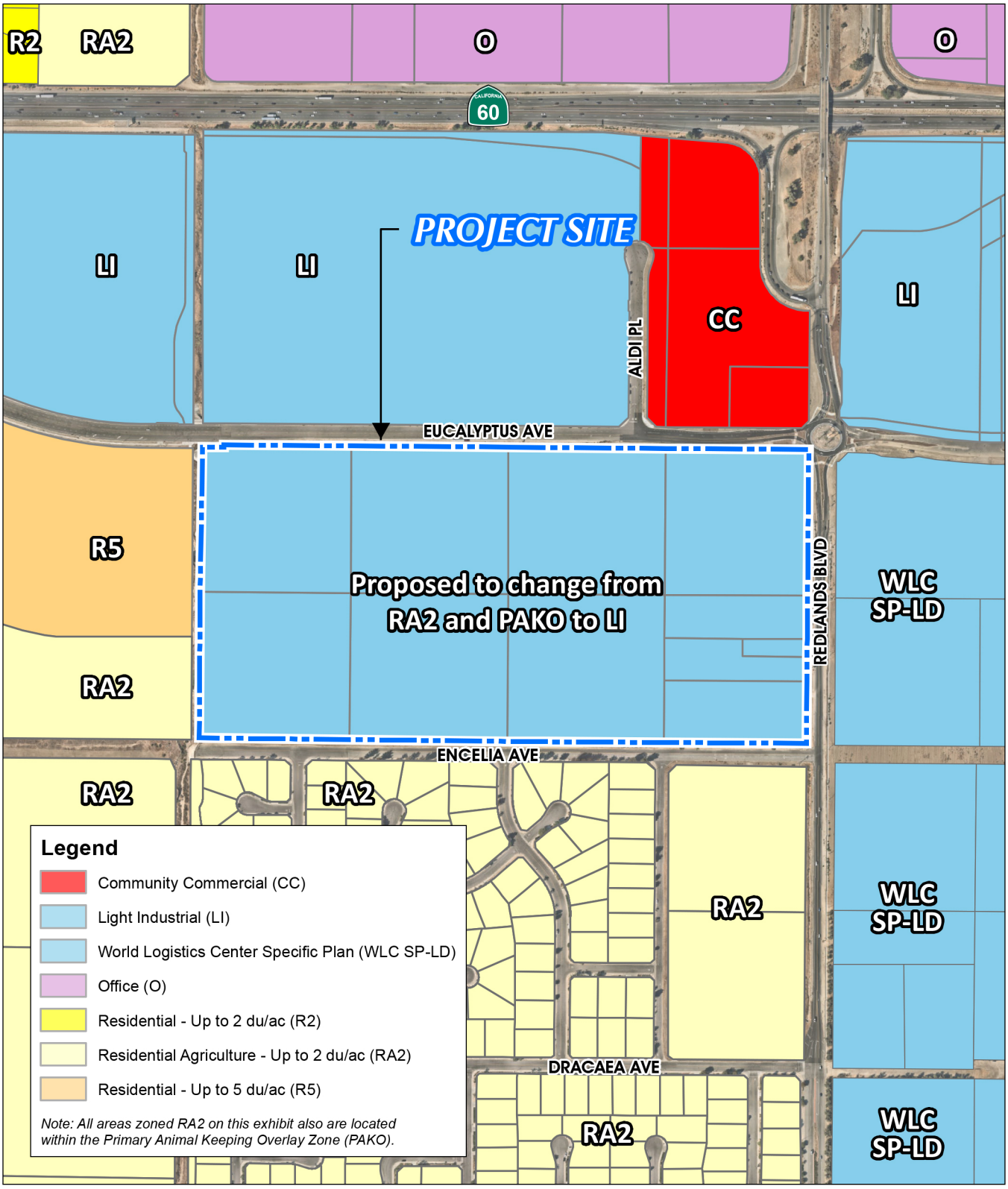
USGS Topographic Map



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

Figure 3-4

Proposed General Plan Amendment (PEN19-0191)



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

0 150 300 600 Feet

Figure 3-5

Proposed Change of Zone (PEN19-0192)

3.3.3 PLOT PLAN (PEN19-0193)

The proposed Plot Plan specifies a development plan for the Project site that provides for the construction and operation of a light industrial building with approximately 1,328,853 s.f. of building floor area. The Plot Plan application depicts a layout of the building and associated physical design features, architectural design, and a landscaping plan, as described below. The Project design, which will ultimately include building components and systems to be shown on construction drawings (such as light fixtures, water fixtures, and heating, ventilation and air conditioning equipment), will be conditioned by the City of Moreno Valley to achieve Leadership in Energy and Environmental Design (LEED)-equivalent "Silver" certification for building core and shell.

A. Site Layout

The proposed site plan for the Project site is illustrated on Figure 3-6, *Proposed Plot Plan (PEN19-0193)*. The proposed building is designed as a rectangular-shaped building with its elongated sides oriented parallel to the Project site's northern and southern boundaries. The proposed building would operate as a cross-dock warehouse with 104 loading docks and 110 truck trailer parking spaces within the truck court/loading area on the north side of the building and 121 loading docks and 128 truck trailer parking spaces within the truck court/loading area on the south side of the building. The truck court on the southern side of the building would be located approximately 205 feet north of the southern Project site boundary (and approximately 250 feet north of the Encelia Avenue centerline and approximately 300 feet north of the southern limit of the Encelia Avenue right-of-way). The truck courts/loading areas would be enclosed and screened from public viewing areas by 14-foot-tall solid screen walls. Passenger vehicle parking areas would be provided on the western and eastern sides of the building with a total of 607 on-site passenger vehicle parking spaces. Access to the Project site would be provided by two driveways from Eucalyptus Avenue, two driveways from Redlands Boulevard, and two driveways from Encelia Avenue. The western driveway from Eucalyptus Avenue would provide inbound/outbound access for passenger vehicles and trucks and the eastern driveway from Eucalyptus Avenue would be restricted to outbound right-turn truck traffic only. The northern driveway from Redlands Boulevard would provide right-in/right-out access only for passenger vehicles and the southern driveway from Redlands Boulevard would provide access for inbound and outbound passenger vehicles (right-in/right-out only) and inbound truck traffic. Onsite design features such as a pork-chop designed driveway, signage posted at the driveway exit, or other measures based on specifications provided by City staff would be installed at the southern driveway from Redlands Boulevard to prohibit outbound truck traffic. The proposed driveways to Encelia Avenue would be restricted to passenger vehicle 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 Project on a speculative basis and the future occupant of the proposed building is unknown at this time. The Project Applicant expects that the proposed light industrial building would be occupied by a warehouse distribution/logistics operator and the proposed site design described in the preceding paragraph is intended to facilitate warehouse distribution/logistics business operations. Notwithstanding, there is the potential that the Project could be occupied in the future by a fulfillment/e-commerce use. As such, the EIR evaluates the potential effects of the Project being used by either warehouse distribution/logistics user or a fulfillment/e-commerce user. Notwithstanding the fact the scope of the EIR includes an analysis of the potential use of the Project site as by a fulfillment/e-commerce user, the City is only

considering the site plan for the warehouse/distribution user (refer to Figure 3-6) as part of PEN19-0193. However, in the event that the Project is occupied by a fulfillment/e-commerce use, it is anticipated that alterations to the proposed site plan could be approved administratively to facilitate fulfillment/e-commerce business operations without further environmental review since fulfillment/e-commerce operations are less reliant on heavy-duty truck deliveries than warehouse distribution/logistics operations. Use of the Project site for fulfillment/e-commerce business uses would eliminate the need for truck delivery loading/unloading and trailer parking on the southern side of the proposed building which means the 121 loading docks on the south-facing side of the building would be eliminated and the truck court with 128 truck trailer parking spaces would be replaced with up to 1,449 passenger vehicle parking spaces which although would require a larger paved parking area on the south side of the building and a re-configured water quality/detention basin compared to the proposed site plan, will have a less significant impact than a warehouse distribution/logistics user. Additionally, under the fulfillment/e-commerce scenario, only one additional driveway would be provided along Encelia Avenue bringing the total number of driveways along Encelia Avenue to only three. As with the proposed site plan, all traffic entering/exiting the Project site from Encelia Avenue would continue to be restricted to passenger vehicles under the fulfillment/e-commerce plan because the Project's driveways connecting with Encelia Avenue are not designed to accommodate trucks. Refer to Figure 3-7 for a conceptual site plan for use of the building by a fulfillment/e-commerce user. In light of the foregoing, it is anticipated that the City may approve the potential changes to the Project site plan that are needed to support a fulfillment/e-commerce user at the administrative level.

B. Architecture Plan

The proposed architecture plan provides a building with a maximum height of 48 feet above the finished floor elevation; however, the building would have a varied roofline and portions of the building would be less than 48 feet tall. The proposed building would be constructed of concrete tilt-up panels and low-reflective, blue glass. The proposed building's exterior color palette would be comprised of various shades of white, gray, and tan. Decorative building elements include panel reveals, parapets, mullions, and canopies are proposed at office entries. Architectural elevations for the proposed building are illustrated on Figure 3-8, *Proposed Architectural Elevations*.

In the event that the building is designed to accommodate a potential fulfillment/e-commerce occupant, the Project Applicant expects the architecture for the north, east, and west building faces to be the same as the proposed warehouse distribution/logistics plan (as described above), with only the architecture for the south building face changing to eliminate the loading docks (as described above). The conceptual architectural elevations for the fulfillment/e-commerce plan are shown on Figure 3-9. The building is expected to reach a height of 48 feet under the fulfillment/e-commerce scenario; however, mechanical equipment technologies used inside modern fulfillment/e-commerce buildings could necessitate a taller building that could be up to 100 feet tall. Conceptual architectural elevations for a potential fulfillment/e-commerce building that is up to 100 feet tall are shown on Figure 3-10.

C. Landscape Plan

All existing trees and other vegetation on the Project site are proposed to be removed and replaced with the plant material specified on the proposed landscape plan for the Project, which is illustrated on Figure 3-11.

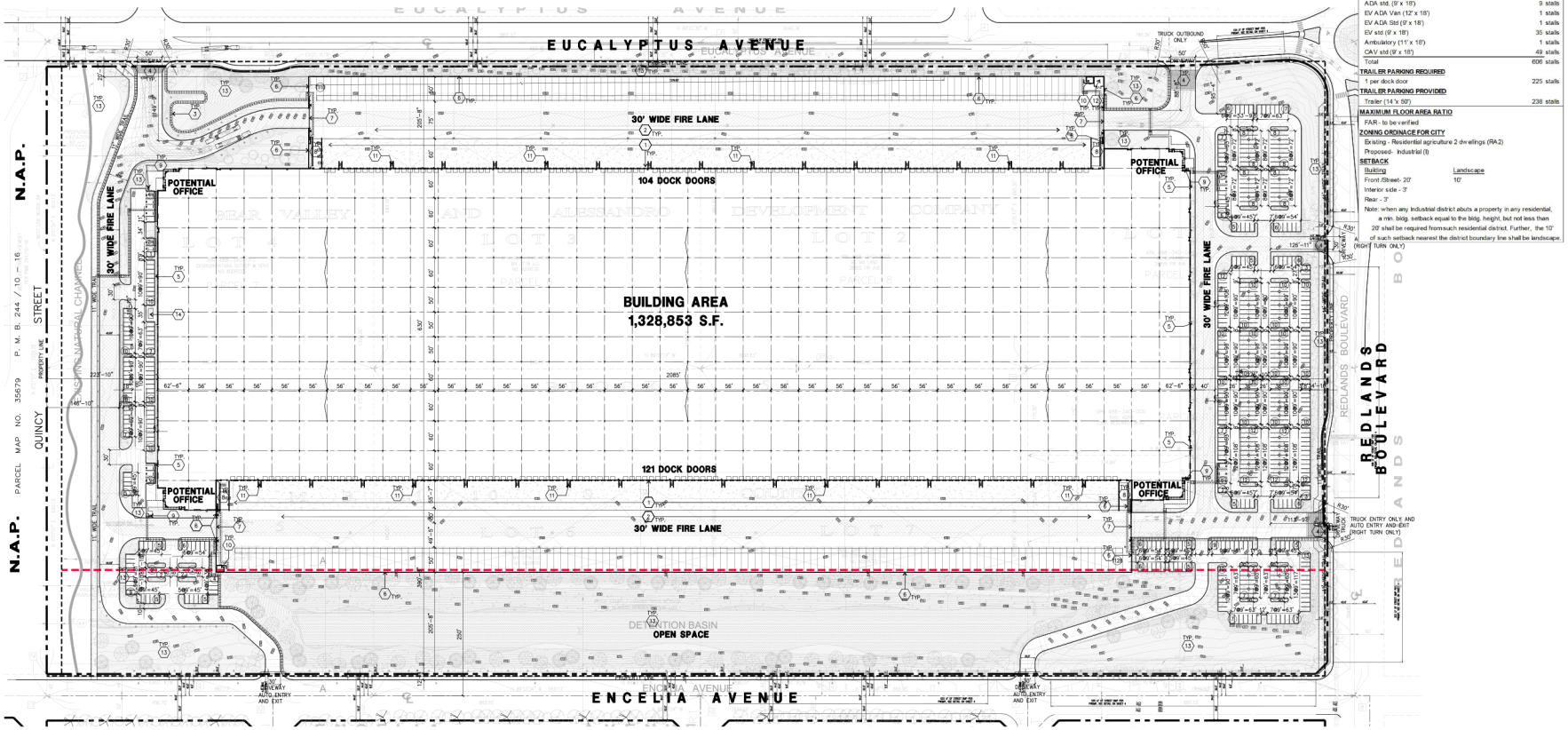
Proposed landscaping primarily would be ornamental in nature and would feature trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers. As shown on Figure 3-11, trees, shrubs, and groundcover are proposed along the Project site's frontages with Eucalyptus Avenue, Redlands Boulevard, Encelia Avenue, and along the western property boundary. Landscaping also would occur at building entries and in and around automobile parking areas. The water quality/detention basin that is proposed on the southern portion of the Project site would be planted with plant species selected for their ability to remove waterborne pollutants from stormwater runoff; trees would be planted along the perimeter of the basin to screen public views of the basin and, also, screen the truck court on the south side of the proposed building. Landscaped berms are proposed along the southern boundary of the Project site.

The conceptual landscape plan for the Project site under a fulfillment/e-commerce scenario is illustrated on Figure 3-11. The general landscape theme and plant palette would be identical between the proposed landscape plan (Figure 3-10) and the conceptual landscape plan for the fulfillment/e-commerce plan (Figure 3-11); however, the placement of plant materials would vary to accommodate the differences between the two site plans along the south side of the proposed building (as previously described in Subsection 3.3.3.A).

Prior to the issuance of a building permit to construct the proposed building shell, the Project Applicant would be required to submit final planting and irrigation plans to the City for review and approval. The plans are required to comply with Chapter 9.17 of the Moreno Valley Municipal Code, which establishes requirements for landscape design, automatic irrigation system design, and water-use efficiency (Moreno Valley, 2018, Chapter 9.17).

3.3.4 Tentative Parcel Map (PEN19-0234)

Tentative Parcel Map (PEN19-0234) would consolidate the 11 parcels (APNs 488-340-002 through -012) that comprise the Project site into one (1) parcel to facilitate the implementation of the proposed Plot Plan, as described above. In addition, the proposed tentative parcel map provides for the dedication of public right-of-way to the City for Redlands Boulevard, Encelia Avenue, and Eucalyptus Avenue as well as the vacation of public right-of-way for a small section Redlands Boulevard that is no longer needed by the City and the vacation of an on-site paper street (unimproved) segment of Quincy Street.

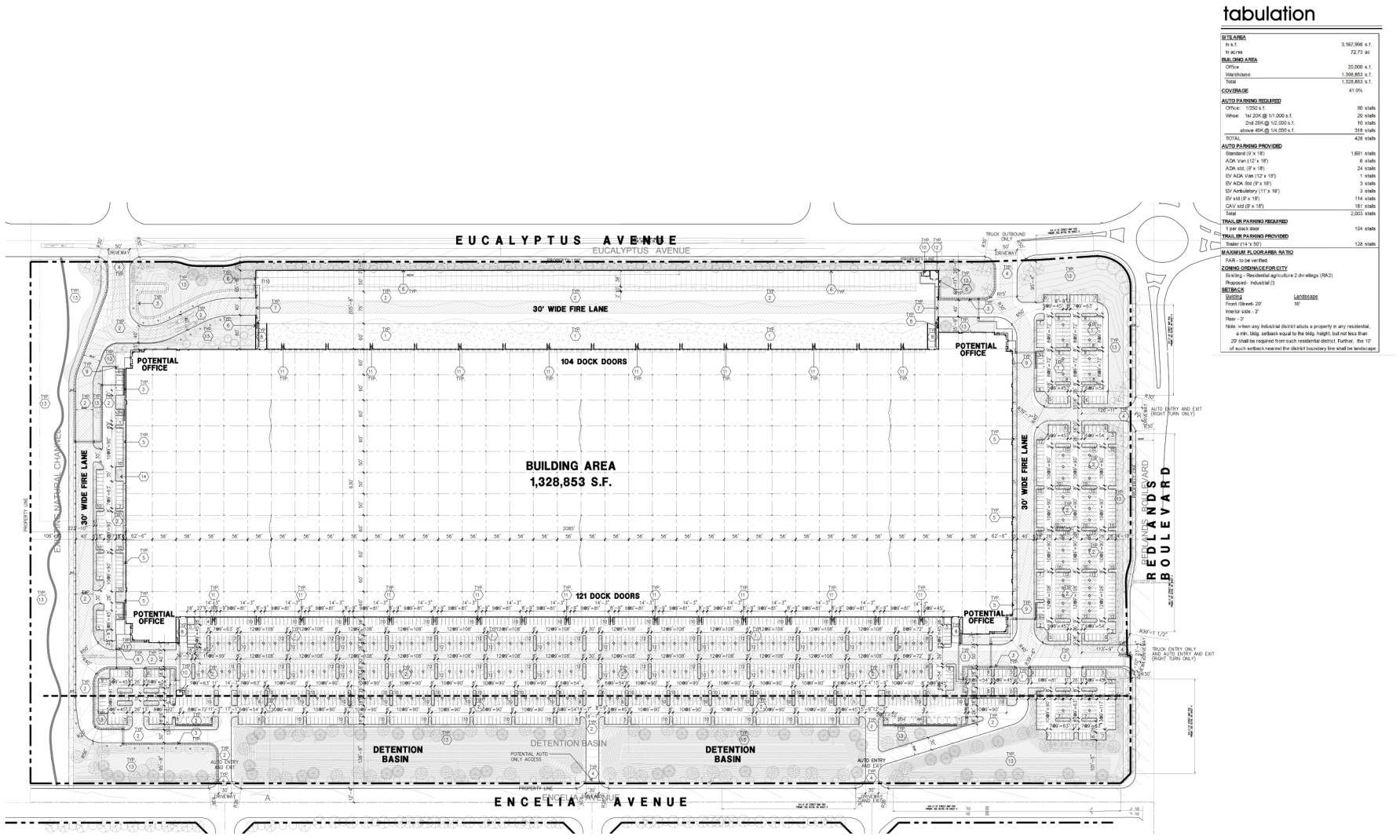


Source(s): HPA (01-18-2021)

Figure 3-6

Not to Scale

Proposed Plot Plan (PEN19-0193)



Source(s): HPA (01-18-2021)

Not to Scale

Figure 3-7

Conceptual Fulfillment/E-Commerce Site Plan



Source(s): HPA (03-04-2021)

Not to Scale

Figure 3-8

Proposed Architectural Elevations

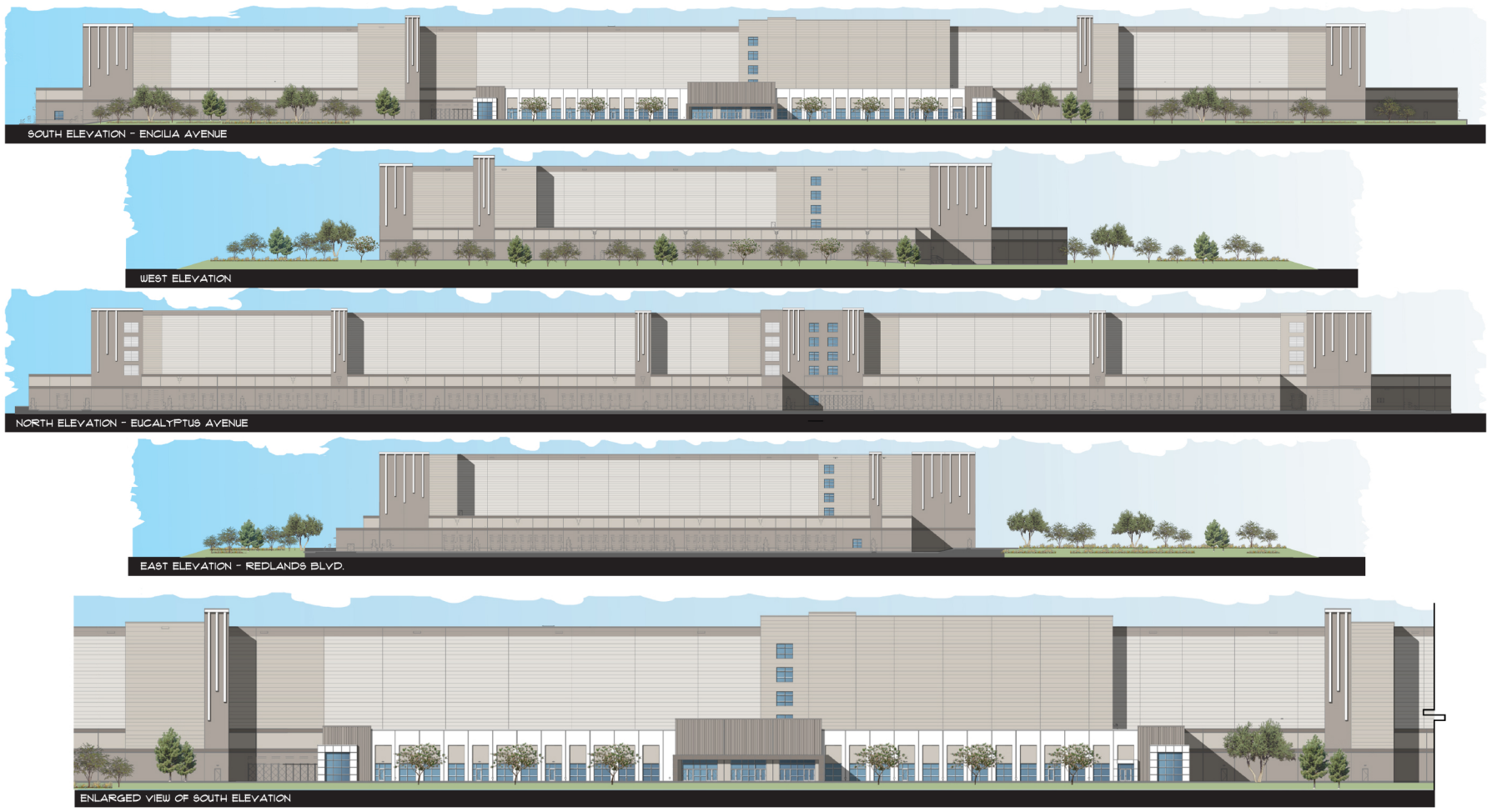


48-foot-tall Option

Source(s): HPA (03-04-2021)

Not to Scale

Figure 3-9
Conceptual Architectural Elevations for Fulfillment/E-Commerce Plan

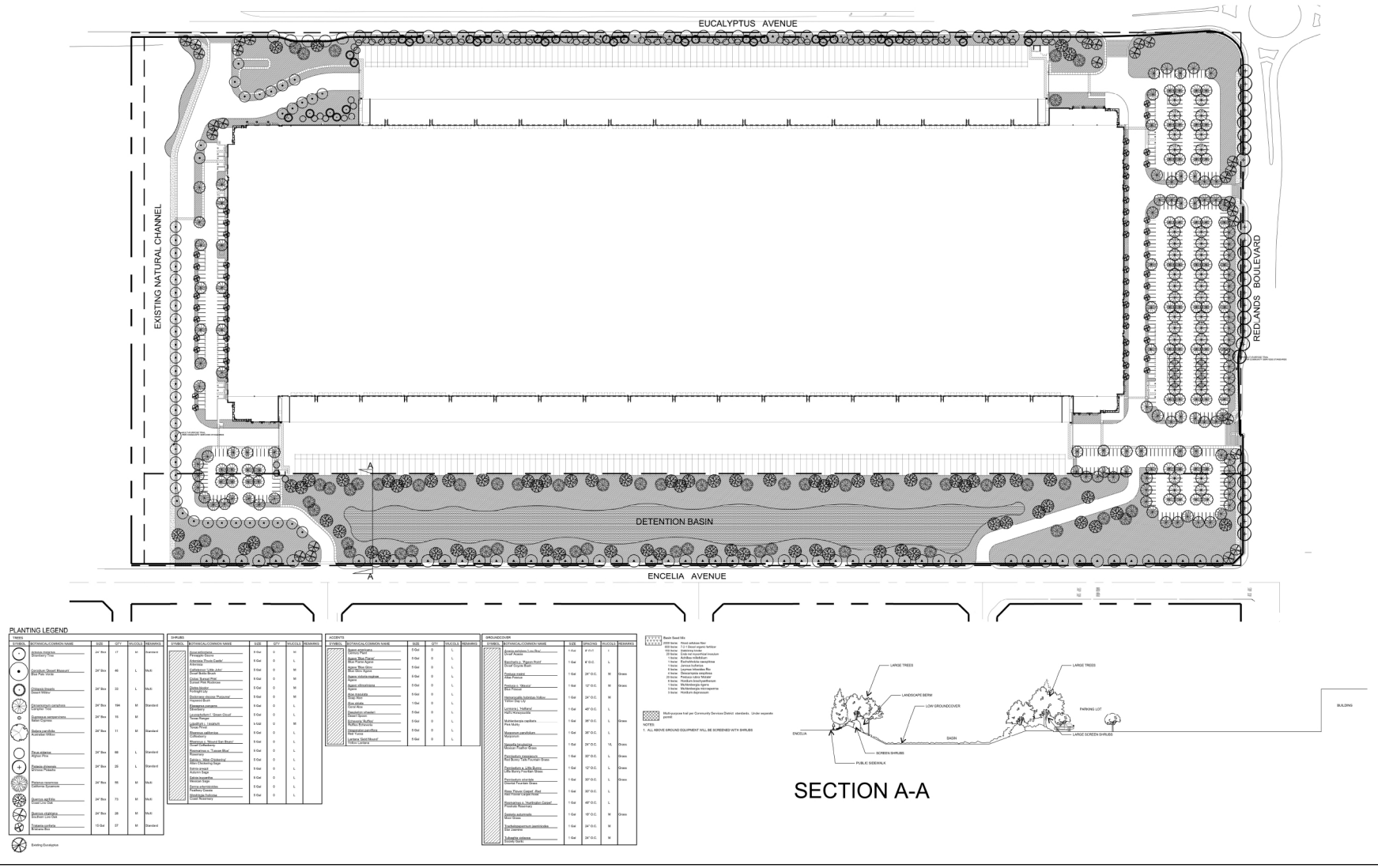


100-foot-tall Option

Source(s): HPA (03-09-2021)

Not to Scale

Figure 3-10
Conceptual Architectural Elevations for Fulfillment/E-Commerce Plan

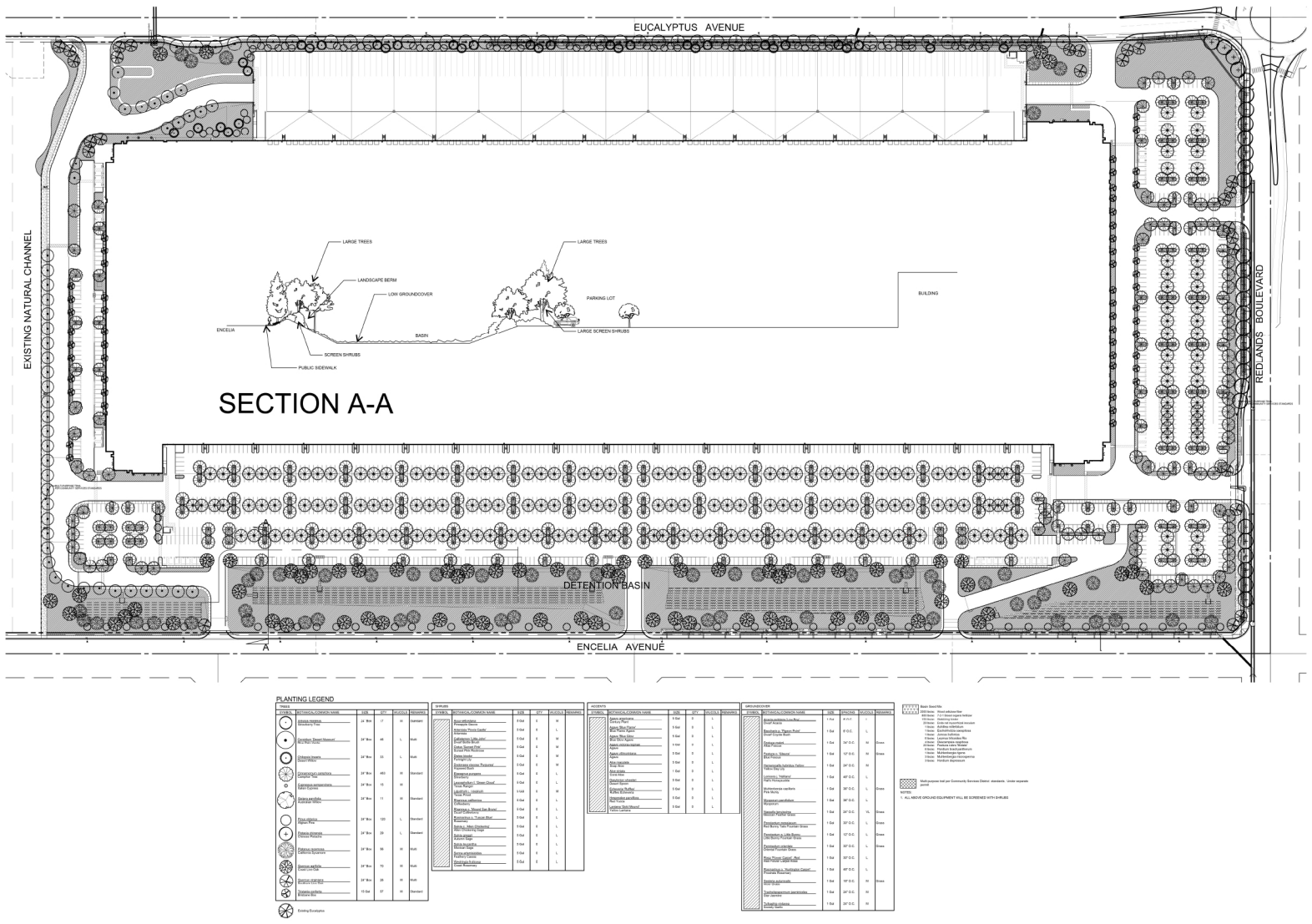


Source(s): Hunter Landscape (01-15-2021)

Figure 3-11

Not to Scale

Proposed Landscape Plan



Source(s): Hunter Landscape (01-15-2021)

Figure 3-12

Not to Scale

Conceptual Landscape Plan for Fulfillment/E-Commerce Plan

3.4 INFRASTRUCTURE IMPROVEMENTS

A. Public Road Improvements

The Project site abuts three (3) existing public streets: Eucalyptus Avenue to the north, Redlands Boulevard to the east, and Encelia Avenue to the south. As part of the Project's implementation, the Project Applicant would construct improvements to each of these streets as described below.

Eucalyptus Avenue

The southern half of Eucalyptus Avenue would be improved along the Project site frontage to provide: a 38-foot-wide paved vehicular travel way, curb and gutter, an approximately 6.5-foot-wide sidewalk, and an approximately 5-foot-wide landscaped parkway within the public right-of-way. The proposed improvements to Eucalyptus Avenue are consistent with the street's "Arterial" classification established by the Moreno Valley General Plan Circulation Plan (Moreno Valley, 2006, Figure 9-1 and Figure 9-3).

Redlands Boulevard

Redlands Boulevard would be improved along the Project site frontage to provide a 43-foot-wide paved vehicular travel way (including raised median), curb and gutter, an approximately 6.5-foot-wide sidewalk, and an approximately 5-foot-wide landscaped parkway within the public right-of-way on both sides of the street. The proposed improvements to Redlands Boulevard are consistent with the street's "Divided Arterial – 4 lane" classification established by the Moreno Valley General Plan Circulation Plan (Moreno Valley, 2006, Figure 9-1 and Figure 9-3).

Encelia Avenue

The northern half of Encelia Avenue would be improved along the Project site's frontage to provide a 32-foot-wide paved vehicular travel way, curb and gutter, an approximately 6.5-foot-wide sidewalk, and an approximately 5-foot-wide landscaped parkway within the public right-of-way. As a Project design feature, the entire width of the Encelia Avenue vehicular travel way – the 32-foot-wide travel way that would be installed on the north side of the street as part of the Project plus the existing travel way on the southern half of the street – would be paved with rubberized asphalt concrete to minimize roadway noise. The proposed improvements to Encelia Avenue are consistent with the road's "Minor Arterial" classification established by the Moreno Valley General Plan Circulation Plan (Moreno Valley, 2006, Figure 9-1 and Figure 9-3). In addition, a traffic signal would be installed at the Encelia Avenue and Redlands Boulevard intersection.

B. Non-Vehicular Circulation Improvements

In addition to the public street improvements described above, the Project Applicant would construct the following non-vehicular circulation improvements as part of the Project:

- An approximately 11-foot-wide decomposed granite trail would be installed abutting the west side of the Redlands Boulevard public right-of-way. The trail design would conform to City of Moreno Valley Standard Plan MVGF-610H-0 for a "Multi-Use Trail Adjacent to Street with Sidewalk."

- A bus stop turnout is proposed on the Project site on the west side of Redlands Boulevard, north of Encelia Avenue. The precise location of the bus stop turnout will be determined in consultation between the Project Applicant and the Riverside Transit Agency (RTA).
- A bus stop turnout is proposed on the Project site along the south side of Eucalyptus Avenue, near the northwest corner of the Project site. The precise location of the bus stop turnout will be determined in consultation between the Project Applicant and the RTA.
- An approximately 16.5-foot-wide combination trail and sidewalk would be installed along the western Project site boundary abutting the existing Quincy Channel.

C. *Water and Sewer Infrastructure Improvements*

The Project's on-site water system would connect to an existing 24-inch-diameter water main beneath Eucalyptus Avenue for domestic (interior), irrigation (exterior), and fire protection water service. All existing water wells on the Project site would be capped and abandoned as part of Project construction.

The Project's proposed on-site gravity sewer system would connect to an existing 12-inch-diameter sewer main beneath Encelia Avenue. All proposed wastewater conveyance facilities installed as part of the proposed Project are required to be designed and constructed in accordance with City of Moreno Valley and EMWD standards. All existing septic systems and leach fields located on the Project site would be removed as part of Project construction.

Figure 3-12, *Proposed Utility Plan*, illustrates the Project's proposed water and wastewater conveyance system.

The water and wastewater infrastructure improvements described above and illustrated on Figure 3-12 would remain unchanged in the event that the Project site accommodates a fulfillment/e-commerce user as conceptually shown in Figure 3-7.

D. *Stormwater Drainage Infrastructure Improvements*

As shown on Figure 3-12, the Project's proposed stormwater drainage system consists of a network of on-site catch basins and underground storm drain pipes to capture and convey storm water runoff from across the Project site to a water quality/detention basin located on the southern portion of the Project site. The system is designed to collect, treat, and temporarily detain on-site stormwater runoff before discharging treated flows off-site. Specifically, "first flush" flows (i.e., typically the first ¾-inch of initial surface runoff after a rainstorm, which contains the highest proportion of waterborne pollution) would be diverted to the water quality/detention basin for treatment. During peak storm events, the basin also would temporarily detain stormwater runoff on-site and would control the release of stormwater flows from the Project site. From the water quality/detention basin, stormwater runoff flows would be discharged to a proposed on-site private underground storm drain line that would extend off-site from the southeastern corner of the Project site and connect to the public storm drain line beneath Redlands Boulevard (Line F-2 from the Riverside County Flood Control and Water Conservation District [RCFCWCD] Moreno Master Drainage Plan). Under existing conditions, Line F-2 is a 60-inch-diameter pipe beneath Redlands Boulevard that terminates approximately

350 feet south of Eucalyptus Avenue. The Project provides for the following improvements to Line F-2: 1) replacement of a segment of the existing 60-inch-diameter storm drain pipe beneath Redlands Boulevard that abuts the northeast corner of Project site with a new storm drain pipe that extends to Encelia Avenue and that is sized per the Moreno Master Drainage Plan (varying in diameter between 72-78 inches along the Project site frontage); and 2) construction of a new storm drain line segment between Encelia Avenue and Dracaea Avenue that is sized per the Moreno Master Drainage Plan (78-inch-diameter). All improvements to Line F-2 would occur within the existing paved Redlands Boulevard public right-of-way.

In the event that the Project site accommodates a fulfillment/e-commerce user as conceptually shown in Figure 3-7, the changes to the site plan at the south side of the Project site would require modifications to the design of the proposed water quality/detention basin and the addition of an underground water quality/detention basin beneath the parking area located to the south side of the building. Refer to Figure 3-13, *Conceptual Stormwater Drainage Plan for Fulfillment/E-Commerce Plan*. Despite the changes to the design of the water quality/detention basin, the overall function and performance of the on-site stormwater drainage system, including its flow patterns and discharge points, would be substantially similar between the proposed site plan for a warehouse distribution/logistics operator and the conceptual fulfillment/e-commerce site plan.

E. Dry Utilities

The Project would entail the removal of power poles along the east side of Redlands Boulevard. The existing above-ground electric transmission lines suspended on the poles would be undergrounded as part of the Project's construction. The removal of the power poles and the undergrounding of the transmission lines would be performed in coordination with Southern California Edison. The Project would install an MVU conduit system along the Project's frontage with Encelia Avenue, which would provide electrical services to the Project. Existing fiber and copper facilities beneath Redlands Boulevard, Eucalyptus Avenue, and Encelia Avenue would provide telecommunications services to the Project. Existing aerial facilities beneath Redlands Boulevard, Encelia Avenue, and Eucalyptus Avenue would provide cable service to the Project.

3.5 PROJECT CONSTRUCTION CHARACTERISTICS

The Project Applicant anticipates that the Project's construction process will span a length of approximately 19 months. The estimated Project construction schedule, organized by construction stage, is summarized in Table 3-1, *Estimated Construction Schedule*. For purposes of analysis in this EIR, construction is assumed to commence in June 2021 and finish in December 2022.

Construction workers would travel to the site by passenger vehicle and materials deliveries would occur by medium- and heavy-duty trucks. Construction equipment is conservatively expected to operate on the Project site up to eight hours per day, six days per week. Even though construction activities are permitted to occur between 7:00 a.m. to 7:00 p.m. on Mondays through Fridays, and 8:00 a.m. to 4:00 p.m. on Saturdays pursuant to the Moreno Valley Municipal Code (Section 8.14.040(e)), construction equipment is not in continuous use and some pieces of equipment are used only periodically throughout a typical day of construction. Thus, eight hours of daily use per piece of equipment is a conservative and reasonable assumption. The City of Moreno Valley allows nighttime construction activities only upon special authorization from City staff, as specified

Table 3-1 Estimated Construction Schedule

Phase Name	Start Date	End Date	Days
Demolition	06/01/2021	07/12/2021	30
Site Preparation	07/13/2021	08/16/2021	25
Pile Driving	07/13/2021	08/16/2021	25
Grading	08/17/2021	09/27/2021	30
Building Construction	09/28/2021	12/26/2022	325
Paving	10/18/2022	12/26/2022	50*
Architectural Coating	07/12/2022	12/26/2022	120

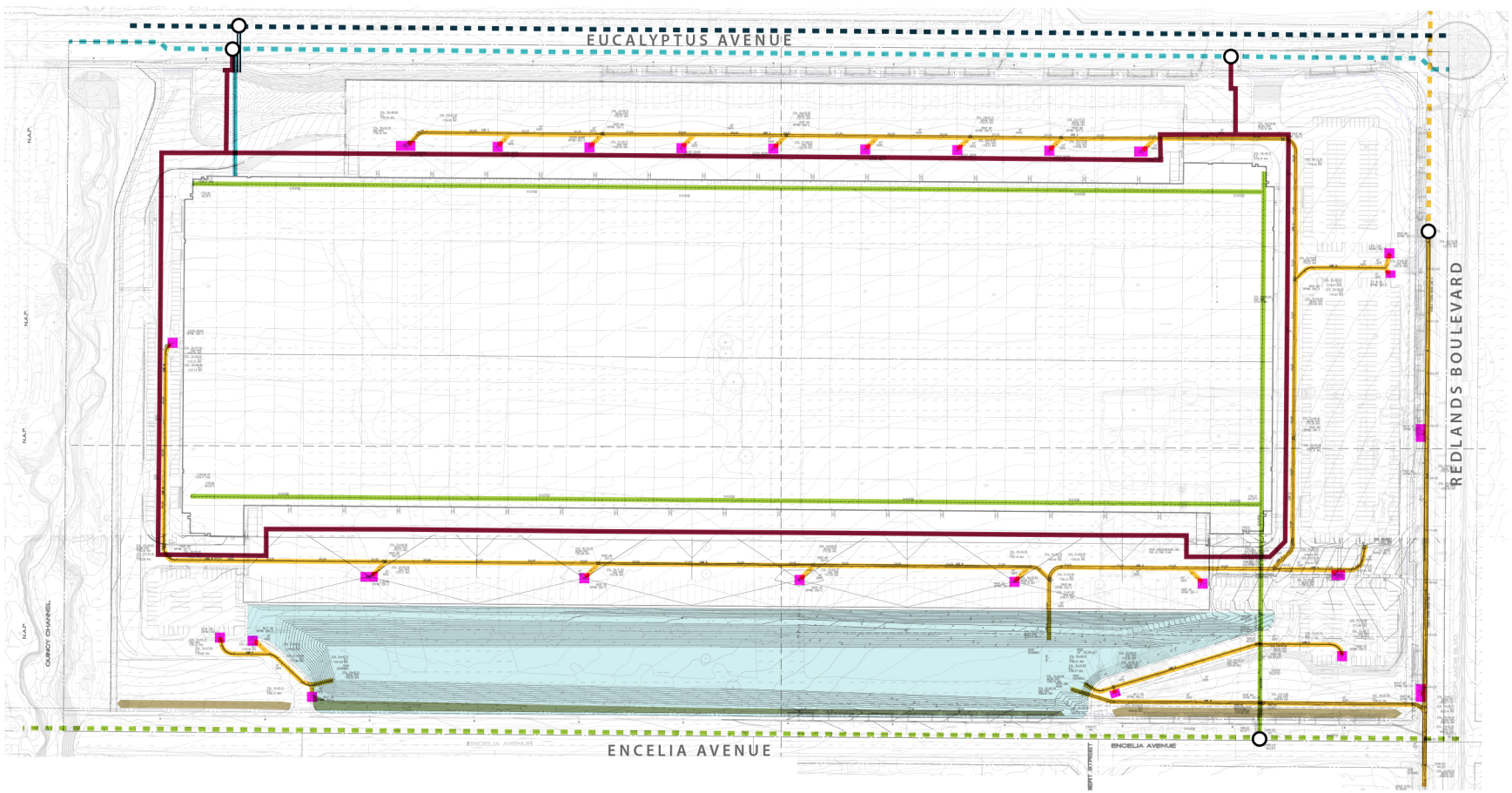
Source: (Urban Crossroads, 2020a, Table 3-2; Urban Crossroads, 2020b, Table 3-2)

*The analysis in this EIR of construction-related effects (e.g., air pollutant emissions, noise) conservatively assumes that all areas on the Project site not covered by the building are paved and, thus, overstates the amount of on-site paving that would actually occur. Accordingly, although the proposed warehouse distribution/logistics site plan would have a smaller parking area and would install less paving than the conceptual fulfillment/e-commerce site plan, both plans are evaluated herein as requiring the same amount of paving.

in Moreno Valley Municipal Code Sections 8.14.040(e) and 11.80.030(D)(7). Because Project construction would include activities that have the potential to occur at night (i.e., concrete pouring, which benefits from air temperatures that are lower than those that occur during the day), the analysis in this EIR conservatively assumes nighttime concrete pouring would occur during the course of Project construction.

As shown on Figure 3-14, *Proposed Grading Plan*, the Project would result in approximately 418,910 cubic yards of cut and 418,726 cubic yards of fill. Based on the expected shrinkage and compaction of on-site soils, approximately 184 cubic yards of soil materials would be required to be exported from the Project site. When grading is complete, the highest point of the Project site would be located at its northwest corner (approximately 1,755 feet above mean sea level [amsl]) and the lowest point would be located at the southeast corner (approximately 1,711 feet amsl). The Project's grading concept utilizes manufactured slopes and retaining walls at different areas of the Project site; manufactured slopes would be constructed at a maximum incline of 2:1 and retaining walls would not exceed the height allowable by the Moreno Valley Municipal Code. Proposed retaining walls would be provided along the northern portion of the Project site, which would enable the truck court on the north side of the proposed building to be mostly sunk below the elevation of Eucalyptus Avenue, thereby reducing the visibility of the truck court/loading area. The Project's grading concept also would require the installation of a sheet pile wall and a retaining wall along the western Project site boundary in order to avoid disturbances to the existing Quincy Channel.

In the event the Project is occupied by a fulfillment/e-commerce business, the proposed site plan would be modified to eliminate the loading docks/truck court and to provide additional passenger vehicle parking along the south side of the proposed building and to provide one additional driveway along Encelia Avenue (as previously described in Subsection 3.3.3.A). These changes to the site plan would require modifications to grading earthwork totals; 430,465 cubic yards of cut and 430,930 cubic yards of cut would be required, resulting in 465 cubic yards of import to the Project site. Finished grades and the locations and heights of retaining walls and sheet pile walls would be similar between the proposed site plan for a warehouse distribution/logistics operator and the conceptual site plan for a fulfillment/e-commerce operator. The conceptual grading plan for the fulfillment/e-commerce site plan is illustrated on Figure 3-15.

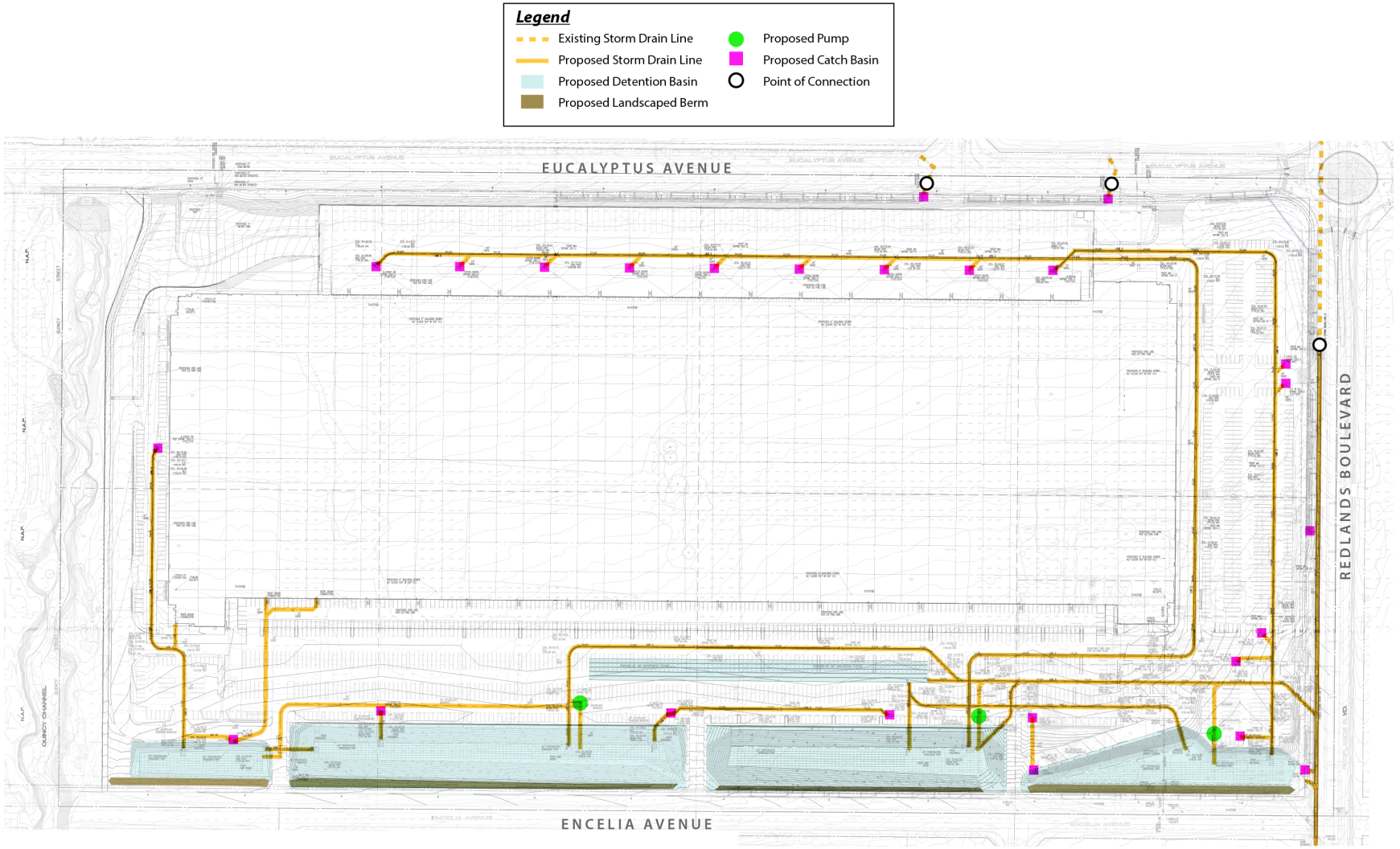


Source(s): Thienes Engineering, Inc. (01-18-2021)

Not to Scale

Figure 3-13

Proposed Utility Plan

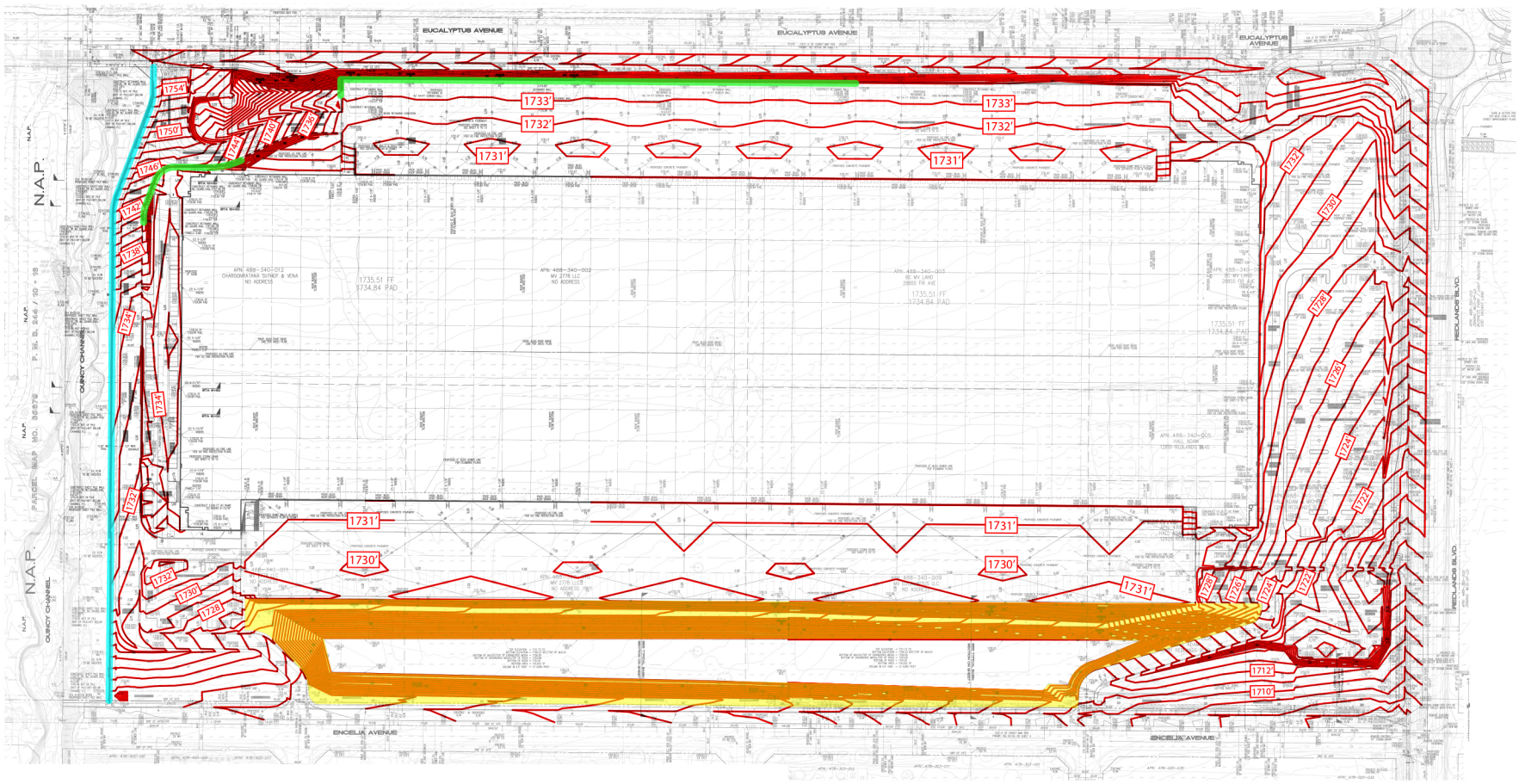


Source(s): Thienes Engineering, Inc. (01-18-2021)

Not to Scale

Figure 3-14

Conceptual Stormwater Drainage Plan for Fulfillment/E-Commerce Plan

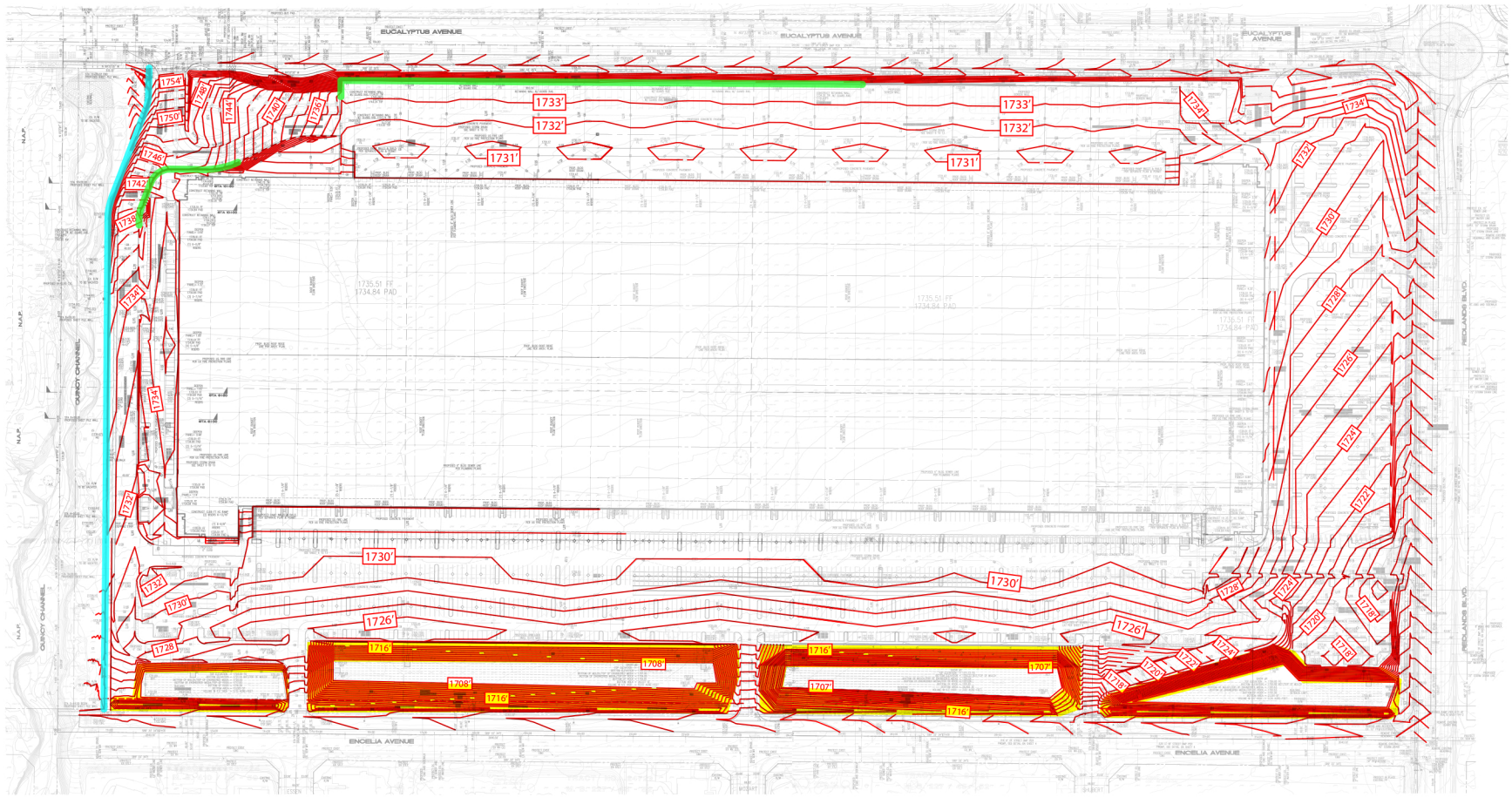


Source(s): Thienes Engineering, Inc. (01-18-2021)

Not to Scale

Figure 3-15

Proposed Grading Plan



Source(s): Thienes Engineering, Inc. (01-18-2021)

Figure 3-16

Not to Scale

Conceptual Grading Plan for Fulfillment/E-Commerce Plan

The composition of the construction equipment fleet that the Project Applicant intends to use to construct the Project, which also is used for purposes of analysis is in this EIR, is summarized in Table 3-2, *Estimated Construction Equipment Fleet*. As a Project design feature during the "Pile Driving" phase of Project construction, the Project will use only non-impact pile driving equipment, such as an ABI drill rig. The construction equipment fleet would be identical whether the proposed site plan for a warehouse distribution/logistics operator and the conceptual site plan for a fulfillment/e-commerce operator were to be built.

Table 3-2 Estimated Construction Equipment Fleet

Phase Name	Equipment	Amount	Hours Per Day
Demolition	Concrete/Industrial Saws	1	8
	Excavators	3	8
	Rubber Tired Dozers	2	8
Site Preparation	Crawler Tractors	4	8
	Rubber Tired Dozers	3	8
Pile Driving	Bore/Drill Rigs	1	8
	Cranes	1	8
	Forklifts	1	8
Grading	Crawler Tractors	2	8
	Excavators	2	8
	Graders	1	8
	Rubber Tired Dozers	1	8
	Scrapers	2	8
Building Construction	Cranes	1	8
	Crawler Tractors	3	8
	Forklifts	3	8
	Generator Sets	1	8
	Welders	3	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	8

Source: (Urban Crossroads, 2020a, Table 3-3; Urban Crossroads, 2020b, Table 3-3)

3.6 PROJECT OPERATIONAL CHARACTERISTICS

The future occupant(s) of the Project's proposed light industrial building is/are currently unknown. The Project Applicant expects that the building would be occupied by either warehouse distribution/logistics operator(s) or fulfillment/e-commerce businesses and that up to 50,000 s.f. of the building could be used as cold storage (chilled, refrigerated, or freezer warehouse space). In the event the proposed building includes cold storage, the loading docks for trucks serving the refrigerated warehouse space – trucks that are fitted with transport

refrigeration units, TRUs – would be located on the north side of the building only. The Project Applicant estimates that the Project could support 1,000 employees if used for warehouse distribution/logistics and 2,000 employees if used for fulfillment/e-commerce. For purposes of evaluation in this EIR, it is assumed that the proposed building would be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night. Lighting would be subject to compliance with Moreno Valley Municipal Code Section 9.08.100, which states that all outdoor lighting associated with nonresidential uses shall be fully shielded and directed away from surrounding residential uses to reduce glare and light trespass, and shall not exceed one-quarter-foot-candle minimum maintained lighting measured from within five feet of any property line.

The proposed building is designed such that business operations would be conducted within the enclosed buildings, with the exception of traffic movement, parking, and the loading and unloading of tractor trailers at designated loading bays. As a practical matter, dock doors on industrial buildings are not occupied by a truck at all times of the day. There are typically many more dock door positions on industrial buildings than are needed for receiving and shipping volumes. The dock doors that are in use at any given time are usually selected based on interior building operation efficiencies. In other words, trucks ideally dock in the position closest to where the goods to be carried by the truck are inside the building. As a result, a number of dock door positions are frequently inactive throughout the day.

During operation, employees, visitors, and vehicles hauling goods will travel to and from the Project site on a daily basis. Project operations are calculated by a traffic study to generate approximately 2,321 vehicle trips per day, including 1,436 passenger vehicle trips and 885 truck trips for a warehouse distribution/logistics use or 6,607 vehicle trips per day, including 5,750 passenger vehicle trips and 857 truck trips for a fulfillment/e-commerce use. Pursuant to State law, on-road diesel-fueled trucks are required to comply with various air quality and greenhouse gas emission standards, including but not limited to the type of fuel used, engine model year stipulations, aerodynamic features, and idling time restrictions. Compliance with State law is mandatory and inspections of on-road diesel trucks subject to applicable State laws are conducted by the California Air Resources Board (CARB).

Project operations are expected to demand approximately: 166,540 gallons of water per day; 121,890 gallons of wastewater treatment per day; 1,905,300 kilowatt hours (kWh) of electricity per year; and up to 2,823,560 kBTU of natural gas per year (EMWD, 2006, Table 1; Urban Crossroads, 2020g, Table 4-17; Urban Crossroads, 2020h, Table 4-17).

3.7 CITY REVIEW PROCESS

The City of Moreno Valley has primary approval responsibility for the proposed Project. As such, the City serves as the Lead Agency for this EIR pursuant to CEQA Guidelines Section 15050. The City's Planning Commission will evaluate this EIR and the Project Applicant's requested discretionary applications (General Plan Amendment, Change of Zone, Plot Plan, and Tentative Parcel Map). The Planning Commission will make a recommendation to the City Council whether the Project should be approved and this EIR should be certified. The City Council is the decision-making authority for the Project and will consider the Project along with the Planning Commission's recommendations and will make a final decision to approve, approve with

changes, or deny the Project. The City Council will consider the information contained in this EIR and the Project's Administrative Record in its decision-making processes.

In the event of City Council approval of the Project and certification of this EIR, City staff would conduct administrative reviews and grant ministerial permits for plans that do not deviate from the plans approved by the City Council. If the Project Applicant proposes to modify any aspect of the plans approved by the City Council, City staff will review the modified plans and determine whether the changes warrant City review under the "Major" or "Minor" review processes outlined in Municipal Code Section 9.02.030 (Development Review Process). Plan modifications that substantially conform to the approved plans and meet the conditions outlined in Municipal Code Section 9.02.070 (Plot Plan) and/or 9.02.280 (Substantial Conformance) can be approved administratively by the Community Development Director. In the event of substantial modifications to the plans approved by the City Council, the modified plans will be reviewed by City staff and considered before the Planning Commission subject to the applicable provisions outlined in the Section 9.02.070 (Plot Plan) of the Moreno Valley Municipal Code. Were the Project to be changed to the conceptual 48-foot-tall fulfillment/e-commerce option described in this section following City Council approval, this modification could be approved administratively by the Community Development Director or referred to the Planning Commission for consideration. Were the Project to be changed to the conceptual 100-foot-tall fulfillment/e-commerce option described in this section following City Council approval, this modification would be referred to the Planning Commission for consideration.

A list of the actions under City of Moreno Valley jurisdiction is provided in Table 3-3, *Project Related Approvals/Permits*. In addition, additional discretionary and/or administrative actions will be necessary from other government agencies to fully implement the Project. Table 3-3 lists the government agencies that are expected to use the Project's EIR during their consultation and review of the Project and its implementing actions and provides a summary of the subsequent actions associated with the Project.

Table 3-3 Project Related Approvals/Permits

Public Agency	Approvals and Decision
Proposed Project – City of Moreno Valley Discretionary Approvals	
City of Moreno Valley Planning Commission	• Recommend approval, conditional approval, or denial of General Plan Amendment (PEN19-0191), Change of Zone (PEN19-0192), Plot Plan (PEN19-0193), and Tentative Parcel Map (PEN19-0234). • Recommend that the City Council reject or certify this EIR along with appropriate CEQA Findings.
City of Moreno Valley City Council	• Approve, conditionally approve, or deny General Plan Amendment (PEN19-0191), Change of Zone (PEN19-0192), Plot Plan (PEN19-0193), and Tentative Parcel Map (PEN19-0234). • Reject or certify this EIR along with appropriate CEQA Findings.
Subsequent City of Moreno Valley Ministerial Approvals	
City of Moreno Valley Staff	• Approve precise site plan(s) and landscaping/irrigation plan (s), as may be appropriate. • Issue Grading Permits. • Issue Building Permits. • Approve Road Improvement Plans. • Issue Encroachment Permits. • Accept public right-of-way dedications. • Approve Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP).
Other Agencies – Subsequent Approvals and Permits	
Riverside County Flood Control and Water Conservation District	• Administrative approvals related to the design and construction of stormwater drainage infrastructure.
Eastern Municipal Water District	• Administrative approvals for construction of water and sewer infrastructure and connection to the water and sewer distribution and conveyance systems.
Santa Ana Regional Water Quality Control Board	• Issuance of a Construction Activity General Construction Permit. • Issuance of a National Pollutant Discharge Elimination System (NPDES) Permit. • Approval of WQMP
Riverside County Department of Environmental Health	• Approvals related to capping and abandonment of water well and removal of septic systems and leach fields.

4.0 Environmental Analysis

4.0.1 Summary of EIR Scope

In accordance with CEQA Guidelines Sections 15126-15126.4, this EIR Section includes analyses of potential direct, indirect, and cumulatively-considerable impacts that could result from the planning, construction, and/or operation of the proposed Project.

An Initial Study was prepared to determine the scope of environmental analysis for this EIR (refer to *Technical Appendix A*). The City of Moreno Valley made the Initial Study available on its website for review and mailed a Notice of Preparation (NOP) to public agencies and interested individuals to solicit input on the scope of study for this EIR. The City of Moreno Valley also held an EIR Scoping Meeting to inform the public of the Project and the environmental review process and provide additional information on how to submit public comments. Taking all known information and public comments into consideration, 14 primary environmental subject areas are evaluated in detail in this EIR Section 4.0, as listed below. Each subsection evaluates several specific topics related to the primary environmental subject. The title of each subsection is not limiting; therefore, refer to each subsection for a full account of the specific subject matters addressed therein.

4.1	Aesthetics	4.8	Hazards & Hazardous Materials
4.2	Air Quality	4.9	Hydrology & Water Quality
4.3	Biological Resources	4.10	Land Use & Planning
4.4	Cultural Resources	4.11	Noise
4.5	Energy	4.12	Transportation
4.6	Geology & Soils	4.13	Tribal Cultural Resources
4.7	Greenhouse Gas Emissions	4.14	Utilities & Service Systems

Based on the conclusions in the Initial Study and after consideration of all comments received by the City of Moreno Valley on the scope of this EIR and documented in the City's administrative record, the City determined that the Project clearly had no potential to result in significant impacts under six (6) primary environmental subject areas: Agriculture & Forestry Resources, Mineral Resources, Population & Housing, Public Services, Recreation, and Wildfire. These six subjects are addressed in Section 5.0, *Other CEQA Considerations*.

4.0.2 Scope of Cumulative Effects Analysis

CEQA requires that an EIR contain an assessment of the cumulative impacts that may be associated with a proposed project. As noted in CEQA Guidelines Section 15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable." "A cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects creating related impacts" (CEQA Guidelines Section 15130(a)(1)). As defined in CEQA Guidelines Section 15355:

> *'Cumulative Impacts' refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.*

(a) The individual effects may be changes resulting from a single project or a number of separate projects.

(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

CEQA Guidelines Section 15130(b) describes two acceptable methods for identifying a study area for purposes of conducting a cumulative impact analysis. These two approaches include: "1) a list of past, present, and probable future projects producing related or cumulative impacts, including if necessary, those projects outside the control of the agency ['the list of projects approach'], or 2) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact ['the summary of projections approach']."

The summary of projections approach is used in this EIR, except for the evaluation of cumulative transportation and vehicular-related air quality, greenhouse gas, and noise impacts, for which a combination of the summary of projections and the list of projects approaches are used. The analysis of cumulative transportation impacts combines the summary of projections approach with the manual addition of past, present, and reasonably foreseeable projects ("combined approach"). The City of Moreno Valley determined the combined approach to be appropriate because long-range planning documents contain a sufficient amount of information to enable an analysis of cumulative effect for all subject areas, except for transportation (and vehicular-related air quality, greenhouse gas, and noise effects), which requires a greater level of detailed study. The cumulative impact analyses of vehicular-related air quality, greenhouse gas, and noise impacts, which rely on data from the Project's traffic study, inherently utilize the combined approach. With the combined approach, the cumulative impact analyses for the air quality, greenhouse gas, noise, and transportation issue areas overstate the Project's potential cumulatively considerable impacts relative to analyses that rely solely on the list of projects approach or solely on the summary of projections approach; therefore, the combined approach provides a conservative, "worst-case" analysis for the Project's contribution to cumulative air quality, greenhouse gas, noise, and transportation impacts.

The list of projects used to supplement the summary of projections approach for the cumulative transportation impact analysis (as well as vehicular-related air quality, greenhouse gas, and noise impact analyses) includes known approved and pending development projects in proximity to the Project site that would contribute traffic to the same transportation facilities as the Project. This methodology recognizes development projects that have the potential to contribute measurable traffic to the same intersections, roadway segments, and/or State highway system facilities as the proposed Project and have the potential to be fully operational in the foreseeable future. Accordingly, the cumulative impact analysis of transportation (and vehicular-related air quality, greenhouse gas, and noise impacts) includes the 73 other known past, present, and reasonably foreseeable projects described in Table 4.0-1, *List of Cumulative Projects*, and illustrated on Figure 4.0-1, *Cumulative Projects Location Map*, in addition to the summary of projections.

Table 4.0-1 List of Cumulative Projects

Project Number	Project Name/Developer	Location	Land Use	Quantity	Units
1	Waste Management MVRT	17700 Indian St, Moreno Valley, CA	Waste Resource Facility	500	TPD
2	San Michele Industrial Facility	NWC of Perris Blvd/San Michele Rd, Moreno Valley, CA	Warehouse	241.22	TSF
3	Indian Street Commerce Center	SWC of Indian St/Grove View Rd, Moreno Valley, CA	Warehouse	436.35	TSF
4	Warehouse	17791 Perris Blvd, Moreno Valley, CA	Warehouse	736.47	TSF
5	Truck Storage Yard	24811 Rivard Rd, Moreno Valley, CA	Storage Yard	4.89	Acres
6	Warehouse	SWC of Perris Blvd/Nandina Ave, Moreno Valley, CA	Warehouse	340.18	TSF
7	Moreno Valley Industrial Center	North of San Michele Rd, west of Perris Blvd, Moreno Valley, CA	Warehouse	354.81	TSF
8	Warehouse	NEC of Perris Blvd/Modular Way, Moreno Valley, CA	High-Cube Warehouse	1109.38	TSF
9	Warehouse	NEC of Heacock St/Nandina Ave, Moreno Valley, CA	High-Cube Warehouse	696.70	TSF
10	Warehouse	SWC of Perris Blvd/San Michele Rd, Moreno Valley, CA	High-Cube Warehouse	400.13	TSF
11	First Nandina Logistics Center	SWC of Indian St/Nandina Ave, Moreno Valley, CA	High-Cube Warehouse	1450.00	TSF
12	Lumber Yard	South of Nandina Ave, between Heacock St & Indian St, Moreno Valley, CA	Lumber Yard	67.00	TSF
13	Warehouse	South of Harley Knox Blvd between Webster Ave and Indian Ave, Perris, CA	Warehouse	170.00	TSF
14	Moreno Valley Logistics Center	South of Krameria Ave between Heacock St and Indian St, Moreno Valley, CA	Warehouse	1737.52	TSF
15	Brodiaea Commerce Center	NWC of Brodiaea Ave/Heacock St, Moreno Valley, CA	Warehouse	262.398	
16	Brodiaea Business Park	SWC of Brodiaea Ave/Heacock St, Moreno Valley, CA	Warehouse	99.98	TSF
17	Prologis Centerpointe	NWC of Graham St/Brodiaea Ave, Moreno Valley, CA	Warehouse	601.81	TSF
18	Newcastle Frederick	NEC of Frederick St/Brodiaea Ave, Moreno Valley, CA	Warehouse	203.71	TSF
19	PAMA Business Park	Southside of Alessandro Blvd, west of Heacock St, Moreno Valley, CA	Warehouse	270.00	TSF
20	Heacock Commerce Center	SWC of Alessandro Blvd/Brodiaea Ave, Moreno Valley, CA	Warehouse	256.86	TSF
21	March LifeCare Campus	SWC of Heacock St/Cactus Ave, Moreno Valley, CA	Medical Office Retail R&D Hospital Assisted Living	190 210 200 50 660	TSF TSF TSF Beds Beds
22	Alessandro Apartments	Southside of Alessandro Blvd, west of Appleblossom Ln, Moreno Valley, CA	Apartments	272	DU
23	Wolverine Properties Residential	Northside of Locust Ave, west of Trust Way, Moreno Valley, CA	Single-Family Residential	26	DU
24	Global Investment Residential	Northside of Ironwood Ave, between Nason St & Moreno Beach Dr, Moreno Valley, CA	Single-Family Residential	272	DU
25	Curtis Development Residential	North of Manzanita Ave, east of Quincy St, Moreno Valley, CA	Single-Family Residential	23	DU
26	Sussex Capital Group Residential	South of Kalmia Ave, west of Quincy St, Moreno Valley, CA	Single-Family Residential	58	DU

Table 4.0-1 List of Cumulative Projects

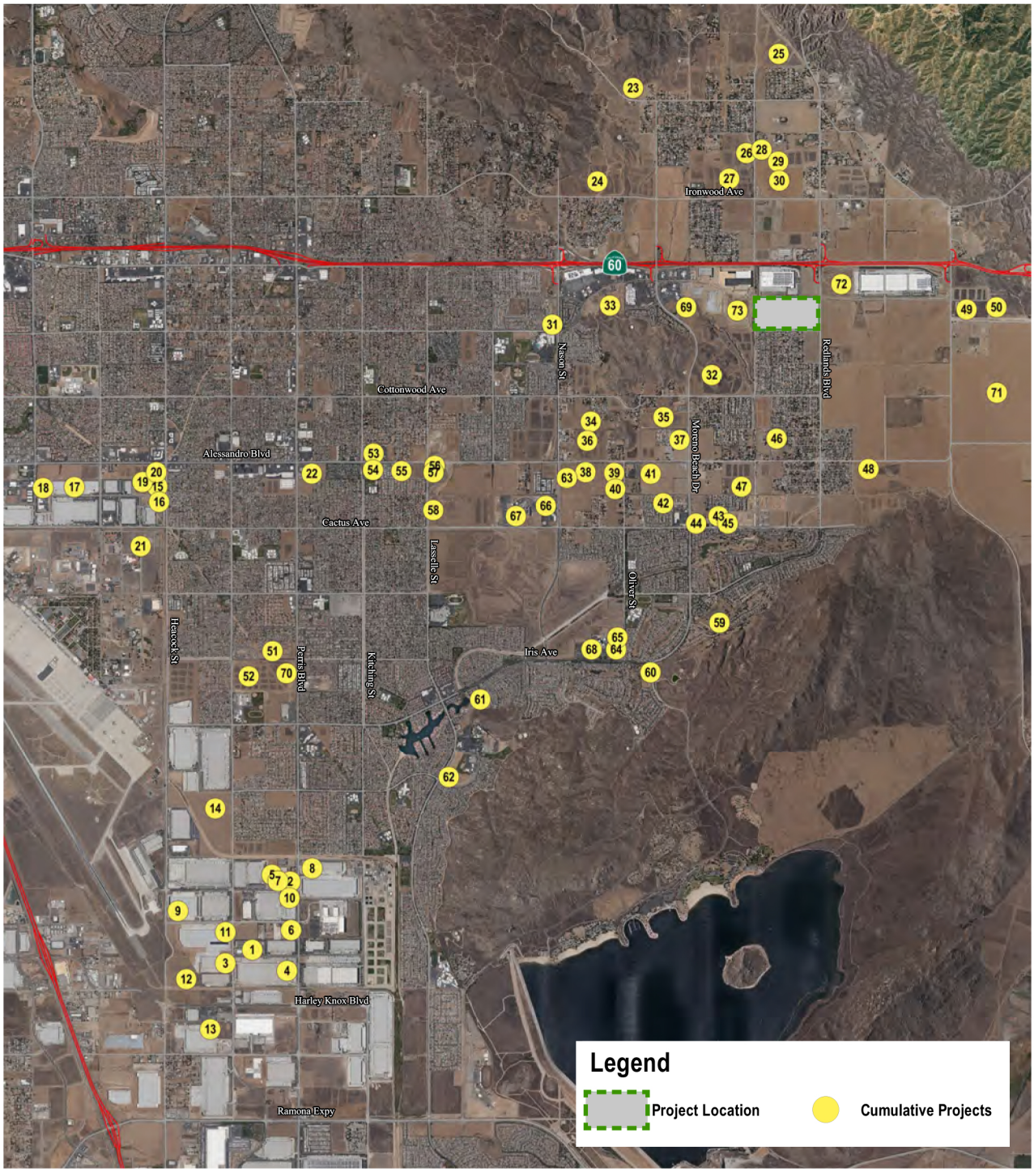
Project Number	Project Name/Developer	Location	Land Use	Quantity	Units
27	Pacific Scene Homes Residential	North of Ironwood Ave, east of Pettit St, Moreno Valley, CA	Single-Family Residential	31	DU
28	Sussex Capital Group Residential	South of Kalmia Ave, east of Quincy St, Moreno Valley, CA	Single-Family Residential	11	DU
29	Pacific Communities Residential	North of Juniper Ave, west of Redlands Blvd, Moreno Valley, CA	Single-Family Residential	24	DU
30	Pacific Communities Residential	South of Juniper Avenue, west of Redlands Blvd, Moreno Valley, CA	Single-Family Residential	47	DU
31	RSI Residential	NWC of Nason St/Eucalyptus Ave, Moreno Valley, CA	Single-Family Residential	87	DU
32	Lansing Companies Residential	NEC of Moreno Beach Dr/Cottonwood Ave, Moreno Valley, CA	Single-Family Residential	562	DU
33	Beazer Homes Residential	Southside of Eucalyptus Ave, east of Fir Ave, Moreno Valley, CA	Single-Family Residential	275	DU
34	Winchester Associates Residential	Sout of Cottonwood Ave, between Nason St & Marth Crawford St, Moreno Beach, CA	Single-Family Residential	52	DU
35	Dev West Engineering Residential	North of Bay Ave, between Oliver St & Moreno Beach Dr, Moreno Valley, CA	Single-Family Residential	80	DU
36	Winchester Associates Residential	North of Alessandro Blvd, west of Marion Rd, Moreno Valley, CA	Single-Family Residential	54	DU
37	Frontier Homes Residential	North of Alessandro Blvd, west of Moreno Beach Dr, Moreno Valley, CA	Single-Family Residential	56	DU
38	Gabel, Cook, and Associates Residential	South of Alessandro Blvd, between Nason St & Oliver St, Moreno Valley, CA	Single-Family Residential	107	DU
39	Winchester Associates Residential	SWC of Oliver St/Alessandro Blvd, Moreno Valley, CA	Single-Family Residential	63	DU
40	Joe Anderson Residential	NWC of Oliver St/Brodiaea Ave, Moreno Valley, CA	Single-Family Residential	32	DU
41	Mike McKnight Planning Residential	South of Alessandro Blvd, between Oliver St & Moreno Beach Dr, Moreno Valley, CA	Single-Family Residential	96	DU
42	Frontier Homes Residential	South of Brodiaea Ave, between Oliver St & Moreno Beach Dr, Moreno Valley, CA	Single-Family Residential	40	DU
43	Hakan Buvan Residential	NEC of Bradshaw Cir/Medinah Way, Moreno Valley, CA	Single-Family Residential	8	DU
44	Michael De La Torre Residential	NEC of Moreno Beach Dr/Cactus Ave, Moreno Valley, CA	Single-Family Residential	6	DU
45	KB Homes Residential	North of Cactus Ave, east of Medinah Wah, Moreno Valley, CA	Single-Family Residential	159	DU
46	Motlagh Family Trust Residential	North of Alessandro Blvd/west of Wilmot St, Moreno Valley, CA	Single-Family Residential	25	DU
47	Cantebury Residential	NEC of Morningside Dr/Brodiaea Ave, Moreno Valley, CA	Single-Family Residential	45	DU
48	26th Corp. Residential	SEC of Merwin St/Alessandro Blvd, Moreno Valley, CA	Single-Family Residential	235	DU
49	Kuo Ming Lee Residential	North of Eucalyptus Ave, between WLC Pkwy & Gilman Springs Rd, Moreno Valley, CA	Single-Family Residential	34	DU
50	Michael Dillard Residential	North of Eucalyptus Ave, between WLC Pkwy & Gilman Springs Rd, Moreno Valley, CA	Single-Family Residential	9	DU
51	RSI Residential	NWC of Perris Blvd/Gentian Ave, Moreno Valley, CA	Single-Family Residential	140	DU

Table 4.0-1 List of Cumulative Projects

Project Number	Project Name/Developer	Location	Land Use	Quantity	Units
52	RSI Residential	SEC of Indian St/Gentian Ave, Moreno Valley, CA	Single-Family Residential	221	DU
53	Creative Design Assoc. Residential	North of Alessandro Blvd, east of Kitching St & west of Chara St, Moreno Valley, CA	Multi-Family Residential	39	DU
54	Creative Design Assoc. Residential	SEC of Kitching St/Alessandro Blvd, Moreno Valley, CA	Multi-Family Residential	58	DU
55	Perris Pacific Company Residential	SWC of Chervil Ct/Alessandro Blvd, Moreno Valley, CA	Multi-Family Residential	49	DU
56	Boulder Ridge Residential	SEC of Lasselle St/Alessandro Blvd, Moreno Valley, CA	Multi-Family Residential	141	DU
57	Rocas Grandes Residential	NEC of Copper Cove Ln/Alessandro Blvd, Moreno Valley, CA	Multi-Family Residential	426	DU
58	MV Bella Vista GP Residential	NEC of Lasselle St/Cactus Ave, Moreno Valley, CA	Multi-Family Residential	220	DU
59	ROCIII CA Belago Residential	NEC of Moreno Beach Dr/Championship Dr, Moreno Valley, CA	Multi-Family Residential	417	DU
60	Granite Capital Residential	SWC of Via Del Lago/Moreno Beach Dr, Moreno Valley, CA	Multi-Family Residential	135	DU
61	GHA Residential	South of Iris Ave, west of Avenida De Circo, Moreno Valley, CA	Multi-Family Residential	62	DU
62	Continental East Fund Residential	NEC of Lasselle St/Krameria Ave, Moreno Valley, CA	Multi-Family Residential	112	DU
63	Moreno Valley Medical Plaza	SEC of Nason St/Alessandro Blvd, Moreno Valley, CA	Medical Office	217	TSF
64	Fresenius Medical Care	NWC of Oliver St/Iris Ave, Moreno Valley, CA	Medical Office	12	TSF
65	Mainstreet Post-Acute Care	SWC of Oliver St/Filaree Ave, Moreno Valley, CA	Medical Office	57	TSF
66	Integrated Care Communities	South of Brodiaea Ave, west of Nason St, Moreno Valley, CA	Nursing Home	99	Beds
67	Riverside University Health System Expansion	Northside of Cactus Ave, west of Nason St, Moreno Valley, CA	Medical Office	200	TSF
68	Kaiser Permanente Medical Center Phase I	Northside of Iris Ave, east of Turnberry St, Moreno Valley, CA	D & T Expansion	95	TSF
69	Car Pros Kia	SEC of Auto Mall Dr/Pettit St, Moreno Valley, CA	Automobile Dealership	42	TSF
70	Moreno Valley Walmart	SWC of Perris Blvd/Gentian Ave	Free-Standing Discount Superstore	190	TSF
71	World Logistics Center Phase I	East of World Logistics Pkwy/ north of Alessandro Blvd, Moreno Valley, CA	Warehouse	22,946	TSF
72	Sketchers Expansion	NEC of Redlands Blvd/Eucalyptus Ave, Moreno Valley, CA	Warehouse	800	TSF
73	Warehouse	Southside of Eucalyptus Ave, East of Auto Mall Dr, Moreno Valley, CA	Warehouse	339	TSF

"TSF" = thousand square feet; "TPD" = tonnes per day; "DU" = dwelling units

Source: This table has been adapted from Table C-5 of *Technical Appendix L2*. (Translutions, 2020b, Table C-5)



Source(s): translutions, inc. (06-12-2020)

Not to Scale

Figure 4.0-1

Cumulative Projects Location Map

For the cumulative impact analyses that rely on the summary projections approach (i.e., all issue areas with the exception of transportation and vehicular-related air quality, greenhouse gas, and noise – as described in the preceding pages), the cumulative study area primarily includes the City of Moreno Valley which is among incorporated cities and unincorporated communities located in the northwest portion of Riverside County that have similar environmental characteristics as the Project area. The selected study area encompasses a valley that is largely bounded by prominent topographic landforms, such as Box Spring Mountain, the Foothills, and Reche Canyon to the north, the Badlands to the east, and the Lakeview Mountains and Mount Russell to the southeast. This study area exhibits similar characteristics in terms of climate, geology, and hydrology and, therefore, is also likely to have similar biological and archaeological characteristics as well. This study area also encompasses the service areas of the Project site's primary public service and utility providers. Areas outside of this study area either exhibit topographic, climatological, or other environmental circumstances that differ from those of the Project area, or are simply too far from the proposed Project site to produce environmental effects that could be cumulatively considerable. Exceptions include the cumulative air quality analysis, which considers the entire South Coast Air Basin (SCAB); the greenhouse gas emissions and global climate change analysis, which affects all areas on the planet; and the analysis of potential cumulative hydrology and water quality effects, which considers other development projects located within the Santa Ana River Basin watershed.

Environmental impacts associated with buildout of the Project's cumulative study area were evaluated in CEQA compliance documents prepared for the respective General Plans covering the cumulative study area. The location where each of these CEQA compliance documents is available for review is provided below. All of the CEQA compliance documents listed below are herein incorporated by reference pursuant to CEQA Guidelines Section 15150.

- City of Moreno Valley General Plan EIR (SCH No. 200091075), available for review at the City of Moreno Valley Community Development Department, 14177 Frederick Street, Moreno Valley, CA 92552;
- City of Perris General Plan EIR (SCH No. 2004031135), available for review at the City of Perris Department of Community Development, 135 North "D" Street, Perris, CA 92570; and
- County of Riverside General Plan EIR (SCH No. 200904105), available for review at the County of Riverside Transportation and Land Management Agency Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92502.

4.0.3 Analysis Format

Subsections 4.1 through 4.14 of this EIR evaluate the 14 environmental subjects warranting detailed analysis as determined by the City of Moreno Valley identified by the City of Moreno Valley in consideration of preliminary research findings, public comments, and technical study. The format of discussion is standardized as much as possible in each section for ease of review. The environmental setting is discussed first, followed by a discussion of the potential environmental impacts that would result from implementation of the Project (which is based on specified thresholds of significance used as criteria to determine whether potential environmental effects are significant).

The thresholds of significance used in this EIR are based on the thresholds approved by the City of Moreno Valley in their *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act* (see CEQA Guidelines Section 15064.7). The thresholds are intended to assist the reader of this EIR in understanding how and why this EIR reaches a conclusion that an impact would or would not occur, is significant, or is less than significant.

Serving as the CEQA Lead Agency for this EIR, the City of Moreno Valley is responsible for determining whether an adverse environmental effect identified in this EIR should be classified as significant or less than significant. The standards of significance used in this EIR are based on the independent judgment of the City of Moreno Valley, taking into consideration the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act* (July 2019), the City of Moreno Valley General Plan, the Moreno Valley Municipal Code and adopted City policies, the judgment of the technical experts that prepared this EIR's technical appendices, performance standards adopted, implemented, and monitored by regulatory agencies, and significance standards recommended by regulatory agencies.

As required by CEQA Guidelines Section 15126.2(a), Project-related effects on the environment are characterized in this EIR as direct, indirect, cumulatively considerable, short-term, long-term, on-site, and/or off-site impacts. A summarized "impact statement" is provided in each subsection following the analysis. Each subsection also includes a discussion or listing of the applicable regulatory criteria (laws, policies, regulations) that the Project and its implementing actions are required to comply with (if any). If impacts are identified as significant after mandatory compliance with regulatory criteria, feasible mitigation measures are presented that would either avoid the impact or reduce the magnitude of the impact. For any impact identified as significant and unavoidable, the City of Moreno Valley would be required to adopt a statement of overriding considerations pursuant to CEQA Guidelines Section 15093 in order to approve the Project despite its significant impact(s) to the environment. The statement of overriding considerations would list the specific economic, legal, social, technological, and other benefits of the Project, supported by substantial evidence in the Project's administrative record, that outweigh the unavoidable impacts.

4.1 AESTHETICS

This Subsection describes the aesthetic qualities and visual resources present on the Project site and in the site's vicinity, and evaluates the potential effects that the Project may have on these resources. Descriptions of existing visual characteristics, both on-site and in the vicinity of the Project site, and the analysis of potential impacts to aesthetic resources are based on field observations and site photographs collected by T&B Planning, Inc. in May 2020 (T&B Planning, 2020); analysis of aerial photography (Google Earth Pro, 2020); and the Project application materials submitted to the City of Moreno Valley described in Section 3.0, *Project Description*, of this EIR. This Subsection also is based on information contained in the Aesthetics section of the certified Final Program EIR prepared for the City's General Plan (SCH No. 200091075) (Moreno Valley, 2006b), and the City of Moreno Valley Municipal Code (Moreno Valley, 2018). All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.1.1 EXISTING CONDITIONS

A. Project Site and Surrounding Areas

The Project site is located in the eastern portion of the City of Moreno Valley, Riverside County, California. The Project site is located immediately south of Eucalyptus Avenue, immediately west of Redlands Boulevard, and immediately north of Encelia Avenue. For many decades, the surrounding area exhibited a rural or undeveloped character, but the locale is currently in a state of transition to an urbanized character. Under existing conditions, some of the surrounding area remains undeveloped, while other areas are urbanized. For example, warehouse buildings exist to the immediate north and northwest of the Project site and a suburban-style residential community with single-family lots is located to the south of the site, while undeveloped parcels are located to the east (approved for large-scale industrial development) and west of the site (planned for residential land uses). Refer to EIR Subsection 2.3, *Surrounding Land Uses*, for a description of uses abutting the Project site.

Topographically, the site is gently sloping with elevations ranging from approximately 1,704 feet above mean sea level (amsl) in the southeastern portion of the site to approximately 1,755 amsl in the northwestern portion of the Project site. There are no rock outcroppings or unique topographic features on the Project site.

Pursuant to CEQA Guidelines Section 15125 and explained in Section 2.0 of this EIR, the physical environmental condition for purposes of establishing the setting of this EIR is the environment as it existed at the time the EIR's NOP was released for public review. The NOP for this EIR was released on March 16, 2020. As of that approximate date, a commercial plant nursery with five (5) associated structures – three (3) residences, an ancillary garage, and a small office building were located in the southeast corner of the site. The three (3) residential structures are occupied. The remaining portions of the Project site are undeveloped.

Figure 4.1-1, *Site Photograph Key Map*, illustrates the locations of the six (6) vantage points that were used in the photographic inventory of the Project site and are relied upon herein to describe the Project site's existing aesthetic condition and character. The photographs taken from these vantage points are illustrated on Figure 4.1-2 and Figure 4.1-3. These photographs provide a representative visual depiction of the site's visual characteristics as seen from surrounding public viewing areas, which consist of public roads adjacent to the

Project site. The photographs were all taken during the same session and reflect a field of view approximately five (5) feet above the ground.

B. Scenic Vistas and Scenic Resources

The Project site is located within a relatively flat valley floor surrounded by rugged hills and mountains. Major scenic resources in Moreno Valley that contribute to scenic vistas include the Box Springs Mountains to the northwest, Reche Canyon and the Foothills to the north, the Badlands to the northeast, and Mount Russell and its foothills to the southeast of the City (Moreno Valley, 2006a, p. 7-14, 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. (Google Earth Pro, 2020)

There are no State-designated scenic road or highway corridors within the City of Moreno Valley (Caltrans, 2017b). Notwithstanding, 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, 2006a, p. 7-14, Figure 7-2).

C. Light and Glare

The Project site contains minimal sources of artificial, exterior lighting under existing conditions. Artificial lighting sources occur in the immediate vicinity of the Project site, with the most notable sources of light emanating from street lights along the northern side of Eucalyptus Avenue and southern side of Encelia Avenue, and from developed properties to the north and to the south of the Project site.

4.1.2 Regulatory Setting

A. Local Plans, Policies, and Regulations

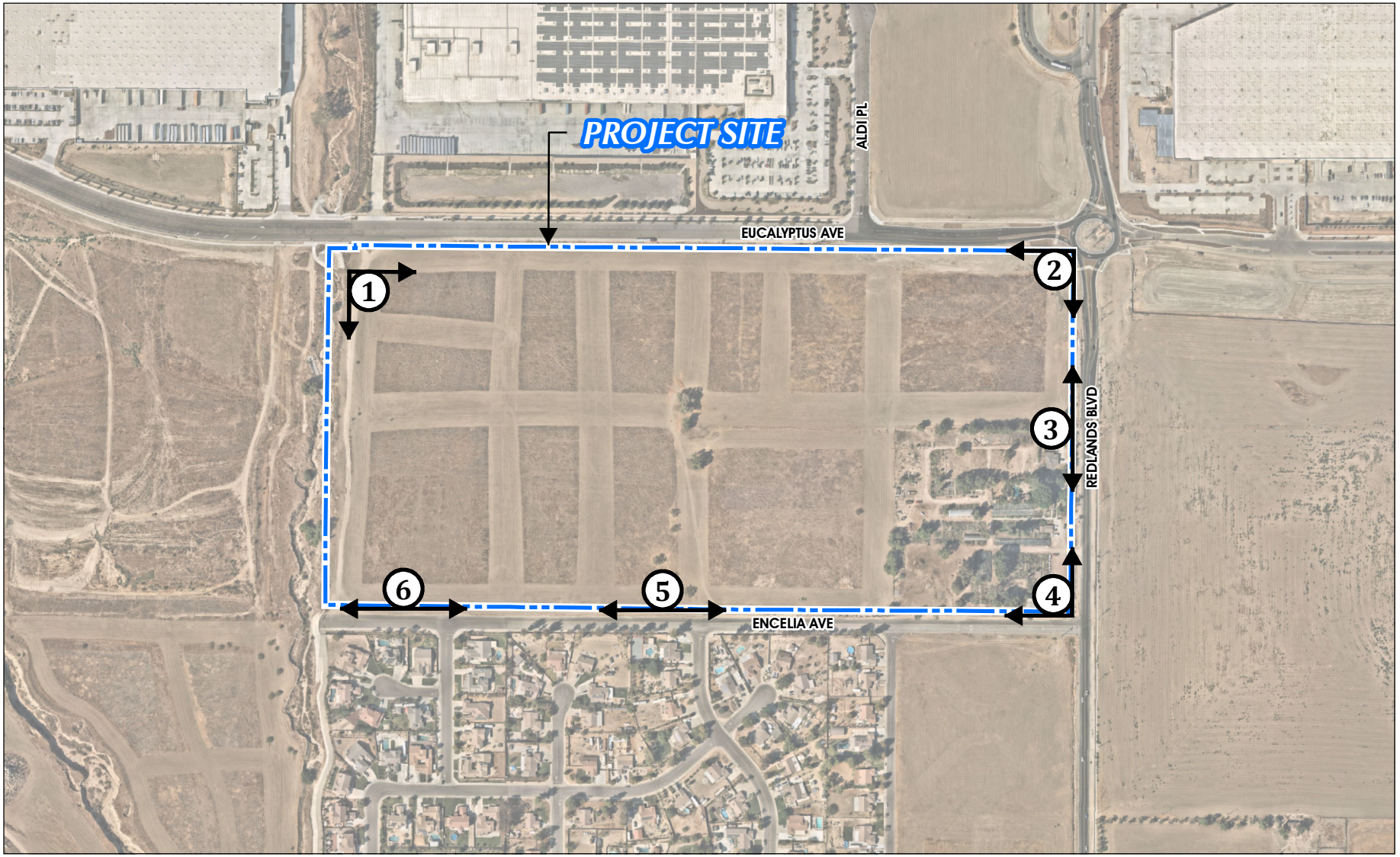
1. City of Moreno Valley General Plan

The City of Moreno Valley General Plan guides future development within the City. The General Plan's Community Development Element, Parks, Recreation and Open Space Element, and Conservation Element identify attributes that contribute form, character, and quality of life in the communities and neighborhoods where people live and provide goals, policies and programs that are intended to preserve the City's character and scenic resources while improving overall community design.

2. City of Moreno Valley Municipal Code

The City of Moreno Valley Municipal Code Section 9.08.100 regulates light and glare associated with new development in the City, and requires the following of non-residential development:

> *All outdoor lighting associated with nonresidential uses shall be fully shielded and directed away from surrounding residential uses. Such lighting shall not exceed one-quarter foot-candle minimum maintained lighting measured from within five feet of any property line, and shall not blink, flash, oscillate, or be of unusually high intensity or brightness* (Moreno Valley, 2018).



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

0 125 250 500 Feet

Figure 4.1-1

Site Photograph Key Map



Site Photo 1: From Northwest Corner of the Project Site, near Eucalyptus Ave, looking East to South.



Site Photo 2: From Northeast Corner of the Project Site, at the intersection of Eucalyptus Ave & Redlands Blvd, looking South to West.



Site Photo 3: From Eastern Edge of the Project Site, along Redlands Blvd, looking South to North.

Figure 4.1-2

Not to Scale

Site Photographs 1-3



Site Photo 4: From Southeast Corner of the Project Site, at the intersection of Redlands Blvd & Encelia Ave, looking West to North.



Site Photo 5: From Southern Edge of the Project Site, along Encelia Ave, looking West to East.



Site Photo 6: From Southwest Edge of the Project Site, along Encelia Ave, looking West to East.

Figure 4.1-3

Not to Scale

Site Photographs 4-6

4.1.3 Basis for Determining Significance

The Project would result in a significant impact to aesthetics if the Project or any Project-related component would:

a. *Have a substantial adverse effect on a scenic vista;*

b. *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;*

c. *In a non-urbanized area, 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; or*

d. *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.*

The above-listed thresholds are referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act* and address the typical, adverse effects that development projects could have on aesthetics/visual quality and scenic resources. The use of these thresholds for the evaluation of Project-related impacts is intended to ensure that impacts to aesthetic resources are appropriately evaluated and that feasible mitigation measures are applied for any impacts that are determined to be significant.

Regarding the determination of significance under Threshold "a," if the Project would block or otherwise substantially and adversely affect a unique view of a scenic vista(s) as seen from a public viewing location(s), such as a public road, park, trail, and/or other publicly-owned property at which the general public is legally authorized to use or congregate, the impact would be regarded as significant. Effects to scenic vistas from private properties would not be considered significant because the City of Moreno Valley General Plan calls for the protection of public views and the City does not have any ordinances or policies in place that protect views from privately-owned property.

Regarding the determination of significance under Threshold "b," if the Project would interfere with the substantial preservation and/or enhancement of scenic resources within a State scenic highway corridor or scenic resources visible from a State scenic highway then impacts would be significant.

The United States Census Bureau defines "urbanized area" as a densely settled core of census tracts and/or census blocks that have 50,000 or more residents and meet minimum population density requirements while also being adjacent to territory containing non-residential urban land uses. The Project site is located in an urbanized area and is within the boundaries of the Census-defined Riverside-San Bernardino urban area (USCB, 2012); therefore, for the analysis of Threshold "c," the Project would result in a significant adverse impact if the Project design conflicts with applicable zoning and other applicable regulations governing scenic quality.

Regarding the determination of significance under Threshold "d," if the Project would directly expose the Project area with bright lights or create unwanted light in the night sky including light trespass sky glow, or over-lighting, the Project would adversely affect day or nighttime views in the area.

4.1.4 IMPACT ANALYSIS

The analysis provided on the following pages addresses the potential aesthetics impacts that could result from implementation of the proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*. Except where specifically noted herein, implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses would result in similar aesthetics impacts.

Threshold a: ***Would the Project have a substantial adverse effect on a scenic vista?***

Figure 4.1-2 and Figure 4.1-3 depict the Project site under existing conditions. As shown, the Project site is primarily undeveloped, with the exception of a commercial plant nursery at its southeast corner (which includes sheds, garage, office building, and residences) and does not contain any special or unique scenic attributes, like rock outcroppings, native vegetation, or a substantial number of mature trees. The City of Moreno Valley General Plan does not identify any scenic vistas or scenic corridors on the Project site or in the vicinity of the Project site. (Moreno Valley, 2006a, Figure 7-2)

Scenic resources within and surrounding the City of Moreno Valley include the Badlands, which is located approximately 1.3 miles northeast of the Project site, Mount Russell and its foothills, which is located approximately 1.6 miles southeast of the Project site, and Reche Canyon and the Foothills, which are located approximately 2.1 miles northwest of the Project site. As shown on Figure 4.1-2, views of Reche Canyon and the Foothills are not prominently visible from the Project site and its vicinity due to existing development and topography. The Badlands are visible from the Project site and its vicinity on clear days; however, this landform is not prominently visible from the Project site and its vicinity on days with high levels of atmospheric haze (which is common throughout the year and illustrated on Figure 4.1-3). Views of Mount Russell and its foothills are relatively prominent from the Project area year-round.

The Project would involve the construction and operation of one light industrial building on the Project site. The architectural elevations of the proposed 48-foot-tall building under a warehouse distribution/logistics user are shown on Figure 4.1-4 and the architectural elevations for the conceptual 48-foot-tall building under a potential fulfillment/e-commerce user are shown on Figure 4.1-5. As previously noted in EIR Section 3.0, *Project Description*, under the conceptual scenario where the building is occupied by a fulfillment/e-commerce user, there is the potential that interior mechanical equipment could necessitate a building that could be up to 100 feet tall. Conceptual architectural elevations for a 100-foot-tall building for a fulfillment/e-commerce user are shown on Figure 4.1-6. In the event modifications are needed to the proposed site plan and/or architecture to accommodate a fulfillment/e-commerce user – whether for a 48-foot-tall building or a building up to 100 feet tall – the plan would be subject to subsequent City review pursuant to the procedures outlined in Sections 9.02.030 (Development Review Process), 9.02.070 (Plot Plans) and/or 9.02.280 (Substantial Conformance) of the City's Municipal Code. The applicable review and approval process would be determined by the nature



Source(s): HPA (03-04-2021)

Not to Scale

Figure 4.1-4

Proposed Architectural Elevations

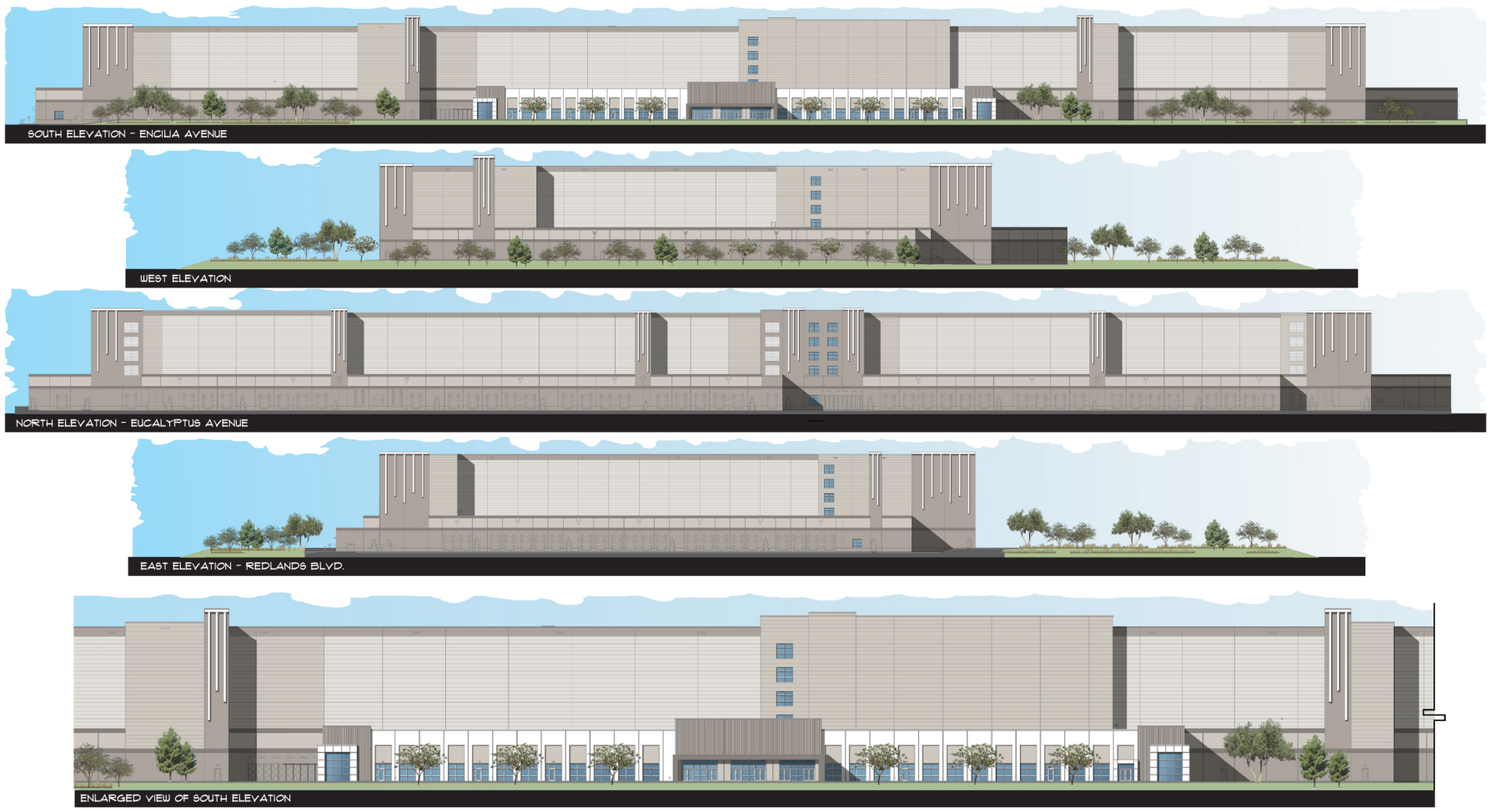


48-foot-tall Option

Source(s): HPA (03-04-2021)

Not to Scale

Figure 4.1-5
Conceptual Architectural Elevations for Fulfillment/E-Commerce Plan



100-foot-tall Option

Source(s): HPA (03-09-2021)

Not to Scale

Figure 4.1-6
Conceptual Architectural Elevations for Fulfillment/E-Commerce Plan

of future modifications and whether specific conditions in Municipal Code Sections 9.02.030, 9.02.070, and/or 9.02.280 are met, as described in detail in EIR Section 3.0. Implementation of the Project also would introduce other vertical features to the Project site (walls, fences, landscaping, etc.) that would be shorter and would have substantially less physical mass than the building, so the proposed light industrial building is considered to have the greatest potential to affect a scenic vista. The proposed building would be set back from Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue by approximately 150+ feet. These roadways are the existing public viewing areas from where views of local scenic resources have the potential to be affected by the Project.

Due to existing warehouse development located immediately north and northwest of the Project site and existing topography north of the Project site, prominent distinct views of Reche Canyon and the Foothills are not available from the segments of Eucalyptus Avenue and Redlands Avenue abutting the Project site. Thus, implementation of the Project whether constructed at its proposed 48-foot height or conceptual height of up to 100 feet would not result in substantial adverse effects to local views of Reche Canyon and the Foothills from either Eucalyptus Avenue or Redlands Avenue. Notwithstanding, partially obstructed views of Reche Canyon and the Foothills are available from portions of Encelia Avenue abutting the Project site (generally, the segment west of Shubert Street). The proposed physical changes to the site – the height of the proposed building, the change in the site's topography (which would be raised above existing ground elevations at the southern portion of the site), and landscaping that would be planted adjacent to the north side of Encelia – are expected to mostly or completely obstruct the remaining views of Reche Canyon and the Foothills as viewed from Encelia Avenue abutting the Project site (west of Shubert Street). This impact would occur under both the proposed 48-foot building height and the conceptual height of up to 100 feet. The City concludes this impact would be significant.

Due to the orientation of the Badlands to the northeast and east of Project site, implementation of the Project would have no effect on views of the Badlands from the segments of Eucalyptus Avenue and Redlands Boulevard abutting the Project site. However, the construction of a building on-site (at the proposed height of 48 feet or the conceptual height of up to 100 feet) and on-site landscaping is expected to block views of the Badlands and the San Bernardino Mountains beyond as viewed from portions of the Encelia Avenue segment abutting the Project site (west of Shubert Street). The existing plant nursery and plant materials (i.e., trees) on southwest corner of the Project site already partially obstruct views of the Badlands and the San Bernardino Mountains from the Encelia Avenue segment west of Shubert Street and the change resulting from the Project would not be substantial relative to existing conditions at this location. The expected loss of most or all views of the Badlands and the San Bernardino Mountains from the Encelia Avenue segment located west of Shubert Street is regarded as a significant impact. This impact would occur under both the proposed 48-foot building height and the conceptual height up to 100 feet.

The Project also would obstruct views of Mount Russell and its foothills visible from the Eucalyptus Avenue segment abutting the Project site under the proposed 48-foot building height and the conceptual building height of up to 100 feet. The City determines this impact would be significant.

Based on the foregoing analysis, implementation of the Project has the potential to result in a substantial adverse effect on scenic vistas of the Badlands (and the San Bernardino Mountains beyond) and Mount Russell and its foothills. This impact is considered significant.

Threshold b: ***Would the Project substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?***

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. 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, 2017a; Caltrans, 2017b; 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.

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, 2006a, p. 7-14, Figure 7-2). The Project site is mostly blocked 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 (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.

Threshold c: ***Would the Project in a non-urbanized area, 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?***

The Project area is urbanized and meets the Unites States Census Bureau's definition of an urbanized area.

❑ Construction-Related Activities

Heavy equipment would be used during development of the Project. This equipment would be visible to the immediately surrounding areas during the Project's temporary construction period. Construction activities are

a common occurrence in the urbanizing Inland Empire region of southern California and, recently, within the City of Moreno Valley. Construction activities do not inherently or substantially degrade an area's visual quality. Except for the short-term use of cranes during building construction and lifts during the architectural coating phase, the construction equipment used on the Project site is expected to be low in height and not particularly visible to the surrounding area. Furthermore, Project-related construction activities would be temporary in nature and all construction equipment would be removed from the Project site following completion of Project-related construction activities. Furthermore, during construction, the Project would be required to comply with the applicable Moreno Valley Municipal Code regulations governing scenic quality.

Based on the foregoing, Project-related changes to local visual character and quality are determined to be less than significant during temporary, short-term construction activities.

❑ Project Buildout

Upon buildout of the Project, the visual character of the site would change from primarily undeveloped land, with a commercial plant nursery located at the southeast corner of the site, to a developed property containing one light industrial building that would be occupied by warehouse distribution/logistics or fulfillment/e-commerce users. The Project's design, including site layout, architecture, and landscaping is discussed and illustrated in detail in EIR Section 3.0, *Project Description*. As previously described, the Project's architecture incorporates a neutral color palette that would not be visually offensive and also incorporates accent elements, such as colored glass and decorative building elements at the building's office entries for visual interest. Additionally, the Project's landscape plan incorporates low water need plant species that can maintain vibrancy during drought conditions. The proposed visual features of the Project and the conceptual visual features of the potential e-commerce/fulfillment plan, as illustrated on Figure 4.1-7 through Figure 4.1-11, would be complementary with existing industrial land uses north of Eucalyptus Avenue and the approved/planned industrial land uses east of Redlands Boulevard.

The Project proposes to change the Project site's zoning designation from the "Residential Agriculture 2 (RA2) District" and "Primary Animal Keeping Overlay (PAKO) District" to the "Light Industrial (LI) District" and the Project will be required to comply with the applicable LI District development standards and design guidelines contained in the Moreno Valley zoning code, 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. As part of the City of Moreno Valley's review of the Project application materials, the City determined that no component of the Project would conflict with the design regulations applicable within the LI District, including standards pertaining to building architecture and landscaping. The LI District has no limit on building height.

As shown on Figure 4.1-7 through Figure 4.1-11, the visual quality and character of the Project site would be very similar under both the proposed warehouse distribution/logistics plan and the conceptual 48-foot-tall fulfillment/e-commerce option, with the only difference being the provision of additional passenger vehicle parking areas and a steel fence (instead of a solid screen wall) on the south side of the building. Depending on the interior equipment needs of a potential user, the building on the Project site could reach up to 100 feet in height under the conceptual fulfillment/e-commerce plan as noted in EIR Section 3.0, *Project Description*. (As noted previously in this section, any modifications to the proposed site plan and/or architecture to accommodate a fulfillment/e-commerce user – either to provide a 48-foot-tall building or a building up to 100

feet tall – would be subject to further City review pursuant to the applicable procedures outlined in Sections 9.02.030, 9.02.070, and/or 9.02.280 of the City's Municipal Code.) The 100-foot-tall fulfillment/e-commerce option would utilize the same architectural features, building materials, and colors as the 48-foot-tall fulfillment/e-commerce plan. Renderings of the conceptual 100-foot-tall fulfillment/e-commerce option also are shown on Figure 4.1-4 through Figure 4.1-8. As with the proposed Project, the potential implementation of the fulfillment/e-commerce plan – either the 48-foot-tall or 100-foot-tall options – would be required to comply with the applicable LI District development standards and design guidelines contained in the Moreno Valley zoning code, which regulate the visual quality of new development.

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.

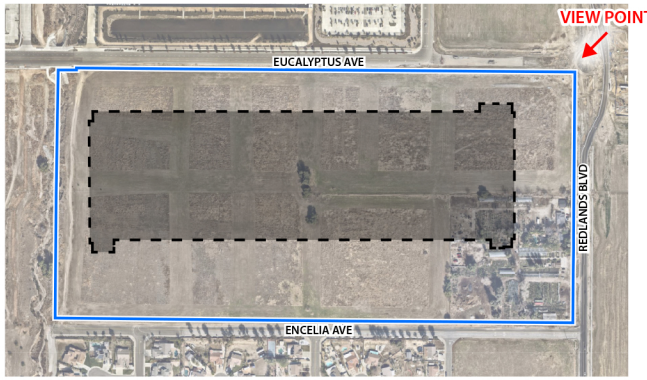
Threshold d: ***Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

Implementation of the Project would introduce new lighting elements on-site, primarily to illuminate the parking areas, truck docking areas, and building entrances. The Project's lighting elements would include building-mounted fixtures (security lighting and upward/downward facing decorative lighting oriented toward the building) and pole-mounted fixtures in the Project's truck docking areas and at the Project's driveway entries along Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue. (It should also be noted that the Project is bounded by Eucalyptus Avenue and Encelia Avenue, which have existing street lights and are well-traveled by vehicles.) The Project would be required to adhere to the lighting requirements as set forth in the City of Moreno Valley Municipal Code (Section 9.08.100). 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. Mandatory compliance with Municipal Code Section 9.08.100 would ensure that the Project's building – whether it be the proposed 48-foot-tall building for a warehouse distribution/logistics user or a potential building for a fulfillment/e-commerce user that could be up to 100-feet-tall – and associated site features would not introduce any permanent design features that would adversely affect day or nighttime views in the area.

With respect to glare, a majority of Project building materials would consist of painted tilt-up concrete panels (the paints proposed for the Project have a matte finish and will not produce glare), although the buildings would incorporate some glass elements. While window glazing has a potential to result in minor glare effects, such effects would not adversely affect daytime views of surrounding properties, including motorists along adjacent roadways, because the glass proposed for the Project would be low-reflective, blue glass. Thus, glare impacts from proposed building elements would be less than significant.



Proposed Warehouse Distribution/Logistics Plan





Conceptual Fulfillment/E-Commerce: 48-foot-tall Option



Conceptual Fulfillment/E-Commerce: 100-foot-tall Option

Source(s): HPA (02-24-2021)

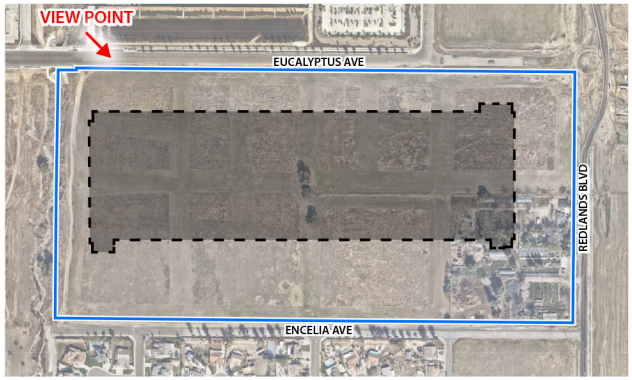
Not to Scale

Figure 4.1-7

Rendering of Project Site from Eucalyptus Avenue (1 of 2)



Proposed Warehouse Distribution/Logistics Plan





Conceptual Fulfillment/E-Commerce: 48-foot-tall Option



Conceptual Fulfillment/E-Commerce: 100-foot-tall Option

Source(s): HPA (02-24-2021)

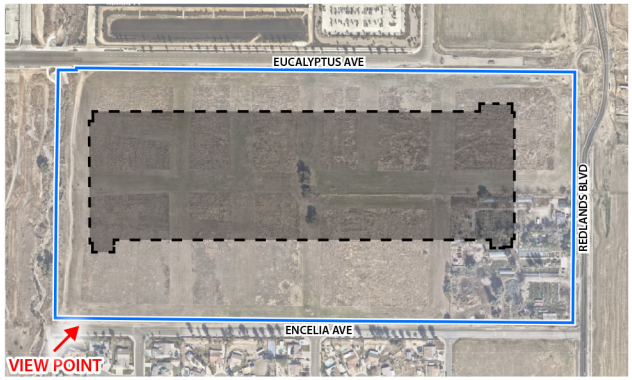
Not to Scale

Figure 4.1-8

Rendering of Project Site from Eucalyptus Avenue (2 of 2)



Proposed Warehouse Distribution/Logistics Plan





Conceptual Fulfillment/E-Commerce: 48-foot-tall Option



Conceptual Fulfillment/E-Commerce: 100-foot-tall Option

Source(s): HPA (02-24-2021)

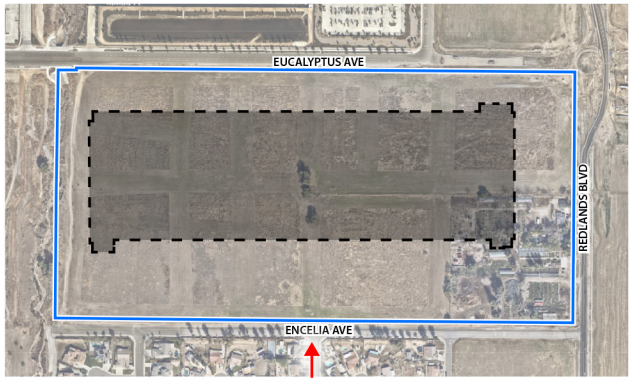
Not to Scale

Figure 4.1-9

Rendering of Project Site from Encelia Avenue (1 of 3)



Proposed Warehouse Distribution/Logistics Plan





Conceptual Fulfillment/E-Commerce: 48-foot-tall Option



Conceptual Fulfillment/E-Commerce: 100-foot-tall Option

Source(s): HPA (02-24-2021)

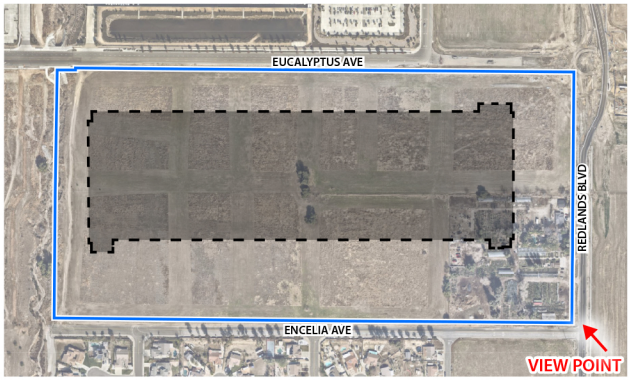
Not to Scale

Figure 4.1-10

Rendering of Project Site from Encelia Avenue (2 of 3)



Proposed Warehouse Distribution/Logistics Plan





Conceptual Fulfillment/E-Commerce: 48-foot-tall Option



Conceptual Fulfillment/E-Commerce: 100-foot-tall Option

Source(s): HPA (02-24-2021)

Not to Scale

Figure 4.1-11

Rendering of Project Site from Encelia Avenue (3 of 3)

4.1.5 CUMULATIVE IMPACT ANALYSIS

The CEQA Guidelines define a "cumulative impact" as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Guidelines Section 15355). The Project's effects to scenic views of the Reche Canyon, the Badlands (and the San Bernardino Mountains beyond), and Mount Russell and its foothills are localized to the immediate Project area and would not extend beyond the public viewing areas that immediately abut the Project site (Encelia Avenue and Eucalyptus Avenue, respectively). The scenic views that would be lost (or mostly obstructed) only occur abutting the Project site and the Project does not contain any off-site components that could adversely affect scenic views that occur elsewhere in the City. Accordingly, the Project's impacts to local scenic views are inherently site specific and not influenced or exacerbated by effects to scenic views may occur at other, off-site properties. Because of the site-specific nature of these impacts, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties pursuant to Threshold "a."

As noted under the analysis of Threshold "b," the Project site is not located within close proximity to any designated State scenic routes and does not contain any scenic resources. Therefore, the Project has no potential contribute to a cumulatively significant impact to scenic resources within a designated scenic route corridor.

The area surrounding the Project site is transitioning to an urbanized aesthetic containing industrial land uses. As with the Project, new development in the surrounding area would be subject to applicable development regulations and design standards, including, but not limited to the Moreno Valley Municipal Code. Mandatory compliance to applicable development regulations and design standards would ensure that developments would incorporate high quality building materials, site design, and landscaping to minimize the potential for adverse effects due to a conflict with applicable zoning and other regulations governing scenic quality. In addition, the Project's design incorporates various architectural and landscape features to enhance and/or screen views of the interior of the site from the surrounding public street system. Accordingly, Project-related impacts due to a conflict with applicable zoning and other regulations governing scenic quality would be less than cumulatively-considerable when considered in context with the existing visual character and quality of the Project site's surroundings, which is considered an urbanized environment.

With respect to potential cumulative light and glare impacts, the Project Applicant would be required to comply with City of Moreno Valley Municipal Code Section 9.08.100, which sets standards for exterior lighting/fixtures. Other developments in the City of Moreno Valley also are required to adhere to Municipal Code Section 9.08.100. Additionally, development projects with light sources in surrounding jurisdictions would be required to comply with the light reduction requirements applicable in their respective jurisdiction. Although cumulative development in the Project's surrounding area is expected to introduce new sources of lighting and potentially reflective materials, the required compliance with the applicable legal standard and code requirements would ensure that future cumulative development does not introduce substantial sources of lighting or glare. As such, the Project would not contribute to cumulatively-considerable, adverse impacts to the existing daytime or nighttime views of the Project site or its surroundings.

4.1.6 Significance of Impacts Before Mitigation

Threshold a: Significant Direct Impact. Implementation of the proposed Project would mostly or completely block existing views of Reche Canyon and the Foothills and the Badlands (and the San Bernardino Mountains beyond) from the Encelia Avenue segment abutting the Project site and located west of Shubert Street. In addition, implementation of the Project would mostly or completely obstruct views of Mount Russell and its foothills from the Eucalyptus Avenue segment that abuts the Project site. The loss of these existing public views would be significant.

Threshold b: No Impact. The Project site is not located within the viewshed of a scenic highway and, therefore, the Project site does not contain any scenic resources visible from a scenic highway.

Threshold c: Less-than-Significant Impact. The Project would not substantially degrade the existing visual character or quality of the site or its surrounding areas during Project construction or operation. Although the Project would change the visual character of the site from mainly undeveloped with a plant nursery and associated structures to light industrial use, the Project's surrounding area is transitioning from rural to urbanized land uses. Furthermore, the Project proposes a number of site design, architectural, and landscaping elements consistent with the Light Industrial District (LI) requirements of the City's Zoning Ordinance. Impacts would be less than significant.

Threshold d: Less-than-Significant Impact. Project-related development would not create substantial light or glare. Compliance with Moreno Valley Municipal Code requirements for lighting would ensure less-than-significant impacts associated with light and glare affecting day or nighttime views in the area from on-site lighting elements.

4.1.7 Mitigation

No feasible mitigation is available to reduce the proposed Project's significant impact to scenic resources because the components of the Project that are the cause of the impact – the proposed grading plan and building height – are directly related to the ability of the Project to meet minimum functional requirements. First, due to the site's existing topography – which is not level and slopes from north to south – the proposed grading plan must raise the ground elevation of the southern portion of the site while simultaneously lowering the northern portion of the site in order to create a pad that can support a safe building design and parking areas that meet minimum safety and accessibility requirements while, also, safely and effectively convey stormwater runoff through the Project site. Second, the Project would be constructed as a speculative building and the building height is comparable to the typical building height for new light industrial buildings in the Inland Empire; these buildings are designed to accommodate the minimum interior clear height and equipment and storage specifications that operators of these buildings require.

4.1.8 Significance of Impacts After Mitigation

Threshold a: Significant and Unavoidable Direct Impact. As noted in the preceding section, no mitigation is available to reduce or avoid the Project's substantial effect to views of Reche Canyon and the Badlands (and the San Bernardino Mountains beyond) from the Encelia Avenue segment abutting the Project site (and located west of Shubert Street) or the Project's potential substantial effect to views of Mount Russell and its foothills

from Eucalyptus Avenue. Accordingly, the loss of scenic vistas represents a significant and unavoidable direct impact of the Project.

4.2 AIR QUALITY

This Subsection is based primarily on six (6) technical studies that were prepared by Urban Crossroads, Inc. to evaluate the potential for Project-related construction and operational activities to result in adverse effects on local and regional air quality. The first two reports are air quality impact analyses, titled, 1) "Moreno Valley Trade Center Warehouse Air Quality Impact Analysis," dated October 9, 2020; and 2) "Moreno Valley Trade Center E-Commerce Air Quality Impact Analysis," dated October 9, 2020. The air quality impact analyses are included as *Technical Appendices B1 and B2*, respectively, to this EIR (Urban Crossroads, 2020a; Urban Crossroads, 2020b). The third and fourth analyses are mobile source health risk assessments, titled, 3) "Moreno Valley Trade Center Warehouse Mobile Source Health Risk Assessment," dated October 9, 2020; and 4) "Moreno Valley Trade Center E-Commerce Mobile Source Health Risk Assessment," dated January 7, 2021. The mobile source health risk assessments are included as *Technical Appendices B3 and B4*, respectively, to this EIR (Urban Crossroads, 2020c; Urban Crossroads, 2021a). The fifth and sixth analyses address potential air quality effects in the event the Project includes cold storage, titled: 5) "Moreno Valley Trade Center (Warehouse Scenario) Air Quality, Greenhouse Gas, & Health Risk Assessment Evaluation," dated October 9, 2020; and 6) "Moreno Valley Trade Center (E-Commerce Scenario) Air Quality, Greenhouse Gas, & Health Risk Assessment Evaluation," dated October 9, 2020." These reports are included as *Technical Appendices B5 and B6*, respectively, to this EIR (Urban Crossroads, 2020d; Urban Crossroads, 2020e). Refer to Section 7.0, *References*, for a complete list of reference sources used in this Subsection.

4.2.1 EXISTING CONDITIONS

A. Atmospheric Setting

The Project site is located in the South Coast Air Basin (SCAB, or "Basin"), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAB encompasses approximately 6,745 square miles and includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. The SCAB is bound by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and the San Jacinto Mountains to the north and east, respectively; and the San Diego County line to the south.

B. Regional Climate and Methodology

The regional climate – temperature, wind, humidity, precipitation, and the amount of sunshine – has a substantial influence on air quality. The SCAB's distinctive climate is determined by its terrain and geographical location, which comprises a coastal plain connected to broad valleys and low hills bounded by the Pacific Ocean in the southwest quadrant with high mountains forming the remainder of the perimeter. The SCAB is semi-arid, with average annual temperatures varying from the low-to-middle 60s, measured in degrees Fahrenheit (F); however, the air near the land surface is quite moist on most days because of the presence of a marine layer. This shallow layer of sea air is an important modifier of the SCAB's climate. Humidity restricts visibility in the SCAB and the relative high humidity heightens the conversion of sulfur dioxide to sulfates. The marine layer provides an environment for that conversion process, especially during the spring and summer months. Inland areas of the SCAB, including where the Project site is located, show more variability in annual minimum/maximum temperatures and lower average humidity than coastal areas within the SCAB due to decreased marine influence.

More than 90 percent of the SCAB's rainfall occurs between November and April. The annual average rainfall within the SCAB varies between approximately nine (9) inches in Riverside to 14 inches in downtown Los Angeles. Monthly and yearly rainfall totals are extremely variable. Summer rainfall usually consists of widely scattered thunderstorms near the coast and slightly heavier shower activity in the eastern portion of the SCAB. Due to its generally clear weather, about three-quarters of available sunshine is received in the SCAB; the remaining one-quarter is absorbed by clouds. The abundant amount of sunshine (and its associated ultraviolet radiation) is a key factor to the photochemical reactions of air pollutants in the SCAB.

Dominant airflow direction and speed are the driving mechanisms for transport and dispersion of air pollution. During the late autumn to early spring rainy season, the SCAB is subjected to wind flows associated with storms moving through the region from the northwest. This period also brings five to 10 periods of strong, dry offshore winds, locally termed "Santa Anas" each year. During the dry season, which coincides with the months of maximum photochemical smog concentrations, the wind flow is bimodal, typified by a daytime onshore sea breeze and a nighttime offshore drainage wind. Summer wind flows are created by the pressure differences between the relatively cold ocean and the unevenly heated and cooled land surfaces that modify the general northwesterly wind circulation over southern California. During the nighttime, heavy, cool air descends mountain slopes and flows through the mountain passes and canyons as it follows the lowering terrain toward the ocean.

In the SCAB, there are two distinct temperature inversion structures that control the vertical mixing of air pollution. During the summer, warm high-pressure descending (subsiding) air is undercut by a shallow layer of cool marine air. The boundary between these two layers of air is a persistent marine subsidence/inversion. This boundary prevents vertical mixing which effectively acts as an impervious lid to pollutants over the entire SCAB. The mixing height for the inversion structure is normally situated 1,000 to 1,500 feet above mean sea level. A second inversion-type forms in conjunction with the drainage of cool air off the surrounding mountains at night followed by the seaward drift of this pool of cool air. The top of this layer forms a sharp boundary with the warmer air aloft and creates nocturnal radiation inversions. These inversions occur primarily in the winter, when nights are longer and onshore flow is weakest. They are typically only a few hundred feet above mean sea level. These inversions effectively trap pollutants, such as nitrogen oxides and carbon monoxide, as the pool of cool air drifts seaward. Winter is therefore a period of high levels of primary pollutants along the coastline.

Refer to Sections 2.2 and 2.3 of *Technical Appendices B1 and B2* for a detailed description of regional climate and wind patterns.

C. Air Quality Pollutants and Associated Human Health Effects

The federal government and State of California have established maximum permissible concentrations for common air pollutants that may pose a risk to human health or would otherwise degrade air quality and adversely affect the environment. These regulated air pollutants are referred to as "criteria pollutants." Refer to Section 2.4 of *Technical Appendices B1 and B2* for a detailed discussion of common criterial pollutants in the SCAB, their sources, and associated effects to human health. The text below provides a brief overview of the information presented in Section 2.4 of *Technical Appendices B1 and B2*.

- **Carbon Monoxide (CO)** is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO concentrations tend to be the highest in the winter during the morning, when there is little to no wind and surface-based inversions trap the pollutant at ground levels. CO is emitted directly from internal combustion engines; therefore, motor vehicles operating at slow speeds are the primary source of CO and the highest ambient CO concentrations in the SCAB are generally found near congested transportation corridors and intersections. Inhaled CO does not directly affect the lungs but affects tissues by interfering with oxygen transport and competing with oxygen to combine with hemoglobin present in the blood to form carboxyhemoglobin (COHb). Therefore, health conditions with an increased demand for oxygen supply can be adversely affected by exposure to CO. The most common symptoms associated with CO exposure include headache, nausea, vomiting, dizziness, fatigue, and muscle weakness. Individuals most at risk to the effects of CO include fetuses, patients with diseases involving heart and blood vessels, and patients with chronic oxygen deficiency.
- **Sulfur Dioxide (SO_2)** is a colorless gas or liquid. SO_2 enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When SO_2 oxidizes in the atmosphere, it forms sulfates (SO_4). Collectively, these pollutants are referred to as sulfur oxides (SO_X). SO_2 is a respiratory irritant to people afflicted with asthma. After a few minutes' exposure to low levels of SO_2, asthma sufferers can experience breathing difficulties, including airway constriction and reduction in breathing capacity. Although healthy individuals do not exhibit similar acute breathing difficulties in response to SO_2 exposure at low levels, animal studies suggest that very high levels of exposure can cause lung edema (fluid accumulation), lung tissue damage, and sloughing off of cells lining the respiratory tract.
- **Nitrogen Oxides (NO_X)** consist of nitric oxide (NO), nitrogen dioxide (NO_2) and nitrous oxide (N_2O) and are formed when nitrogen (N_2) combines with oxygen (O_2). Their lifespan in the atmosphere ranges from one to seven days for nitric oxide and nitrogen dioxide, to 170 years for nitrous oxide. Nitrogen oxides are typically created during combustion processes, and are major contributors to smog formation and acid deposition. NO_2 is a criteria air pollutant, and may result in numerous adverse health effects; it absorbs blue light, resulting in a brownish-red cast to the atmosphere, and reduced visibility. Of the nitrogen oxide compounds, NO_2 is the most abundant in the atmosphere. As ambient concentrations of NO_2 are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO_2 than those indicated by regional monitoring stations. Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO_2. Short-term exposure to NO_2 can result in resistance to air flow and airway contraction in healthy subjects. Exposure to NO_2 can result decreases in lung functions in individuals with asthma or chronic obstructive pulmonary diseases (e.g., chronic bronchitis, emphysema).
- **Ozone (O_3)** is a highly reactive and unstable gas that is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO_X), both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, warm temperatures, and light wind conditions are favorable to the formation of this pollutant. Short-term exposure (lasting for a few hours) to ozone at levels typically observed in southern California can result in breathing pattern changes, reduction of

breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Individuals exercising outdoors, children, and people with pre-existing lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible sub-groups for ozone effects. Children who participate in multiple outdoor sports and live in communities with high ozone levels have been found to have an increased risk for asthma.

- **Particulate Matter less than 10 microns (PM_{10}) and less than 2.5 microns ($PM_{2.5}$)** are air pollutants consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols that are 10 microns or smaller or 2.5 microns or smaller, respectively. These particles are formed in the atmosphere from primary gaseous emissions that include sulfates formed from SO_2 release from power plants and industrial facilities and nitrates that are formed from NO_X release from power plants, automobiles, and other types of combustion sources. The chemical composition of fine particles is highly dependent on location, time of year, and weather conditions. The small size of PM_{10} and $PM_{2.5}$ allows them to enter the lungs where they may be deposited, resulting in adverse health effects. Elevated ambient concentrations of fine particulate matter (PM_{10} and $PM_{2.5}$) have been linked to an increase in respiratory infections, number, and severity of asthma attacks, and increased hospital admissions. Some studies have reported an association between long-term exposure to air pollution dominated by fine particles and increased mortality, reduction in life-span, and an increased mortality from lung cancer. Daily fluctuations in $PM_{2.5}$ concentration levels have also been related to hospital admissions for acute respiratory conditions in children, to a decrease in respiratory lung volumes in normal children, and to increased medication use in children and adults with asthma. Recent studies show lung function growth in children is reduced with long-term exposure to particulate matter. The elderly, people with pre-existing respiratory or cardiovascular disease, and children, appear to be the most susceptible to the effects of high levels of PM_{10} and $PM_{2.5}$.
- **Volatile Organic Compounds (VOCs) and Reactive Organic Gasses (ROGs)** are a family of hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. Both VOCs and ROGs are precursors to ozone and contribute to the formation of smog through atmospheric photochemical reactions. Individual VOCs and ROGs have different levels of reactivity; that is, they do not react at the same speed or do not form ozone to the same extent when exposed to photochemical processes. VOCs often have an odor, including such common VOCs as gasoline, alcohol, and the solvents used in paints. Odors generated by VOCs can irritate the eye, nose, and throat, which can reduce respiratory volume. In addition, studies have shown that the VOCs that cause odors can stimulate sensory nerves to cause neurochemical changes that might influence health, for instance, by compromising the immune system.
- **Lead (Pb)** is a heavy metal that is highly persistent in the environment. Historically, the primary source of lead in the air was emissions from vehicles burning leaded gasoline. Currently, emissions of lead are largely limited to stationary sources such as lead smelters. Exposure to low levels of lead can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotient. In adults, increased lead levels are associated with increased blood pressure. Lead poisoning can cause anemia, lethargy, seizures, and death. Fetuses, infants, and children are more sensitive than others to the adverse effects of lead exposure.

D. Existing Air Quality

Air quality is evaluated in the context of ambient air quality standards published by the federal and State governments. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. The National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) currently in effect are detailed in Table 4.2-1, *Ambient Air Quality Standards*. In California, a region's air quality is determined to be healthful or unhealthful by comparing pollutant levels in ambient air samples to the applicable NAAQS and CAAQS (as presented in Table 4.2-1).

Table 4.2-1 Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards [1]		National Standards [2]		
		Concentration [3]	Method [4]	Primary [3,5]	Secondary [3,6]	Method [7]
Ozone (O_3)[8]	1 Hour	0.09 ppm (180 µg/m³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m³)		0.070 ppm (137 µg/m³)		
Respirable Particulate Matter (PM10)[9]	24 Hour	50 µg/m³	Gravimetric or Beta Attenuation	150 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m³		—		
Fine Particulate Matter (PM2.5)[9]	24 Hour	—	—	35 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m³	Gravimetric or Beta Attenuation	12.0 µg/m³	15 µg/m³	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m³)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m³)		9 ppm (10 mg/m³)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m³)		—	—	
Nitrogen Dioxide (NO_2)[10]	1 Hour	0.18 ppm (339 µg/m³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m³)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m³)		0.053 ppm (100 µg/m³)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[11]	1 Hour	0.25 ppm (655 µg/m³)	Ultraviolet Fluorescence	75 ppb (196 µg/m³)	—	Ultraviolet Flourescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m³)	
	24 Hour	0.04 ppm (105 µg/m³)		0.14 ppm (for certain areas)[11]	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas)[11]	—	
Lead[12,13]	30 Day Average	1.5 µg/m³	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m³ (for certain areas)[12]	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m³		
Visibility Reducing Particles[14]	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m³)	Ultraviolet Fluorescence			
Vinyl Chloride[12]	24 Hour	0.01 ppm (26 µg/m³)	Gas Chromatography			

Source: (Urban Crossroads, 2020a, Table 2-2; Urban Crossroads, 2020b, Table 2-2)

1. *Regional Air Quality*

❑ Criteria Pollutants

The SCAQMD monitors levels of various criteria pollutants at 37 monitoring stations and five (5) single-pollutant source Pb air monitoring sites throughout its jurisdiction (Urban Crossroads, 2020a, p. 23; Urban Crossroads, 2020b, p. 23). The attainment status for criteria pollutants within the SCAB is summarized in Table 4.2-2, *SCAB Criteria Pollutant Attainment Status*.

Table 4.2-2 SCAB Criteria Pollutant Attainment Status

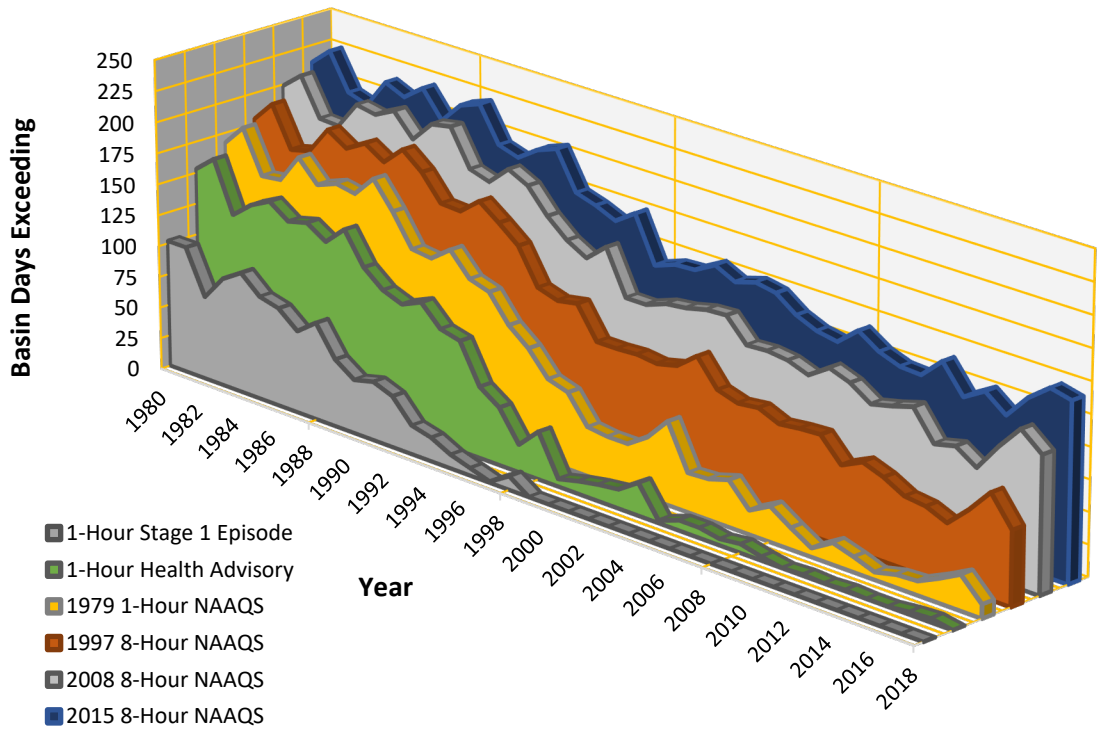
Criteria Pollutant	State Designation	Federal Designation
O_3 – 1-hour standard	Nonattainment	--
O_3 – 8-hour standard	Nonattainment	Nonattainment
PM_{10}	Nonattainment	Attainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Unclassifiable/Attainment
NO_2	Attainment	Unclassifiable/Attainment
SO_2	Unclassifiable/Attainment	Unclassifiable/Attainment
Pb[1]	Attainment	Unclassifiable/Attainment

Note: See Appendix 2.1 for a detailed map of State/National Area Designations within the SCAB
"-" = The national 1-hour O3 standard was revoked effective June 15, 2005.
Source: (Urban Crossroads, 2020a, Table 2-3; Urban Crossroads, 2020b, Table 2-3)

The SCAB has been one of the most unhealthful air basins in the United States and has experienced unhealthful air quality since World War II (Urban Crossroads, 2020a, pp. 28-37; Urban Crossroads, 2020b, pp. 28-37). However, as a result of the region's air pollution control efforts over the last 60+ years, criteria pollutant concentrations in the SCAB have reduced dramatically and are expected to continue to improve in the future as State regulations become more stringent (ibid.). Emissions of O_3, NO_X, VOC, and CO have been decreasing in the SCAB since 1975 and are projected to continue to decrease beyond 2020 (ibid.). These decreases result primarily from motor vehicle controls and reductions in evaporative emissions. Although vehicle miles traveled (VMT) in the SCAB continue to increase, NO_X and VOC levels are decreasing because of federal and State mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles (ibid.). NO_X emissions from electric utilities have also decreased due to use of cleaner fuels and renewable energy (ibid.). O_3 contour maps show that the number of days exceeding the 8-hour NAAQS decreased between 1997 and 2007 (ibid.). In the 2007 period, there was an overall decrease in exceedance days compared with the 1997 period (ibid.). However, as shown on Figure 4.2-1, *South Coast Air Basin Ozone Trend*, O_3 levels have increased in the past two years due to higher temperatures and stagnant weather conditions. Notwithstanding, O_3 levels in the SCAB have decreased substantially over the last 30 years with the current maximum measured concentrations being approximately one-third of concentrations within the late 1970s (ibid.).

[1] The Federal nonattainment designation for lead is only applicable towards the Los Angeles County portion of the SCAB.

Figure 4.2-1 South Coast Air Basin Ozone Trend

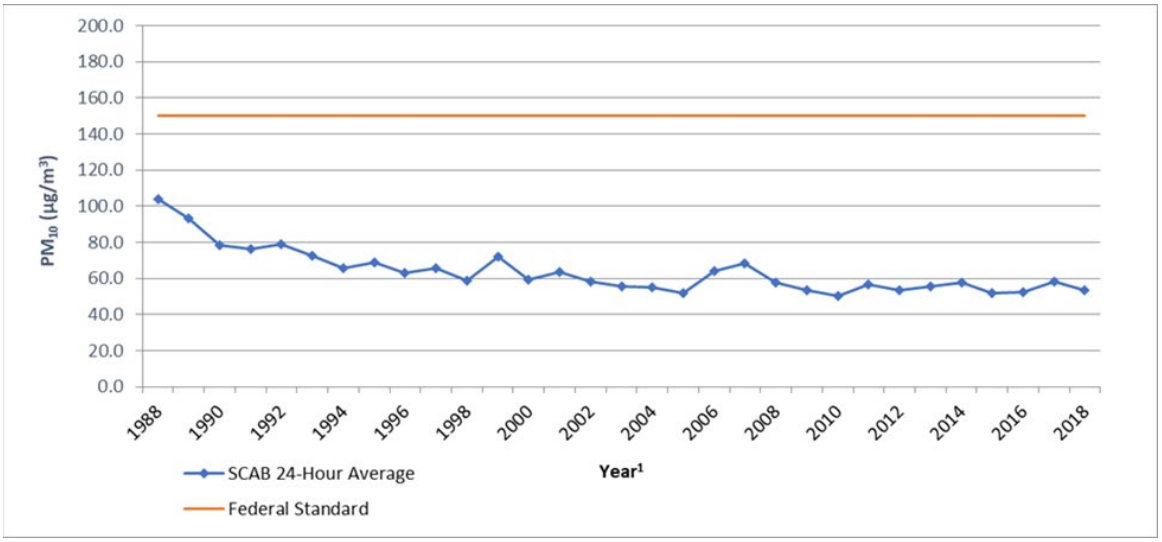


Source: (Urban Crossroads, 2020a, Table 2-5; Urban Crossroads, 2020b, Table 2-5)

As with other pollutants, the most recent PM_{10} statistics show an overall improvement as illustrated in Figure 4.2-2, *South Coast Air Basin PM_{10} Trend (Federal Standard)*, and Figure 4.2-3, *South Coast Air Basin PM_{10} Trend (State Standard)*. During the period for which data are available, the 24-hour national annual average concentration for PM_{10} decreased by approximately 48 percent, from 103.7 µg/m³ in 1988 to 53.5 µg/m³ in 2018 (Urban Crossroads, 2020a, p. 30; Urban Crossroads, 2020b, p. 30). Although the values are below the federal standard, it should be noted that there are days within the year where the concentrations will exceed the threshold (ibid.). Although data in the late 1990's show some variability, this is likely due to the advances in meteorological science rather than a change in emissions (ibid.). Similar to the ambient concentrations, the calculated number of days above the 24-hour PM_{10} standards has also shown an overall drop (ibid.).

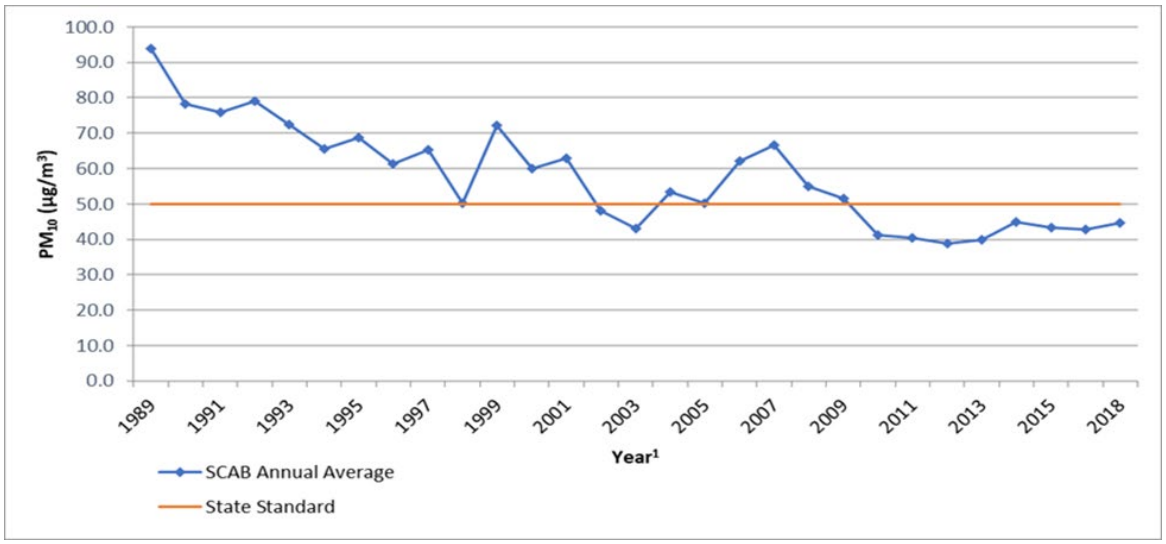
Figure 4.2-4, *South Coast Air Basin $PM_{2.5}$ Trend (Federal Standard)*, and Figure 4.2-5, *South Coast Air Basin $PM_{2.5}$ Trend (State Standard)*, show the most recent 24-hour average $PM_{2.5}$ concentrations in the SCAB from 1999 through 2018. Overall, the national and State annual average concentrations decreased by almost 52 percent and 33 percent, respectively (Urban Crossroads, 2020a, p. 31; Urban Crossroads, 2020b, p. 31). It should be noted that the SCAB is currently designated as nonattainment for the State and federal $PM_{2.5}$ standards (ibid.).

Figure 4.2-2 South Coast Air Basin PM_{10} Trend (Federal Standard)



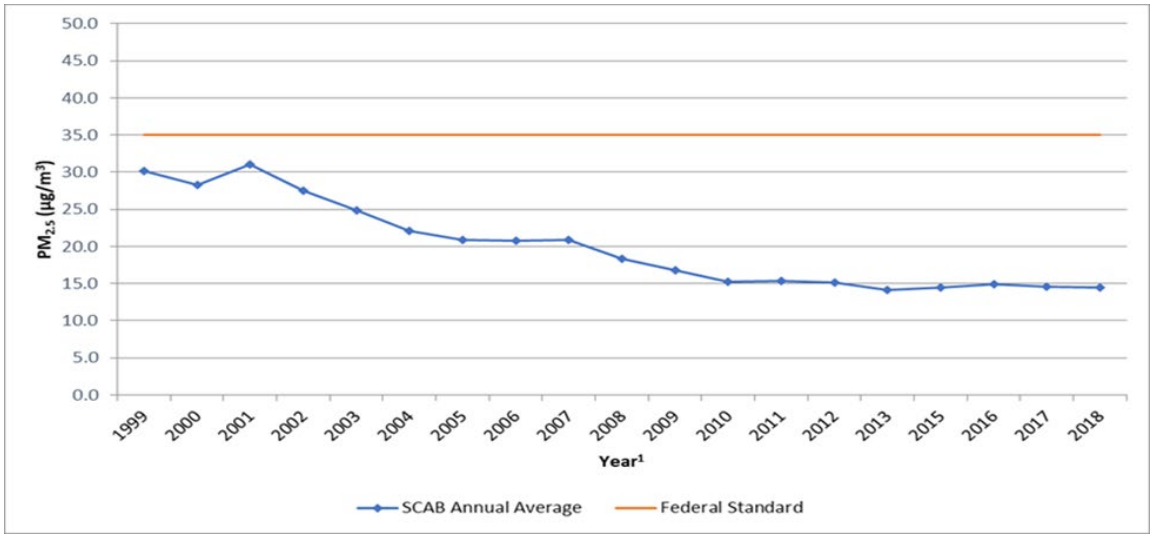
Source: (Urban Crossroads, 2020a, Table 2-6; Urban Crossroads, 2020b, Table 2-6)

Figure 4.2-3 South Coast Air Basin PM_{10} Trend (State Standard)



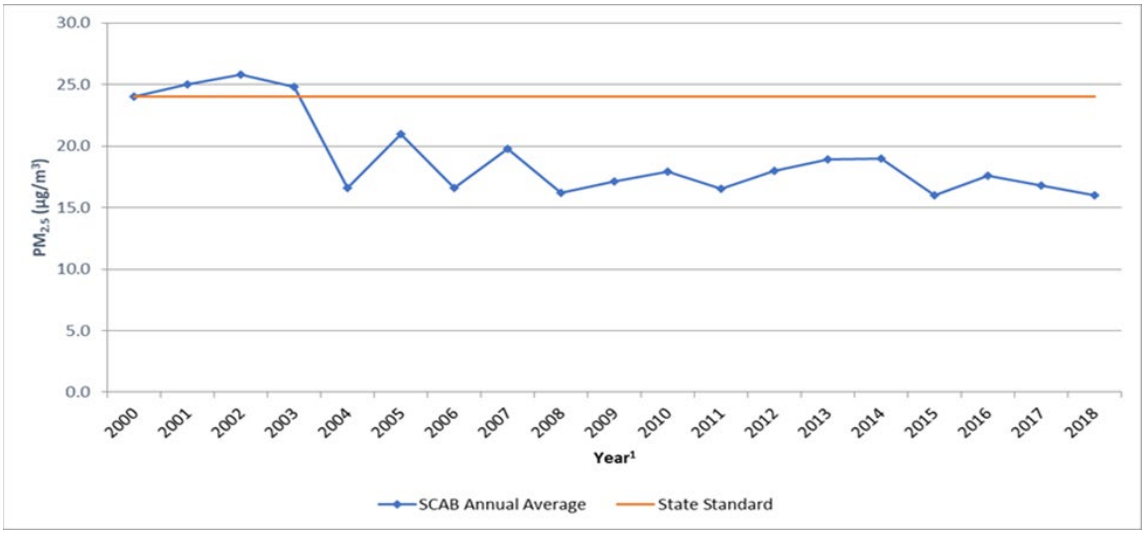
Source: (Urban Crossroads, 2020a, Table 2-7; Urban Crossroads, 2020b, Table 2-7)

Figure 4.2-4 South Coast Air Basin $PM_{2.5}$ Trend (Federal Standard)



Source: (Urban Crossroads, 2020a, Table 2-8; Urban Crossroads, 2020b, Table 2-8)

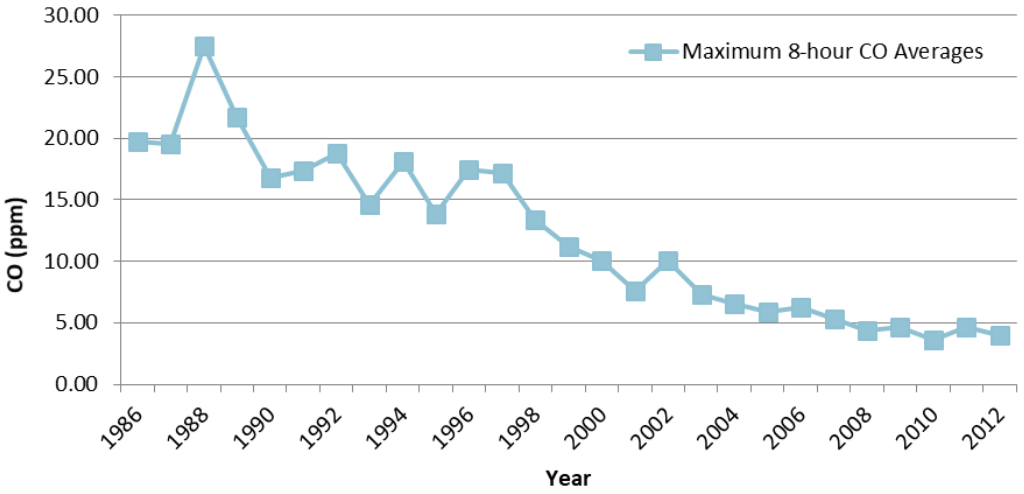
Figure 4.2-5 South Coast Air Basin $PM_{2.5}$ Trend (State Standard)



Source: (Urban Crossroads, 2020a, Table 2-9; Urban Crossroads, 2020b, Table 2-9)

The most recent CO concentrations in the SCAB are shown in Figure 4.2-6, *South Coast Air Basin 24-Hour Average CO Trend*. It should be noted 2012 is the most recent year where 8-hour CO averages and related statistics are available in the SCAB. CO concentrations in the SCAB have decreased markedly – a total decrease of more about 80 percent in the peak 8-hour concentration since 1986 (Urban Crossroads, 2020a, p. 33; Urban Crossroads, 2020b, p. 33). The number of exceedance days has also declined (ibid.). The entire SCAB is now designated as attainment for both the State and national CO standards (ibid.). Ongoing reductions from motor vehicle control programs should continue the downward trend in ambient CO concentrations (ibid.).

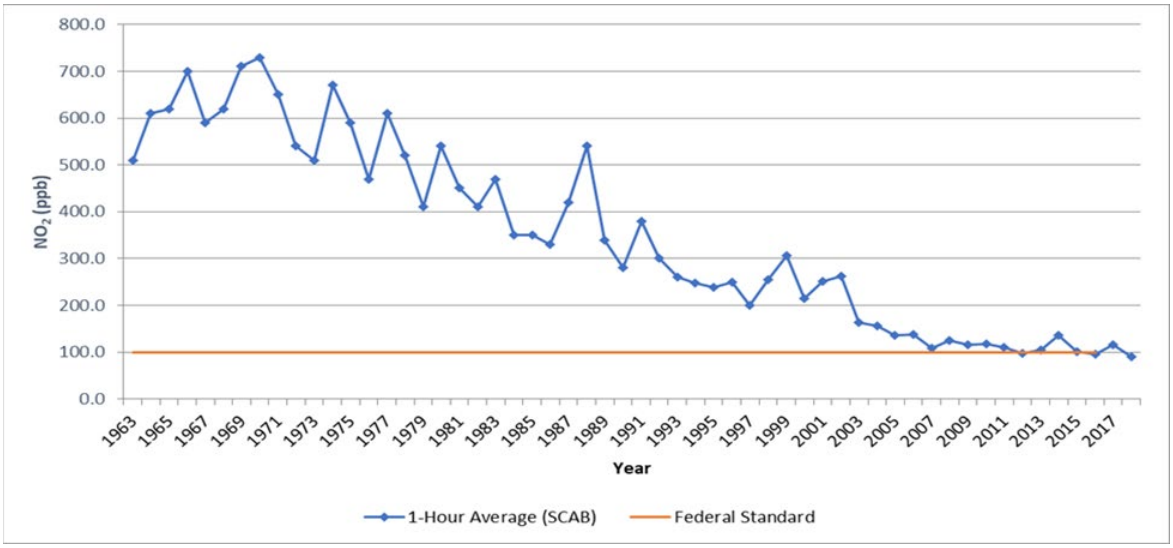
Figure 4.2-6 South Coast Air Basin 24-Hour Average CO Trend



Source: (Urban Crossroads, 2020a, Table 2-10; Urban Crossroads, 2020b, Table 2-10)

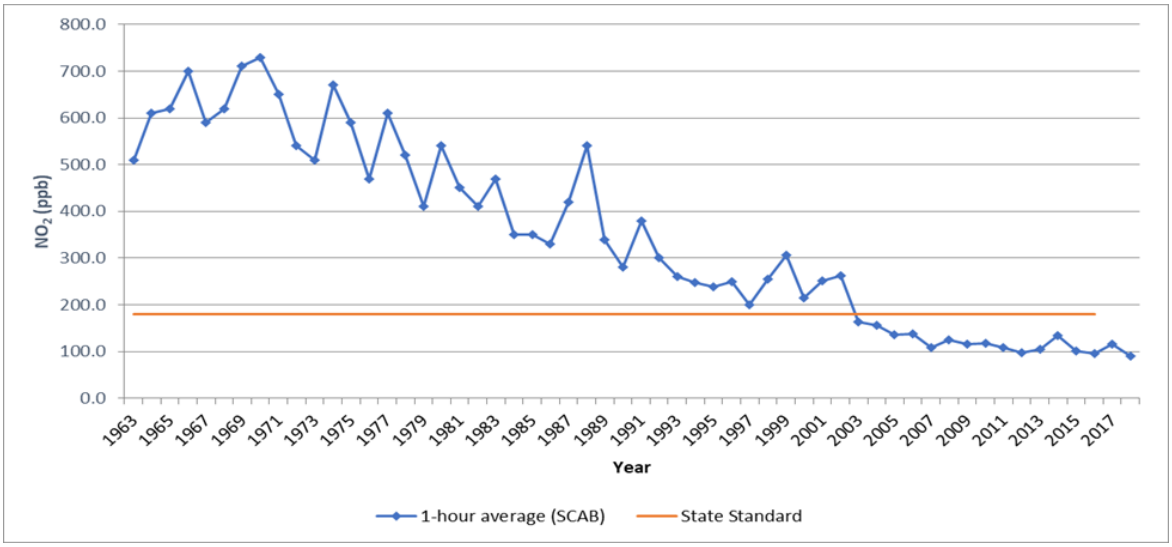
The most recent NO_2 data for the SCAB is shown in Figure 4.2-7, *South Coast Air Basin NO_2 Trend (Federal Standard)*, and Figure 4.2-8, *South Coast Air Basin NO_2 Trend (State Standard)*. Over the last 50 years, NO_2 values have decreased significantly; the peak 1-hour national and State averages for 2018 are approximately 82 percent lower than reported for 1963 (Urban Crossroads, 2020a, p. 34; Urban Crossroads, 2020b, p. 34). The SCAB attained the State 1-hour NO_2 standard in 1994, bringing the entire State of California into attainment (ibid.). A new State annual average standard of 0.030 parts per million was adopted by the ARB in February 2007. The new standard is just barely exceeded in the SCAB today (ibid.). NO_2 is formed from NO_X emissions, which also contribute to O_3. As a result, the majority of the future emission control measures will be implemented by the State as part of the overall ozone control strategy. Many of these control measures will target mobile (vehicle tailpipe) sources, which account for more than three-quarters of California's NO_X emissions (ibid.). These State-mandated control measures are expected to bring the SCAB into attainment of the State annual average standard (ibid.).

Figure 4.2-7 South Coast Air Basin NO_2 Trend (Federal Standard)



Source: (Urban Crossroads, 2020a, Table 2-11; Urban Crossroads, 2020b, Table 2-11)

Figure 4.2-8 South Coast Air Basin NO_2 Trend (State Standard)



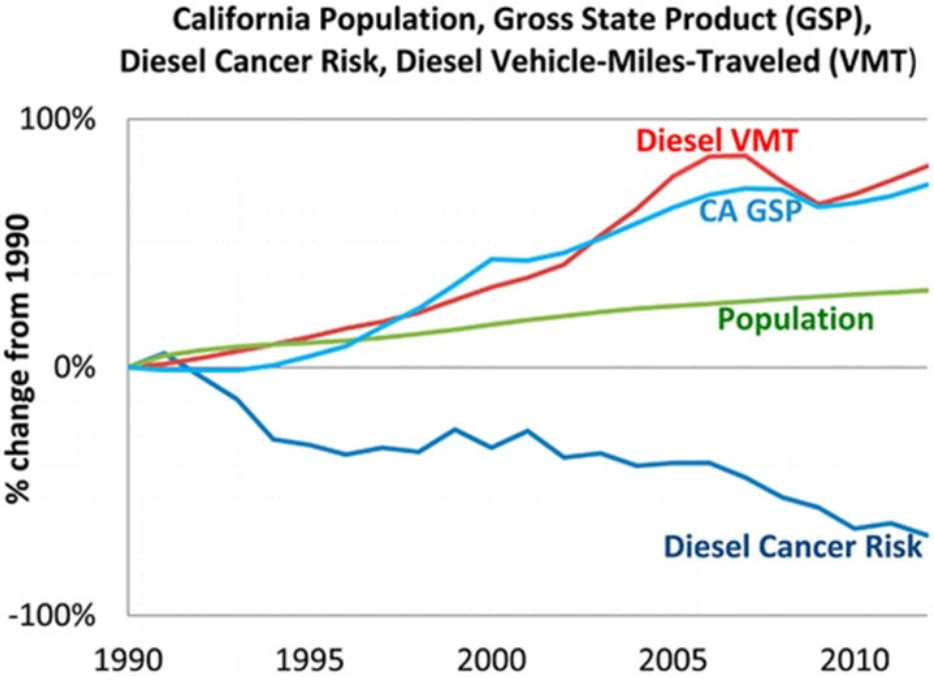
Source: (Urban Crossroads, 2020a, Table 2-12; Urban Crossroads, 2020b, Table 2-12)

❑ Toxic Air Contaminants

Toxic air contaminants (TACs) are a classification of air pollutants that have been attributed to carcinogenic and non-carcinogenic health risks. Beginning in the mid-1980s, the California Air Resources Board (CARB) adopted a series of regulations to reduce the amount of air toxic contaminant emissions resulting from mobile and stationary sources, such as cars, trucks, stationary sources, and consumer products. As a result of CARB's regulatory efforts, ambient concentrations of TACs have declined substantially across the State (Urban Crossroads, 2020a, p. 35; Urban Crossroads, 2020b, p. 35).

To reduce TAC emissions from mobile sources, CARB has required that all light- and medium-duty vehicles sold in California since 1996 be equipped with an on-board diagnostic system to alert drivers of potential engine problems (as approximately half of all tailpipe emissions result from malfunctioning emissions control devices). Also, since 1996, CARB has required the use of cleaner burning, reformulated gasoline in all light- and medium-duty vehicles. These two regulations resulted in an over 80 percent reduction in TAC emissions from light- and medium-duty vehicles in the State between 1990 and 2012 despite an approximately 30 percent increase in the State's population over that same time period (Urban Crossroads, 2020a, pp. 35-36; Urban Crossroads, 2020b, pp. 35-36). The CARB also implemented programs to retrofit diesel-fueled engines and facilitate the use of diesel fuels with ultra-low sulfur content to minimize the amount of diesel emissions and their associated TACs. As a result of CARB's programs, diesel emissions and their associated TACs fell by approximately 68 percent since 2000 despite an approximately 81 percent increase in miles traveled by diesel vehicles during that same time period, as shown on Figure 4.2-9, *Diesel Particulate Matter and Diesel Vehicle Miles Trend* (ibid.). Moreover, the average statewide DPM emissions for Heavy Duty Trucks (HDT), in terms of grams of DPM generated per mile traveled, are projected to dramatically reduce due to regulatory requirements on vehicular emissions adopted by CARB and the Ports of Los Angeles and Long Beach (ibid.). CARB's efforts at reducing stationary source TACs have been focused mainly on the dry cleaning and paint/architectural coating industries, which have resulted in a greater than 85 percent reduction of stationary source TACs across the State between 1990 and 2012 (ibid.).

Figure 4.2-9 Diesel Particulate Matter and Diesel Vehicle Miles Trend



Source: (Urban Crossroads, 2020a, Exhibit 2-A; Urban Crossroads, 2020b, Exhibit 2-A)

In 2000, the SCAQMD prepared a comprehensive urban toxic air pollution study to evaluate the TAC concentration levels in the SCAB and their associated health risks, called *MATES-II* (*Multiple Air Toxics Exposure Study in the South Coast Air Basin*). *MATES-II* showed an average regional excess cancer risk of about 1,400 in one million. As part of the *MATES-II* study, the SCAQMD concluded that diesel particulate

matter (DPM) accounted for more than 70 percent of the identified excess cancer risk in the SCAB. The SCAQMD has updated their urban toxic air pollution survey twice since 2000, with the 2008 (*MATES-III*) and 2014 updates (*MATES-IV*) both showing reductions in the average excess cancer risk within the SCAB relative to the levels disclosed in *MATES-II*. The current version of the urban toxic air pollution survey, *MATES-IV*, is the most comprehensive dataset of ambient air toxic levels and health risks within the SCAB. The *MATES-IV* report estimates the average Basin-wide excess cancer risk level within the SCAB to be 418 in one million, an approximately 70 percent improvement from the findings of *MATES-II* report just 15 years earlier (Urban Crossroads, 2020a, p. 37; Urban Crossroads, 2020b, p. 37; SCAQMD, 2015, p. 2-11). According to SCAQMD, DPM accounts for approximately 68 percent of the total risk shown in *MATES-IV* (ibid.).

2. Local Air Quality

❑ Criteria Pollutants

Ambient air pollutant concentrations in the Project area are summarized in Table 4.2-3, *Project Area Air Quality Monitoring Summary*. Local air quality data was collected from the SCAQMD air quality monitoring station located nearest to the Project site: Perris Valley monitoring station (located approximately 10.1 miles southwest of the Project site for O_3 and PM_{10}); San Gorgonio Pass monitoring station (located approximately 16.5 miles east of the Project site for NO_2); Elsinore Valley monitoring station (located approximately 18.3 miles southwest for CO); Metropolitan Riverside County monitoring station (located approximately 16.0 miles northwest for $PM_{2.5}$) (Urban Crossroads, 2020a, pp. 23-24; Urban Crossroads, 2020b, pp. 23-24). Data was collected for the three most recent years for which data was available (2016-2018).

❑ Toxic Air Contaminants

As part of preparation of the *MATES-IV* study, the SCAQMD collected toxic air contaminant data at 10 fixed sites within the SCAB. None of the fixed monitoring sites are located within the vicinity of the Project Site; however, *MATES-IV* extrapolates the excess cancer risk levels throughout the SCAB using mathematical modeling for specific geographic grids. *MATES-IV* estimates an excess carcinogenic risk of approximately 658.73 in one million for the Project area (Urban Crossroads, 2020a, p. 37; Urban Crossroads, 2020b, p. 37; SCAQMD, 2015).

4.2.2 Regulatory Setting

The following is a brief description of applicable federal, State, and local environmental laws and related regulations governing air quality emissions.

A. Federal Plans, Policies, and Regulations

1. Federal Clean Air Act

The Clean Air Act (CAA; 42 U.S.C. § 7401 *et seq.*) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes Environmental Protection Agency (EPA) to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants, which include O_3, CO, NO_X, SO_2, PM_{10}, $PM_{2.5}$, and lead (EPA, 2019f).

Table 4.2-3 Project Area Air Quality Monitoring Summary

Pollutant	Standard	Year		
		2016	2017	2018
O_3				
Maximum Federal 1-Hour Concentration (ppm)		0.131	0.120	0.117
Maximum Federal 8-Hour Concentration (ppm)		0.098	0.105	0.103
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	23	33	31
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	56	80	67
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	1.2	1.2	1.1
Maximum Federal 8-Hour Concentration	> 20 ppm	0.6	0.8	0.8
NO_2				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.047	0.056	0.051
Annual Federal Standard Design Value		0.008	0.008	0.009
PM_{10}				
Maximum Federal 24-Hour Concentration ($\mu g/m^3$)	> 150 $\mu g/m^3$	76	75	104
Annual Federal Arithmetic Mean ($\mu g/m^3$)		32.2	32.2	22.4
Number of Days Exceeding Federal 24-Hour Standard	> 150 $\mu g/m^3$	0	0	0
Number of Days Exceeding State 24-Hour Standard	> 50 $\mu g/m^3$	5	11	9
$PM_{2.5}$				
Maximum Federal 24-Hour Concentration ($\mu g/m^3$)	> 35 $\mu g/m^3$	39.12	50.3	50.7
Annual Federal Arithmetic Mean ($\mu g/m^3$)	> 12 $\mu g/m^3$	12.54	12.18	12.41
Number of Days Exceeding Federal 24-Hour Standard	> 35 $\mu g/m^3$	4	6	2

ppm= Parts Per Million
Source: (Urban Crossroads, 2020a, Table 2-4; Urban Crossroads, 2020b, Table 2-4)

One of the goals of the CAA was to set and achieve NAAQS in every state by 1975 in order to address the public health and welfare risks posed by certain widespread air pollutants. The setting of these pollutant standards was coupled with directing the states to develop state implementation plans (SIPs), applicable to appropriate industrial sources in the state, in order to achieve these standards. The CAA was amended in 1977 and 1990 primarily to set new goals (dates) for achieving attainment of NAAQS since many areas of the country had failed to meet the deadlines.

The sections of the federal CAA most directly applicable to the development of the Project site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions). Title I provisions address the urban air pollution problems of ozone (smog), carbon monoxide (CO), and particulate matter (PM_{10}) (EPA, 2017a). Specifically, it clarifies how areas are designated and re-designated "attainment." It also allows EPA to define the boundaries of "nonattainment" areas: geographical areas whose air quality does not meet federal air quality standards designed to protect public health. Mobile source emissions are regulated in accordance with the

CAA Title II provisions. These standards are intended to reduce tailpipe emissions of hydrocarbons, CO, and NO_X on a phased-in basis that began in model year 1994. Automobile manufacturers also are required to reduce vehicle emissions resulting from the evaporation of gasoline during refueling. These provisions further require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas (EPA, 2017b).

Section 112 of the Clean Air Act addresses emissions of hazardous air pollutants. Prior to 1990, CAA established a risk-based program under which only a few standards were developed. The 1990 Clean Air Act Amendments revised Section 112 to first require issuance of technology-based standards for major sources and certain area sources. "Major sources" are defined as a stationary source or group of stationary sources that emit or have the potential to emit 10 tons per year or more of a hazardous air pollutant or 25 tons per year or more of a combination of hazardous air pollutants (EPA, 2019f). An "area source" is any stationary source that is not a major source (ibid.).

For major sources, Section 112 requires that EPA establish emission standards that require the maximum degree of reduction in emissions of hazardous air pollutants. These emission standards are commonly referred to as "maximum achievable control technology" or "MACT" standards. Eight years after the technology-based MACT standards are issued for a source category, EPA is required to review those standards to determine whether any residual risk exists for that source category and, if necessary, revise the standards to address such risk (EPA, 2019f).

2. SmartWay Program

The US EPA's SmartWay Program is a voluntary public-private program developed in 2004, which 1) provides a comprehensive and well-recognized system for tracking, documenting and sharing information about fuel use and freight emissions across supply chains; 2) helps companies identify and select more efficient freight carriers, transport modes, equipment, and operational strategies to improve supply chain sustainability and lower costs from goods movement; 3) supports global energy security and offsets environmental risk for companies and countries; and 4) reduces freight transportation-related emissions by accelerating the use of advanced fuel-saving technologies (EPA, 2017c). This program is supported by major transportation industry associations, environmental groups, State and local governments, international agencies, and the corporate community.

B. State Plans, Policies, and Regulations

1. California Clean Air Act (CCAA)

The California Clean Air Act (CCAA) establishes numerous requirements for district plans to attain state ambient air quality standards for criteria air contaminants (SCAQMD, 2020). AB 2595 mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the State's ambient air quality standards, the California Ambient Air Quality Standards (CAAQS), by the earliest practical date. The CARB established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, established standards for sulfates, visibility, hydrogen sulfide, and vinyl chloride. Generally, the CAAQS are more stringent than the NAAQS. For districts with serious air

pollution, its attainment plan should include the following: no net increase in emissions from new and modified stationary sources; and best available retrofit technology for existing sources.

2. Air Quality Management Planning

The California Air Resources Board (CARB) and local air districts throughout the State are responsible for developing clean air plans to demonstrate how and when California will attain air quality standards established under both the CAA and CCAA (CARB, 2019a). For the areas within California that have not attained air quality standards, CARB works with local air districts to develop and implement State and local attainment plans. In general, attainment plans contain a discussion of ambient air quality data and trends; a baseline emissions inventory; future year projections of emissions, which account for growth projections and already adopted control measures; a comprehensive control strategy of additional measures needed to reach attainment; an attainment demonstration, which generally involves complex modeling; and contingency measures. Plans may also include interim milestones for progress toward attainment. Air quality planning activities undertaken by CARB also include the development of policies, guidance, and regulations related to State and federal ambient air quality standards; coordination with local agencies on transportation plans and strategies; and providing assistance to local districts and transportation agencies.

3. Truck & Bus Regulation

Under the Truck and Bus Regulation, adopted by CARB in 2008, all diesel truck fleets operating in California are required to adhere to an aggressive schedule for upgrading and replacing heavy-duty truck engines (CARB, 2020a). Older, more polluting trucks are required to be replaced first, while trucks that already have relatively clean engines are not required to be replaced until later. Pursuant to the Truck and Bus Regulation, all pre-1994 heavy trucks (trucks with a gross vehicle weight rating greater than 26,000 pounds) were to be removed from service on California roads by 2015. Between 2015 and 2020, pre-2000 heavy trucks will be equipped with PM filters and will be upgraded or replaced with an engine that meets 2010 emissions standards. The upgrades/replacements will occur on a rolling basis based on model year. By 2023, all heavy trucks operating on California roads must have engines that meet 2010 emissions standards. Lighter trucks (those with a gross vehicle weight rating of 14,001 to 26,000 pounds) must adhere to a similar schedule, and will all be replaced by 2020.

4. Advanced Clean Trucks Regulation

In June, 2020, CARB adopted a new Rule requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024 (CARB, 2020d). By 2045, every new truck sold in California will be required to be zero-emission. Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales. CARB reports that as of 2020, most commercially-available models of zero-emission vans, trucks and buses operate less than 100 miles per day. Commercial availability of electric-powered long-haul trucks is very limited. However, as technology advances over the next 20 years, zero-emission trucks will become suitable for more applications, and several truck manufacturers have announced plans to introduce market ready zero-emission trucks in the future. When commercial availability of electric-powered long-haul trucks is more

readily available, implementation of the Advanced Clean Trucks Regulation is anticipated to significantly further reduce criteria pollutant concentrations in the SCAB.

C. Local Plans, Policies, and Regulations

1. SCAQMD Air Quality Management Plan

Under existing conditions, the NAAQS and CAAQS are exceeded in most parts of the SCAB. In response, and in conformance with California Health & Safety Code Section 40702 *et seq.* and the California CAA, the SCAQMD adopted an Air Quality Management Plan (AQMP) to plan for the improvement of regional air quality. AQMPs are updated regularly in order to more effectively reduce emissions and accommodate growth. Each version of the plan is an update of the previous plan and has a 20-year horizon with a revised baseline. The SCAQMD's most recent iteration of the AQMP was adopted in March 2017 (SCAQMD, 2017). The Final *2016 Air Quality Management Plan (2016 AQMP)* incorporates the latest scientific and technological information and local and regional land development plans, including the Southern California Association of Governments (SCAG) *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*. The Final *2016 AQMP* is based on current emissions modeling data, recent motor vehicle emissions information, and demographic data/projections provided by SCAG. The air quality pollutant levels projected in the Final *2016 AQMP* are based on the assumption that buildout of the region will occur in accordance with local general plans and specific plans, and in accordance with growth projections identified by SCAG in its *2020 RTP/SCS*.

2. Applicable SCAQMD Rules

The SCAQMD Rules that are applicable to construction and operation of the Project include, but are not limited to: Rule 402 (Nuisance); Rule 403 (Fugitive Dust); and Rule 1113 (Architectural Coatings) (Urban Crossroads, 2020a, pp. 2, 62; Urban Crossroads, 2020b, pp. 2, 62). Rule 402 prohibits the discharge of air contaminants that cause nuisance or annoyance to any considerable number of persons or to the public (SCAQMD, 1976). Rule 403 requires the implementation of best available dust control measures (BACMs) during activities capable of generating fugitive dust. Rule 403 also requires activities defined as "large operations" to notify the SCAQMD by submitting specific forms; a large operation is defined as any active operation on property containing 50 or more acres of disturbed surface area; or any earth moving operation with a daily earth-moving or throughput volume of 3,850 cubic meters (5,000 cubic yards), three times during the most recent 365 day period. (SCAQMD, 2005) Rule 1113 requires all buildings within the SCAQMD to adhere to the VOC limits for architectural coatings (SCAQMD, 2013).

4.2.3 Methodology for Calculating Project-Related Air Quality Impacts

The California Emissions Estimator Model (CalEEMod), version 2016.3.2, was used to calculate all Project-related air pollutant emissions (with the exception of localized emissions and diesel particulate matter emissions from Project operations, refer to Subsection 4.2.3B, below) (Urban Crossroads, 2020a, p. 40; Urban Crossroads, 2020b, p. 40). The CalEEMod is a Statewide land use emission computer model developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts, including the SCAQMD, that provides a uniform platform to quantify potential criteria pollutant emissions

associated with construction and operation of land development projects. CalEEMod defaults for mobile source emissions have been revised to reflect the latest EMFAC2017 emission rates published by CARB.

A. Methodology for Calculating Project Construction Emissions

1. Regional Pollutant Emissions

The Project's construction process would last approximately 19 months under both the warehouse distribution/logistics or fulfillment/e-commerce options. Project construction activities are assumed to occur between June 2021 and December 2022 for purposes of analysis in this EIR (refer to Table 3-1 in EIR Section 3.0), and will include six (6) activity phases: 1) demolition; 2) site preparation; 3) grading; 4) building construction; 5) paving; and 6) architectural coating. This assumption represents a "worst-case" analysis scenario because, should construction occur later than the dates assumed in the analysis, construction equipment emissions would be the same or more likely lower than presented because emission regulations are becoming more stringent over time and the retirement of older (higher-polluting) equipment and replacement with newer (less-polluting) pieces of equipment is constantly happening in response to State regulations or service needs (Urban Crossroads, 2020a, pp. 41-42; Urban Crossroads, 2020b, pp. 41-42). The air quality model for Project construction assumes the operation of the equipment listed in Table 3-2 in EIR Section 3.0. The analysis assumptions for Project construction duration and Project construction equipment are based on information provided by the Project Applicant and the experience and technical expertise of the Project's air quality technical expert (Urban Crossroads) (ibid.).

Refer to Section 3.4 of *Technical Appendices B1 and B2* for more detail on the methodology utilized to calculate the Project's estimated construction-related regional pollutant emissions.

2. Localized Pollutant Emissions

Project-related localized pollutant emissions were calculated in accordance with the SCAQMD's *Final Localized Significance Threshold Methodology*. The localized pollutant emissions analysis relies on the same assumptions used to calculate construction-related regional pollutant emissions, as described above. Pursuant to the SCAQMD's recommended methodology, the analysis of construction-related localized pollutant emissions included the following process (Urban Crossroads, 2020a, p. 52; Urban Crossroads, 2020b, p. 52):

The CalEEMod was utilized to determine the maximum daily on-site emissions that would occur during construction activity. The SCAQMD's *Fact Sheet for Applying CalEEMod to LSTs* was used to determine the maximum Project site acreage that would be actively disturbed based on the construction equipment fleet and equipment hours as estimated in the CalEEMod. SCAQMD's methodology recommends using look-up tables for projects less than or equal to five (5) acres in size and using dispersion modeling for projects greater than five (5) acres in size. The "acres disturbed" for analytical purposes are based on specific equipment type for each subcategory of construction activity and the estimated maximum area a given piece of equipment can pass over in an 8-hour workday. The equipment-specific disturbance rates were obtained from the CalEEMod user's guide, Appendix A: Calculation Details for CalEEMod (October 2017). It should be noted that the disturbed area per day is representative of a piece of equipment making multiple passes over the same land area. In other words, one Rubber Tired Dozer can make multiple passes over the same land area totaling 0.5 acres in a given 8-hour day. Although the Project is anticipated to disturb more than five (5) acres per day

during peak construction activities, for conservative purposes, the analysis assumes that all on-site emissions associated with the Project would occur within a concentrated five-acre area. Therefore, the SCAQMD's screening look-up tables were utilized to determine localized pollutant concentration levels at sensitive receptor locations near the Project site. Sensitive receptor locations are considered to be locations where children, the elderly, or an individual who might have respiratory difficulties could remain for 24 hours. A total of three (3) sensitive receptor locations were considered in the localized analysis, including existing dwelling units located north and south of the Project site (Urban Crossroads, 2020a, pp. 47-52; Urban Crossroads, 2020b, pp. 47-52). The existing residential homes located south of Encelia Avenue, approximately 118 feet south of the Project site, would be the closest sensitive receptors to the Project (ibid.).

The SCAQMD's *Final Localized Significance Threshold Methodology* indicates that off-site mobile emissions from development projects should be excluded from localized emissions analyses. Therefore, for purposes of calculating the Project's construction-related localized pollutant emissions, only emissions included in the CalEEMod on-site emissions outputs were considered (Urban Crossroads, 2020a, p. 49; Urban Crossroads, 2020b, p. 49).

Refer to Section 3.6 of *Technical Appendices B1 and B2* for more detail on the methodology utilized to calculate Project construction-related localized pollutant emissions.

B. Methodology for Calculating Project Operational Emissions

1. Regional Pollutant Emissions

The Project's operational-related regional pollutant emissions analysis quantifies air pollutant emissions from mobile sources, on-site equipment sources, area sources (e.g., architectural coatings, consumer products, landscape maintenance equipment), and energy sources associated with both warehouse distribution/logistics or fulfillment/e-commerce uses.

Mobile source emissions are the product of the number of daily vehicle trips generated by the Project, the composition of the Project's vehicle fleet (mix of passenger cars, light-heavy-duty trucks, medium-heavy-duty trucks, and heavy-heavy duty trucks), and the trip length (number of miles driven) by Project vehicles. The Project's average number of daily vehicle trips and vehicle fleet mixes were determined using the methodology described in detail in EIR Subsection 4.13, *Transportation*. For both the warehouse distribution/logistics option and the fulfillment/e-commerce option, two (2) separate model runs were utilized for cars and trucks in order to more accurately model emissions resulting from passenger car and truck operations. The first run analyzed passenger car emissions, incorporated the CalEEMod default trip length of 16.6 miles for passenger cars and an assumption of 100% primary trips. It is important to note that although the Project's traffic impact analyses (*Technical Appendices L1 and L2*) does not break down passenger cars by type, this analysis assumes that passenger cars include Light-Duty-Auto vehicles (LDA), Light-Duty-Trucks (LDT1 & LDT2), and Medium-Duty-Vehicles (MDV) vehicle types. In order to account for emissions generated by passenger cars, the fleet mix presented for warehouse distribution/logistics and fulfillment/e-commerce uses listed in Table 4.2-4 was utilized in this analysis.

Table 4.2-4 Passenger Car Fleet Mix

Land Use	Vehicle Type	%
Warehouse Distribution/Logistics	LDA	62.30
	LDT1	4.04
	LDT2	21.21
	MDV	12.44
Fulfillment/E-Commerce	LDA	62.30
	LDT1	4.04
	LDT2	21.21
	MDV	12.44

Source: (Urban Crossroads, 2020a, Table 3-5; Urban Crossroads, 2020b, Table 3-5)

The second run analyzed truck emissions, incorporated the SCAQMD recommended truck trip length of 40 miles and an assumption of 100% primary trucks. As mentioned above, in order to be consistent with the Project's traffic impact analyses (*Technical Appendices L1 and L2*), trucks are broken down by truck type (i.e., light-heavy-duty trucks, medium-heavy-duty trucks, and heavy-heavy duty trucks). In order to account for emissions generated by trucks, the fleet mixes presented for warehouse distribution/logistics and fulfillment/e-commerce uses listed in Table 4.2-5 was utilized in this analysis.

Table 4.2-5 Truck Fleet Mix

Land use	Vehicle Type	%
Warehouse Distribution/Logistics	LHDT	16.95
	MHDT	22.71
	HHDT	60.34
Fulfillment/E-Commerce	LHDT	20.65
	MHDT	17.85
	HHDT	61.49

Source: (Urban Crossroads, 2020a, Table 3-6; Urban Crossroads, 2020b, Table 3-6)

The Project's operational analysis also assumes the on-site operation of five (5) yard tractors (also known as a yard goat, utility tractor, hustler, yard hostler, or yard tractor) on the Project site for up to four (4) hours per day for all 365 days of the year under both the warehouse distribution/logistics and fulfillment/e-commerce options. Each yard tractor was assumed to be 200 horsepower and powered with gasoline or compressed natural gas (Urban Crossroads, 2020a, p. 46; Urban Crossroads, 2020b, p. 46).

The estimated area source emissions and energy source emissions analyses for the Project rely on default inputs within CalEEMod (Urban Crossroads, 2020a, pp. 44-45; Urban Crossroads, 2020b, pp. 44-45).

Refer to Section 3.5 of *Technical Appendices B1 and B2* for detailed information on the methodology utilized to calculate regional pollutant emissions during Project operation.

2. Localized Pollutant Emissions

The LST analysis evaluates on-site emissions sources only because the CalEEMod outputs do not separate on-site and off-site mobile source emissions. Notwithstanding, for purposes of analysis, on-site mobile source emissions are estimated to be equivalent to five percent (5%) of the Project's one-way vehicle trip length (Urban Crossroads, 2020a, pp. 53-54; Urban Crossroads, 2020b, pp. 53-54). Considering that for the Project's analysis the one-way trip length is 16.6 miles for passenger cars, 40 miles for truck trips, 5% of this total would represent an on-site travel distance of approximately 0.83-mile for passenger cars, and 2.0 miles for trucks. Comparatively, the actual maximum distance a passenger car or truck could travel through the Project's parking lots would be approximately 0.75-mile. Accordingly, the 5% assumption used in the Project's analysis substantially overstates the actual localized impact of the Project's on-site mobile source emissions.

The operational LST analysis utilizes the same sensitive receptor locations that were utilized in the construction LST analysis, as described earlier in this section.

Refer to Section 3.8 of *Technical Appendices B1 and B2* for detailed information on the methodology utilized to calculate the Project's operational localized pollutant emissions.

3. Diesel Particulate Matter Emissions

Diesel particulate matter (DPM) emissions from trucks traveling to and from the Project site were calculated using emission factors for PM_{10} generated with EMFAC 2017 (Urban Crossroads, 2020c, pp. 7-12; Urban Crossroads, 2021a, pp. 7-12). Refer to Section 2.2 of *Technical Appendices B3 and B4* for a detailed description of the model inputs and equations used in the estimation of the Project-related DPM emissions.

The potential health risks of Project-related DPM emissions were quantified in accordance with the guidelines in the SCAQMD's Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (Urban Crossroads, 2020c, pp. 13-15; Urban Crossroads, 2021a, pp. 13-15). Pursuant to SCAQMD's recommendations, emissions were modeled using the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) software program (ibid.). Refer to Section 2.3 of *Technical Appendices B3 and B4* for a detailed description of the model inputs and equations used in the calculation of average particulate concentrations during operation of the Project.

Health risks associated with exposure to DPM emissions at a given concentration are defined in terms of the probability of developing cancer or chronic non-cancer health effects as a result of exposure to DPM emissions at a given concentration (Urban Crossroads, 2020c, pp. 16-17; Urban Crossroads, 2021a, pp. 16-17). The cancer and non-cancer risk probabilities are determined through a series of equations to calculate unit risk factor, cancer potency factor, and chronic daily intake. The evaluation results in a maximum health risk value, which is merely a calculation of risk and does not necessarily mean anyone will contract cancer or other non-cancer health concern as a result of the exposure. The equations and input factors utilized in the Project analysis were obtained from Office of Environmental Health Hazard Assessment (OEHHA). Refer to Section 2.4 of *Technical Appendices B3 and B4* for a detailed description of the variable inputs and equations used in the calculations of receptor population health risks associated with Project operations.

In the analysis of potential Project-related DPM effects, potential cancer and non-cancer risks were calculated for the maximally exposed individual resident (MEIR), maximally exposed individual worker (MEIW), and maximally exposed individual school child (MEISC) located within a 1,320-foot radius of the Project site and the Project's primary truck routes. CARB and SCAQMD emissions models indicate that 80 percent of DPM particles settle out of the air within 1,000 feet from the emissions source. Accordingly, the 1,320-foot distance used in the Project's analysis provides a conservative study area that captures the geographic area subject to the maximum potential effect from Project-related DPM emissions. For the Project analysis, the MEIR is located approximately 118 feet south of the Project site and the MEIW occurs at Aldi Distribution Facility (located approximately 465 feet north of the Project site) (Urban Crossroads, 2020c, pp. 1-2). No schools are located within 0.25-mile of the Project site; therefore, the Project does not have the potential to expose school child receptors to substantial concentrations of DPM under either the warehouse distribution/logistics or e-commerce/fulfillment options (ibid.).

4.2.4 Basis for Determining Significance

The proposed Project would result in a significant impact to air quality if the Project or any Project-related component would:

a. *Conflict with or obstruct implementation of the applicable air quality plan;*
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 (including releasing emissions which exceed quantitative thresholds for ozone precursors);*
c. *Expose sensitive receptors to substantial pollutant concentrations; or*
d. *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.*

The above-listed thresholds are referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act* and address the typical, adverse effects related to air quality that could result from development projects.

The Project would result in a significant impact under Threshold "a" if the Project were determined to conflict with the SCAQMD *2016 AQMP*. Pursuant to Chapter 12, Sections 12.2 and 12.3, of the SCAQMD *CEQA Air Quality Handbook*, a project would conflict with the *AQMP* if either of the following conditions were to occur (Urban Crossroads, 2020a, pp. 57-58; Urban Crossroads, 2020b, pp. 57-58):

- The Project would increase the frequency or severity of existing NAAQS and/or CAAQS violations, cause or contribute to new air quality violations, or delay the attainment of interim air quality standards; or
- The Project would exceed the *2016 AQMP's* future year buildout assumptions.

For evaluation under Threshold "b," implementation of the Project would result in a cumulatively-considerable impact if the Project's construction and/or operational activities exceed one or more of the SCAQMD's

"Regional Thresholds" for criteria pollutant emissions (Urban Crossroads, 2020a, p. 39; Urban Crossroads, 2020b, p. 39). The "Regional Thresholds" established by SCAQMD for criteria pollutants are summarized in Table 4.2-4, *SCAQMD Maximum Daily Emissions Regional Thresholds*.

Table 4.2-6 SCAQMD Maximum Daily Emissions Regional Thresholds

Pollutant	Regional Construction Threshold	Regional Operational Thresholds
NO_X	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM_{10}	150 lbs/day	150 lbs/day
$PM_{2.5}$	55 lbs/day	55 lbs/day
SO_X	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Pb	3 lbs/day	3 lbs/day

Source: (Urban Crossroads, 2020a, Table 3-1; Urban Crossroads, 2020b, Table 3-1)

For evaluation under Threshold "c," the Project would result in a significant impact if any of the following were to occur:

- The Project's localized criteria pollutant emissions would exceed one or more of the SCAQMD "Localized Thresholds" listed in Table 4.2-7, *SCAQMD Maximum Daily Emissions Construction Localized Thresholds* and Table 4.2-8, *SCAQMD Maximum Daily Emissions Operational Localized Thresholds*;
- The Project would cause or contribute to a CO "Hot Spot;" and/or
- The Project's toxic air contaminant emissions, like DPM, would expose sensitive receptor populations to an incremental cancer risk of greater than 10 in one million; and/or result in a non-carcinogenic health risk rating ("Acute Hazard Index") greater than 1.0.

Table 4.2-7 SCAQMD Maximum Daily Emissions Construction Localized Thresholds

Pollutant	Construction Localized Thresholds
NO_X	284 lbs/day
CO	1,841 lbs/day
PM_{10}	25 lbs/day
$PM_{2.5}$	9 lbs/day

Source: (Urban Crossroads, 2020a, Table 3-8; Urban Crossroads, 2020b, Table 3-8)

Table 4.2-8 SCAQMD Maximum Daily Emissions Operational Localized Thresholds

Pollutant	Operational Localized Thresholds
NO_X	284 lbs/day
CO	1,841 lbs/day
PM_{10}	7 lbs/day
$PM_{2.5}$	2 lbs/day

Source: (Urban Crossroads, 2020a, Table 3-10; Urban Crossroads, 2020b, Table 3-10)

For evaluation under Threshold "d," a significant impact would occur if the Project's construction and/or operational activities result in air emissions leading to an odor nuisance pursuant to SCAQMD Rule 402.

4.2.5 Impact Analysis

The analysis provided on the following pages addresses the potential air quality-related impacts that could result from implementation of the proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*. Except where specifically noted herein, implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses would result in similar air quality impacts.

Threshold a: ***Would the Project conflict with or obstruct implementation of the applicable air quality plan?***

The SCAQMD *2016 AQMP*, which is the applicable air quality plan for the Project area, addresses long-term air quality conditions for the SCAB. The criteria for determining consistency with the *2016 AQMP* are analyzed below.

- *Consistency Criterion No. 1: The proposed project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.*

  Consistency Criterion No. 1 refers to violations of the NAAQS and CAAQS. Violations of the NAAQS and/or CAAQS would occur if the emissions resulting from the Project were to exceed the SCAQMD's localized emissions thresholds. As a conservative measure, the Project's regional emissions of VOC, NO_X, PM_{10}, and $PM_{2.5}$ also are considered in the consistency determination because if the Project's emissions of any of these pollutants would exceed the applicable SCAQMD regional thresholds, then these emissions could delay the SCAB's attainment of federal and/or State ozone or particulate matter standards. As disclosed under the analysis for Threshold "c," below, Project-related activities would not exceed SCAQMD localized emissions thresholds during construction or long-term operation as either a warehouse distribution/logistics or e-commerce/fulfillment use. As disclosed under the analysis for Threshold "b," below, Project-related activities would not exceed the SCAQMD regional emissions thresholds during construction; however, Project operational activities under both the warehouse distribution/logistics and e-commerce/fulfillment uses would exceed the SCAQMD regional threshold for NO_X emissions. NO_X is a precursor for ozone; thus, Project operational activities

would contribute a substantial volume of pollutants to the SCAB that could delay the attainment of federal and State ozone standards. As such, prior to mitigation the Project would conflict with Consistency Criterion No. 1 under the warehouse distribution/logistics and e-commerce/fulfillment options.

- *Consistency Criterion No. 2: The proposed project will not exceed the assumptions in the AQMP based on the years of project buildout phase.*

  The air quality conditions presented in the *2016 AQMP* are based on the growth forecasts identified by SCAG in its *2016-2040 RTP/SCS*. The *2016-2040 RTP/SCS* anticipates that development in the various incorporated and unincorporated areas within the SCAB will occur in accordance with the adopted general plans for these areas. As such, development projects that propose to change the land use and/or increase the development intensity of an individual property may result in increased stationary area source emissions and/or mobile source emissions when compared to the *2016 AQMP* assumptions. If a development project does not exceed the growth projections in the applicable local general plan, then the project is considered to be consistent with the growth assumptions in the *AQMP*.

  Under existing conditions, the Project site is designated for "Residential: Max 2 du/ac (R2)" land use by the City of Moreno Valley's General Plan Land Use Map. The Project includes a request to change the existing General Plan land use designation for the Project site from "R2" to "Business Park/Light Industrial (BP)," which, if approved, would result in a land use and development intensity that was not anticipated by the General Plan and, by extension, the growth models that were used in the *2016 AQMP*. Accordingly, implementation of the Project under both the warehouse distribution/logistics and e-commerce/fulfillment options would exceed the assumptions in the *AQMP* based on the years of project buildout phase, and therefore would conflict with Consistency Criterion No. 2 (Urban Crossroads, 2020a, pp. 58-59; Urban Crossroads, 2020b, pp. 58-59).

In summary, because the proposed Project does not satisfy Consistency Criterion No. 1 or Consistency Criterion No. 2 under either the warehouse/distribution or e-commerce/logistics options, the Project is determined to be inconsistent with the *2016 AQMP*. As such, the Project would conflict with and could result in the obstruction of the applicable *AQMP* and a significant impact would occur.

Threshold b:	***Would the Project 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?***

As noted earlier in this Subsection, the SCAB has a "non-attainment" designation for ozone (1- and 8-hour) and particulate matter ($PM_{2.5}$ and PM_{10}) under existing conditions. Refer to Subsection 4.2.1D for more information on existing air quality conditions in the SCAB.

A. Construction Emissions Impact Analysis

Peak Project construction emissions are summarized in Table 4.2-9, *Peak Construction Emissions Summary*. The site improvements, construction activities, and construction equipment fleets would be similar for both

the warehouse distribution/logistics and e-commerce/fulfillment options, thus the peak emissions listed in Table 4.2-9 reflect implementation of either Project scenario. Detailed air model outputs are presented in Appendix 3.1 of *Technical Appendices B1 and B2*.

Table 4.2-9 Peak Construction Emissions Summary

Year	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer						
2021	10.52	84.89	75.12	0.32	19.59	7.62
2022	70.09	91.33	96.68	0.36	23.16	7.64
Winter						
2021	10.48	84.60	67.32	0.30	19.59	7.62
2022	70.05	91.01	87.65	0.34	23.16	7.64
Maximum Daily Emissions	**70.09**	**91.33**	**96.68**	**0.36**	**23.16**	**7.64**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2020a, Table 3-4; Urban Crossroads, 2020b, Table 3-4)

As shown in Table 4.2-9, peak Project construction emissions of VOCs, NO_X, CO, SO_X, and particulate matter (PM_{10} and $PM_{2.5}$) would not exceed the applicable SCAQMD regional thresholds. Accordingly, the Project's construction activities would not emit substantial concentrations of these pollutants and would not contribute to an existing or projected air quality violation on a cumulatively-considerable basis. Project construction impacts related to emissions of VOCs, NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would be less than significant and mitigation is not required.

B. Operational Emissions Impact Analysis

Operation of the Project would result in emissions from area sources, energy sources, mobile sources, and on-site equipment. Area source emissions include evaporation of solvents in architectural coatings, organic compounds from consumer products, and fuel from landscape maintenance equipment. Energy source emissions include combustion emissions associated with natural gas and electricity. Mobile source emissions include emissions from vehicles and fugitive dust related to vehicular travel. On-site equipment emissions include emissions from cargo handling equipment.

The Project's peak operational emissions for the warehouse distribution/logistics option are presented in Table 4.2-10 and Table 4.2-11and the peak operational emissions for the e-commerce/fulfillment option are presented in Table 4.2-12 and Table 4.2-13. Detailed air model outputs are presented in Appendices of 3.3 and 3.4 of *Technical Appendix B1 and B2* and in *Technical Appendices B5 and B6*.

Table 4.2-10 Peak Operational Emissions Summary – Warehouse Distribution/Logistics (Without Cold Storage)

Operational Activities – Summer Scenario	Emissions (lbs/day)					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Area Source	30.57	3.27E-03	3.58E-01	3.00E-05	1.28E-03	1.28E-03
Energy Source	0.06	0.51	0.43	3.07E-03	0.04	0.04
Mobile Source (Passenger Cars)	3.81	3.08	55.45	0.17	18.19	4.88
Mobile Source (Trucks)	4.67	195.99	37.24	0.84	34.13	11.31
On-Site Equipment Source	0.61	6.34	3.79	0.02	0.22	0.20
Total Maximum Daily Emissions	**39.71**	**205.92**	**97.26**	**1.03**	**52.58**	**16.42**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**YES**	**NO**	**NO**	**NO**	**NO**
Operational Activities – Winter Scenario	**Emissions (lbs/day)**					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Area Source	30.57	3.27E-03	3.58E-01	3.00E-05	1.28E-03	1.28E-03
Energy Source	0.06	0.51	0.43	3.07E-03	0.04	0.04
Mobile Source (Passenger Cars)	3.38	3.18	44.97	0.15	18.19	4.88
Mobile Source (Trucks)	4.55	204.60	35.35	0.84	34.11	11.30
On-Site Equipment Source	0.61	6.34	3.79	0.02	0.22	0.20
Total Maximum Daily Emissions	**39.17**	**214.64**	**84.90**	**1.01**	**52.56**	**16.42**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**YES**	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2020a, Table 3-7)

Table 4.2-11 Peak Operational Emissions Summary – Warehouse Distribution/Logistics (With Cold Storage)

Operational Activities – Summer Scenario	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source	30.57	3.27E-03	3.58E-01	3.00E-05	1.28E-03	1.28E-03
Energy Source	0.13	1.17	0.99	7.05E-03	0.09	0.09
Mobile Source (Passenger Cars)	3.54	3.30	52.77	0.17	18.27	4.90
Mobile Source (Trucks)	4.95	184.08	36.97	0.86	34.67	11.49
On-Site Equipment Source	0.61	6.34	3.79	0.02	0.22	0.20
Total Maximum Daily Emissions	**39.80**	**194.89**	**94.88**	**1.04**	**53.25**	**16.67**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**YES**	**NO**	**NO**	**NO**	**NO**
Operational Activities – Winter Scenario	**Emissions (lbs/day)**					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Area Source	30.57	3.27E-03	3.58E-01	3.00E-05	1.28E-03	1.28E-03
Energy Source	0.13	1.17	0.99	7.05E-03	0.09	0.09
Mobile Source (Passenger Cars)	3.37	3.49	45.00	0.15	18.27	4.90
Mobile Source (Trucks)	4.85	191.57	33.54	0.86	34.64	11.48
On-Site Equipment Source	0.61	6.34	3.79	0.02	0.22	0.20
Total Maximum Daily Emissions	**39.52**	**202.58**	**83.68**	**1.03**	**53.22**	**16.67**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**YES**	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2020d, Table 7)

Table 4.2-12 Peak Operational Emissions Summary – E-Commerce/Fulfillment (Without Cold Storage

Operational Activities – Summer Scenario	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source	30.58	4.08E-03	0.45	3.00E-05	1.60E-03	1.60E-03
Energy Source	0.06	0.51	0.43	3.07E-03	0.04	0.04
Mobile Source (Passenger Cars)	15.26	12.33	222.01	0.67	72.84	19.52
Mobile Source (Trucks)	4.56	189.95	36.94	0.81	32.75	10.76
On-Site Equipment Source	0.61	6.34	3.79	0.02	0.22	0.20
Total Maximum Daily Emissions	**51.06**	**209.13**	**263.62**	**1.49**	**105.84**	**30.52**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**YES**	**NO**	**NO**	**NO**	**NO**
Operational Activities – Winter Scenario	**Emissions (lbs/day)**					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Area Source	30.58	4.08E-03	0.45	3.00E-05	1.60E-03	1.60E-03
Energy Source	0.06	0.51	0.43	3.07E-03	0.04	0.04
Mobile Source (Passenger Cars)	13.55	12.75	180.05	0.60	72.84	19.52
Mobile Source (Trucks)	4.45	198.32	35.06	0.81	32.73	10.75
On-Site Equipment Source	0.61	6.34	3.79	0.02	0.22	0.20
Total Maximum Daily Emissions	**49.23**	**217.92**	**219.77**	**1.43**	**105.83**	**30.52**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**YES**	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2020b, Table 3-7)

Table 4.2-13 Peak Operational Emissions Summary – E-Commerce/Fulfillment (With Cold Storage

Operational Activities – Summer Scenario	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Area Source	30.58	4.08E-03	0.45	3.00E-05	1.60E-03	1.60E-03
Energy Source	0.13	1.17	0.99	7.05E-03	0.09	0.09
Mobile Source (Passenger Cars)	13.75	12.79	204.72	0.64	70.86	18.99
Mobile Source (Trucks)	4.84	179.22	36.89	0.82	33.29	10.94
On-Site Equipment Source	0.61	6.34	3.79	0.02	0.22	0.20
Total Maximum Daily Emissions	**49.91**	**199.53**	**246.83**	**1.49**	**104.46**	**30.22**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**YES**	**NO**	**NO**	**NO**	**NO**
Operational Activities – Winter Scenario	**Emissions (lbs/day)**					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Area Source	30.58	4.08E-03	0.45	3.00E-05	1.60E-03	1.60E-03
Energy Source	0.13	1.17	0.99	7.05E-03	0.09	0.09
Mobile Source (Passenger Cars)	13.05	13.54	174.57	0.59	70.86	18.99
Mobile Source (Trucks)	4.74	186.53	33.48	0.83	33.27	10.93
On-Site Equipment Source	0.61	6.34	3.79	0.02	0.22	0.20
Total Maximum Daily Emissions	**49.11**	**207.58**	**213.27**	**1.44**	**104.44**	**30.21**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**YES**	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2020e, Table 7)

As shown in Table 4.2-10 through Table 4.2-13, Project operation would result in peak emissions of VOCs, CO, SO_X, and particulate matter (PM_{10} and $PM_{2.5}$) that do not exceed the applicable SCAQMD regional thresholds. Accordingly, both the Project's warehouse distribution/logistics and e-commerce/fulfillment options would not emit substantial concentrations of these pollutants and would not contribute to an existing or projected air quality violation on a cumulatively-considerable basis. Impacts associated with Project operational emissions of VOCs, CO, SO_X, PM_{10} and $PM_{2.5}$ would be less than significant and mitigation is not required.

However, peak Project operational NO_X emissions, which primarily are emitted from vehicle tailpipes, would exceed the applicable SCAQMD regional threshold under both the warehouse distribution/logistics and e-commerce/fulfillment options. NO_X is a precursor for ozone, a pollutant for which the SCAB does not attain federal (NAAQS) or State (CAAQS) standards. Accordingly, the Project's daily NO_X emissions during long-term operation would violate the SCAQMD regional threshold for this pollutant and would result in a cumulatively considerable net increase of a criteria pollutant for which the Project region is in nonattainment. This impact is significant and mitigation is required.

Threshold c: Would the Project expose sensitive receptors to substantial pollutant concentrations?

A. Localized Criteria Pollutant Analysis

1. Construction Analysis

As shown in Table 4.2-14, *Peak Construction Localized Emissions Summary*, the Project's localized NO_X, CO, and particulate matter (PM_{10} and $PM_{2.5}$) emissions would not exceed applicable SCAQMD thresholds during Project construction. The site improvements, construction activities, and construction equipment fleets would be similar for both the warehouse distribution/logistics and e-commerce/fulfillment options, thus the peak emissions listed in Table 4.2-14 reflect implementation of either Project scenario. Accordingly, Project construction would not expose any sensitive receptors in the vicinity of the Project site to substantial criteria pollutant concentrations. Impacts would be less than significant and no mitigation would be required.

2. Operational Analysis

As shown in Table 4.2-15 and Table 4.2-16, neither operation of the Project as a warehouse distribution/logistics use nor as an e-commerce/fulfillment use would not exceed the applicable SCAQMD thresholds for localized NO_X, CO, and particulate matter (PM_{10} and $PM_{2.5}$) emissions. Accordingly, implementation of the Project would not expose any sensitive receptors in the vicinity of the Project site to substantial pollutant concentrations. Impacts would be less than significant and no mitigation is required.

Table 4.2-14 Peak Construction Localized Emissions Summary

On-Site Emissions	Emissions (lbs/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Demolition				
Maximum Daily Emissions	**31.44**	**21.57**	**1.60**	**1.45**
SCAQMD Localized Threshold	284	1,841	25	9
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Site Preparation				
Maximum Daily Emissions	**60.79**	**21.85**	**13.83**	**6.75**
SCAQMD Localized Threshold	284	1,841	25	9
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Pile Driving				
Maximum Daily Emissions	**9.05**	**5.22**	**4.51**	**0.79**
SCAQMD Localized Threshold	284	1,841	25	9
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Grading				
Maximum Daily Emissions	**56.54**	**31.23**	**8.77**	**3.84**
SCAQMD Localized Threshold	284	1,841	25	9
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2020a, Table 3-9; Urban Crossroads, 2020b, Table 3-9)

Table 4.2-15 Peak Operational Localized Emissions Summary – Warehouse Distribution/Logistics

Operational Activity	Emissions (lbs/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Maximum Daily Emissions	**17.24**	**9.22**	**2.87**	**1.05**
SCAQMD Localized Threshold	284	1,841	7	2
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2020a, Table 3-11)

Table 4.2-16 Peak Operational Localized Emissions Summary – E-Commerce/Fulfillment

Operational Activity	Emissions (lbs/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Maximum Daily Emissions	**17.41**	**17.62**	**5.54**	**1.76**
SCAQMD Localized Threshold	284	1,841	7	2
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2020b, Table 3-11)

B. CO Hot Spot Impact Analysis

A CO "hot spot" is an isolated geographic area where localized concentrations of CO exceeds the CAAQS one-hour (20 parts per million) or eight-hour (9 parts per million) standards. A Project-specific CO "hot spot" analysis was not performed because CO attainment in the SCAB was thoroughly analyzed as part of SCAQMD's *2003 AQMP* and the 1992 Federal Attainment for Carbon Monoxide Plan (1992 CO Plan). As identified in the SCAQMD's *2003 AQMP* and the 1992 CO Plan, peak CO concentrations in the SCAB were the byproduct of unusual meteorological and topographical conditions and were not the result of traffic congestion. For context, the CO "hot spot" analysis performed for the *2003 AQMP* recorded a CO concentration of 9.3 parts per million (8-hour) at the Long Beach Boulevard/Imperial Highway intersection in Los Angeles County; however, only a small portion of the recorded CO concentrations (0.7 parts per million) were attributable to traffic congestion at the intersection. The vast majority of the recorded CO concentrations at the Long Beach Boulevard/Imperial Highway intersection (8.6 parts per million) were attributable to ambient air concentrations. In comparison, the busiest intersections in the Project site vicinity would not experience peak congestion levels or ambient CO concentrations comparable to the conditions observed at the Long Beach Boulevard/Imperial Highway intersection. Data from several air districts/studies indicate that under existing and future vehicle emission rates, a given project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour – or 24,000 vehicles per hour where vertical and/or horizontal air does not mix – in order to generate a significant CO impact. Under either the warehouse distribution/logistics or e-commerce/fulfillment scenarios, the Project would not produce the volume of traffic required to generate a CO hotspot based on the referenced studies. Based on the relatively low traffic congestion levels, low existing ambient CO concentrations, and the lack of any unusual meteorological and/or topographical conditions in the Project site vicinity, the Project's operation as either a warehouse distribution/logistics use or as an e-commerce/fulfillment use is not expected to cause or contribute to a CO "hot spot." (Urban Crossroads, 2020a, pp. 55-56; Urban Crossroads, 2020b, pp. 55-56) Impacts would be less than significant and mitigation is not required.

C. Toxic Air Contaminant Emissions Impact Analysis

Based on the typical operations at cross-dock warehouse distribution/logistics facilities and at e-commerce/fulfillment uses, neither of which include smoke stacks or other stationary point-sources of air pollutant emissions, the Project is not expected to result in stationary emissions of toxic air contaminants. However, operation of the Project as either a warehouse distribution/logistics use or an e-commerce/fulfillment use would generate/attract diesel-fueled trucks. Diesel-fueled trucks produce DPM, which is a toxic air contaminant and is known to be associated with acute and chronic health hazards – including cancer. Project-related DPM health risks are summarized below. Detailed air dispersion model outputs and risk calculations are presented in Appendices 2.1 and 2.2 of *Technical Appendices B3 and B4* and in *Technical Appendices B5 and B6*.

At the MEIR, which is a residential use located approximately 118 feet south of the Project site, the maximum incremental cancer risk attributable to the DPM emissions from trucks traveling to/from the Project site is calculated to be 6.75 in one million as a warehouse distribution/logistics use, which would rise to 7.25 in one million if the building were to include cold storage (Urban Crossroads, 2020c, p. 1; Urban Crossroads, 2020d, p. 12). The maximum incremental cancer risk would be 2.48 in one million as an e-commerce/fulfillment use,

which would rise to 2.29 in one million were the building to include cold storage (Urban Crossroads, 2021a, p. 1; Urban Crossroads, 2020e, p. 12). The warehouse use represents a higher risk level because the southern parking area would be mainly used by trucks whereas under the e-commerce scenario, the southern parking lot would mainly be used by passenger vehicles. All values would not exceed the SCAQMD cancer risk threshold of 10 in one million. The non-cancer health risk index at the MEIR would not exceed the SCAQMD non-cancer health risk index threshold of 1.0 under all warehouse distribution/logistics and fulfillment/e-commerce scenarios (both with and without cold storage) (Urban Crossroads, 2020c, p. 1; Urban Crossroads, 2020d, p. 12; Urban Crossroads, 2021a, p. 1; Urban Crossroads, 2020e, p. 12). All other residential locations in the vicinity of the Project site located farther from the Project site than the MEIR would be exposed to lower concentrations of Project-related DPM emissions due to their increased distance from Project-related diesel-fueled truck operations and, therefore, are at less risk – and would be impacted to a lesser degree – than the MEIR identified herein. The Project's operation as either a warehouse distribution/logistics use or as an e-commerce/fulfillment use would not directly cause or contribute in a cumulatively-considerable manner to the exposure of residential receptors near the Project site to substantial DPM emissions. Impacts to residential receptors would be less than significant.

At the MEIW, the Aldi Distribution Facility (located approximately 465 feet north of the Project site), the maximum incremental cancer risk attributable to the DPM emissions from trucks traveling to/from the Project site is calculated to be 0.54 in one million as warehouse distribution/logistics use, which would rise to 0.57 in one million in the event the building includes cold storage (Urban Crossroads, 2020c, p. 1; Urban Crossroads, 2020d, p. 12). The maximum incremental cancer risk would be 0.41 in one million as an e-commerce/fulfillment use, which would rise to 0.44 in one million in the event the building includes cold storage (Urban Crossroads, 2021a, p. 1; Urban Crossroads, 2020e, p. 12). All values would not exceed the SCAQMD cancer risk threshold of 10 in one million. The non-cancer health risk index at the MEIW would not exceed the SCAQMD non-cancer health risk index threshold of 1.0 under all warehouse distribution/logistics and fulfillment/e-commerce scenarios (both with and without cold storage) (Urban Crossroads, 2020c, p. 1; Urban Crossroads, 2020d, p. 12; Urban Crossroads, 2021a, p. 1; Urban Crossroads, 2020e, p. 12). Places of business located further than 465 feet from the Project's activities would be impacted to a lesser degree than the MEIW due to their increased distance from Project diesel-fueled truck operations. The Project's operation as either a warehouse distribution/logistics use or as an e-commerce/fulfillment use would not directly cause or contribute in a cumulatively-considerable manner to the exposure of worker receptors near the Project site to substantial DPM emissions. Impacts to worker receptors would be less than significant.

No schools are located within 0.25-mile of the Project site or the Project's primary truck routes. As noted earlier in this subsection, it is conservatively assumed that 80% of all DPM emissions settle from the air within 1,000 feet (0.19-mile) from the point of emission. Because there are no schools within at least 1,320 of the Project site or the Project's primary truck route, operation of the Project would not directly cause or contribute in a cumulatively-considerable manner to the exposure of school child receptors near the Project site to substantial DPM emissions (Urban Crossroads, 2020c, p. 2; Urban Crossroads, 2021a, p. 2). Significant impacts to school children receptors would not occur.

Threshold d: ***Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?***

During construction activities on the Project site, odors could be produced by construction equipment exhaust or from the application of asphalt and/or architectural coatings. However, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction. In addition, construction activities on the Project site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance (Urban Crossroads, 2020a, pp. 60-61; Urban Crossroads, 2020b, pp. 60-61). Accordingly, the Project's construction – as either a warehouse distribution/logistics or e-commerce/fulfillment use – would not create objectionable odors affecting a substantial number of people and impacts would be less than significant.

During long-term operation, the Project would operate as either a warehouse distribution/logistics or e-commerce/fulfillment facility, neither of which are typically associated with the emission of objectionable odors. Temporary outdoor refuse storage could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations, thereby precluding any significant odor impact. Furthermore, the occupant(s) of the proposed warehouse and high-cube warehouse buildings would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance, during long-term operation (Urban Crossroads, 2020a, p. 61; Urban Crossroads, 2020b, p. 61). As such, long-term operation of the Project as either a warehouse distribution/logistics or e-commerce/fulfillment use would not create objectionable odors affecting a substantial number of people and impacts would be less than significant.

4.2.6 Cumulative Impact Analysis

The *AQMP* evaluates regional conditions within the Basin and sets regional emission significance thresholds for both construction and operation of development projects that apply to project-specific impacts and cumulatively-considerable impacts. Thus, if a project exceeds the SCAQMD regional emissions thresholds, project-specific impacts would also result in a cumulatively-considerable increase in emissions for those pollutants for which the basin in is non-attainment. As described under the analysis for Threshold "a," Project implementation would conflict with the SCAQMD's *2016 AQMP* because the Project would contribute to existing local air quality violations and exceed growth projections used in the *AQMP* (which would result in air pollutant emissions that were not anticipated in the *AQMP*) under both the warehouse distribution/logistics and e-commerce/fulfillment scenarios. Based on the SCAQMD's regional emissions thresholds, the Project's conflict with the *AQMP* is determined to be a significant cumulatively-considerable impact.

Based on SCAQMD guidance, any exceedance of a regional or localized threshold for criteria pollutants also is considered to be a cumulatively-considerable effect, while air pollutant emissions that fall below applicable regional and/or localized thresholds are not considered cumulatively-considerable. As discussed in the response to Threshold "b," Project construction air pollutant emissions would not exceed the applicable SCAQMD thresholds; however, the SCAQMD regional thresholds for NO_X emissions would be exceeded during Project operation (under both the warehouse distribution/logistics and e-commerce/fulfillment

scenarios). Therefore, the Project's operational NO_X emissions would be cumulatively-considerable and mitigation would be required.

As discussed under the analysis for "Threshold c," all Project-related construction- and operational localized air pollutant emissions – including DPM – would not exceed the applicable SCAQMD thresholds for either the warehouse distribution/logistics or e-commerce/fulfillment options and, therefore, are not considered cumulatively-considerable.

As indicated in the analysis of Threshold "d," above, there are no Project components that would expose a substantial number of sensitive receptors to objectionable odors. There are no known sources of offensive odors in the Project area. Because the Project's construction and operation would not create substantial and objectionable odors and because there are no sources of objectionable odors in the areas immediately surrounding the Project site, there is no potential for odors from the Project site to commingle with odors from nearby development projects and expose nearby sensitive receptors to substantial, offensive odors. Accordingly, implementation of the Project for either a warehouse distribution/logistics use or an e-commerce/fulfillment use would result in a less-than-significant cumulative impact related to odors.

4.2.7 Significance of Impacts Before Mitigation

Threshold a: Significant Direct and Cumulatively-Considerable Impact. Under warehouse distribution/logistics and e-commerce/fulfillment options, the Project would exceed the growth projections contained in SCAQMD's *2016 AQMP* and, also, would emit air pollutants that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB. As such, the Project would conflict with and could obstruct implementation of the *AQMP*.

Threshold b: Significant Direct and Cumulatively-Considerable Impact. Project-related activities would exceed the applicable SCAQMD regional thresholds for NO_X emissions during long-term operation of the warehouse distribution/logistics and e-commerce/fulfillment options. As such, Project-related emissions would violate SCAQMD air quality standards and contribute to the non-attainment of ozone standards in the SCAB.

Threshold c: Less-than-Significant Impact. Implementation of the Project for either warehouse distribution/logistics or e-commerce/fulfillment uses would not: 1) exceed applicable SCAQMD localized criteria pollution emissions thresholds during construction and operation; 2) would not expose sensitive receptors to toxic air contaminants (i.e., DPM) that exceed the applicable SCAQMD carcinogenic and non-carcinogenic risk thresholds; and 3) would not cause or contribute to the formation of a CO "hot spot."

Threshold d: Less-than-Significant Impact. The Project would not produce air emissions that would lead to unusual or substantial construction-related or operational-related odors under the warehouse distribution/logistics or e-commerce/fulfillment options. The Project is required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance.

4.2.8 MITIGATION

All of the mitigation measures (MMs) listed below shall apply to both the warehouse distribution/logistics and e-commerce/fulfillment options for the Project.

Although the Project's construction-related particulate matter (PM_{10} and $PM_{2.5}$) emissions would be less than significant, and compliance with regulatory requirements are not required to be repeated as mitigation, the following mitigation measures would ensure compliance with standard SCAQMD rules and minimize the Project's construction-related particulate matter emissions.

MM 4.2-1 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 403, "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving, grading, and equipment travel on unpaved roads. Rule 403 also requires activities defined as "large operations" to notify the SCAQMD by submitting specific forms. The following notes shall be listed on the Project's grading plans, to be confirmed by the City of Moreno Valley prior to grading permit issuance. Project construction contractors shall be required by their contracts to ensure compliance with the notes, submit any required "large operations" forms to the SCAQMD, and permit periodic inspection of the construction site by City of Moreno Valley staff or its designee to confirm compliance.

a) During grading and ground-disturbing construction activities, the construction contractor shall ensure that all unpaved roads, active soil stockpiles, and areas undergoing active ground disturbance within the Project site are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas by water truck, sprinkler system, or other comparable means, shall occur in the mid-morning, afternoon, and after work is done for the day. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off-site.

b) Temporary signs shall be installed on the construction site along all unpaved roads indicating a maximum speed limit of 15 miles per hour (MPH). The signs shall be installed before construction activities commence and remain in place for the duration of construction activities that include vehicle activities on unpaved roads.

c) Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.

d) Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (e.g., install wheel shakers, wheel washers, limit site access).

e) When materials are transported off-site, all material shall be covered or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

f) All street frontages adjacent to the construction site shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers utilizing water trucks (reclaimed water, if available) if visible soil materials are carried to adjacent streets.

g) Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and initiate corrective action to legitimate complaints within 24 hours.

h) Any vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.

i) Any on-site stock piles of debris, dirt, or other dusty material shall be covered or watered as necessary to minimize fugitive dust pursuant to SCAQMD Rule 403.

j) A high wind response plan shall be formulated and implemented for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.

MM 4.2-2 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 1186 "PM_{10} Emissions from Paved and Unpaved Roads and Livestock Operations" and Rule 1186.1, "Less-Polluting Street Sweepers" by complying with the following requirements. To ensure and enforce compliance with these requirements, prior to grading and building permit issuance, the City of Moreno Valley shall verify that the following notes are included on the grading and building plans and within the construction management plan. Project construction contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by City of Moreno Valley staff or its designee to confirm compliance.

a) If visible dirt or accumulated dust is carried onto paved roads during construction, the contractor shall remove such dirt and dust at the end of each work day by street cleaning.

b) Street sweepers shall be certified by the South Coast Air Quality Management District as meeting the Rule 1186 sweeper certification procedures and requirements for PM_{10}-efficient sweepers. All street sweepers having a gross vehicle weight of 14,000 pounds or more shall be powered with alternative (non-diesel) fuel or otherwise comply with South Coast Air Quality Management District Rule 1186.1.

Although compliance with regulatory requirements are not required to be repeated as mitigation, the following mitigation measure would ensure compliance with SCAQMD Rule 1113 and reduce the Project's construction-related VOC emissions and the contributions of this pollutant to the SCAB's non-attainment status for ozone.

MM 4.2-3 Prior to building permit issuance, the City of Moreno Valley shall verify that a note is provided on all building plans specifying that compliance with SCAQMD Rule 1113 is mandatory during application of all architectural coatings. Project contractors shall be required to comply

with the note and maintain written records of such compliance that can be inspected by the City of Moreno Valley upon request. This note also shall indicate that only "super-compliant" low VOC paint products (no more than 10 gram/liter of VOC) shall be used. All other architectural coatings shall comply with the VOC limits prescribed by SCAQMD Rule 1113.

Although the Project's construction-related NOx emissions impact would be less than significant, the following mitigation measure is included as a best management practice:

MM 4.2-4 Project construction contractors shall assure that all construction equipment complies with all applicable California Air Resources Board (CARB) air quality regulations. Also, Project construction contractors shall tune and maintain all construction equipment in accordance with the equipment manufacturer's recommended maintenance schedule and specifications. Maintenance records for all pieces of equipment shall be kept on-site for the duration of construction activities and shall be made available for periodic inspection by City of Moreno Valley staff or their designee.

The following mitigation measures would reduce the Project's operational-related NOx emissions and the contributions of this pollutant to the SCAB's non-attainment status for ozone.

MM 4.2-5 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations in both English and Spanish. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use for more than three (3) minutes; ~~and~~ 2) instructions for drivers of diesel trucks to restrict idling to no more than three (3) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) instructions for drivers of diesel trucks equipped with transport refrigeration units (TRUs) to park on the north side of the building and limit TRU idling durations to no more than 15 minutes on-site. Prior to the issuance of an occupancy permit, the City of Moreno Valley shall conduct a site inspection to ensure that the signs are in place.

MM 4.2-6 Prior to building permit issuance, the City of Moreno Valley shall ensure that the parking lot striping and security gating plan allows for adequate truck stacking at gates to prevent queuing of trucks outside the property.

MM 4.2-7 Prior to the issuance of a building permit, the Project Applicant or successor in interest shall provide documentation to the City of Moreno Valley demonstrating that the Project is designed to meet or exceed CalGreen Tier 2 standards in effect at the time of building permit application and includes the energy efficiency design features listed below at a minimum.

a) Preferential parking locations for carpool, vanpool, EVs and CNG vehicles;

b) Secure, weather protected bicycle parking. Conduit shall be installed at bicycle parking areas to accommodate the future, optional installation of electric bicycle charging infrastructure;

c) Installation of the minimum number of passenger vehicle EV charging stations required by Title 24 and the installation of conduit at a minimum of five (5) percent of

the Project's total number of automobile parking spaces to accommodate the future, optional installation of EV charging infrastructure;

d) The building's roof shall be designed and constructed to accommodate the potential, future construction of maximally-sized photovoltaic (PV) solar arrays taking into consideration limitations imposed by other rooftop equipment, roof warranties, building and fire code requirements, and other physical or legal limitations. The building shall include an electrical system and other infrastructure sufficiently-sized to accommodate the potential installation of maximally-sized PV arrays in the future. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage which informs future occupants/owners of the existence of this infrastructure;

e) The building's electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power for the future installation of EV truck charging stations on the site. Conduit should be installed from the electrical room to tractor trailer parking spaces in a logical location(s) on the site determined by the Project Applicant during construction document plan check, for the purpose of accommodating the future installation of EV truck charging stations at such time this technology becomes commercially available and the building is being served by trucks with electric-powered engines.

f) The building's electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods. Conduit should be installed from the electrical room to the loading docks determined by the Project Applicant during construction document plan check as the logical location(s) to receive trailers with TRUs. Loading docks that may receive trailers with TRUs shall only be located on the north side of the building.

g) Outdoor electrical outlets are provided in reasonable locations to maximize the opportunities to use electric-powered landscape maintenance equipment.

h) Use of light-colored paving materials in the passenger vehicle parking areas, drive aisles, and/or truck court;

i) Use of light-colored roofing materials;

j) Use of solar or light-emitting diode (LED) fixtures for outdoor lighting;

k) All heating, cooling, and lighting devices and appliances shall be Energy Star certified; ~~and~~

l) All fixtures installed in restrooms and employee break areas shall be U.S. EPA Certified WaterSense or equivalent; and

m) The building contains no more than 50,000 square feet of refrigerated warehouse space. For purposes of this mitigation measure, refrigerated warehouse space shall include all areas kept at a sustained temperature of 55 degrees Fahrenheit or lower.

MM 4.2-8 Prior to building final, the Project Applicant or successor in interest shall install signs and/or painting/striping at on-site driveways and drive aisles to clearly identify the on-site circulation pattern to minimize unnecessary on-site vehicular travel. In addition, the Project owner or operator shall install signs at each truck exit driveway that provides directional information to the City's truck route. Text on the sign shall read "To Truck Route" with a directional arrow.

MM 4.2-9 Prior to building final, the Project Applicant or successor in interest shall provide the City of Moreno Valley with an information packet that will be provided to future building occupants that: 1) provides information regarding the grants available from the Carl Moyer Memorial Air Quality Standards Attainment Program for energy efficiency improvement features – including truck modernization, retrofits, and/or aerodynamic kits and low rolling resistance tires – and the resulting benefits to air quality; 2) recommends the use of electric or alternatively-fueled sweepers with HEPA filters; 3) recommends the use of water-based or low VOC cleaning products; ~~and~~ 4) for occupants with more than 250 employees, information related to SCAQMD Rule 2202, which requires the establishment of a transportation demand management program to reduce employee commute vehicle emissions; 5) notifies occupants of the requirement to provide the City with an annual report demonstrating compliance with SCAQMD Rule 2305; 6) notifies occupants of the requirement to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.

MM 4.2-10 Prior to issuance of occupancy permit, future Project site owner or occupant shall provide written statement to the City of Moreno Valley that that the use of diesel-powered and natural gas-powered outdoor cargo handling equipment (e.g., yard trucks, hostlers, yard goats, pallet jacks, forklifts) on-site is prohibited ~~unless such equipment meets CARB Tier 4 standards~~.

MM 4.2-11 Prior to issuance of occupancy permit, future Project site owner or occupant shall install a sign on the Project site with telephone, email, and regular mail contact information for a designated representative of the occupant who would receive complaints about excessive dust, fumes, or odors. The sign shall also identify contact data for the City for perceived Code violations. The occupant's representative shall keep records of any complaints received and actions taken to communicate with the complainant and resolve the complaint. The occupant's representative shall endeavor to resolve complaints within 24 hours.

4.2.9 Significance of Impacts After Mitigation

Threshold a: Significant and Unavoidable Direct and Cumulatively-Considerable Impact. Although MM 4.2-5 through MM 4.2-11 would reduce the Project's operational-related emissions of NO_X, as discussed below the mitigation measures would not reduce NO_X emissions to below the applicable SCAQMD regional threshold. Additionally, the Project would exceed the growth assumptions for the Project site relied upon in the *2016 AQMP*, and no feasible mitigation is available to address this impact. Therefore, Project impacts due to a conflict with the *2016 AQMP* would be significant and unavoidable on both a direct and cumulatively-

considerable basis. This impact would occur under the Project's warehouse distribution/logistics and e-commerce/fulfillment options.

Threshold a: Significant and Unavoidable Direct and Cumulatively-Considerable Impact. MM 4.2-5 through MM 4.2-11 would require design features to be incorporated into the Project that would reduce the Project's overall demand for energy resources and would reduce the Project's operational NO_X emissions (NO_X is released during the combustion of certain types of energy resources). However, mobile source emissions account for approximately 96 percent, by weight, of the Project's total operational NO_X emissions (under both the warehouse distribution/logistics and e-commerce/fulfillment uses). Mobile source emissions are regulated by standards imposed by federal and State agencies, not local governments. No other mitigation measures related to vehicle tailpipe emissions are available that are within the City of Moreno Valley's jurisdictional authority that, also, are feasible for the City of Moreno Valley to enforce and have a proportional nexus to the Project's level of impact. As such, it is concluded that operation of the Project for either warehouse distribution/logistics or e-commerce/fulfillment uses would generate NO_X emissions that would exceed the applicable SCAQMD regional air quality threshold on a daily basis. The Project's operational-related NO_X emissions would cumulatively contribute to an existing air quality violation in the SCAB (i.e., ozone concentrations), as well as cumulatively contribute to the net increase of a criteria pollutant for which the SCAB is non-attainment (i.e., federal and State ozone concentrations). Accordingly, the Project's long-term operational-related emissions of NO_X are concluded to result in a significant and unavoidable impact on both a direct and cumulatively-considerable basis. This impact would occur under the Project's warehouse distribution/logistics and e-commerce/fulfillment options.

A recent Supreme Court of California decision, *Sierra Club v. County of Fresno (Friant Ranch)*, states that EIRs should relate a project's expected significant adverse air quality impacts to likely human health consequences or explain why it is not feasible at the time of preparing the EIR to provide such an analysis. Given that the proposed Project's implementation would result in a significant direct and cumulatively-considerable impact associated with NO_X emissions under long-term operating conditions, the potential health consequences associated with these air pollutants, as well as other air pollutants associated with the Project, were considered. Although as explained below it may be misleading and unreliable to attempt to specifically quantify the health risks associated with NO_X and other air pollutant emissions that would result from the Project, the Project's air quality impact analysis (*Technical Appendices B1 and B2*) and mobile source health risk assessment (*Technical Appendices B3 and B4*) provide extensive information concerning the quantifiable and non-quantifiable health risks related to the Project's construction and long-term operation. Refer to these EIR appendices for additional information.

Population-based studies suggest that long-term exposure to NO_X can cause an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants). Short-term exposure can result in resistance to air flow and airway contraction in healthy subjects. Exposure also can decrease lung functions in individuals with asthma or chronic obstructive pulmonary diseases (e.g., chronic bronchitis, emphysema), as these individuals are more susceptible to the effects of NOx than healthy individuals. These and other health effects associated with air pollutants that would be generated by the Project were previously described in this Subsection (refer to Subsection 4.2.1C, *Air Quality Pollutants and Associated Human Health Effects*). As noted in the Brief of Amicus Curiae by the SCAQMD in the Friant Ranch case (hereafter, "Brief"), the

SCAQMD – which has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State – indicated that quantifying specific health risks that may result from NO_X and other air pollutants from proposals like the Project would be unreliable and misleading due to the relatively small-scale of the Project (from a regional perspective), unknown variables related to pollutant generation/release and receptor exposure, and regional model limitations (Urban Crossroads, 2020a, pp. 59-60; Urban Crossroads, 2020b, pp. 59-60). Accordingly, current scientific, technological, and modeling limitations prevent accurate and quantifiable relation of the Project's NO_X emissions (and other air pollutant emissions) to likely health consequences for local and regional receptors.

4.3 BIOLOGICAL RESOURCES

This Subsection evaluates the potential for Project-related activities to impact sensitive biological resources. The analysis in this Subsection is based, primarily, on information contained in a technical report prepared by Glen Lukos Associates, Inc. (hereinafter, "GLA") titled, "Biological Technical Report for Moreno Valley Trade Center Property," and dated May 2020. The biological technical report is included as *Technical Appendix C1* to this EIR (GLA, 2020a). The biological technical report incorporates the review of relevant literature, field surveys, and a geographic information system (GIS)-based analysis of vegetation communities (GLA, 2020a, p. 1). Refer to *Technical Appendix C1* for detailed descriptions of the survey dates, scopes of study, and research and survey methodologies used in the biological resources evaluation.

The analysis in this Subsection also is based on two additional technical reports prepared by GLA. The report is titled, "Jurisdictional Delineation of the Moreno Valley Trade Center Project" dated May 26, 2020 (GLA, 2020b) is included as *Technical Appendix C2* to this EIR. The jurisdictional delineation report addresses potential jurisdictional waters and wetlands located on and abutting the Project site. The report titled "Determination of Biologically Equivalent or Superior Preservation (DBESP) Analysis for Impacts to MSHCP Riparian/Riverine Areas Moreno Valley Trade Center Project" dated July 8, 2020 is included as *Technical Appendix C3* to this EIR (GLA, 2020c). The DBESP report addresses potential MSHCP riparian/riverine areas located on and abutting the Project site and describes compensatory mitigation for these impacts.

4.3.1 EXISTING CONDITIONS

The Project site primarily consists of annually-maintained former agricultural fields that support predominantly ruderal vegetation, with the southeast corner of the site containing an active plant nursery and associated structures (i.e., an office building, shade and storage structures) and three (3) residences with ancillary structures and improvements (GLA, 2020a, p. 22; GLA, 2020b, pp. 12-14). The Quincy Channel is located along the western Project site boundary and enters the Project site from the northwest through a culvert and flows in a southerly direction before continuing off-site to the south past Encelia Avenue (ibid.).

The off-site Project study area is comprised of existing paved street segments located adjacent to the Project site, including Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue (ibid.).

A. Vegetation Communities

As shown on Figure 4.3-1, *Existing Vegetation Map*, and described below, the Project site and the off-site Project study area – collectively referred to as the "Project survey area" – are comprised of four (4) vegetation communities: disturbed/developed, disturbed/ruderal, ornamental, and ruderal habitats. None of the observed vegetation communities within the Project survey area are classified as a sensitive natural vegetation community or special-status vegetation community (GLA, 2020a, pp. 22, 24).

- **Disturbed/Developed.** The disturbed/developed habitat covers approximately 14.8 acres of on-site area, which consists of vehicular access roads located along the western and southern portions of the site and the existing plant nursery in the southeast corner of the site, and 12.2 acres of the off-site study area, which consists of existing paved roadways (GLA, 2020a, p. 23).

- **Disturbed/Ruderal.** The disturbed/ruderal habitat covers approximately 53.4 acres of the Project site, which consist of areas routinely disced for weed abatement (GLA, 2020a, p. 23). Dominant plant species observed include London rocket (*Sisymbrium irio*), cheeseweed (*Malva parviflora*), common fiddleneck (*Amsinckia intermedia*), red brome (*Bromus madritensis* ssp. *rubens*), and Russian thistle (*Salsola australis*), with some areas having dense patches of non-native grasses. Other species detected include wild radish (*Raphanus sativus*), black mustard (*Brassica nigra*), common barley (*Hordum vulgare*), common Mediterranean grass (*Schismus barbatus*), field mustard (*Brassica rapa*), flax-leaved horseweed (*Erigeron bonariensis*), lambs quarters (*Chenopodium album*), prickly lettuce (*Lactuca serriola*), red brome (*Bromus madritensis* ssp. *rubens*), silver wattle (*Acacia dealbata*), white horehound (*Marrubium vulgare*), annual bursage (*Ambrosia acanthicarpa*), salt heliotrope (*Heliotropium curassavicum*), and western sunflower (*Helianthus annuus*) (ibid.). Additionally, the disturbed/ruderal habitat supports sparse occurrences of ornamentally planted southern California black walnut (*Juglans californica*) and Peruvian pepper tree (*Schinus molle*) (ibid.).

- **Ornamental.** The Project site contains approximately 0.8-acre of ornamental habitat, which primarily consists of non-native or planted tree species occurring in the central and southeastern portions of the Project site (GLA, 2020a, p. 23). Dominant plant species observed include Fremont cottonwood (*Populus fremontii*) and red gum (*Eucalyptus camaldulensis*) (ibid.).

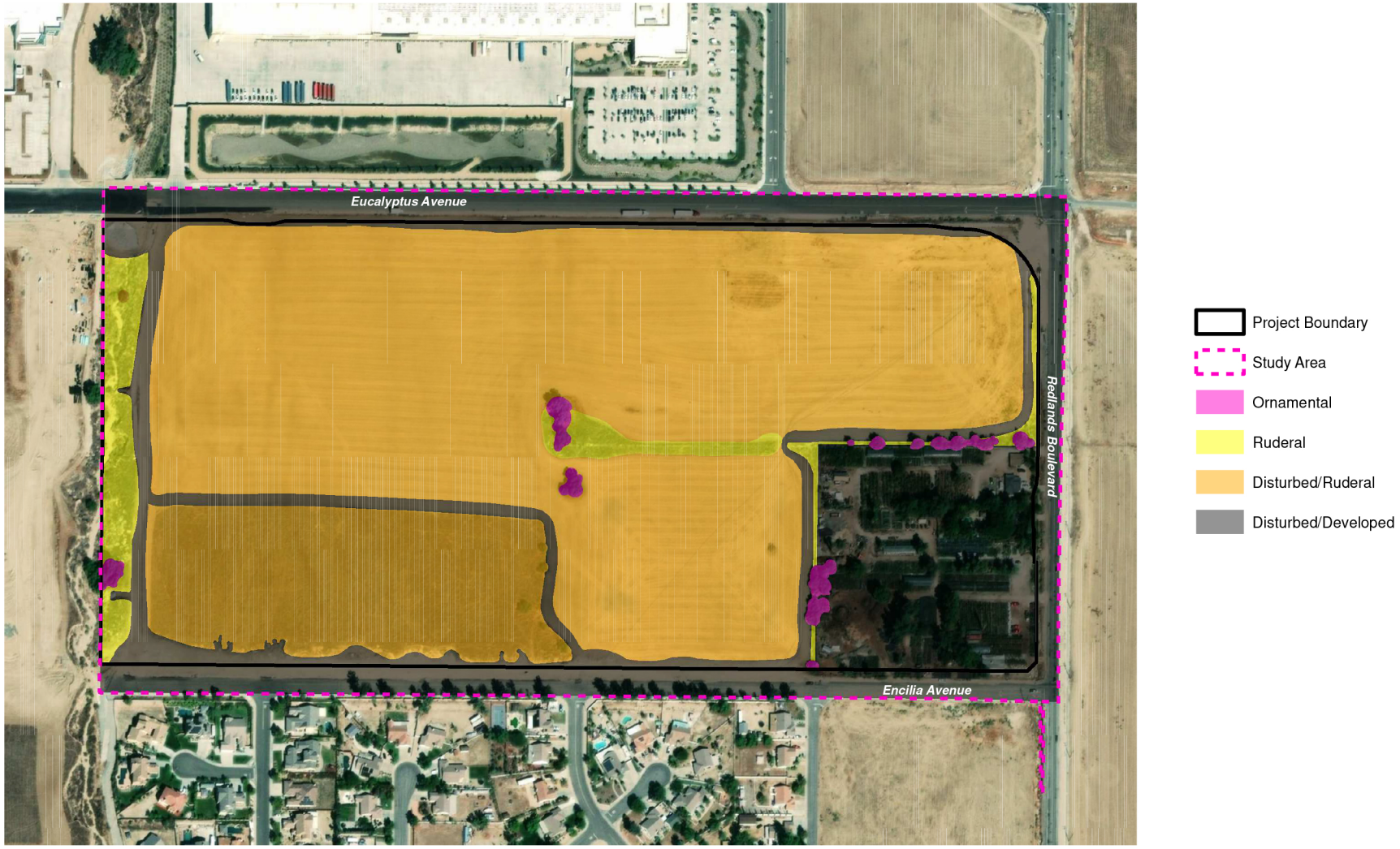
- **Ruderal.** The Project site contains approximately 3.5 acres of ruderal habitat, which primarily consists of non-native ruderal vegetation that has been historically maintained (GLA, 2020a, pp. 23-24). Ruderal areas are primarily associated with the Quincy Channel along the western Project site boundary and along the fence lines in the eastern portion of the site (ibid.). Dominant plant species within the Quincy Channel include common fiddleneck, London rocket, and Russian thistle. Additional plant species observed include giant reed (*Arundo donax*), castor bean (*Ricinis communis*), Mexican fan palm (*Washingtonia robusta*), red-stemmed filaree (*Erodium cicutarium*), tamarisk (*Tamarix* sp.), tree of heaven (*Ailanthus altissima*), and tree tobacco (*Nicotiana glauca*) (ibid.). Dominant plants along the fence lines include common Mediterranean grass, common barley, cheeseweed, fiddleneck, and London rocket (ibid.).

B. Special-Status Plants

Forty-six (46) plant species were identified within the Project survey area during field surveys, 30 of which were non-native species (GLA, 2020a, pp. 24-28). The complete list of observed plant species is included in Appendix A to *Technical Appendix C1*. No special-status plant species were observed within the Project survey area and no special-status plant species have potential to occur within the Project survey area due to a lack of suitable habitat and ongoing weed control practices (ibid.).

C. Special-Status Wildlife

Forty-three (43) animal species were observed within the Project survey area during field surveys (GLA, 2020a, Appendix B). The complete list of observed animal species is included in Appendix B to *Technical Appendix C1*. During field surveys, GLA observed one (1) special-status species, the northern harrier, foraging at the Project site (GLA, 2020a, p. 34). The northern harrier is a California Species of Special Concern and is



Source(s): Glenn Lukos Associates (05-26-2020)

Not to Scale

Figure 4.3-1

Existing Vegetation Map

a covered species under the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) (ibid.). The Project site does not support nesting habitat for this species; however, approximately 56.9 acres of the Project site supports potential foraging habitat (i.e., disturbed/ruderal and ruderal) (GLA, 2020a, pp. 34-35). In addition, the following six (6) special-species have the potential to occur on the Project site based on the physical characteristics of the property and the current and/or historical distribution of the species.

- **Loggerhead Shrike.** The loggerhead shrike is a California Species of Special Concern when nesting and is a covered species under the MSHCP. The Project site supports approximately 56.9 acres of potential foraging habitat (i.e., disturbed/ruderal and ruderal) for the species (GLA, 2020a, p. 35).
- **White-tailed Kite.** The white-tailed kite is a California Fully Protected Species and is a covered species under the MSHCP. The Project site does not support nesting habitat for this species; however, approximately 56.9 acres of the Project site supports potential foraging habitat (i.e., disturbed/ruderal and ruderal) for the species (GLA, 2020a, p. 35).
- **Los Angeles Pocket Mouse.** The Los Angeles pocket mouse is a California Species of Special Concern and is a covered species under the MSHCP. Although the Project site is disturbed, small mammal burrows were detected during field surveys; therefore, the Project site supports approximately 3.5 acres of potential suitable habitat (ruderal) for the species (GLA, 2020a, pp. 35-36).
- **Northwestern San Diego Pocket Mouse.** The northwestern San Diego pocket mouse is a California Species of Special Concern and is a covered species under the MSHCP. Although the Project site is disturbed, small mammal burrows that could be used by the species were detected during field surveys (GLA, 2020a, p. 36). The Project site supports approximately 3.5 acres of potential suitable habitat (i.e., ruderal) for the northwestern San Diego pocket mouse (ibid.).
- **San Diego Black-Tailed Jackrabbit.** The San Diego black-tailed jackrabbit is a California Species of Special Concern and is a covered species under the MSHCP. Although the Project site is disturbed, small mammal burrows that could be used by the species were detected during field surveys (GLA, 2020a, p. 36). The Project site supports approximately 3.5 acres of potential suitable habitat (i.e., ruderal) for the San Diego black-tailed jackrabbit (ibid.).
- **Burrowing Owl.** The burrowing owl is a California Species of Special Concern and is a covered species not adequately conserved under the MSCHP. No burrowing owls or signs of their use (i.e., scat, tracks, pellets, or feathers) were observed during protocol surveys conducted by GLA biologists (GLA, 2020a, pp. 8, 37). Notwithstanding, GLA determined that suitable foraging and nesting habitat exists on the Project site for the burrowing owl (ibid.).

D. Nesting Birds

The Project site contains trees, shrubs, and ground cover that can provide foraging and nesting habitat for native and migratory bird species (GLA, 2020a, p. 38).

E. Jurisdictional Waters and Wetlands

GLA observed three (3) drainage features on the Project site under the jurisdiction of regulatory agencies. The jurisdictional features observed by GLA are described below.

- **Quincy Channel.** The Quincy Channel, which is a soft-bottomed earthen channel, is located along the western Project site boundary. The Quincy Channel enters the northwestern portion of the Project site through a reinforced triple box culvert under Eucalyptus Avenue and meanders across the Project site in a southerly direction for approximately 1,487 linear feet before continuing off-site past Encelia Avenue (GLA, 2020b, pp. 10-11, 14). The Quincy Channel is generally unvegetated with scattered upland species along its banks and terraces (ibid.). Approximately 0.6-acre of Army Corps of Engineers (Corps) and Regional Water Quality Control Board (RWQCB) jurisdiction area, are associated with the Quincy Channel, none of which consist of State or federal wetlands (ibid.). Approximately 2.2 acres of California Department of Fish and Wildlife (CDFW) jurisdiction area is associated with the Quincy Channel, 0.02-acre of which consist of riparian habitat (ibid.). Refer to Figure 4.3-2 through Figure 4.3-4
- **Ditch 1.** Ditch 1 is a manmade roadside ditch located along the south side of Eucalyptus Avenue and flows for approximately 2,295 linear feet (GLA, 2020a, pp. 12, 14-15). Ditch 1 averages four (4) feet in width and conveys surface flow and run-off from the adjacent uplands (ibid.). Vegetation associated with Ditch 1 is limited to non-native upland species (ibid.). Approximately 0.2-acre of RWQCB and CDFW jurisdiction area is associated with Ditch 1, none of which consists of State or federal wetland or riparian habitat, respectively; refer to Figure 4.3-2 through Figure 4.3-4 (ibid.).
- **Ditch 2.** Ditch 2 is a manmade roadside ditch located along the west side of Redlands Boulevard and flows in a north-south direction for approximately 1,275 linear feet (GLA, 2020a, pp. 13, 15). Ditch 2 averages six (6) feet in width and conveys surface flow and road run-off from the adjacent uplands (ibid.). Approximately 0.2-acre of RWQCB jurisdiction area is associated with Ditch 2, none of which consists of State or federal wetland (ibid.). Approximately 0.4-acre of CDFW jurisdiction area is associated with Ditch 2, none of which consists of riparian habitat. Refer to Figure 4.3-2 through Figure 4.3-4 (ibid.).

4.3.2 Regulatory Setting

The Project survey area is subject to State of California (hereafter, "State") and federal regulations that were developed to protect natural resources, including: State and federally listed plants and animals; aquatic resources including rivers and creeks, ephemeral streambeds, wetlands, and areas of riparian habitat; other special-status species which are not listed as threatened or endangered by the State or federal governments; and other special-status vegetation communities. Provided below is an overview of the federal, State, and regional laws, regulations, and requirements that are applicable to the Project site based on its geographic location and the biological resources observed by GLA.



Source(s): Glenn Lukos Associates (05-26-2020)

Not to Scale

Figure 4.3-2

Corps Jurisdiction Area



Source(s): Glenn Lukos Associates (05-26-2020)

Not to Scale

Figure 4.3-3

RWQCB Jurisdiction Area



Source(s): Glenn Lukos Associates (05-26-2020)

Not to Scale

Figure 4.3-4

CDFW Jurisdiction Area

A. Federal Plans, Policies, and Regulations

1. Endangered Species Act (ESA)

The purpose of the federal Endangered Species Act (ESA) is to protect and recover imperiled species and the ecosystems upon which they depend (USFWS, 2013). It is administered by the U.S. Fish and Wildlife Service (USFWS) and the Commerce Department's National Marine Fisheries Service (NMFS). The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine wildlife such as whales and anadromous fish such as salmon. Under the ESA, species may be listed as either endangered or threatened. "Endangered" means a species is in danger of extinction throughout all or a significant portion of its range. "Threatened" means a species is likely to become endangered within the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened.

The ESA makes it unlawful for a person to take a listed animal without a permit. Take is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." Through regulations, the term "harm" is defined as "an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering." Listed plants are not protected from take, although it is illegal to collect or maliciously harm them on Federal land. Protection from commercial trade and the effects of federal actions do apply for plants.

2. Clean Water Act Section 401

Clean Water Act (CWA) Section 401 water quality certification provides states and authorized tribes with an effective tool to help protect water quality, by providing them an opportunity to address the aquatic resource impacts of federally issued permits and licenses (EPA, 2019h). Under Section 401, a federal agency cannot issue a permit or license for an activity that may result in a discharge to waters of the U.S. until the state or tribe where the discharge would originate has granted or waived Section 401 certification. The central feature of CWA Section 401 is the State or tribe's ability to grant, grant with conditions, deny, or waive certification.

Many states and tribes rely on Section 401 certification to ensure that discharges of dredge or fill material into a water of the U.S. do not cause unacceptable environmental impacts and, more generally, as their primary regulatory tool for protecting wetlands and other aquatic resources. However, Section 401 is limited in scope and application to situations involving federally-permitted or licensed activities that may result in a discharge to a water of the U.S. If a federal permit or license is not required, or would authorize impacts only to waters that are not waters of the U.S., the activity is not subject to the CWA Section 401.

3. Clean Water Act Section 404

Section 404 of the CWA establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands (EPA, n.d.). Wetlands subject to Clean Water Act Section 404 are defined as "areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar

areas." Activities in waters of the United States regulated under this program include fill for development, water resource projects (such as dams and levees), infrastructure development (such as highways and airports) and mining projects. Section 404 requires a permit before dredged or fill material may be discharged into waters of the United States, unless the activity is exempt from Section 404 regulation (e.g. certain farming and forestry activities).

The basic premise of the program is that no discharge of dredged or fill material may be permitted if: (1) a practicable alternative exists that is less damaging to the aquatic environment; or (2) the nation's waters would be significantly degraded. Applications for permits must, to the extent practicable: (l) demonstrate steps have been taken to avoid wetland impacts; (2) demonstrate that potential impacts on wetlands have been minimized; and (3) provide compensation for any remaining unavoidable impacts. Proposed activities are regulated through a permit review process.

4. Migratory Bird Treaty Act (16 USC Section 703-712)

The Migratory Bird Treaty Act (MBTA) makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to federal regulations (USFWS, 2020). The migratory bird species protected by the MBTA are listed in 50 CFR 10.13. The USFWS has statutory authority and responsibility for enforcing the MBTA (16 U.S.C. 703-712). The MBTA implements Conventions between the United States and four countries (Canada, Mexico, Japan, and Russia) for the protection of migratory birds.

B. State Plans, Policies, and Regulations

1. California Endangered Species Act (CESA)

The California Endangered Species Act (CESA) states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved (CDFW, 2020a). The California Department of Fish and Wildlife (CDFW) works with interested persons, agencies, and organizations to protect and preserve such sensitive resources and their habitats. CESA prohibits the take of any species of wildlife designated by the California Fish and Game Commission as endangered, threatened, or candidate species. CDFW may authorize the take of any such species if certain conditions are met.

Section 2081 subdivision (b) of the California Fish and Game Code (CFGC) allows CDFW to authorize take of species listed as endangered, threatened, candidate, or a rare plant, if that take is incidental to otherwise lawful activities and if certain conditions are met. These authorizations are commonly referred to as incidental take permits (ITPs).

2. Natural Community Conservation Planning Act (NCCP)

CDFW's Natural Community Conservation Planning (NCCP) program takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity (CDFW, 2020b). The NCCP

program began in 1991 as a cooperative effort to protect habitats and species. It is broader in its orientation and objectives than the California and Federal Endangered Species Acts, as these laws are designed to identify and protect individual species that have already declined in number significantly.

An NCCP identifies and provides for the regional protection of plants, animals, and their habitats, while allowing compatible and appropriate economic activity. Working with landowners, environmental organizations, and other interested parties, a local agency oversees the numerous activities that compose the development of an NCCP. CDFW and the U.S. Fish and Wildlife Service provide the necessary support, direction, and guidance to NCCP participants.

3. California Fish and Game Code, Section 1600, et seq.

California Fish and Game Code (CFGC) Section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: (1) substantially divert or obstruct the natural flow of any river, stream, or lake; (2) substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or (3) deposit debris, waste or other materials that could pass into any river, stream, or lake (CDFW, 2020d). The CFGC indicates that "any river, stream or lake" includes those that are episodic (they are dry for periods of time) as well as those that are perennial (they flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

CDFW requires a Lake and Streambed Alteration (LSA) Agreement when it determines that the activity, as described in a complete LSA Notification, may substantially adversely affect existing fish or wildlife resources. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify a project that would eliminate or reduce harmful impacts to fish and wildlife resources. Before issuing an LSA Agreement, CDFW must comply with CEQA.

4. Native Plant Protection Act (NPPA) of 1977

The Native Plant Protection Act (NPPA) was enacted in 1977 and allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants that are protected as rare under the NPPA (CDFW, 2020c). The NPPA prohibits take of endangered or rare native plants, but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

5. Unlawful Take or Destruction of Nests or Eggs (CFGC Sections 3503.5-3513)

Section 3503.5 of the CFGC specifically protects birds of prey, stating: “It is unlawful to take, possess, or destroy any...[birds-of-prey] or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.”

Section 3513 of the CFGC duplicates the federal protection of migratory birds, stating: “It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such

migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act."

C. Local Plans, Policies, and Regulations

1. Western Riverside County MSHCP

The Western Riverside County MSHCP is a comprehensive, multi-jurisdictional HCP focusing on conservation of species and their habitats in Western Riverside County. The Western Riverside County MSHCP was adopted on June 17, 2003, and an Implementing Agreement (IA) was executed between the USFWS, CDFW, and participating entities (including the City of Moreno Valley). Rather than focusing on one species at a time, implementation of the Western Riverside County MSHCP Section 10 Permit preserves native vegetation and meet the habitat needs of multiple species.

The Project site is located within the Reche Canyon/Badlands Area Plan of the Western Riverside County MSHCP but is not located within a Cell Group, Criteria Cell, or Sub-Unit and is not targeted for conservation (GLA, 2020a, p. 3). The Project site is located within the MSHCP Burrowing Owl Survey Area but is not located within the Narrow Endemic Plan Species Survey Area (NEPSSA), the Criteria Area Plant Species Survey Area (CAPSSA), or the MSHCP Mammal and Amphibian Survey Areas (ibid.).

2. Stephen's Kangaroo Rat Habitat Conservation Plan

The Stephens' Kangaroo Rat Habitat Conservation Plan (HCP) is a comprehensive, multi-jurisdictional HCP focusing on the conservation of the endangered Stephens' Kangaroo Rat and its habitat (RCTLMA, 2014). The Stephens' Kangaroo Rat HCP was adopted in August 1990 and an Implementing Agreement (IA) was executed between the USFWS, CDFW, and participating entities (including the City of Moreno Valley). The Stephens' Kangaroo Rat HCP provides for the permanent establishment, mitigation, and monitoring of a reserve network for the Stephens' Kangaroo Rat. The Project site is not located within the Stephens' Kangaroo Rat survey area but is located within the Stephens' Kangaroo Rat mitigation fee area.

3. City of Moreno Valley Municipal Code

The City's Municipal Code Chapter 3.48, *Western Riverside Multi-Species Habitat Conservation Plan Fee Program Ordinance*, is a local development mitigation fee program to assist in preserving vegetation communities and natural areas within the City of Moreno Valley and western Riverside County, which are known to support threatened, endangered, or key sensitive populations of plant and wildlife species (Moreno Valley, 2018). Each development project to be constructed within the City of Moreno Valley would be required to pay a local development mitigation fee (based on project acreage).

The City's Municipal Code Section 8.60.070 also requires development projects within the boundaries of Stephens' Kangaroo Rat mitigation fee area, such as the Project, to pay an impact and mitigation fee (based on project acreage) (Moreno Valley, 2018).

4.3.3 Basis for Determining Significance

The State Legislature has established it to be the policy of the State of California to "[p]revent the elimination of fish or wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities..." (Public Resources Code § 21001(c)). CEQA Guidelines Section 15065(a) establishes that a project may have a significant effect where:

> *"The project has 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 wildlife community, reduce the number or restrict the range of an endangered, rare, or threatened species ..."*

Appendix G of the CEQA Guidelines is more specific in addressing biological resources and encompasses a broader range of resources to be considered, including: candidate, sensitive, or special status species; riparian habitat or other sensitive natural communities; federally protected wetlands; fish and wildlife movement corridors; local policies or ordinances protecting biological resources; and, adopted Habitat Conservation Plans (HCPs). Based on the guidance within CEQA and the CEQA Guidelines, the City of Moreno Valley has adopted a set of significance thresholds for determining the specific conditions by which a development project could result in a significant impact to biological resources (before considering offsetting mitigation measures). The significance thresholds, referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act*, are utilized in the analysis presented in this Subsection. Accordingly, for the purpose of analysis in this EIR, the proposed Project would result in a significant impact to biological resources if the Project or any Project-related component would:

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;*

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. Wildlife Service;*

c. *Have a substantial adverse effect on State or federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;*

d. *Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites;*

e. *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or*

f. *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or State habitat conservation plan.*

4.3.4 IMPACT ANALYSIS

The proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*, would result in identical ground-disturbing impacts. Thus, the analysis provided on the following pages addresses the potential impacts to biological resources that would result from implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses.

Threshold a:	***Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?***

A. Direct Impacts to Special-Status Plants

No special-status plants were observed within the Project survey area by GLA biologists during field surveys and, due to the disturbed nature of the survey area and lack of natural plant communities thereon, the area does not have potential to support special-status plant species known to occur in the general Project area (GLA, 2020a, pp. 42-43). Furthermore, the Project survey area is not located within a NEPSSA or CAPSSA and, thus, is not considered to be in an area with a high likelihood of supporting substantial populations of sensitive native plant species (ibid.). Implementation of the Project would result in no direct impacts to special-status plants.

B. Direct Impacts to Special-Status Animals

As discussed previously in this Subsection (see 4.3.1.C), one (1) special-status animal species (northern harrier) was detected on the Project site during field surveys and six (6) special-status animal species (loggerhead shrike, white-tailed kite, Los Angeles pocket mouse, northwestern San Diego pocket mouse, San Diego black-tailed jackrabbit, and burrowing owl) have the potential to occur on the Project site. Potential direct impacts to these special-status species are discussed below.

1. Special-Status Birds

No burrowing owls or signs of burrowing owl use were observed on the Project site during focused surveys; however, the Project site contains suitable foraging and nesting habitat for the burrowing owl (GLA, 2020a, pp. 44-45). Because the burrowing owl is a nomadic species its movements are unpredictable and it is possible that the burrowing owl could migrate onto the property prior to construction. The burrowing owl is classified by the MSHCP as a covered species not adequately conserved by the MSHCP; thus, if burrowing owls are present on the Project site at the time construction activities commence, potential direct impacts to the species would be significant and mitigation would be required (ibid.).

The Project site contains suitable foraging habitat for the northern harrier, loggerhead shrike, and white-tailed kite (in total approximately 56.9 acres of foraging habitat for the species) (GLA, 2020a, p. 43). Although these species are classified as California Species of Special Concern, they are considered to be adequately conserved by the MSHCP and the permanent loss of suitable foraging habitat on the Project site or the northern harrier, loggerhead shrike, and white-tailed kite would be less than significant (ibid.).

2. *Special-Status Mammals*

No special-status mammals were observed/detected within the Project survey area; however, approximately 3.5 acres of the Project site provides suitable habitat for the Los Angeles pocket mouse, northwestern San Diego pocket mouse, and San Diego black-tailed jackrabbit (GLA, 2020a, p. 43). These species are classified as California Species of Concern and are considered to be adequately conserved by the MSHCP, therefore, the permanent loss of suitable habitat on the Project site for the Los Angeles pocket mouse, northwestern San Diego pocket mouse, and San Diego black-tailed jackrabbit would be less than significant (ibid.).

C. *Indirect Impacts to Special-Status Biological Resources*

Development projects located adjacent to natural open spaces have the potential to result in indirect effects to biological resources such as light pollution, noise pollution, non-native/ornamental plant invasion, etc. The Project site and the areas immediately surrounding the property are heavily disturbed (or already developed), dominated by non-native species, and do not have a high potential to support sensitive or special-status biological resources (GLA, 2020a, p. 45). Due to the lack of natural, undisturbed habitat surrounding the Project survey area, implementation of the Project would not result in substantial indirect impacts to special-status biological resources (ibid.). Accordingly, the Project would result in less-than-significant indirect impacts to special-status biological resources.

Threshold b:	***Would the Project 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. Wildlife Service?***

The Quincy Channel, which forms the western boundary of the Project site, contains approximately 0.02-acre of CDFW riparian habitat (GLA, 2020a, p. 45). The Project would avoid all impacts to the Quincy Channel. There are no other habitat types within the Project study area that are considered to be riparian habitats or sensitive natural communities (ibid.). Accordingly, implementation of the Project has no potential to result in a substantial adverse effect to any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS. No impact would occur and mitigation is not required.

The Project would permanently impact 0.57-acre (3,570 linear feet) of sensitive habitat subject to CDFW jurisdiction, which are located within Ditch 1 and Ditch 2 on the Project site (ibid.). Prior to the issuance of grading permits, the Project Applicant would be required to obtain a Lake and Streambed Alteration agreement for impacts to areas under CDFW jurisdiction. Accordingly, the Project would have a direct significant impact on sensitive natural community for which mitigation is required.

Threshold c:	***Would the Project have a substantial adverse effect on State or federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***

Implementation of the Project would permanently impact 0.39-acre of RWQCB jurisdiction associated with Ditch 1 and Ditch 2 on the Project site, none of which consist of State or federally protected wetlands as defined

by Section 404 of the Clean Water Act (GLA, 2020a, p. 45). Therefore, the Project site does not contain any protected wetland or aquatic resources, including, but not limited to, natural drainages or water courses, wetland habitat, marsh, vernal pools, or coastal resources, and would not result in a substantial adverse effect on State- or federally-protected wetlands through direct removal, filling, hydrological interruption, or other means. No impact would occur and mitigation is not required.

Threshold d: ***Would the Project interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?***

The Project site does not serve as a wildlife corridor, MSHCP corridor, nor is it connected to an established corridor, or adjacent to an established corridor (GLA, 2020a, p. 44). The Project site lacks migratory wildlife linkages and there are no native wildlife nurseries on or adjacent to the Project site (ibid.). Therefore, there is no potential for the Project to impede the use of a native wildlife nursery site or interfere with the movement of native migratory fish or wildlife species. Based on the foregoing information, the Project would result in no impact to any resident or migratory fish or wildlife species, established wildlife corridor, or native wildlife nursery sites.

Implementation of the Project would result in the removal of vegetation (i.e., ornamental trees, shrubs and ground cover) that has the potential to provide roosting and nesting habitat for birds, including migratory and common raptor species (GLA, 2020a, p. 44). If active nests are present in vegetation to be removed during Project construction, implementation of the Project could result in substantial, adverse effects to biological resources (i.e., bird nests) that are protected by the MBTA and California Fish and Game Code. The Project's potential to impact nesting birds is a significant impact for which mitigation is required.

Threshold e: ***Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

The City of Moreno Valley Municipal Code contains provisions for the protection of the Stephens' Kangaroo Rat pursuant to the Stephens' Kangaroo Rat HCP (refer to Title 8, Chapter 8.60 of the Municipal Code). The Project site is not located within an identified reserve area for the Stephens' Kangaroo Rat and the species has a low to moderate potential to occur on the Project site (GLA, 2020a, p. 33). In addition, the species was not observed during biological surveys of the Project site (ibid.). Accordingly, the Project is exempt from the focused survey requirements for the Stephens' Kangaroo Rat established by the City's Municipal Code. The Project Applicant is required to contribute a local development impact and mitigation fee, which requires a fee payment to assist the City in implementing the habitat conservation plan for the Stephens' Kangaroo Rat. With mandatory compliance with standard regulatory requirements (i.e., development impact and mitigation fee payment), the proposed Project would not conflict with any City policies or ordinances related to the protection of the Stephens' Kangaroo Rat.

The City of Moreno Valley Municipal Code Chapter 3.48 also contains provisions for the collection of mitigation fees to further the implementation of the Western Riverside County MSHCP. The Project Applicant is required to contribute a local mitigation fee, which requires a fee payment to assist the City in implementing the Western Riverside County MSHCP reserve system (including the acquisition, management, and long-term

maintenance of sensitive habitat areas). With mandatory compliance with standard regulatory requirements (i.e., mitigation fee payment), the Project would not conflict with any City policies or ordinances related to the mitigation fee program associated with Western Riverside County MSHCP.

The City of Moreno Valley does not have any additional policies or ordinances in place to protect biological resources that are applicable to the Project. Impacts would be less than significant.

Threshold f: ***Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or State habitat conservation plan?***

The following analysis evaluates the Project's compliance with the Western Riverside County MSHCP's Reserve Assembly Requirements as well as other applicable MSHCP requirements pursuant to the following sections of the MSHCP: Section 6.1.2, *Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools*; Section 6.1.3, *Protection of Narrow Endemic Plant Species*; Section 6.1.4, *Guidelines Pertaining to the Urban/Wildland Interface*; and Section 6.3.2, *Additional Survey Needs and Procedures*.

❑ Project Relation to Reserve Assembly

The Project site occurs within the Reche Canyon/Badlands Area Plan of the Western Riverside County MSHCP; but, the Project site does not occur within a MSHCP Criteria Area nor is it located within any Criteria Cell (GLA, 2020a, p. 48). As such, the Project is not required to set aside conservation lands pursuant to the Western Riverside County MSHCP, and the Project is not subject to the MSHCP's Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process nor Joint Project Review (JPR). Accordingly, the Project would not conflict with the Western Riverside County MSHCP Reserve Assembly requirements and no impact would occur.

❑ Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools

The Project survey area does not contain any MSHCP vernal pools or seasonal pools. The Project site does contain three MSHCP riparian/riverine features, the Quincy Channel and Ditches 1 and 2, of which 0.57-acre (3,570 linear feet) representing the entirety of Ditches 1 and 2 would be permanently impacted from implementation of the Project. Implementation of the Project would not impact the Quincy Channel. As required by the MSHCP, a Determination of Biologically Equivalent or Superior Preservation (DBESP) report is required in all instances where MSHCP riparian/riverine areas would be impacted by a development project. The goal of the DBESP report is to demonstrate that the development project provides mitigation that is biologically equivalent or superior to the existing conditions on the project site if left undisturbed. The Project's DBESP report is attached to this EIR as *Technical Appendix C3*.

According to the Project's DBESP report conducted by GLA, the Project survey area has been disturbed and utilized for dry farming (i.e., agricultural production) for over 50 years; therefore, the 0.57-acre of MSHCP riverine area associated with Ditches 1 and 2 that would be impacted by the Project exhibit low function and value compared to the provision of compensatory mitigation at a local mitigation bank or in-lieu fee program as described in Mitigation Measure MM 4.3-2 (GLA, 2020a, p. 49; GLA, 2020c, p. 8). Accordingly, the purchase of compensatory re-establishment and rehabilitation mitigation credits would be considered superior

mitigation as compared to the preservation of 0.57-acre of roadside ditches because the proposed re-establishment and rehabilitation credits would consist of riparian habitat areas with habitat functions that would be superior to the existing conditions at the Project site (ibid.). As such, with implementation of MM 4.3-2, the Project's significant impacts to MSHCP riverine areas would be reduced to less than significant and the Project would not conflict with Section 6.1.2 of the Western Riverside County MSHCP.

❑ Protection of Narrow Endemic Plants

The Project survey area is not located within the Narrow Endemic Plant Species Survey Area (NEPSSA) and is not subject to focused surveys for special-status plants. Implementation of the Project would not conflict with Section 6.1.3 of the Western Riverside County MSHCP (GLA, 2020a, p. 49).

❑ Guidelines Pertaining to Urban/Wildland Interface

The Western Riverside County MSHCP Urban/Wildland Interface Guidelines are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area, including Public/Quasi-Public lands. As the Western Riverside County MSHCP Conservation Area is assembled, development is expected to occur adjacent to the Conservation Area and edge effects with the potential to adversely affect biological resources within the Conservation Area are required to be evaluated. The Project survey area is not adjacent to any MSHCP conservation areas (GLA, 2020a, p. 50). As such, implementation of the Project has no potential to result in substantial adverse indirect effects in proximity to a MSHCP Conservation Area that supports natural and/or sensitive biological resources. Implementation of the Project would not conflict with Section 6.1.4 of the Western Riverside County MSHCP.

❑ Additional Needs Survey and Procedures

Western Riverside County MSHCP Section 6.3.2 identifies that in addition to the Narrow Endemic Plant Species addressed in Section 6.1.3, additional surveys may be needed for other certain plant and wildlife species in conjunction with MSHCP implementation in order to achieve full coverage for these species. Within areas of suitable habitat, focused surveys are required for additional plant species if a project site occurs within a designated CAPSSA, or occurs within a special wildlife species survey area (i.e., burrowing owl, amphibians, and mammals).

The Project site is not located within a CAPSSA but is located within the Burrowing Owl Survey Area (GLA, 2020a, p. 50). GLA conducted a focused survey for the burrowing owl in 2020 in accordance with the Western Riverside County MSHCP Burrowing Owl Survey Requirements. As discussed in the response to Threshold "a," GLA did not observe any burrowing owls or signs of the species' use of the property (i.e., scat, tracks, pellets, or feathers) during field surveys. However, the species is nomadic and could migrate onto the property prior to ground-disturbing construction activities. Therefore, if the species is present on the Project site at the time that grading commences, significant impacts would occur. This EIR recommends a pre-construction survey to determine if the species is present within 30 days of the commencement of construction activities, and if the survey is positive, this EIR recommends additional mitigation (refer to Subsection 4.3.7) to ensure Project consistency with Section 6.3.2 of the Western Riverside County MSHCP.

4.3.5 Cumulative Impact Analysis

This cumulative impact analysis for biological resources considers development of the Project site in conjunction with other development projects in the vicinity of the Project site as well as full General Plan buildout in the City of Moreno Valley and other jurisdictions in the region within the boundaries of the Western Riverside County MSHCP.

The Project would not impact any special-status plant species and there is no potential for the Project site to support special-status plant species due to the lack of suitable, natural habitat. Accordingly, there is no potential for implementation of the Project to contribute to a substantial adverse cumulatively-considerable impact to special-status plant species.

The Project site contains approximately 56.7 acres of suitable foraging habitat for the northern harrier, loggerhead shrike, and white-tailed kite, and approximately 3.5 acres of suitable habitat for the Los Angeles pocket mouse, northwestern San Diego pocket mouse, and San Diego black-tailed jackrabbit. However, these special-status animal species are covered under the Western Riverside MSHCP; therefore, with mandatory compliance to the Western Riverside MSHCP, implementation of the Project would not contribute to a substantial adverse cumulatively-considerable impact to these aforementioned special-status animals.

Although the burrowing owl was not observed within the Project survey area during field surveys conducted in 2020, there is the potential for this species to migrate onto the site and occupy the property prior to the initiation of construction activities. The burrowing owl is commonly found within the Project vicinity; as such, it is reasonable to conclude that impacts to the burrowing owl habitat would occur in conjunction with development of other properties throughout western Riverside County. The burrowing owl is not yet adequately conserved under the MSHCP; thus, the Project has the potential to contribute to a cumulatively-considerable impact to the burrowing owl.

The Project would permanently impact 0.57-acre of sensitive habitat under CDFW jurisdiction; therefore, the Project would contribute to a substantial adverse cumulatively-considerable impact to sensitive habitat.

The Project would not impact any State or federally-protected wetlands. Accordingly, the Project has no potential to contribute to a cumulatively-considerable impact to State or federally-protected wetlands.

The Project would result in the removal of vegetation that has the potential to support nesting birds protected by federal and State regulations. A wide range of habitat and vegetation types have the potential to support nesting birds; therefore, it is likely that other development projects within the cumulative study area also may impact nesting birds. However, the Project – like all other development activities in the cumulative study area – would be required to comply with State and federal law to preclude impacts to nesting birds. The Project's potential impact to nesting birds would be cumulatively-considerable absent compliance to State and federal regulations.

The Project would not conflict with any local policies or ordinances protecting biological resources. Other development projects in the cumulative study area would be required to comply with applicable local policies and/or ordinances related to the protection of biological resources as a standard condition of review/approval.

Because the Project and cumulative development would be prohibited from violating applicable, local policies or ordinances related to the protection of biological resources, a cumulatively-considerable impact would not occur.

The Project site is subject to the Western Riverside County MSHCP and its survey requirements for the burrowing owl. As previously discussed in Thresholds "a" and "f," the Project site contains habitat suitable for the burrowing owl. Therefore, the Project has the potential to conflict with Section 6.3.2 of the Western Riverside County MSHCP, and a cumulatively-considerable impact would occur prior to mitigation. Also, as previously discussed in Threshold "b," the Project would impact approximately 0.57-acre of MSHCP riverine area. Therefore, the Project has the potential to conflict with Section 6.1.2 of the Western County MSHCP, and a cumulatively-considerable impact would occur prior to mitigation.

4.3.6 Significance of Impacts Before Mitigation

Threshold a: Significant Direct and Cumulatively-Considerable Impact. The Project site contains suitable foraging and nesting habitat for the burrowing owl. In the event the burrowing owl is present on the Project site at the time construction commences, implementation of the Project has the potential to take burrowing owl individuals.

Threshold b: Significant Direct and Cumulatively-Considerable Impact. The Project would permanently impact 0.57-acre of sensitive habitat as defined by CDFW.

Threshold c: No Impact. The Project would permanently impact 0.39-acre of RWQCB jurisdiction, none of which consists of State or federally protected wetlands; therefore, the Project would not have a substantial adverse effect on State or federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means.

Threshold d: Significant Direct and Cumulatively-Considerable Impact. There is no potential for the Project to interfere with the movement of fish or impede the use of a native wildlife nursery site. However, the Project has the potential to impact nesting migratory birds protected by the MBTA and CFGC, should habitat removal occur during the nesting season and should nesting birds be present.

Threshold e: Less-than-Significant Impact. The Project would not conflict with any local policies or ordinances protecting biological resources.

Threshold f: Significant Direct and Cumulatively-Considerable Impact. The Project site is subject to the Western Riverside County MSHCP and its survey requirements for the western burrowing owl. Although the Project is compliant with all MSHCP provisions and although burrowing owl is absent from the Project site under existing conditions, the Project site contains habitat suitable for the species. If the species migrates onto the Project site is present on the property at the time a grading permit is issued, impacts would be significant. The Project also would impact approximately 0.57-acre of MSHCP riverine area, which would be significant.

4.3.7 MITIGATION

The following mitigation measures address potential Project-related impacts to the burrowing owl:

MM 4.3-1 Within 30 days prior to grading, a qualified biologist shall conduct a survey of suitable habitat on site and make a determination regarding the presence or absence of the burrowing owl. The determination shall be documented in a report and shall be submitted, reviewed, and accepted by the City of Moreno Valley prior to the issuance of a grading permit and subject to the following provisions:

a) In the event that the pre-construction survey identifies no burrowing owls on the property a grading permit may be issued without restriction.

b) In the event that the pre-construction survey identifies the presence of at least one individual but less than three (3) mating pairs of burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall passively or actively relocate any burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit.

c) In the event that the pre-construction survey identifies the presence of three (3) or more mating pairs of burrowing owl, the requirements of MSCHP Species-Specific Conservation Objectives 5 for the burrowing owl shall be followed. Objective 5 states that if the site (including adjacent areas) supports three (3) or more pairs of burrowing owls and supports greater than 35 acres of suitable habitat, at least 90 percent of the area with long-term conservation value and burrowing owl pairs will be conserved onsite until it is demonstrated that Objectives 1-4 have been met. A grading permit shall be issued, either:

i. Upon approval and implementation of a property-specific Determination of Biologically Superior Preservation (DBESP) report for the burrowing owl by the CDFW; or

ii. A determination by the biologist that the site is part of an area supporting less than 35 acres of suitable Habitat, and upon passive or active relocation of the species following accepted CDFW protocols. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW

relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the site or been relocated prior to the issuance of a grading permit.

The following mitigation measure addresses impacts to sensitive natural communities identified by CDFW.

MM 4.3-2 Prior to the issuance of grading permits, the Project Applicant shall obtain a Section 1602 Streambed Alteration Agreement from CDFW and a Section 13260 Waste Discharge Order from the RWQCB. In addition, the Project Applicant shall purchase 0.57-acre of re-establishment credits (a 1:1 mitigation-to-impact ratio) and 0.57-acre of rehabilitation credits (a 1:1 mitigation-to-impact ratio) from the Riverpark Mitigation Bank to compensate for Project impacts to sensitive habitat identified by CDFW.

~~In the event that compensatory mitigation credits are not available from the Riverpark Mitigation Bank at the time of grading permit issuance, the Project Applicant shall instead purchase riparian habitat rehabilitation credits from the Santa Ana River Watershed In Lieu Fee Program (SARW-ILFP) at a 2:1 mitigation-to-impact ratio (1.14 acres). In such an event, the Project's DBESP report (*Technical Appendix C3*) shall be amended to note that the SARW-ILFP would be used as the alternative mitigation program for the Project and the amended DBESP shall be provided to the City of Moreno Valley, the USFWS, and CDFW.~~

The following mitigation measures would address the potential for Project construction to impact nesting birds, including migratory species.

MM 4.3-3 Vegetation clearing and ground disturbance shall be prohibited during the migratory bird nesting season (January 31 through September 1), unless a migratory bird nesting survey is completed in accordance with the following requirements:

a) A nesting bird survey shall be conducted on the Project site and within suitable habitat located within a 250-foot radius of the Project site by a qualified biologist within three (3) days prior to initiating vegetation clearing or ground disturbance.

b) If the survey identifies the presence of active nests, then the nests shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (i) the adult birds have not begun egg-laying and incubation; or (ii) the juveniles from the occupied nests are capable of independent survival.

c) If the biologist is not able to verify any of the conditions from sub-item "b," above, then no disturbance shall occur within a buffer zone specified by the qualified biologist for each nest or nesting site. The buffer zone shall be species-appropriate (no less than 100-foot radius around the nest for non-raptors and no more than a 500-foot radius around the nest

for raptors) and shall be sufficient to protect the nest from direct and indirect impacts from construction activities, The size and location of buffer zones, if required, shall be based on consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service and shall be subject to review and approval by the City of Moreno Valley. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist with City concurrence verify that the nests are no longer occupied and/or juvenile birds can survive independently from the nests.

4.3.8 Significance of Impact After Mitigation

Thresholds a, b, & f: Less-than-Significant Impact with Mitigation. Implementation of MM 4.3-1 would ensure that pre-construction surveys are conducted for the burrowing owl to determine the presence or absence of the species on the Project site. If present, the mitigation measure provides performance criteria that requires avoidance and/or relocation of burrowing owls in accordance with CDFW protocol. With implementation of the required mitigation, potential direct and cumulatively-considerable impacts to the burrowing owl would be reduced to below a level of significance.

Implementation of Mitigation Measure MM 4.3-2 would ensure that the Project Applicant obtains a Section 1602 Streambed Alteration Agreement from CDFW and a Section 13260 Waste Discharge Order from the RWQCB and would fully compensate for the permanent impacts to 0.57-acre of sensitive habitat under CDFW jurisdiction through the purchasing of credits from the Riverpark Mitigation Bank or the SARW-ILFP. With implementation of the required mitigation, direct and cumulatively-considerable impacts to sensitive habitat would be reduced to below a level of significance.

Threshold d: Less-than-Significant Impact with Mitigation. Implementation of Mitigation Measure MM 4.3-3 would ensure that pre-construction surveys are conducted for nesting birds protected by the federal MBTA during the breeding season to determine presence or absence prior to disturbance of habitat with the potential to support nesting birds. If nesting birds are present, the mitigation requires avoidance of active bird nests in conformance with accepted protocols and regulatory requirements. With implementation of the required mitigation, potential direct and cumulatively-considerable impacts to nesting birds protected by the federal MBTA would be reduced to below a level of significance.

4.4 Cultural Resources

The analysis in this Subsection is based, primarily, on the "Moreno Valley Trade Center Project Cultural Resources Assessment Report," dated November 2019 and prepared by Rincon Consultants, Inc. (hereinafter, "Rincon"). The cultural resources assessment report is included as *Technical Appendix D* to this EIR.

Confidential information has been redacted from *Technical Appendix D* for purposes of public review. In addition, much of the written and oral communication between Native American tribes, the City of Moreno Valley, and Rincon is considered confidential in respect to places that may have traditional tribal cultural significance (Government Code Section 65352.4), and although relied upon in part to inform the preparation of this EIR Subsection, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (California Code Regulations Section 15120(d)).

4.4.1 Existing Conditions

A. Prehistoric Cultural Resources

1. Regional Setting

The Project site is located in the eastern portion of the City of Moreno Valley, Riverside County, California. The Early Man Horizon, Milling Stone Horizon, Intermediate Horizon, and Late Prehistoric Horizon are the four (4) general prehistoric cultural periods represented in Riverside County, as summarized below (Rincon, 2019a, pp. 9-11). Refer to *Technical Appendix D* for a detailed discussion about the prehistoric cultural periods in Riverside County.

- Early Man Horizon (10,000 – 6,000 BCE). The Early Man economy was a diverse mixture of hunting and gathering, including a significant focus on aquatic resources in coastal areas and on inland Pleistocene lakeshores. A warm and dry 3,000-year period (Altithermal) began around 6,000 BCE. The conditions of the Altithermal are likely responsible for the change in human subsistence patterns at this time, including a greater emphasis on plant foods and small game.

- Milling Stone Horizon (6,000 – 3,000 BCE). The Milling Stone Horizon is defined as "marked by extensive use of milling stones and mullers, a general lack of well-made projectile points, and burials with rock cairns." The dominance of such artifact types indicates a subsistence strategy oriented around collecting plant foods and small animals. Locally available tool stone dominates lithic artifacts associated with Milling Stone Horizon sites; common ground stone tools include manos and metates, and chopping, scraping, and cutting tools.

- Intermediate Horizon (3,000 BCE – CE 500). Intermediate Horizon is characterized by a shift toward a hunting and maritime subsistence strategy, as well as greater use of plant foods. During the Intermediate Horizon, a noticeable trend occurred toward greater adaptation to local resources, including a broad variety of fish, land mammal, and sea mammal remains along the coast. Mortars and pestles became more common during this transitional period, gradually replacing manos and metates as the dominant milling equipment.

- Late Prehistoric Horizon (CE 500 – Historic Contact). During the Late Prehistoric Horizon, the diversity of plant food resources and land and sea mammal hunting increased even further. More classes of artifacts were observed during this period, including small, finely-worked projectile points associated with the bow and arrow, steatite containers for cooking and storage, and artistic artifacts. Cremation became a common mortuary custom during the Late Prehistoric Horizon. It is believed that the dramatic change in material culture, burial practices, and subsistence focus was caused by the westward migration of desert people called the Takic, or Numic, Tradition in Los Angeles, Orange, and western Riverside Counties. Linguistic, biological, and archaeological evidence supports the hypothesis that Takic peoples from the Southern San Joaquin Valley and/or western Mojave Desert entered southern California 3,500 years ago to occupy the Los Angeles/Orange County area.

2. Project Site Conditions

Rincon conducted an intensive pedestrian survey of the Project site on October 2 and 4, 2019. The pedestrian survey consisted of a series of transects spaced at approximately 15-meter intervals to examine all exposed ground surfaces. Ground disturbances such as burrows and drainages also were visually inspected for evidence of buried cultural materials. No prehistoric resource sites or isolates were identified on the Project site during the pedestrian survey (Rincon, 2019a, pp. 27, 36).

Rincon also conducted an archaeological records search through the Eastern Information Center (EIC) at University of California, Riverside (UCR). The records search provided information regarding previous archaeological studies in the Project area and any previously recorded prehistoric sites within a one-mile radius of the Project site. The results of this records search indicate 15 prehistoric sites – predominantly bedrock milling features – and two (2) isolates were recorded within a one-mile radius of the site, and no prehistoric artifacts have been previously recorded on the Project site (Rincon, 2019a, pp. 20-21).

B. Historical Cultural Resources

1. Regional Setting

The general historical setting for California is divided into three (3) general periods: the Spanish period (1769-1821), the Mexican period (1821-1848), and the American period (1848-present). Each time period is summarized below and discussed in more detail in *Technical Appendix D* (Rincon, 2019a, pp. 16-18).

- Spanish Period (1769-1821): Spanish exploration of what was then known as Alta (upper) California began when Juan Rodriguez Cabrillo led the first European expedition into the region in 1542 and, for the next 200 years, Spanish, Portuguese, British, and Russian explorers sailed the Alta California coast and made limited inland expeditions but did not establish permanent settlements. In 1769, Gaspar de Portolá and Franciscan Father Junipero Serra established the first Spanish settlement at Mission San Diego de Alcalá. This was the first of 21 missions erected by the Spanish between 1769 and 1823. The establishment of the missions marks the first sustained occupation of Alta California by the Spanish. In addition to the missions, four presidios and three pueblos (towns) were established throughout the state. Spanish entry into what was to become Riverside County did not occur until 1774 when Juan Bautista de Anza led an expedition from Sonora, Mexico to Monterey in northern California. During this period, Spain also deeded ranchos to prominent citizens and soldiers, though

very few in comparison to the subsequent Mexican Period. To manage and expand their herds of cattle on these large ranchos, colonists enlisted the labor of the surrounding Native American population. The influx of European settlers brought the local Native American population in contact with European diseases which they had no immunity against, resulting in catastrophic reduction in native populations throughout the state.

- Mexican Period (1821-1848): The Mexican Period commenced when news of the success of the Mexican War of Independence (1810-1821) reached California in 1822. This period saw the federalization of mission lands in California with the passage of the Secularization Act of 1833, which enabled Mexican governors in California to distribute former mission lands to individuals in the form of land grants. Successive Mexican governors made more than 700 land grants between 1822 and 1846, putting most of the state's lands into private ownership for the first time. About 15 land grants (ranchos) were located in Riverside County. The Project site is situated in what was once Rancho San Jacinto, which included much of the San Jacinto Plains that stretched from Box Springs to the San Jacinto Mountains and between the Badlands and Temecula.

- American Period (1848-Present): The American Period officially began with the signing of the Treaty of Guadalupe Hidalgo in 1848, in which Mexico ceded territory – including California – to the United States. Settlement of southern California increased dramatically in the early American Period. Many ranchos were sold or otherwise acquired by Americans, and most were subdivided into agricultural parcels or towns. Southern California remained dominated by cattle ranches in the early American period, though droughts and increasing population resulted in farming and more urban professions supplanting ranching through the late nineteenth century.

  In 1893, Riverside County was created from portions of then-San Bernardino and San Diego Counties. Early settlers to the Moreno Valley area were engaged in dry farming, as a reliable water source had not yet been secured. In 1890, the Alessandro Irrigation District was established, and construction began on an intricate series of pipelines to bring water to the valley. The arrival of water, via the Moreno Tunnel, in 1891 led to increased investment in the area's agricultural economy. Following this development, large-scale fruit and citrus farms were established in the area. This development provided only a temporary boom, as lawsuits over water rights led to a loss of water delivery in the Moreno Valley in 1899. Public and private wells were eventually produced and by 1912 the Moreno Mutual Water Company had identified a reliable source of water. As a result, the area's population again increased, and the area resumed citrus production along with much of Riverside County.

  Originally established as Alessandro Flying Training Field in 1918, March Field was constructed in the Moreno Valley as the country anticipated entry into World War I. March Field has played a key role in providing skilled crews for many international conflicts and remains in operation as a reserve base today. The founding and lasting presence of March Field has contributed to the expansion of the Moreno Valley, as services and amenities for those stationed there has remained a necessity since its founding.

  Through the 1970's the City of Moreno Valley experienced steady growth. The Riverside International Raceway and the Lake Perris Recreation Area were established in 1957 and 1973 respectively. The

valley experienced a boom in the 1980s; the decade saw the population increase two-fold (from roughly 19,000 to almost 50,000). While votes for incorporation failed in 1968 and 1983, in 1984 the City of Moreno Valley was officially incorporated. The city has continued to expand in recent decades and today it is largely occupied by suburban development.

2. Project Site Conditions

Rincon conducted a pedestrian survey of the Project site and reviewed historical records databases to identify the presence or absence of historic-period cultural resources on the Project site.

Under existing conditions, the Project site contains two (2) historic-period cultural resources: the remnants of a residential complex and the Adam Hall Plant Nursery (Rincon, 2019a, pp. 25, 29-35). The remnants of the residential complex are located in the center of the Project site and consist of two (2) concrete foundations with associated wood building debris, a brick-lined trough, an irrigation system, and several trees (ibid.). The age of the residential complex remnants are unknown but are likely from the time period between the 1940s and 1960s (ibid.). The remnants of the residential complex were first evaluated in 2006 and recorded in the California Historical Resources Information System as Site P-33-015796 (ibid.). The Adam Hall Plant Nursery is located in the southeast corner of the Project site and consists of a variety of shade and storage structures and five (5) permanent buildings constructed between 1953 and 1966, including three (3) residences, one (1) ancillary garage and one (1) small office space (ibid.).

Based on archival research, 25 historic-period cultural resources have been recorded within a one-mile radius of the Project site. The resources that have been recorded in the proximity of the Project site are primarily associated with historic agricultural activities in the area. Only one of the recorded historic-period cultural resources, Site P33-015796 described above, is located within the Project site (Rincon, 2019a, p. 20).

4.4.2 Regulatory Setting

The following is a brief description of the federal, State, and local environmental laws and related regulations governing the protection of prehistoric- and historic-period cultural resources.

A. Federal Plans, Policies, and Regulations

1. National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) was passed primarily to acknowledge the importance of protecting our nation's heritage (NPS, 2020a). While Congress recognized that national goals for historic preservation could best be achieved by supporting the drive, enthusiasm, and wishes of local citizens and communities, it understood that the federal government must set an example through enlightened policies and practices. In the words of the Act, the federal government's role would be to "provide leadership" for preservation, "contribute to" and "give maximum encouragement" to preservation, and "foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony."

NHPA and related legislation sought a partnership among the federal government and the states that would capitalize on the strengths of each. The federal government, led by the National Park Service (NPS) provides

funding assistance; basic technical knowledge and tools; and a broad national perspective on America's heritage. The states, through State Historic Preservation Officers (SHPOs) appointed by the governor of each state, would provide matching funds, a designated state office, and a statewide preservation program tailored to state and local needs and designed to support and promote state and local historic preservation interests and priorities.

Section 106 of NHPA granted legal status to historic preservation in federal planning, decision-making, and project execution. Section 106 requires all federal agencies to take into account the effects of their actions on historic properties.

A number of additional executive and legislative actions have been directed toward improving the ways in which all federal agencies manage historic properties and consider historic and cultural values in their planning and assistance. Executive Order 11593 (1971) and, later, Section 110 of NHPA (1980, amended 1992), provided the broadest of these mandates, giving federal agencies clear direction to identify and consider historic properties in federal and federally assisted actions. The National Historic Preservation Amendments of 1992 further clarified Section 110 and directed federal agencies to establish preservation programs commensurate with their missions and the effects of their authorized programs on historic properties.

2. National Register of Historic Places

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation (NPS, n.d.). Authorized by the National Historic Preservation Act of 1966, the NPS's National Register of Historic Places (NRHP) is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources.

To be considered eligible, a property must meet the National Register Criteria for Evaluation. This involves examining the property's age, integrity, and significance, as follows:

- Age and Integrity. Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?
- Significance. Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history, or engineering achievements? Does it have the potential to yield information through archeological investigation about our past? (NPS, n.d.)

Nominations can be submitted to a SHPO from property owners, historical societies, preservation organizations, governmental agencies, and other individuals or groups. The SHPO notifies affected property owners and local governments and solicits public comment. If the owner (or a majority of owners for a district nomination) objects, the property cannot be listed but may be forwarded to the National Park Service (NPS) for a Determination of Eligibility (DOE). Listing in the National Register of Historic Places provides formal recognition of a property's historical, architectural, or archeological significance based on national standards used by every state.

Under Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting. National Register listing does not lead to public acquisition or require public access.

3. Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act (NAGPRA; Public Law 101-601; 25 U.S.C. 3001-3013) describes the rights of Native American lineal descendants, Indian tribes, and Native Hawaiian organizations with respect to the treatment, repatriation, and disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, referred to collectively in the statute as cultural items, with which they can show a relationship of lineal descent or cultural affiliation (NPS, 2020b).

One major purpose of this statute is to require that federal agencies and museums receiving federal funds inventory holdings of Native American human remains and funerary objects and provide written summaries of other cultural items. The agencies and museums must consult with Indian Tribes and Native Hawaiian organizations to attempt to reach agreements on the repatriation or other disposition of these remains and objects. Once lineal descent or cultural affiliation has been established, and in some cases the right of possession also has been demonstrated, lineal descendants, affiliated Indian Tribes, or affiliated Native Hawaiian organizations normally make the final determination about the disposition of cultural items. Disposition may take many forms from reburial to long term curation, according to the wishes of the lineal descendent(s) or culturally affiliated Tribe(s).

The second major purpose of the statute is to provide greater protection for Native American burial sites and more careful control over the removal of Native American human remains, funerary objects, sacred objects, and items of cultural patrimony on federal and tribal lands. NAGPRA requires that Indian tribes or Native Hawaiian organizations be consulted whenever archeological investigations encounter, or are expected to encounter, Native American cultural items or when such items are unexpectedly discovered on federal or tribal lands. Excavation or removal of any such items also must be done under procedures required by the Archaeological Resources Protection Act. This NAGPRA requirement is likely to encourage the in-situ preservation of archaeological sites, or at least the portions of them that contain burials or other kinds of cultural items.

Other provisions of NAGPRA: (1) stipulate that illegal trafficking in human remains and cultural items may result in criminal penalties; (2) authorizes the Secretary of the Interior to administer a grants program to assist museums and Indian Tribes in complying with certain requirements of the statute; (3) requires the Secretary of the Interior to establish a Review Committee to provide advice and assistance in carrying out key provisions of the statute; authorizes the Secretary of the Interior to penalize museums that fail to comply with the statute; and, (5) directs the Secretary to develop regulations in consultation with this Review Committee.

B. State Plans, Policies, and Regulations

1. California Administrative Code, Title 14, Section 4308

Section 4308, Archaeological Features, of Title 14 of the California Administrative Code provides that: "No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value."

2. California Code of Regulations Title 14, Section 1427

California Code of Regulations Title 14, Section 1427 provides that: "No person shall collect or remove any object or thing of archeological or historical interest or value, nor shall any person injure, disfigure, deface or destroy the physical site, location or context in which the object or thing of archeological or historical interest or value is found."

3. California Register of Historic Resources

The State Historical Resources Commission has designed this program for use by State and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources (OHP, 2020). The Register is the authoritative guide to the State's significant historical and archeological resources. The California Register program encourages public recognition and protection of resources of architectural, historical, archeological, and cultural significance; identifies historical resources for State and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA.

In order for a resource to be included on the Register of Historic Resources, the resources must meet one of the following criteria (ibid.):

- Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).
- Associated with the lives of persons important to local, California or national history (Criterion 2).
- Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values (Criterion 3).
- Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation (Criterion 4).

For resources included on the Register of Historic Resources, environmental review may be required under CEQA if the resource is threatened by a project. Additionally, local building inspectors must grant code alternatives provided under State Historical Building Code. Further, the local assessor may enter into contract with property owner for property tax reduction pursuant to the Mills Act. A property owner also may place his or her own plaque or marker at the site of the resource. (OHP, 2020)

Consent of owner is not required, but a resource cannot be listed over an owner's objections. The State Historical Resources Commission (SHRC) can, however, formally determine a property eligible for the California Register if the resource owner objects.

4. State Health and Safety Code

California Health and Safety Code (HSC) Section 7050.5(b) requires that excavation and disturbance activities must cease "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery…" until the coroner can determine regarding the circumstances, manner, and cause of any death (CA Legislative Information, n.d.). The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. Section 7051 specifies that the removal of human remains from "internment or a place of storage while awaiting internment" with the intent to sell them or to dissect them with "malice or wantonness" is a public offense punishable by imprisonment in a state prison. Lastly, HSC Sections 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that "all California Indian human remains and cultural items are to be treated with dignity and respect." It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims.

5. California Code of Regulations Section 15064.5

The California Code of Regulations, Title 14, Chapter 3, Section 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in CEQA Guidelines Section 15064.5, as follows:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4850 *et seq.*).
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of

Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4852) including the following:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

o The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1.

4.4.3 Basis for Determining Significance

The Project would result in a significant impact to cultural resources if the Project or any Project-related component would:

a. *Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5;*

b. *Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5; or*

c. *Disturb any human remains, including those interred outside of formal cemeteries.*

The above-listed thresholds are referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act* and address the typical, adverse effects related to cultural resources that could result from development projects.

4.4.4 Impact Analysis

The proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*, would result in identical ground-disturbing impacts. Thus, the analysis provided on the following pages addresses the potential impacts to cultural resources that would result from implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses.

Threshold a: ***Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?***

Implementation of the Project would require the demolition of all structures and site improvements that are located on the Project site under existing conditions. As described under Subsection 4.4.1B.2, the Project site contains two (2) historic-period cultural resources: the remnants of a residential complex (previously recorded as Site P-33-015796) and the Adam Hall Plant Nursery.

Site P-33-015796 consists of two (2) concrete foundations with associated building debris, a brick-lined trough, remnants of an irrigation system, and several trees. The building and irrigation system remnants are composed of common materials and do not exhibit architectural or engineering merits. The site is not representative of any known or identifiable trend in the development of Moreno Valley, does not associate with any important historic figure or event, and has little potential to yield important archaeological information on local historical development. Accordingly, Rincon concluded that Site P-33-015796 is not eligible for listing in the California Register of Historical Resources (CRHR) and is ineligible for listing as a City landmark or structure of merit. Based on the foregoing information, Site P-33-015796 does not qualify as a historic resource pursuant to CEQA Guidelines Section 15064.5.

The Adam Hall Plant Nursery is an approximately 8.5-acre property that consists of a variety of shade and storage structures and five (5) buildings, including three (3) residences, an ancillary garage, and a small office space, all of which were constructed between 1953 and 1966. All of the structures have been highly altered over the years through the construction of various additions and replacement of original building materials. Due to a lack of unique elements, association with important historic figures or events, and lack of historic integrity as well as the low likelihood of the Nursery to yield important information on local historic development patterns, Rincon determined that none of the structures within the Adam Hall Plant Nursery are eligible for listing in the CRHR, as a City landmark, or as a City structure of merit. Based on the foregoing information, the Adam Hall Plant Nursery does not qualify as a historic resource pursuant to CEQA Guidelines Section 15064.5.

Accordingly, implementation of the Project would not result in a substantial adverse change to any historical resource as defined by CEQA Guidelines Section 15064.5; no impact would occur.

Threshold b: ***Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?***

Rincon conducted a cultural resources inventory of the Project site, which included a records search through the EIC at UCR and an intensive pedestrian survey of the site. According to the archival records search, no prehistoric cultural resources have been previously recorded on the Project site and according to the pedestrian survey, no prehistoric cultural resources were observed on the Project site. (Rincon, 2019a, p. 27) Therefore, implementation of the Project would not cause a substantial adverse change in the significance of a known archeological resource pursuant to CEQA Guidelines Section 15064.5.

Due to the lack of prehistoric cultural resources on or near the Project site and the Project site's historic use for agricultural and residential (which have resulted in pervasive ground disturbances on the site), the

likelihood of discovering buried prehistoric cultural resources on the Project site is considered low (Rincon, 2019a, p. 36). Notwithstanding, there is a possibility that prehistoric cultural resources may be present beneath the site's subsurface, and may be impacted by ground-disturbing activities associated with Project construction. If any prehistoric cultural resources are unearthed during Project construction that meet the definition of an archaeological resource pursuant to CEQA Guidelines Section 15064.5 and are disturbed/damaged by Project construction activities, impacts to those prehistoric cultural resources would be significant.

Threshold c: ***Would the Project disturb any human remains, including those interred outside of formal cemeteries?***

The Project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. Field surveys conducted on the Project site did not identify the presence of any human remains and no human remains are known to exist beneath the surface of the site (Rincon, 2019a, p. 36). 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 the Native American Heritage Commission (NAHC) by telephone within 24 hours. 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 shall 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. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code § 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant.

4.4.5 Cumulative Impact Analysis

The potential for implementation of the Project to contribute to cumulative impacts to historical resources was analyzed in conjunction with other projects located in areas that were once similarly influenced by the historical agricultural industry of the City of Moreno Valley and the region. Record searches and field surveys indicate the absence of significant historic cultural resource sites and resources on and abutting the Project site; therefore, implementation of the Project has no potential to contribute towards a cumulative impact to significant historical sites and/or resources.

The potential for Project construction to result in cumulatively-considerable impacts to prehistoric archaeological resources were also analyzed in conjunction with other projects located in the traditional use areas of Native American tribes that are affiliated to the Project site. Implementation of the Project would not impact any known prehistoric cultural resources and the likelihood of uncovering previously unknown prehistoric cultural resources during Project construction are low due to the severity of ground disturbance that has occurred on and adjacent to the site due to historic agriculture and residential uses. Nonetheless, the potential exists for subsurface prehistoric cultural resource that meet the CEQA Guidelines Section 15064.5 definition of a significant archaeological resource to be discovered during Project construction and during construction of other local development projects. Accordingly, the Project has the potential to contribute to a significant cumulative impact to prehistoric cultural resource sites and/or resources.

Mandatory compliance with the provisions of California Health and Safety Code Section 7050.5 as well as Public Resources Code Section 5097 et seq., would assure that all future development projects within the region treat human remains that may be uncovered during development activities in accordance with prescribed, respectful and appropriate practices, thereby avoiding significant cumulative impacts.

4.4.6 Significance of Impacts Before Mitigation

Threshold a: No Impact. No historic resources, as defined by CEQA Guidelines Section 15064.5, are present on the Project site; therefore, no historic resources could be altered or destroyed by construction or operation of the Project.

Threshold b: Significant Direct and Cumulatively-Considerable Impact. No known archaeological resources are present on the Project site and the likelihood of uncovering buried prehistoric cultural resources on the Project site is low due to the magnitude of historic ground disturbance on the Project site. Nonetheless, the potential exists for Project-related construction activities to result in a direct and cumulatively-considerable impact to significant subsurface prehistoric archaeological resources should such resources to be discovered during Project-related construction activities.

Threshold c: Less-Than-Significant Impact. In the unlikely event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 et seq. Mandatory compliance with State law would ensure that human remains, if encountered, are appropriately treated and would preclude the potential for significant impacts to human remains.

4.4.7 Mitigation

The following mitigation measures address the potential for Project construction activities to impact significant archaeological resources that may be discovered during ground-disturbing construction activities.

MM 4.4-1 Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist, who meets the U.S. Secretary of the Interior Standards (SOI), to conduct monitoring of all mass grading and trenching activities. The Project Archaeologist shall have

the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including Agua Caliente Band of Cahuilla Indians, Morongo Band of Mission Indians, Pechanga Band of Luiseño Indians, San Manuel Band of Mission Indians, and Soboba Band of Luiseño Indians, the contractor, and the City, shall develop an Archeological Monitoring Plan to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:

a) Project grading and development scheduling;

b) The development of a rotating schedule in coordination with the Developer and the Project Archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work;

c) The Project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as-needed basis;

d) If the Native American Tribal Representatives suspect that an archaeological resource may have been unearthed, the Project Archaeologist or the Tribal Representatives shall immediately redirect grading operations in a 100-foot radius around the find to allow identification and evaluation of the suspected resource. In consultation with the Native American Tribal Representatives, the Project Archaeologist shall evaluate the suspected resource and make a determination of significance pursuant to California Public Resources Code Section 21083.2.

e) The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

MM 4.4-2 The Developer shall provide a minimum of 30 days advance notice to the tribes of all mass grading and trenching activities.

MM 4.4-3 In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:

a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Division:

i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.

ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure 4.4-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in Mitigation Measure 4.4-1. The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.

MM 4.4-4 The City shall verify that the following note is included on the Grading Plan:

"If any suspected archaeological resources are discovered during ground-disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find."

MM 4.4-5 If potential historic or cultural resources are uncovered during excavation or construction activities at the project site, work in the affected area must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in Mitigation Measure 4.4-1 before any further work commences in the affected area.

MM 4.4-6 If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98).

4.4.8 Significance of Impacts After Mitigation

Threshold b: Less-than-Significant Impact with Mitigation. Implementation of Mitigation Measures (MMs) 4.4-1 through 4.4-6 would ensure the proper identification and subsequent treatment of any significant archaeological resources that may be encountered during ground-disturbing activities associated with Project construction. With implementation of the required mitigation, the Project's potential impacts to important archaeological resources would be reduced to less-than-significant. Cumulatively-considerable impacts would likewise be reduced to less than significant.

4.5 ENERGY

The analysis in this Subsection is primarily based on two (2) reports prepared by Urban Crossroads, Inc. titled, 1) "Moreno Valley Trade Center Warehouse Energy Analysis," dated January 7, 2021; and 2) "Moreno Valley Trade Center E-Commerce Energy Analysis," dated January 7, 2021. The reports are included as *Technical Appendices E1 and E2*, respectively, to this EIR (Urban Crossroads, 2021b; Urban Crossroads, 2021c). Two additional analyses, 1) Moreno Valley Trade Center (Warehouse Scenario) Air Quality, Greenhouse Gas, & Health Risk Assessment Evaluation," dated October 9, 2020; and 2) "Moreno Valley Trade Center (E-Commerce Scenario) Air Quality, Greenhouse Gas, & Health Risk Assessment Evaluation," dated October 9, 2020, also are used in this analysis. These analyses are included as *Technical Appendices B5 and B6*, respectively, to this EIR (Urban Crossroads, 2020d; Urban Crossroads, 2020e). Refer to Section 7.0, *References*, for a complete list of all reference sources used in this Subsection.

4.5.1 EXISTING CONDITIONS

A. Electricity Consumption

The Project site is located within the service area of the Moreno Valley Electric Utility (MVU). MVU provides electricity to a population of more than 6,500 customers within their service area. MVU purchases from independent power producers and utilities, including out-of-state suppliers (Urban Crossroads, 2021b, p. 10; Urban Crossroads, 2021c, p. 14).

Under existing conditions, the Project site contains a plant nursery and three (3) residences that consume a nominal amount of electricity. Although the Project site contains land uses that consume electricity under existing conditions, for purposes of the analysis in this Subsection (and in order to present an analysis of the "worst-case" scenario) all electricity used by the Project is considered to represent a "new" demand and no deduction is taken for the removal of the existing uses on the Project site.

B. Natural Gas Consumption

The Project site is located within the service area of the Southern California Gas Company (SoCalGas), which is regulated by the California Public Utilities Commission (CPUC). The CPUC regulates natural gas utility service for approximately 10.8 million customers and oversees utility purchases and transmission of natural gas to ensure reliable and affordable natural gas deliveries to existing and new consumers throughout the State of California. Based on the most recent available public data, California customers receive 35% of their natural gas supply from basins located in the Southwest, 16% from Canada, 40% from the Rocky Mountains, and 9% from basins located within California (Urban Crossroads, 2021b, pp. 11-12; Urban Crossroads, 2021c, pp. 15-16).

Under existing conditions, the Project site contains a plant nursery and three (3) residences that consume a nominal amount of natural gas. Although the Project site contains land uses that consume natural gas under existing conditions, for purposes of the analysis in this Subsection (and in order to present an analysis of the "worst-case" scenario) all natural gas used by the Project is considered to represent a "new" demand and no deduction is taken for the removal of the existing uses on the Project site.

C. Transportation Energy/Fuel Consumption

Gasoline and other vehicle fuels are commercially-provided commodities. As of 2018, there were more than 27 million passenger and light truck vehicles and 8 million medium-duty and heavy-duty vehicles on the road in California (Urban Crossroads, 2021b, pp. 13-14; Urban Crossroads, 2021c, pp. 17-18). In 2018, California vehicles consumed nearly 15.1 billion gallons of gasoline (including ethanol) and 3.9 billion gallons of diesel fuel (including biodiesel and renewable diesel) (ibid.). In 2016, California vehicles also consumed 194 million therms of natural gas as a transportation fuel, or the equivalent of 155 million gallons of gasoline (ibid.).

Under existing conditions, the Project site contains a plant nursery and three (3) residences. A low amount of transportation fuel is assumed to be used by the residents of the site as well as during normal business operations of the plant nursery. Although the Project site contains land uses that consume transportation fuel, for purposes of the analysis in this Subsection (and in order to present an analysis of the "worst-case" scenario) all transportation-related fuel used by the Project is considered to represent a "new" demand and no deduction is taken for the removal of existing uses on the Project site that involve operation of vehicles that consume fuel.

4.5.2 Regulatory Setting

A. Federal Policies and Regulations

1. Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy (Urban Crossroads, 2021b, p. 16; Urban Crossroads, 2021c, p. 20). ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions.

2. The Transportation Equity Act for the 21st Century (TEA-21)

The Transportation Equity Act for the 21st Century (TEA-21) was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs (Urban Crossroads, 2021b, p. 16; Urban Crossroads, 2021c, p. 20). TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of wise transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

B. State Policies and Regulations

1. Integrated Energy Policy Report

Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the California Energy Commission (CEC) to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing California's electricity, natural gas, and transportation fuel sectors and provides policy recommendations. The 2019 Integrated Energy Policy Report Update (2019 IEPR Update), focuses on next steps for transforming transportation energy use in California. The 2019 IEPR Update addresses the role of transportation in meeting state climate, air quality, and energy goals; the Alternative and Renewable Fuel and Vehicle Technology Program; current and potential funding mechanisms to advance transportation policy; the status of statewide plug-in electric vehicle infrastructure; challenges and opportunities for electric vehicle infrastructure deployment; measuring success and defining metrics within the Alternative and Renewable Fuel and Vehicle Technology Program; market transformation benefits resulting from Alternative and Renewable Fuel and Vehicle Technology Program investments; the state of hydrogen, zero-emission vehicle, biofuels, and natural gas technologies over the next ten years; transportation linkages with natural gas infrastructure; evaluation of methane emissions from the natural gas system and implications for the transportation system; changing trends in California's sources of crude oil; the increasing use of crude-by-rail in California; the integration of environmental information in renewable energy planning processes; an update on electricity reliability planning for Southern California energy infrastructure; and an update to the electricity demand forecast (Urban Crossroads, 2021b, p. 17; Urban Crossroads, 2021c, p. 21).

2. State of California Energy Plan

The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs (Urban Crossroads, 2021b, p. 17; Urban Crossroads, 2021c, p. 21). To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled and accommodate pedestrian and bicycle access (ibid.).

3. California Code Title 24, Part 6, Energy Efficiency Standards

California Code Title 24, Part 6 (also referred to as the California Energy Code), was promulgated by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption. To these ends, the California Energy Code provides energy efficiency standards for residential and nonresidential buildings. According to the CEC, the Energy Commission's energy efficiency standards have saved Californians billions in reduced electricity bills since 1977 (Urban Crossroads, 2021b, pp. 17-18; Urban Crossroads, 2021c, pp. 21-22). The newest 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020. The CEC indicates that the 2019 Title 24 standards will reduce energy consumption by 30 percent for nonresidential buildings above that achieved by the 2016 Title 24 (ibid.).

4. California Solar Rights and Solar Shade Control Acts

The Solar Rights Act sets parameters for establishing solar easements, prohibits ordinances and private covenants which restrict solar systems, and requires communities to consider passive solar and natural heating and cooling opportunities in new construction (CA Legislative Information, 1978). This Act is applicable to all California cities and counties. California's solar access laws appear in the state's Civil, Government, Health and Safety, and Public Resources Codes. California Pub Res Code § 25980 sets forth the Solar Shade Control Act, which encourages the use of trees and other natural shading except in cases where the shading may interfere with the use of active and passive solar systems.

5. Pavley Fuel Efficient Standards (AB 1493)

On September 24, 2009, the California Air Resources Board (CARB) adopted amendments to the "Pavley" regulations that reduce greenhouse gas (GHG) emissions in new passenger vehicles from 2009 through 2016 (CARB, 2020b). These amendments are part of California's commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016 and cemented California's enforcement of the Pavley rule starting in 2009, while providing vehicle manufacturers with new compliance flexibility. The amendments were also intended to prepare California to harmonize its rules with the federal rules for passenger vehicles.

The U.S. EPA granted California the authority to implement GHG emission reduction standards for new passenger cars, pickup trucks, and sport utility vehicles on June 30, 2009. The first California request to implement GHG standards for passenger vehicles, known as a waiver request, was made in December 2005, and was denied by the U.S. EPA in March 2008. That decision was based on a finding that California's request to reduce GHG emissions from passenger vehicles did not meet the Clean Air Act requirement of showing that the waiver was needed to meet "compelling and extraordinary conditions."

The CARB's Board originally approved regulations to reduce GHGs from passenger vehicles in September 2004, with the regulations to take effect in 2009. These regulations were authorized by the 2002 legislation Assembly Bill 1493 (Pavley) (ibid.).

The regulations had been threatened by automaker lawsuits and were stalled by the U.S. EPA's delay in reviewing and then initially denying California's waiver request. The parties involved entered a May 19, 2009 agreement to resolve these issues. With the granting of the waiver on June 30, 2009, it was expected that the Pavley regulations will reduce GHG emissions from California passenger vehicles by about 22 percent in 2012 and about 30 percent in 2016, all while improving fuel efficiency and reducing motorists' costs (ibid.).

The CARB has adopted a new approach to passenger vehicles – cars and light trucks – by combining the control of smog-causing pollutants and GHG emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emission vehicles in California.

6. Advanced Clean Cars Program

In 2012, the California Air Resources Board (CARB) adopted a set of regulations to control emissions from passenger vehicle model years 2017 through 2025, collectively called Advanced Clean Cars. Advanced Clean Cars, developed in coordination with the United States Environmental Protection Agency (EPA) and National Highway Traffic Safety Administration (NHTSA), combined the control of smog-causing (criteria) pollutants and greenhouse gas (GHG) emissions into a single coordinated package of regulations: the Low-Emission Vehicle III Regulation for criteria (LEV III Criteria) and GHG (LEV III GHG) emissions, and a technology-forcing mandate for zero-emission vehicles (ZEV). The goal of the program is to guide the development of environmentally advanced cars that would continue to deliver the performance, utility, and safety car owners have come to expect. Advanced Clean Cars includes the following elements (CARB, 2020c):

- LEV III Criteria: Reducing Smog-Forming Pollution. CARB adopted new emission standards to reduce smog-forming emissions (also known as "criteria pollutants") beginning with 2015 model year vehicles. The goal of this regulation is to have cars emit 75 percent less smog-forming pollution than the average car sold in 2012 by 2025.
- LEV III GHG: Reducing GHG Emissions. California's GHG regulations are projected to reduce GHG emissions from new vehicles by approximately 40 percent (from 2012 model vehicles) in 2025.
- ZEV Regulation: Promoting the Cleanest Cars. The ZEV regulation is designed to achieve the State's long-term emission reduction goals by requiring auto manufacturers to offer for sale specific numbers of the very cleanest cars available. These vehicle technologies include full battery-electric, hydrogen fuel cell, and plug-in hybrid-electric vehicles. Updated estimates using publicly available information show about 8 percent of California new vehicle sales in 2025 will be ZEVs and plug-in hybrids.

7. Advanced Clean Trucks Program

In June, 2020, CARB adopted a new Rule requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024 (CARB, 2020d). By 2045, every new truck sold in California will be required to be zero-emission (ibid.). Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035 (ibid.). By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales (ibid.). CARB reports that as of 2020, most commercially-available models of zero-emission vans, trucks and buses operate less than 100 miles per day (ibid.). Commercial availability of electric-powered long-haul trucks is very limited (ibid.). However, as technology advances over the next 20 years, zero-emission trucks will become suitable for more applications, and several truck manufacturers have announced plans to introduce market ready zero-emission trucks in the future (ibid.). When commercial availability of electric-powered long-haul trucks is more readily available, implementation of the Advanced Clean Trucks Regulation is anticipated to significantly reduce GHG emissions and energy usage statewide.

8. California Renewable Portfolio Standard (SB 1078 and SB 350)

SB 1078 requires electricity retailers to increase the amount of energy obtained from eligible renewable energy resources to 20 percent by 2010 and 33 percent by 2020 (CPUC, 2020). Additionally, former Governor

Edmund G. Brown, Jr. signed into legislation Senate Bill 350 in October 2015, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030 (ibid.). The California Energy Commission (CEC) and the CPUC work collaboratively to implement the RPS. The CPUC implements and administers Renewable Portfolio Standards (RPS) compliance rules for California's retail sellers of electricity, which include investor-owned utilities (IOU), public owned utilities (POUs), electric service providers (ESP) and community choice aggregators (CCA). The CEC is responsible for the certification of electrical generation facilities as eligible renewable energy resources, and adopting regulations for the enforcement of RPS procurement requirements of POUs. In 2017, California's three large IOUs (Pacific Gas and Electric, Southern California Edison, and San Diego Gas and Electric) collectively served 36% of their retail electricity sales with renewable power (ibid.). The IOU's utilize a mix of RPS resources such a wind, solar PV, solar thermal, hydroelectricity, geothermal, and bioenergy to meet their renewable procurement targets.

9. Clean Energy and Pollution Reduction Act of 2015 (SB 350)

In October 2015, the legislature approved, and the Governor signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the renewables portfolio standard (RPS), higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Specifically, SB 350 requires the following to reduce statewide GHG emissions (CEC, 2020):

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 25 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the California Energy Commission (CEC), and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

C. Local Policies and Regulations

1. Moreno Valley Building Code

The City of Moreno Valley adopted the California Building Standards Code (2019 Edition), including its Building Code, Energy Code, and Green Building Code (CalGreen) components, and codified in Title 8 of the Moreno Valley Municipal Code (Moreno Valley, n.d.). Accordingly, the City's Building Code regulates and controls the design, construction, quality of materials, grading, use, occupancy, location, and maintenance of all buildings or structures within the City.

4.5.3 Methodology for Calculating Project Energy Demands

Information from the CalEEMod 2016.3.2 outputs for *Technical Appendices B1 and B2* (Air Quality Impact Analyses) was utilized to detail Project-related construction equipment, transportation energy demands, and

facility energy demands. These outputs are referenced in Appendices 4.1 through 4.3 of *Technical Appendices E1 and E2*. Additionally, CARB's EMFAC2017 model was used to calculate emission rates, fuel consumption, and vehicle miles traveled (VMT) for light duty vehicles, light-heavy duty trucks, medium-heavy duty trucks, and heavy-heavy duty trucks traveling to and from the Project site during construction and operational activities (Urban Crossroads, 2021b, p. 22; Urban Crossroads, 2021c, p. 26). Data from the EMFAC 2017 model outputs are included in Appendix 4.4 of *Technical Appendices E1 and E2*.

4.5.4 Basis for Determining Significance

The proposed Project would result in a significant impact to energy if the Project or any Project-related component would:

a. *Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or*

b. *Conflict with or obstruct a State or local plan for renewable energy or energy efficiency.*

The above-listed thresholds are referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act* and address the typical, adverse environmental effects that could result from development projects' energy consumption.

Regarding the determination of significance under Threshold "a," if energy consumed by the Project's construction and/or operation cannot be accommodated with existing available resources and energy delivery systems, and requires and/or consumes more energy than industrial uses in California of similar scale and intensity, the Project would result in wasteful, inefficient, or unnecessary consumption of energy.

4.5.5 Impact Analysis

The analysis provided on the following pages addresses the potential energy-related impacts that could result from implementation of the proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*. Except where specifically noted herein, implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses would result in similar energy impacts.

Threshold a:	***Would the Project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?***

❑ Energy Use During Construction

Construction of the proposed Project and the optional site plan (see EIR Section 3.0, *Project Description*) would result in identical ground disturbances, utilize the same construction equipment fleet, and result in the same built improvements. Accordingly, the analysis below addresses potential construction-related effects from implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses.

The Project's construction process would consume electrical energy and fuel. Project-related construction would represent a "single-event" electric energy and fuel demand and would not require on-going or permanent commitment of energy or diesel fuel resources for this purpose. Project-related construction is estimated to consume approximately 768,114 kilowatt hours (kWh) of electricity, approximately 100,368 gallons of diesel fuel from operation of construction equipment, 140,180 gallons of diesel fuel from construction vendor/hauling trips, and 209,081 gallons of fuel from construction worker trips (Urban Crossroads, 2021b, pp. 24-28; Urban Crossroads, 2021c, pp. 28-32). Refer to Subsection 4.3 from *Technical Appendices E1 and E2* for detailed calculations of all components of the Project's construction energy use.

The equipment used for Project construction would conform to CARB regulations and State emissions standards. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities elsewhere in the region; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Additionally, Project construction activities would be required to comply with State law (Code of Regulations Title 13, Motor Vehicles, Section 2449(d)(3)) and CARB Air Toxic Control Measures that place restrictions on the length of time that diesel-powered equipment and vehicles can idle before powering down (thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling). Lastly, Project construction contractors would be required to comply with applicable CARB regulations regarding retrofitting, repowering, or replacement of older, less-efficient diesel off-road construction equipment. Accordingly, the equipment and vehicles employed in construction of the Project would not result in inefficient wasteful, or unnecessary consumption of fuel (Urban Crossroads, 2021b, p. 29; Urban Crossroads, 2021c, p. 33).

Indirectly, the Project would realize construction energy efficiencies and energy conservation through the bulk purchase, transport and use of construction materials. Use of materials in bulk reduces energy demands associated with preparation and transport of construction materials as well as the transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations (Urban Crossroads, 2021b, p. 29; Urban Crossroads, 2021c, p. 33).

As supported by the preceding discussion, the Project's construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

❑ Energy Use During Project Operations

Project operations would include transportation energy demands (energy consumed by employee and patron vehicles accessing the Project site) and facility energy demands (energy consumed by building operations and site maintenance activities).

Under the scenario where the Project is operated as a warehouse distribution/logistics use, Project-related traffic is estimated to consume of 1,348,732 gallons of fuel and the Project building is estimated to consume 1,905,300 kilo-British thermal units (kBTU) of natural gas per year and 2,620,700 kWh of electricity per year (Urban Crossroads, 2021b, pp. 32-33). These energy consumption totals would rise to 1,395,481 gallons of fuel, 4,471,700 kWh of electricity, and 4,373,300 kBTU of natural gas per year in the event the warehouse distribution/logistics use utilizes cold storage (Urban Crossroads, 2020d, p. 9). Refer to Subsection 4.4 from

Technical Appendix E1 and Technical Appendix B5 for detailed calculations of all components of the Project's operational energy use.

Under the scenario where the Project is operated as an e-commerce/fulfillment use, Project-related traffic is estimated to consume 2,698,021 gallons of fuel and the Project building is estimated to consume 1,905,300 kilo-British thermal units (kBTU) of natural gas per year and 2,823,560 kWh of electricity per year (Urban Crossroads, 2021c, pp. 36-37). These energy consumption totals would change to 2,695,350 gallons of fuel, 4,674,560 kWh of electricity, and 4,373,300 kBTU of natural gas per year in the event the fulfillment/e-commerce use utilizes cold storage (Urban Crossroads, 2020e, p. 9). Refer to Subsection 4.4 from *Technical Appendix E2 and Technical Appendix B6* for detailed calculations of all components of the Project's operational energy use.

The proposed Project building incorporates contemporary, energy-efficient/energy-conserving design and operational programs (including the enhanced building/utility energy efficiencies mandated by the Energy Code and CalGreen. The Project will be subject to compliance with 2019 Energy Code and CalGreen standards, which became effective on January 1, 2020, and mandate energy conservation features that are more stringent (energy-conserving) than prior versions of the respective codes. On this basis, the Project will inherently use less energy than comparable buildings constructed under prior versions of the Energy and CalGreen codes. Project building operations would not result in the inefficient, wasteful, or unnecessary consumption of energy due to mandatory Energy Code and CalGreen compliance. Furthermore, the Project site is within the existing service areas of MVU and SoCalGas, is capable of being served by both energy providers, and implementation of the Project would not cause or result in the need for additional energy facilities or energy delivery systems. From a transportation energy perspective, the Project site's location proximate to regional and local roadway systems would tend to minimize VMT within the region, acting to reduce regional vehicle energy demands. Furthermore, the Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption (Urban Crossroads, 2021b, p. 35; Urban Crossroads, 2021c, p. 39).

As supported by the preceding discussion, the Project's operational energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Threshold b: ***Would the Project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?***

The following section analyzes the Project's consistency with the applicable federal, State, and local regulations for renewable energy or energy efficiency under both warehouse distribution/logistics or fulfillment/e-commerce uses.

❑ Consistency with Federal Energy Regulations

Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

Transportation and access to the Project site is provided primarily by the local and regional roadway systems, which includes the SR-60 Freeway, Eucalyptus Avenue, and Redlands Boulevard. Implementation of the Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may

be realized pursuant to the ISTEA because SCAG is not planning for intermodal facilities on or through the Project site (Urban Crossroads, 2021b, p. 16; Urban Crossroads, 2021c, p. 20).

The Transportation Equity Act for the 21st Century (TEA-21)

The Project site is located along major transportation corridors with proximate access to the State's freeway system (i.e., SR-60 Freeway). The location of the Project site facilitates access and is designed to minimize VMT, takes advantage of existing infrastructure systems, and promotes land use compatibilities through collocation of similar industrial uses. Accordingly, the Project supports the strong planning processes emphasized under TEA-21 and is therefore consistent with, and would not otherwise interfere with or obstruct implementation of TEA-21 (Urban Crossroads, 2021b, p. 16; Urban Crossroads, 2021c, p. 20).

❑ Consistency with State Energy Regulations

Integrated Energy Policy Report

The IEPR provides policy recommendations to be implemented by energy providers in California. Electricity would be provided to the Project by MVU and natural gas would be provided to the Project by SoCalGas. MVU and SoCalGas' 2018 Corporate Sustainability Report builds on existing State programs and policies that support the IEPR goals of improving electricity, natural gas, and transportation fuel energy use in California. MVU and SoCalGas are consistent with, and would not otherwise interfere with, nor obstruct implementation of the goals presented in the 2019 IEPR. Thus, because the MVU and SoCalGas are consistent with the 2019 IEPR, the Project is consistent with, and would not otherwise interfere with, nor obstruct implementation of the goals presented in the 2019 IEPR (Urban Crossroads, 2021b, p. 17; Urban Crossroads, 2021c, p. 21).

State of California Energy Plan

The Project site is located along Eucalyptus Avenue and Redlands Boulevard with proximate access to the SR-60 Freeway. The location of the Project site facilitates access, is designed to minimize VMT, and takes advantage of existing infrastructure systems. Therefore, the Project supports urban design and planning processes identified under the State of California Energy Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan (Urban Crossroads, 2021b, p. 17; Urban Crossroads, 2021c, p. 21).

California Code Title 24, Part 6, Energy Efficiency Standards

The Project would design the building shell and building components, such as windows; roof systems: electrical and lighting systems: and heating, ventilating, and air conditioning systems to meet 2019 Energy Efficiency Standards, which would be confirmed by the City of Moreno Valley during the building permit review process. The Project also is required by State law to be designed, constructed, and operated to meet or exceed 2019 Energy Efficiency Standards. On this basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of the State's 24 Energy Efficiency Standards (Urban Crossroads, 2021b, p. 18; Urban Crossroads, 2021c, p. 22).

Pavley Fuel Efficiency Standards (AB 1493)

AB 1493 is applicable to the Project because model year 2009-2016 passenger cars and light duty truck vehicles traveling to and from the Project site are required by law to comply with the legislation's fuel

efficiency requirements. The Project would not interfere with, nor otherwise obstruct implementation of AB 1493.

Advanced Clean Cars Program

The CARB Advanced Clean Cars Program is applicable to the Project because model year 2007-2025 passenger cars and light duty truck vehicles traveling to and from the Project site are required by law to comply with the regulation's emissions requirements. The Project would not interfere with, nor otherwise obstruct implementation of the Advanced Clean Cars Program.

Advanced Clean Trucks Program

The Advanced Clean Trucks Regulation is applicable to the Project because by 2045, every new heavy-duty truck sold in California will be required to be zero-emission and truck manufacturers are required to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. These types of vehicles will travel to and from the Project site and in the future will be subject to the regulation's emissions requirements. The Project would not interfere with, nor otherwise obstruct implementation of the Advanced Clean Trucks Regulation.

California Renewable Portfolio Standards (SB 1078)

Energy directly or indirectly supplied to the Project site by electric corporations is required by law to comply with SB 1078.

Clean Energy and Pollution Reduction Act of 2015 (SB 350)

Energy directly or indirectly supplied to the Project site by electric corporations is required by law to comply with SB 350 (Urban Crossroads, 2021b, p. 19; Urban Crossroads, 2021c, p. 23).

❑ Consistency with Local Energy Regulations

Moreno Valley Building Code

The City of Moreno Valley will require the Project to be designed, constructed, and operated to meet or exceed all applicable components of the California Building Standards Code (which is adopted as the City's Building Code pursuant to Section 8.20.010 of the Moreno Valley Municipal Code). The City would confirm the Project's compliance with the Building Code as part of the building permit review process. On this basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of the California Building Standards Code.

❑ Conclusion

As supported by the preceding analysis, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency and a less-than-significant impact would occur.

4.5.6 Cumulative Analysis

The Project and other new development projects within the cumulative study area would be required to comply with all of the same applicable federal, State, and local regulatory measures aimed at reducing fossil fuel consumption and the conservation of energy. Accordingly, the Project would not cause or contribute to a

significant cumulatively-considerable impact related to conflicts with a State or local plan for renewable energy or energy efficiency.

4.5.7 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The amount of energy and fuel consumed by construction and operation of the Project would not be inefficient, wasteful, or unnecessary. Furthermore, the Project would not cause or result in the need for additional energy facilities or energy delivery systems.

Threshold b: Less-than-Significant Impact. The Project would not cause or result in the need for additional energy production or transmission facilities. The Project would not conflict with or obstruct the achievement of energy conservation goals within the State of California identified in State and local plans for renewable energy and energy efficiency.

4.5.8 Mitigation

Impacts would be less than significant; therefore, mitigation is not required.

4.6 GEOLOGY AND SOILS

The analysis in this Subsection is based primarily on information contained in two (2) site-specific technical reports: 1) "Geotechnical Investigation Proposed Moreno Valley Trade Center," dated November 5, 2019 and prepared by Southern California Geotechnical (hereinafter, "SCG") (SCG, 2019); and 2) "Paleontological Resource Assessment for the Moreno Valley Trade Center Project," dated November 12, 2019 and prepared by Rincon Consultants, Inc. (hereinafter, "Rincon") (Rincon, 2019). These reports are provided as *Technical Appendices F and G,* respectively, to this EIR. Additional sources of information used to support the analysis in this Subsection include the Final Environmental Impact Report (EIR) prepared for the City of Moreno Valley General Plan (Moreno Valley, 2006b) and the Moreno Valley Municipal Code (Moreno Valley, 2018). Refer to Section 7.0, *References*, for a complete list of reference sources used in this analysis.

4.6.1 EXISTING CONDITIONS

A. Soils

One (1) type of soil condition (native alluvium) was encountered on the Project site during a soils and geotechnical investigation performed by SCG (SCG, 2019, p. 7). Native alluvial soils were encountered beneath the ground surface across the entire Project site, extending to the maximum depth explored during field surveys (approximately 50 feet below ground surface [bgs]) (ibid.). The alluvial soils generally consist of loose to medium dense fine sandy silts and silty fine sands with varying clay, medium to coarse sand and fine gravel content (ibid.). Some of the layers possessed loose to medium dense well graded sands and clayey sands and medium stiff to hard silty clay, clayey silt, and fine sand clay strata (ibid.). At depths greater than approximately 30 feet, occasional dense sands, silty sands, and clayey sands were encountered (ibid.).

B. Groundwater

SCG did not observe any free water at any subsurface testing location on the Project site (SCG, 2019, pp. 7-8). Based on the lack of water at subsurface testing locations and a review of available groundwater records, SCG concluded that the groundwater table beneath the Project site is located in excess of 50 feet below the existing ground surface (ibid.). According to data from monitoring wells located within 1,200 to 1,500 feet of the Project site, groundwater is estimated to occur between approximately 104 and 197 feet below the ground surface of the Project site (ibid.).

C. Seismic Hazards

The Project site is located in an area of southern California that is subject to strong ground motions due to seismic events (i.e., earthquakes). The geologic structure of southern California is dominated mainly by northwest-trending faults associated with the San Andreas system. The nearest active fault to the Project site is the Claremont Fault (which is part of the San Jacinto Fault Zone), located approximately 0.9-mile to the northeast of the Project site (Google Earth Pro, 2020; CGS, 2010). An active fault is defined by the California Geological Survey as a fault that has experienced surface displacement within the Holocene Epoch (roughly the last 11,000 years).

Secondary hazards associated with earthquakes include surface rupture, ground failure, unstable soils and slopes. Each of these hazards is briefly described below.

1. Fault Rupture

Fault rupture can occur along pre-existing, known active fault traces; however, fault rupture also can splay from known active faults or rupture along unidentified fault traces. There are no active or potentially active faults occurring on the Project site and no known faults are mapped trending through or toward the site (SCG, 2019, p. 11).

2. Liquefaction

Liquefaction is a phenomenon in which loose, saturated, relatively cohesion-less soil deposits lose shear strength during strong ground motions, which causes the soil to behave as a viscous liquid. Liquefaction is generally limited to the upper 50 feet of subsurface soils. Research and historical data indicate that loose granular soils of Holocene to late Pleistocene age below a near-surface groundwater table are most susceptible to liquefaction, while the stability of most clayey material is not adversely affected by vibratory motion (SCEC, 1999, pp. 5-6). Based on mapping conducted by the County of Riverside, the Project site is located within a zone of moderate liquefaction susceptibility. However, because of the lack of shallow groundwater at the site, the Project site is not considered conducive to liquefaction; therefore, the potential for liquefaction at the site is low (SCG, 2019, p. 13).

3. Unstable Soils and Slopes

The Project site is generally flat under existing conditions and does not contain, nor is it adjacent to any, steep natural or manufactured slopes and there is no evidence of historical landslides or rockfalls on the site (Google Earth Pro, 2020). As such, the site in its present condition is not susceptible to seismically-induced landslides and rockfalls.

D. Slope and Instability Hazards

1. Soil Erosion

Erosion is the process by which the upper layers of the ground surface (such as soils) are worn and removed by the movement of water or wind. Soils with characteristics such as low permeability and/or low cohesive strength are more susceptible to erosion than those soils having higher permeability and cohesive strength. Additionally, the slope gradient on which a given soil is located also contributes to the soil's resistance to erosive forces. Because water is able to flow faster down steeper gradients, the steeper the slope on which a given soil is located, the more readily it will erode. According to the City of Moreno Valley General Plan EIR, soils on the Project site and in the surrounding area are susceptible to erosion (Moreno Valley, 2006b, Figure 5.6-1, p. 5.6-3).

Wind erosion can damage land and natural vegetation by removing soil from one place and depositing it in another. It mostly affects dry, sandy soils in flat, bare areas, but wind erosion may occur wherever soil is loose, dry, and finely granulated. According to the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS), soils on the Project site and in the surrounding area are moderately susceptible to wind erosion (USDA, n.d.). Under existing conditions, the Project site has the potential to contribute windblown soil and sand because portions of the Project site are undeveloped with little or no vegetative cover and loose and dry topsoil conditions.

2. Settlement Potential

Settlement refers to unequal compression of a soil foundation, shrinkage, or undue loads being applied to a building after its initial construction that affect the soil foundation. According to SCG, the alluvial soils present on the Project site have settlement potential (SCG, 2019, p. 14).

3. Shrinkage/Subsidence Potential

Subsidence is a gradual settling or sudden sinking of the ground surface (i.e., loss of elevation). The principal causes of subsidence are aquifer-system compaction, drainage of organic soils, underground mining, and natural compaction. Shrinkage is the reduction in volume in soil as the water content of the soil drops (i.e., loss of volume). Testing conducted by SCG on soils collected from the Project site indicates that the subsidence and shrinkage potential on the Project site is minimal (SCG, 2019, p. 14).

4. Soil Expansion Potential

Expansive soils are soils that exhibit cyclic shrink and swell patterns in response to variations in moisture content. On-site soils contain no appreciable clay content and SCG visually classified the soils as containing very low expansion potential (SCG, 2019, p. 14).

5. Landslide Potential

The Project site and immediately surrounding properties are generally flat and contain no steep natural or manufactured slopes (Google Earth Pro, 2020); thus, there is no potential for landslides to occur on or immediately adjacent to the site.

E. Paleontological Setting

1. Regional Setting

According to the City of Moreno Valley General Plan Final EIR, the City contains sedimentary rock units with potential to contain significant nonrenewable paleontological (fossil) resources (Moreno Valley, 2006b, p. 5.10-10). These sedimentary units are referred to as the Mt. Eden Formation and the San Timoteo Formation (ibid.). The Mt. Eden Formation is described as being primarily reddish sandstone and dark green and brown clay with local reddish fanglomerate and conglomerate (ibid.). Fossilized fauna within the Mt. Eden Formation include cricetine rodent, horse and proboscidean (extinct animals related to elephants) (ibid.). The San Timoteo Formation is a widespread deposit of sands, gravels, and clays that extends northward from the foothills of the San Jacinto Mountains for a distance of nearly 20 miles (ibid.). The San Timoteo Formation contains fossils of land animals and plant species, and represents sediments deposited from about 3.5 to 0.7 million years ago during late- Pleistocene to middle-Pleistocene time (ibid.).

2. Project Site Conditions

According to the Moreno Valley General Plan Final EIR, the Project site is located in an area that is characterized as having a low potential for containing important fossils because the area is covered with young alluvial soils (Moreno Valley, 2006b, pp. 5.10-11, 5.10-15). These young sediments overlie fossiliferous sedimentary units of the Mt. Eden Formation and the San Timoteo Formation; however, the Moreno Valley

General Plan Final EIR concluded that excavation to depths normal for development projects generally would not penetrate recent alluvial sediments to encounter fossiliferous deposits (ibid.). Areas within the City that are thought to have the greatest potential for encountering paleontological resources occur in the hills in the east end of the City, in an area known as the "Badlands" (ibid.). The Project site is not located in this portion of the City.

According to the site-specific paleontological assessment conducted by Rincon, the Project site is entirely underlain by Holocene alluvium, which is determined to have a low paleontological sensitivity (Rincon, 2019, p. 9). However, the Holocene sediments are underlain by Pleistocene older alluvium at a depth of at least 10 feet bgs, which contains a high paleontological sensitivity (ibid.).

Rincon reviewed records databases at the Natural History Museum of Los Angeles County (NHMLAC) and Western Science Center (WSC) to determine whether fossils have been recovered in proximity of the Project site or elsewhere in southern California from the same geologic units that underlie the Project site. None of these records searches revealed any previously recorded fossils on the Project site (Rincon, 2019, p. 9). The closest known fossil localities to the Project site were collected immediately north of the Project site (across Eucalyptus Avenue) (ibid.). The recovered fossils – terrestrial mammal remains, including ground sloth (*Megalonyx jeffersonii*), lamine camel (*Hemiauchenia* sp.) and horse (*Equus* sp.) – were found within same types of Holocene and late Pleistocene young alluvial fan deposits that are present on the Project site. Another fossil locality, which included a horse (*Equus* sp.), was collected southeast of the Project site in the San Jacinto Valley within same types of Holocene and Pleistocene older alluvial fan deposits that underlie the Project site (ibid.). The proximity of these fossil localities to the Project site suggests that the Project site is underlain with soils that contain a high paleontological sensitivity (ibid.).

4.6.2 Regulatory Setting

The following is a brief description of the federal, State, and local environmental laws and related regulations governing issues related to geology and soils.

A. Federal Plans, Policies, and Regulations

1. Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters (EPA, 2019a). The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man- made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

B. State Plans, Policies, and Regulations

1. Alquist-Priolo Earthquake Fault Zoning Act (A-P Act)

The Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The A-P Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults (CGS, 2019a). The A-P Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards.

The A-P Act requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults and to issue appropriate maps (CGS, 2019a). ["Earthquake Fault Zones" were called "Special Studies Zones" prior to January 1, 1994.] The maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. Projects include all land divisions and most structures for human occupancy. Single family wood-frame and steel-frame dwellings up to two stories not part of a development of four units or more are exempt. However, local agencies can be more restrictive than State law requires.

Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings would not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (generally 50 feet).

There are no active faults on the Project site and the Project site is not located within any Alquist-Priolo Earthquake Fault Zone (SCG, 2019, p. 11).

2. Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, Section 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards (CGS, 2019b).

Staff geologists in the Seismic Hazard Zonation Program gather existing geological, geophysical, and geotechnical data from numerous sources to produce the Seismic Hazard Zone Maps. They integrate and interpret these data regionally in order to evaluate the severity of the seismic hazards and designate as Zones of Required Investigation (ZORI) those areas prone to liquefaction and earthquake–induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes.

The SHMA requires site-specific geotechnical investigations be conducted within the ZORIs to identify and evaluate seismic hazards and formulate mitigation measures prior to permitting most developments designed for human occupancy. The Project site is not located within a ZORI.

3. *Natural Hazards Disclosure Act*

The Natural Hazards Disclosure Act, effective June 1, 1998 (as amended June 9, 1998), requires that sellers of real property and their agents provide prospective buyers with a "Natural Hazard Disclosure Statement" when the property being sold lies within one or more state-mapped hazard areas, including a Seismic Hazard Zone (CGS, 2019b).

The law requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps) (CGS, 2019b). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Single-family frame dwellings up to two stories not part of a development of four or more units are exempt from the state requirements. However, local agencies can be more restrictive than state law requires.

Before a development permit can be issued or a subdivision approved, cities and counties must require a site-specific investigation to determine whether a significant hazard exists at the site and, if so, recommend measures to reduce the risk to an acceptable level (CGS, 2019b). The investigation must be performed by state-licensed engineering geologists and/or civil engineers.

4. *Building Earthquake Safety Act*

In 1986, the California Legislature determined that buildings providing essential services should be capable of providing those services to the public after a disaster. Their intent in this regard was defined in legislation known as the Essential Services Buildings Seismic Safety Act of 1986 and includes requirements that such buildings shall be "…designed and constructed to minimize fire hazards and to resist…the forces generated by earthquakes, gravity, and winds." This enabling legislation can be found in the California Health and Safety Code, Chapter 2, Sections 16000 through 16022 (CAB, 2020). In addition, the California Building Code defines how the intent of the act is to be implemented in Title 24, Part 1 of the California Building Standards Administrative Code, Chapter 4, Articles 1 through 3 (ibid.).

5. *California Building Standards Code (Title 24)*

California Code of Regulations (CCR) Title 24 is reserved for state regulations that govern the design and construction of buildings, associated facilities, and equipment (CBSC, 2019, p. 6). These regulations are also known as building standards (reference California Health and Safety Code Section 18909). Health and Safety Code (state law) Section 18902 gives CCR Title 24 the name California Building Standards Code (CBSC).

The CBSC in CCR Title 24 is published by the California Building Standards Commission and it applies to all building occupancies (see Health and Safety Code Sections 18908 and 18938) throughout the State of California. Cities and counties are required by state law to enforce CCR Title 24 (reference Health and Safety Code Sections 17958, 17960, 18938(b), and 18948). Cities and counties may adopt ordinances making more restrictive requirements than provided by CCR Title 24, because of local climatic, geological, or topographical conditions. Such adoptions and a finding of need statement must be filed with the California Building Standards Commission (Reference Health and Safety Code Sections 17958.7 and 18941.5).

6. Porter-Cologne Water Control Act

The Porter-Cologne Act is the principal law governing water quality regulation in California (SWRCB, 2014). It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code Section 13000 *et seq.*), the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The State Water Board and Regional Water Boards have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The Storm Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCBs) can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. (SWRCB, 2014) The Project site is located in the Santa Ana River Watershed, which is within the purview of the Santa Ana RWQCB. The Santa Ana's RWQCB's Santa Ana River Basin Water Quality Control Plan is the governing water quality plan for the region.

C. Local Plans, Policies, and Regulations

1. City of Moreno Valley General Plan

The Safety Element of the City of Moreno Valley General Plan provides information about natural and human-made hazards in Moreno Valley and establishes goals, objectives, and policies to prepare and protect the community from such risks. The Safety Element states that the City shall reduce the risk of geologic hazards to the community by enforcing building codes, requiring the preparation of soils and geologic reports, and using the most current and comprehensive geological hazard mapping available to assist in the evaluation go potential seismic hazards to proposed new development (Moreno Valley, 2006a, p. 9-30).

2. City of Moreno Valley Building Code

The City of Moreno Valley Building Code is based on the CBSC and is supplemented with local amendments (Moreno Valley, 2018). The Building Code regulates the construction, alteration, repair, moving, demolition, conversion, occupancy, use, and maintenance of all buildings and structures in the City of Moreno Valley. The Building Code is included in Chapter 8.20 of the City of Moreno Valley Municipal Code.

3. City of Moreno Valley Municipal Code

The City of Moreno Valley Municipal Code Chapter 8.21 requires development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and provide site-specific recommendations to preclude adverse impacts from unstable soils and strong seismic ground-shaking (refer to Section 8.21.050) (Moreno Valley, 2018). These reports shall recommend corrective action to preclude any structural damage/hazards that may be caused by geological hazards or unstable soils which the City will require to be incorporated into the project via conditions of approval. In addition, this chapter of the Municipal Code required the implementation of an erosion control plan during grading activities (refer to Section 8.21.160).

Moreno Valley Municipal Code Chapter 8.10 requires the City to participate in the improvement of water quality and comply with federal requirements for the control of urban pollutants, including sediment, in stormwater runoff (Moreno Valley, 2018).

4. SCAQMD Rule 403 (Fugitive Dust)

SCAQMD Rule 403 (Fugitive Dust) requires the implementation of best available dust control measures (BACMs) during active operations capable of generating fugitive dust (SCAQMD, 2005). The purpose of this Rule is to minimize the amount of particulate matter in the ambient air as a result of anthropogenic fugitive dust sources.

4.6.3 Basis for Determining Significance

The Project would result in a significant impact related to geology and soils if the Project or any Project-related component would:

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 Division of Mines and Geology Special Publication 42;*
    ii. *Strong seismic ground shaking;*
    iii. *Seismic-related ground failure, including liquefaction; or*
    iv. *Landslides.*
b. *Result in substantial soil erosion or the loss of topsoil;*
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;*
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;*
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; or*
f. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.*

The above-listed thresholds are referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act* and address the typical, adverse effects related to geology and soils that could result from development projects.

4.6.4 Impact Analysis

The proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*, would result in identical ground-disturbing impacts. Thus, the analysis provided on the following pages addresses the potential impacts related to geology and soils that would result from implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses.

Threshold a:	***Would the Project 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 Division of Mines and Geology Special Publication 42.

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

A. Rupture of Known Earthquake Fault

There are no known active or potentially active faults on or trending toward the Project site and the Project site is not located within a mapped Alquist-Priolo Earthquake Fault Zone (SCG, 2019, p. 11). Because there are no known faults located on or trending towards the Project site, the Project would not directly or indirectly expose people or structures to substantial adverse effects related to ground rupture.

B. Strong Seismic Ground Shaking

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 lifetime of the Project. 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 Project Applicant would be required to construct the proposed building in accordance with the CBSC and the City of Moreno Valley Building Code, which is based on the CBSC with local amendments. The CBSC and City of Moreno Valley Building Code (Moreno Valley Municipal Code, Chapter 8.20) 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, and have been specifically tailored for California earthquake conditions. In addition, the CBSC (Chapter 18) and the City of Moreno Valley Building Code (Chapter 8.21) 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, selection of appropriate structural systems. The Project Applicant retained a professional geotechnical firm, SCG, to prepare a geotechnical report for the Project site, which is included as *Technical Appendix F* to this EIR. This geotechnical report complies with the requirements of Chapter 18 of the CBSC and Chapter 8.21 of the Moreno Valley Municipal Code. In conformance with the Municipal Code, the City will condition the Project to comply with the site-specific ground preparation and construction recommendations contained in *Technical Appendix F*. With mandatory compliance with building code standards and site-specific design and construction measures, implementation of the Project would not directly or indirectly expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. Impacts would be less than significant.

C. Seismic-Related Ground Failure

Due to the observed soil characteristics on the Project site and the lack of shallow groundwater beneath the site, liquefaction potential is considered to be low (SCG, 2019, p. 13). Regardless, as noted above, the City of Moreno Valley will require the Project site be developed in accordance with the latest applicable seismic safety

guidelines, including the standard requirements of the CBSC and the City of Moreno Valley Municipal Code Building Code, to minimize potential liquefaction hazards. In addition, the Project would be required (via conditions of approval) to comply with the grading and construction recommendations contained within the geotechnical report for the Project site (see *Technical Appendix F*) to further reduce the risk of seismic-related ground failure due to liquefaction. Therefore, implementation of the Project would not directly or indirectly expose people or structures to substantial hazards associated with seismic-related ground failure and/or liquefaction hazards. Impacts would be less than significant.

D. Landslides

The Project site is relatively flat, as is the immediately surrounding area. There are no hillsides or steep slopes on the Project site or in the immediate vicinity of the site (Google Earth Pro, 2020). The Project Applicant proposes construction of several retaining walls on the Project site and manufactured slopes along the perimeter of the proposed water quality/detention basin. As required by Moreno Valley Municipal Code Chapter 8.21 the proposed retaining walls and manufactured slopes would be constructed in accordance with the site-specific recommendations contained within the geotechnical report for the Project site (see *Technical Appendix F*). Mandatory compliance with the recommendations contained within the Project site's geotechnical report would ensure that the Project is engineered and constructed to maximize stability and preclude safety hazards to on-site and abutting off-site areas. Accordingly, the Project would not be exposed to substantial landslide risks, and implementation of the Project would not pose a substantial direct or indirect landslide risk to surrounding properties. Impacts would be less than significant.

***Threshold b:* Would the Project result in substantial soil erosion or the loss of topsoil?**

A. Construction-Related Erosion Impacts

Under existing conditions, the Project site is heavily disturbed. Most of the Project site has no or little vegetative cover and contains loose and dry topsoil conditions (due to routine maintenance – discing – activities) and, thus, has the potential to contribute windblown soil and sand under existing conditions. Development of the Project would result in the demolition of all structures on-site, and grading and construction activities would occur that would further disturb soils on the property. Disturbed soils would be subject to potential erosion during rainfall events or high winds due to the removal of stabilizing vegetation and building materials (e.g., existing concrete foundations) and exposure of these erodible materials to wind and water.

Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the Project would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES permit and the *Santa Ana River Basin Water Quality Control Program* involves the preparation and implementation of a SWPPP for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that the Project Applicant will be required to implement during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated

prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Lastly, the Project would be required to implement an erosion control plan to minimize water- and windborne erosion pursuant to Moreno Valley Municipal Code Section 8.21.160 (and to ensure compliance with SCAQMD Rule 403). Mandatory compliance with the SWPPP and the erosion control plan would ensure that the Project's implementation does not violate any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.

B. Post-Development Erosion Impacts

Upon Project build-out, the Project site would be covered by buildings, landscaping, and impervious surfaces. Stormwater runoff from the Project site would be captured, treated to reduce waterborne pollutants (including sediment), and conveyed off-site via an on-site storm drain system. Accordingly, the amount of erosion that occurs on the Project site would be minimized upon build out of the Project and would be reduced relative to existing conditions.

To meet the requirements of the City's Municipal Storm Water Permit, and in accordance with Moreno Valley Municipal Code Section 8.10.050, the Project Applicant would be required to prepare and implement a Water Quality Management Plan (WQMP), which is a site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants. The WQMP is required to identify an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. The WQMP also is required to establish a post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the WQMP will be required as a condition of approval for the Project, as will the long-term maintenance of erosion and sediment control features. The preliminary WQMP for the Project is provided as *Technical Appendix J2* to this EIR. Because the Project would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, the Project would result in less-than-significant impacts related to soil erosion.

Threshold c:	***Would the Project 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?***

The Project site is relatively flat, no substantial natural or man-made slopes are located on or adjacent to the Project site (Google Earth Pro, 2020). As noted in the response to Threshold "a," the Project includes several retaining walls and manufacturd slopes. The retaining walls and manufactures slopes would be engineered for long-term stability and constructed in accordance with the site-specific recommendations contained within the geotechnical report for the Project site and included as *Technical Appendix F* to this EIR (as required by the City of Moreno Valley Municipal Code Section 8.21.050). Accordingly, the Project would result in less-than-significant impacts associated with landslide hazards.

SCG determined that removal and recompaction of the existing fill soils and near-surface alluvium would result in an average shrinkage of 6 to 11 percent (SCG, 2019, p. 14). However, the geotechnical report prepared for the Project site (*Technical Appendix F*) indicates that the site's shrinkage/subsidence and settlement potential can be attenuated through the removal of surface and near surface soils down to competent materials and replacement with properly compacted fill (SCG, 2019, pp. 14-17). The City will condition the Project to comply with the site-specific ground preparation and construction recommendations contained in the Project site's geotechnical report. Based on the foregoing, potential impacts related to soil shrinkage/subsidence and collapse would be less than significant.

Lateral spreading is primarily associated with liquefaction hazards. As noted above under the discussion of Threshold "a," based on the Project site's lack of shallow groundwater, liquefaction on the Project site is considered to be low. Thus, the potential for lateral spreading is low (SCG, 2019, p. 13). Accordingly, impacts associated with lateral spreading would be less than significant.

Threshold d: ***Would the Project 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?***

Based on expansion index testing of soil samples, SCG determined that near surface soils on the Project site have an expansion potential of "very low" (SCG, 2019, p. 14). Accordingly, the Project site does not contain expansive soils and as such, would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils. No impacts would occur.

Threshold e: ***Would the Project 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?***

The Project does not propose the use of septic tanks or alternative waste water disposal systems. Accordingly, no impact would occur.

Threshold f: ***Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

The Project site does not contain any known unique geologic features and no paleontological resources or sites were observed by Rincon during field investigations (Rincon, 2019, p. 9). Although the Project site is underlain with Holocene alluvium, which contains a low paleontological sensitivity, at shallow depths, the Project site is assumed to be underlain with Pleistocene older alluvial soils, which are known to contain fossils throughout the southern California region, at a depth of approximately 10 feet below ground surface (ibid.). Important fossil deposits were found immediately north of the Project site and southeast of the Project site within Pleistocene older alluvial soils; therefore, it is reasonable to conclude that the Pleistocene older alluvium soils on the Project have a high paleontological sensitivity (ibid.). In an event that the Project's construction activities encroach into previously undisturbed Pleistocene older alluvium, the Project could result in impacts to important paleontological resources that may exist below the ground surface if they are unearthed and not properly treated (ibid.). Therefore, the Project's potential to directly or indirectly destroy a unique

paleontological resource buried beneath the ground surface determined to be a significant impact and mitigation is required.

4.6.5 Cumulative Impact Analysis

With the exception of erosion hazards, potential hazardous effects related to geologic and soil conditions addressed under Thresholds "a," "c," "d," and "e" are unique to the Project site, and inherently restricted to the specific property proposed for development. That is, issues including fault rupture, seismic ground shaking, liquefaction, landslides, and expansive soils would involve effects to (and not from) a proposed development project, are specific to conditions on the subject property, and are not influenced or exacerbated by the geologic and/or soils hazards that may occur on other, off-site properties. Because of the site-specific nature of these potential hazards and the measures to address them, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties.

As discussed under Threshold "b," regulatory requirements mandate that the Project incorporate design measures during construction and long-term operation to ensure that significant erosion impacts do not occur. Other development projects in the vicinity of the Project site would be required to comply with the same regulatory requirements as the Project to preclude substantial adverse water and wind erosion impacts. Because the Project and other projects within the cumulative study area would be subject to similar mandatory regulatory requirements to control erosion hazards during construction and long-term operation, cumulative impacts associated with wind and water erosion hazards would be less than significant.

The Project's potential to result in cumulative impacts to paleontological resources (Threshold "f") is similar to that of other projects located in the region that are underlain by Pleistocene older alluvial soils. Because the Pleistocene older alluvial soils present on the Project site contain high paleontological sensitivity and because this geologic layer is present throughout the City of Moreno Valley and southern California, the potential to impact paleontological resources is a cumulatively-considerable impact for which mitigation is required.

4.6.6 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. Implementation of the Project would not expose people or structures to substantial direct or indirect adverse effects related to liquefaction or fault rupture. The Project site is subject to seismic ground shaking associated with earthquakes; however, mandatory compliance with local and State regulatory requirements and building codes would ensure that the Project minimizes potential hazards related to seismic ground shaking to less-than-significant levels.

Threshold b: Less-than-Significant Impact. Implementation of the Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities and adhere to a Storm Water Pollution Prevention Plan (SWPPP), and prepare an erosion control plan to minimize water and wind erosion. Following completion of development, the Project's owner or operator would be required by law to implement a Water Quality Management Plan (WQMP) during operation, which would preclude substantial erosion impacts in the long-term.

Threshold c: Less-than-Significant Impact. There is no potential for the Project's construction or operation to cause, or be impacted by, on- or off-site landslides or lateral spreading. Potential hazards associated with unstable soils would be precluded through mandatory adherence to the recommendations contained in the site-specific geotechnical report during Project construction.

Threshold d: No Impact. The Project site contains soils with no susceptibility to expansion; therefore, the Project would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils. No impact would occur.

Threshold e: No Impact. No septic tanks or alternative wastewater disposal systems are proposed to be installed on the Project site. Accordingly, no impact would occur associated with soil compatibility for wastewater disposal systems.

Threshold f: Significant Direct and Cumulatively-Considerable Impact. The Project would not impact any known paleontological resource or unique geological feature. However, the Project site contains Pleistocene older alluvium soils with a high sensitivity for paleontological resources. Accordingly, construction activities on the Project site have the potential to unearth and adversely impact paleontological resource that may be buried beneath the ground surface.

4.6.7 Mitigation

MM 4.6-1 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Moreno Valley that a qualified paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.

MM 4.6-2 The paleontological monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed, Pleistocene older alluvium soils at depths 10 or more feet below the existing ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontological monitor shall be empowered to temporarily halt or divert equipment to allow of removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by paleontological personnel to have a low potential to contain or yield fossil resources.

MM 4.6-3 Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the Western Science Museum in Hemet, California, shall be required for discoveries of significance as determined by the paleontological monitor.

MM 4.6-4 A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Moreno Valley prior to final building inspection.

4.6.8 Significance of Impacts After Mitigation

Threshold f: Less-than-Significant with Mitigation Incorporated. Mitigation Measures (MMs) 4.6-1 through 4.6-4 would ensure the proper identification and subsequent treatment of any paleontological resources that may be encountered during ground-disturbing activities associated with implementation of the proposed Project. Therefore, with implementation of MM 4.6-1 through MM 4.6-4, the Project's potential impact to paleontological resources would be reduced to less-than-significant.

4.7 GREENHOUSE GAS EMISSIONS

The analysis provided in this Subsection evaluates the Project's potential to generate greenhouse gas (GHG) emissions that could contribute substantially to Global Climate Change (GCC) and its associated environmental effects. The analysis in this Subsection is based primarily on two reports prepared by Urban Crossroads, Inc. titled, 1) "Moreno Valley Trade Center Warehouse Greenhouse Gas Analysis," dated January 7, 2021; and 2) "Moreno Valley Trade Center E-Commerce Greenhouse Gas Analysis," dated January 7, 2021. The reports are included as *Technical Appendices H1 and H2,* respectively, to this EIR (Urban Crossroads, 2021d; Urban Crossroads, 2021e). Two additional analyses, 1) Moreno Valley Trade Center (Warehouse Scenario) Air Quality, Greenhouse Gas, & Health Risk Assessment Evaluation," dated October 9, 2020; and 2) "Moreno Valley Trade Center (E-Commerce Scenario) Air Quality, Greenhouse Gas, & Health Risk Assessment Evaluation," dated October 9, 2020, also are used in this analysis. These analyses are included as *Technical Appendices B5 and B6*, respectively, to this EIR (Urban Crossroads, 2020d; Urban Crossroads, 2020e).

4.7.1 EXISTING CONDITIONS

A. Introduction to Global Climate Change

GCC is defined as the change in average meteorological conditions on Earth with respect to temperature, precipitation, and storms. The majority of scientists believe that the climate shift taking place since the Industrial Revolution is occurring at a quicker rate and magnitude than in the past (Urban Crossroads, 2021d, p. 8; Urban Crossroads, 2021e, p. 8). Scientific evidence suggests that GCC is the result of increased concentrations of GHGs in planet Earth's atmosphere, including carbon dioxide, methane, nitrous oxide, and fluorinated gases (ibid.).

An individual land development project is not capable of generating the magnitude of GHG emissions necessary to cause a discernible effect on global climate (Urban Crossroads, 2021d, p. 8; Urban Crossroads, 2021e, p. 8). However, individual development projects may contribute to GCC by generating GHGs that combine with other regional and global sources of GHGs (ibid.).

B. Greenhouse Gases

Carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O) emissions are the focus of evaluation in this Subsection because these gases are the primary contributors to GCC resulting from land development projects (Urban Crossroads, 2021d, pp. 8-9; Urban Crossroads, 2021e, pp. 8-9). Although other substances, such as fluorinated gases, also contribute to GCC, sources of fluorinated gases are not well-defined and no accepted emissions factors or methodology exist to accurately calculate the emissions of these gases (ibid.).

A global warming potential (GWP) value represents the effectiveness of a gas to trap heat in the atmosphere (Urban Crossroads, 2021d, p. 15; Urban Crossroads, 2021e, p. 15). Individual GHGs have varying GWP values, as assigned by the Intergovernmental Panel on Climate Change (IPCC). As shown in the Table 4.7-1, *GWP and Atmospheric Lifetime of Select GHGs*, GWP values range from 1 for CO_2 up to 23,900 for Sulfur Hexafluoride (SF_6). Carbon dioxide equivalent (CO_2e) is a term used for describing the different GHGs in a

common unit. CO_2e signifies the amount of CO_2 which would have the equivalent GWP (ibid.). The atmospheric lifetime and GWP of selected GHGs are summarized in Table 4.7-1.

Table 4.7-1 GWP and Atmospheric Lifetime of Select GHGs

Gas	Atmospheric Lifetime (years)	Global Warming Potential (100-year time horizon)	
		Second Assessment	5th Assessment Report
CO_2	See*	1	1
CH_4	12.4	21	28
N_2O	121	310	265
HFC-23	222	11,700	12,400
HFC-134a	13.4	1,300	1,300
HFC-152a	1.5	140	138
SF_6	3,200	23,900	23,500

*As per Appendix 8.A. of IPCC's 5th Assessment Report, no single lifetime can be given.
Source: Table 2.14 of the IPCC Fourth Assessment Report, 2007
Source: (Urban Crossroads, 2021d, Table 2-2; Urban Crossroads, 2021e, Table 2-2)

Provided below is a description of the various gases that contribute to GCC. For more information about these gases and their associated human health effects, refer to Section 2.3 of *Technical Appendices H1 and H2* and the reference sources cited therein (Urban Crossroads, 2021d, pp. 9-13; Urban Crossroads, 2021e, pp. 9-13).

- **Water Vapor (H_2O)** is the most abundant and variable GHG in the atmosphere. Changes in the concentration of water vapor in the atmosphere are considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity rises (in essence, the air is able to 'hold" more water when it is warmer), leading to more water vapor in the atmosphere. The higher concentration of water vapor in the atmosphere is then able to absorb more indirect thermal energy radiated from the Earth, further warming the atmosphere and causing the evaporation cycle to perpetuate. This is referred to as a "positive feedback loop." The extent to which this positive feedback loop will continue is unknown as there are also dynamics that hold the positive feedback loop in check. As an example, when water vapor increases in the atmosphere, more of it will eventually also condense into clouds, which are able to reflect incoming solar radiation and thereby allow less energy to reach the Earth's surface and heat it up. There are no human health effects from water vapor itself; however, certain pollutants can dissolve in water vapor and the water vapor can then act as a pollutant-carrying agent.

- **Carbon Dioxide (CO_2)** is an odorless and colorless GHG that is emitted from natural and man-made sources. Natural CO_2 sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals and fungus; evaporation from oceans; and volcanic outgassing. Man-made CO_2 sources include: the burning of coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700s, human activities that produce CO_2 have increased dramatically. As an

example, prior to the industrial revolution, CO_2 concentrations in the atmosphere were fairly stable at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30 percent. Exposure to CO_2 in high concentrations can cause adverse human health effects, but outdoor (atmospheric) levels are not high enough to be detrimental to human health.

- **Methane (CH_4)** absorbs thermal radiation extremely effectively (i.e., retains heat). Over the last 50 years, human activities such as rice cultivation, cattle ranching, natural gas combustion, and coal mining have increased the concentration of methane in the atmosphere. Other man-made sources include fossil-fuel combustion and biomass burning. No human health effects are known to occur from atmospheric exposure to methane; however, methane is an asphyxiant that may displace oxygen in enclosed spaces.

- **Nitrous Oxide (N_2O)** concentrations began to rise in the atmosphere at the beginning of the industrial revolution. N_2O can be transported into the stratosphere, be deposited on the Earth's surface, and be converted to other compounds by chemical reaction. N_2O is produced by microbial processes in soil and water, including reactions that occur in nitrogen-containing fertilizer. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. N_2O also is used as an aerosol spray propellant, as a preservative in potato chip bags, and in rocket engines and in race cars. Also, known as laughing gas, N_2O is a colorless GHG that can cause dizziness, euphoria, and hallucinations. In small doses, it is considered harmless; however, heavy and extended use can cause brain damage.

- **Chlorofluorocarbons (CFCs)** are gases formed synthetically by replacing all hydrogen atoms in CH_4 or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are non-toxic, non-flammable, insoluble and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs were first synthesized in 1928 and have no natural source. CFCs were used for refrigerants, aerosol propellants and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and has been extremely successful, so much so that levels of CFCs are now remaining steady or declining. However, due to their long atmospheric lifetime, some of the CFCs will remain in the atmosphere for over 100 years.

- **Hydrofluorocarbons (HFCs)** are synthetic, man-made chemicals that are used as a substitute for CFCs and have one of the highest global warming potential ratings. The HFCs with the largest measured atmospheric abundances are (in order largest to smallest), HFC-23 (CHF_3), HFC-134a (CF_3CH_2F), and HFC-152a (CH_3CHF_2). No human health effects are known to result from exposure to HFCs, which are man-made and used for applications such as automobile air conditioners and refrigerants.

- **Perfluorocarbons (PFCs)** are primarily produced for aluminum production and semiconductor manufacture. PFCs have stable molecular structures and do not break down through chemical processes in the lower atmosphere. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6). No human health effects are known to result from exposure to PFCs.

- **Sulfur Hexafluoride (SF_6)** is an inorganic, odorless, colorless, nontoxic, nonflammable gas. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection. In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.

C. Greenhouse Gas Emissions Inventory

1. Global and National

Worldwide, man-made GHG emissions are tracked by the IPCC. Man-made GHG emissions data is available through 2017 for industrialized nations (referred to as Annex I). Based on the latest available data, total GHG emissions from Annex I nations were approximately 29,216,501 gigagrams (Gg) of carbon dioxide equivalent (CO_2e) (Urban Crossroads, 2021d, pp. 15-16; Urban Crossroads, 2021e, pp. 15-16). The United States is the world's second-largest emitter of GHGs, producing 6,456,718 Gg CO_2e in 2017 (ibid.).

2. State of California

Based on the most recent GHG inventory data compiled by the California Air Resources Board (CARB) and published in 2019, California emitted an average of approximately 424.1 million metric tons (MMT) CO_2e per year between 2000-2017 (Urban Crossroads, 2021d, p. 16; Urban Crossroads, 2021e, p. 16).

3. Project Site

Sources of GHG emissions on the Project site under existing conditions include commercial plant nursery operations (including suppliers, customers, visitors traveling to/from the site), residential activity from the three (3) occupied residences on-site (e.g., energy use, vehicular transportation to-and-from the site), and the operation of maintenance equipment associated with periodic weed abatement activities. Although the Project site produces GHG emissions under existing conditions, for purposes of analysis herein (and in order to present a "worst-case" scenario) the Project's GHG analysis assumes all GHG emissions that would be generated by the Project are "new" emissions and no deduction is taken for the elimination of the existing land uses on the Project site that produce GHG emissions.

D. Potential Effects of Climate Change in California

In 2006, the California Climate Change Center (CCCC) published a report titled "Scenarios of Climate Change in California: An Overview" (the "Climate Scenarios report") that is generally instructive about effects of climate change in California. The Climate Scenarios report used a range of emissions scenarios developed by the IPCC to project a series of potential warming ranges (i.e., temperature increases) that may occur in California during the 21st century: lower warming range (3.0-5.4°F); medium warming range (5.5-7.8°F); and higher warming range (8.0-10.4°F) (CCCC, 2006, p. 7).

In 2009, the California Natural Resources Agency adopted the "California Climate Adaptation Strategy," which report details many vulnerabilities arising from climate change with respect to matters such as temperature extremes, sea level rise, wildfires, floods and droughts and precipitation changes, and responds to

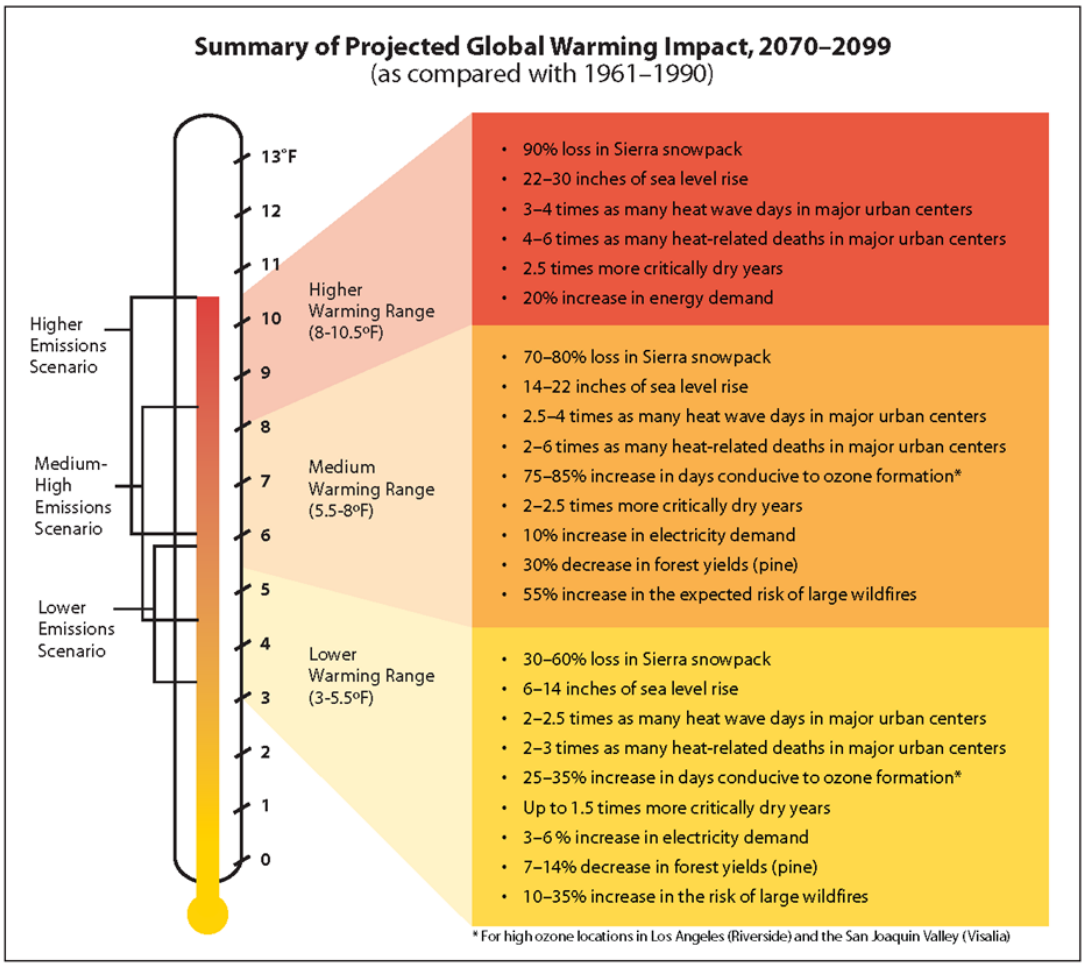
the Governor's Executive Order (EO) S-13-2008 that called on state agencies to develop California's strategy to identify and prepare for expected climate impacts (CNRA, 2009, p. 4).

Based on the estimated scenarios presented in the Climate Scenario and California Climate Adaption Strategy reports, Table 4.7-2, *Summary of Projected Global Warming Impact, 2070-2099*, presents potential impacts of global warming within California.

The potential effects of climate change in California are summarized below and include, but are not limited to, the following (CCCC, 2006, pp. 10, 14, 19, 22, 26):

- **Human Health Effects.** Climate change can affect the health of Californians by increasing the frequency, duration, and intensity of conditions conducive to air pollution formation, oppressive heat, and wildfires. The primary concern is not the change in average climate, but rather the projected increase in extreme conditions that are responsible for the most serious health consequences. In addition, climate change has the potential to influence asthma symptoms and the incidence of infectious disease.
- **Water Resource/Supply Effects.** Although most climate model simulations predict relatively moderate changes in precipitation over the 21st century, rising temperatures are expected to lead to diminishing snow accumulation in mountainous watersheds, including the Sierra Nevada. Warmer conditions during the last few decades across the western United States have already produced a shift toward more precipitation falling as rain instead of snow, and snowpacks over the region have been melting earlier in the spring. Delays in snow accumulation and earlier snowmelt can have cascading effects on water supplies, natural ecosystems, and winter recreation.
- **Agriculture Effects.** Agriculture, along with forestry, is the sector of the California economy that is most likely to be affected by a change in climate. California agriculture is a $68 billion industry. California is the largest agricultural producer in the nation and accounts for 13% of all U.S. agricultural sales, including half of the nation's total fruits and vegetables. Regional analyses of climate trends over agricultural regions of California suggest that climate change is already affecting the agriculture industry. Over the period 1951 to 2000, the growing season has lengthened by about a day per decade, and warming temperatures resulted in an increase of 30 to 70 growing degree days per decade, with much of the increase occurring in the spring. Climate change affects agriculture directly through increasing temperatures and rising CO_2 concentrations, and indirectly through changes in water availability and pests.
- **Forest and Landscape Effects.** Climate changes and increased CO_2 concentrations are expected to alter the extent and character of forests and other ecosystems. The distribution of species is expected to shift; the risk of climate-related disturbance such as wildfires, disease, and drought is expected to rise; and forest productivity is projected to increase or decrease – depending on species and region. In California, these ecological changes could have measurable implications for both market (e.g., timber industry, fire suppression and damages costs, public health) and nonmarket (e.g., ecosystem services) values.

Table 4.7-2 Summary of Projected Global Warming Impact, 2070-2099



Source: (Urban Crossroads, 2021d, Exhibit 2-A; Urban Crossroads, 2021e, Exhibit 2-A)

- **Sea Level Effects.** Coastal observations and global model projections indicate that California's open coast and estuaries will experience rising sea levels during the next century. Sea level rise already has affected much of the coast in southern California, Central California, and the San Francisco Bay and estuary. These historical trends, quantified from a small set of California tide gages, have approached 0.08 inches per year (in/yr), which are rates very similar to those estimated for global mean sea level. So far, there is little evidence that the rate of rise has accelerated, and indeed the rate of rise at California tide gages has actually flattened since about 1980. However, projections indicate that substantial sea level rise, even faster than the historical rates, could occur during the next century. Sea level rise projections range from 5.1–24.4 inches (in.) higher than the 2000 sea level for simulations under the lower emissions scenario, from 7.1–29.9 in. for the medium-high emission scenario, and from 8.5–35.2 in. for the higher emissions scenario.

4.7.2 Regulatory Setting

The following is a brief description of the federal, State, and local environmental laws and related regulations related to GHG emissions.

A. International Plans, Policies, and Regulations

1. Kyoto Protocol

The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its parties by setting internationally binding emission reduction targets. Recognizing that developed countries are principally responsible for the current high levels of GHG emissions in the atmosphere as a result of more than 150 years of industrial activity, the Protocol places a heavier burden on developed nations under the principle of "common but differentiated responsibilities."

The Kyoto Protocol was adopted in Kyoto, Japan, on December 11, 1997 and entered into force on February 16, 2005 (UNFCCC, 2020a). The detailed rules for the implementation of the Protocol were adopted at Conference of the Parties (COP) 7 in Marrakesh, Morocco, in 2001, and are referred to as the "Marrakesh Accords" (ibid.) Its first commitment period started in 2008 and ended in 2012.

In Doha, Qatar, on December 8, 2012, the "Doha Amendment to the Kyoto Protocol" was adopted. The amendment includes (ibid.):

- New commitments for Annex I Parties to the Kyoto Protocol who agreed to take on commitments in a second commitment period from January 1, 2013 to December 31, 2020;
- A revised list of greenhouse gases (GHG) to be reported on by Parties in the second commitment period; and
- Amendments to several articles of the Kyoto Protocol which specifically referenced issues pertaining to the first commitment period and which needed to be updated for the second commitment period.

On December 21, 2012, the amendment was circulated by the Secretary-General of the United Nations, acting in his capacity as Depositary, to all Parties to the Kyoto Protocol in accordance with Articles 20 and 21 of the Protocol (ibid.).

During the first commitment period, 37 industrialized countries and the European Community committed to reduce GHG emissions to an average of five percent against 1990 levels (ibid.). During the second commitment period, Parties committed to reduce GHG emissions by at least 18 percent below 1990 levels in the eight-year period from 2013 to 2020; however, the composition of Parties in the second commitment period is different from the first (ibid.).

2. The Paris Agreement

The Paris Agreement entered into force on November 4, 2016 (UNFCCC, 2020b). The Paris Agreement builds upon the Convention and – for the first time – brings all nations into a common cause to undertake ambitious

efforts to combat climate change and adapt to its effects, with enhanced support to assist developing countries to do so (ibid.). As such, it charts a new course in the global climate effort.

The Paris Agreement's central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius (ibid.). Additionally, the agreement aims to strengthen the ability of countries to deal with the impacts of climate change (ibid.). To reach these ambitious goals, appropriate financial flows, a new technology framework and an enhanced capacity building framework will be put in place, thus supporting action by developing countries and the most vulnerable countries, in line with their own national objectives (ibid.). The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework.

The Paris Agreement requires all Parties to put forward their best efforts through "nationally determined contributions" (NDCs) and to strengthen these efforts in the years ahead. This includes requirements that all Parties report regularly on their emissions and on their implementation efforts (ibid.).

On June 1, 2017, President Donald Trump announced he would begin the process of withdrawing the United States from the Paris Agreement. In accordance with articles within the Paris Agreement, the earliest effective date for the United States' withdrawal from the Agreement is November 4, 2020.

B. Federal Plans, Policies, and Regulations

1. Clean Air Act

Coinciding with the 2009 meeting of international leaders in Copenhagen, on December 7, 2009, the EPA issued an Endangerment Finding under Section 202(a) of the Clean Air Act (CAA), opening the door to federal regulation of GHGs. The Endangerment Finding notes that GHGs threaten public health and welfare and are subject to regulation under the CAA. To date, the EPA has not promulgated regulations on GHG emissions, but it has begun to develop them.

Previously the EPA had not regulated GHGs under the CAA because it asserted that the Act did not authorize it to issue mandatory regulations to address GCC and that such regulation would be unwise without an unequivocally established causal link between GHGs and the increase in global surface air temperatures. In Massachusetts v. Environmental Protection Agency et al. (127 S. Ct. 1438 [2007]); however, the U.S. Supreme Court held that GHGs are pollutants under the CAA and directed the EPA to decide whether the gases endangered public health or welfare. The EPA had also not moved aggressively to regulate GHGs because it expected Congress to make progress on GHG legislation, primarily from the standpoint of a cap-and-trade system. However, proposals circulated in both the House of Representative and Senate have been controversial and it may be some time before the U.S. Congress adopts major climate change legislation. The EPA's Endangerment Finding paves the way for federal regulation of GHGs with or without Congress.

C. State Plans, Policies, and Regulations

1. Title 24 Building Energy Standards

The California Energy Commission (CEC) first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods. The 2019 version of Title 24 was adopted by the California Energy Commission (CEC) and became effective on January 1, 2020. Thus, the analysis herein assumes compliance with the 2019 Title 24 Standards.

Part 11 of Title 24 is referred to as the California Green Building Standards Code (CalGreen Code). The purpose of the CalGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality." The CalGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CalGreen Code.

2. California Assembly Bill No. 1493 (AB 1493)

AB 1493 required CARB to adopt the nation's first GHG emission standards for automobiles. On September 24, 2009, CARB adopted amendments to the "Pavley" regulations that reduce GHG emissions in new passenger vehicles from model year 2009 through 2016. These amendments were part of California's commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016. CARB's September amendments cement California's enforcement of the Pavley rule starting in 2009 while providing vehicle manufacturers with new compliance flexibility. The amendments also prepare California to harmonize its rules with the federal rules for passenger vehicles.

The U.S. EPA granted California the authority to implement GHG emission reduction standards for new passenger cars, pickup trucks, and sport utility vehicles On June 30, 2009. The first California request to implement GHG standards for passenger vehicles, known as a waiver request, was made in December 2005, and was denied by the EPA in March 2008. That decision was based on a finding that California's request to reduce GHG emissions from passenger vehicles did not meet the CAA requirement of showing that the waiver was needed to meet "compelling and extraordinary conditions."

CARB's Board originally approved regulations to reduce GHGs from passenger vehicles in September 2004, with the regulations to take effect in 2009. These regulations were authorized by the 2002 legislation Assembly Bill 1493 (Pavley). The regulations had been threatened by automaker lawsuits and were stalled by the EPA's delay in reviewing and then initially denying California's waiver request. The parties involved entered a May

19, 2009 agreement to resolve these issues. With the granting of the waiver on June 30, 2009, it is expected that the Pavley regulations reduced GHG emissions from California passenger vehicles by about 22 percent in 2012 and about 30 percent in 2016, all while improving fuel efficiency and reducing motorists' costs (CARB, 2020b). .

The CARB has adopted a new approach to passenger vehicles – cars and light trucks – by combining the control of smog-causing pollutants and greenhouse gas emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emission vehicles in California.

3. Executive Order S-3-05

Executive Order (EO) S-3-05 documents GHG emission reduction goals, creates the Climate Action Team and directs the Secretary of the California EPA to coordinate efforts with meeting the GHG reduction targets with the heads of other state agencies. The EO requires the Secretary to report back to the Governor and Legislature biannually to report: progress toward meeting the GHG goals; GHG impacts to California; and applicable Mitigation and Adaptation Plans. EO S-3-05 goals for GHG emissions reductions include: reducing GHG emissions to 2000 levels by the year 2010; reducing GHG emissions to 1990 levels by the year 2020; and reducing GHG emissions to 80 percent below 1990 levels by 2050.

4. California Assembly Bill 32 – Global Warming Solutions Act of 2006

In September 2006, Governor Schwarzenegger signed Assembly Bill 32 (AB 32), the California Climate Solutions Act of 2006. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020, which represents a reduction of approximately 15 percent below emissions expected under a "business as usual" scenario. Pursuant to AB 32, the CARB must adopt regulations to achieve the maximum technologically feasible and cost-effective GHG emission reductions. The full implementation of AB 32 will help mitigate risks associated with climate change, while improving energy efficiency, expanding the use of renewable energy resources, cleaner transportation, and reducing waste.

AB 32 specifically requires that CARB shall do the following (CARB, 2019b):

- Prepare and approve a Scoping Plan for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions from sources or categories of sources of GHGs by 2020, and update the Scoping Plan every five years.
- Maintain and continue reductions in emissions of GHG beyond 2020.
- Identify the statewide level of GHG emissions in 1990 to serve as the emissions limit to be achieved by 2020.
- Identify and adopt regulations for discrete early actions that could be enforceable on or before January 1, 2010.
- Adopt a regulation that establishes a system of market-based declining annual aggregate emission limits for sources or categories of sources that emit GHG emissions.
- Convene an Environmental Justice Advisory Committee to advise the Board in developing and updating the Scoping Plan and any other pertinent matter in implementing AB 32.

- Appoint an Economic and Technology Advancement Advisory Committee to provide recommendations for technologies, research, and GHG emission reduction measures.

In November 2007, CARB completed its estimated calculations of Statewide 1990 GHG levels. Net emission 1990 levels were estimated at 427 million metric tons (MMTs) (CARB, 2007). Accordingly, 427 million metric tons of carbon dioxide equivalent ($MMTCO_2e$) was established as the emissions limit for 2020. For comparison, CARB's estimate for year 2000 GHG emissions was 473 $MMTCO_2e$ and, without emissions reduction measures, year 2010 emissions were projected to be 532 $MMTCO_2e$ (ibid.). "Business as usual" conditions (without the reductions to be implemented by CARB regulations) for 2020 were projected to be 596 MMTCO2e (ibid.).

AB 32 requires CARB to develop a Scoping Plan which lays out California's strategy for meeting the goals. The Scoping Plan must be updated every five years. In December 2008, the Board approved the initial Scoping Plan, which included a suite of measures to sharply cut GHG emissions. Table 4.7-3, *Scoping Plan GHG Reduction Measures Towards 2020 Target*, shows the proposed reductions from regulations and programs outlined in the Scoping Plan. While local government operations were not accounted for in achieving the Year 2020 emissions reduction, local land use changes are estimated to result in a reduction of 5 $MMTCO_2e$, which is approximately 3 percent of the 2020 GHG emissions reduction goal (CARB, 2019b). In recognition of the critical role local governments will play in successful implementation of AB 32, CARB is recommending GHG reduction goals of 15 percent of 2006 levels by 2020 to ensure that municipal and community-wide emissions match the State's reduction target (ibid.). According to the Measure Documentation Supplement to the Scoping Plan, local government actions and targets are anticipated to reduce vehicle miles by approximately 2 percent through land use planning, resulting in a potential GHG reduction of 2 $MMTCO_2e$ (or approximately 1.2 percent of the GHG reduction target) (ibid.).

Overall, CARB determined that achieving the 1990 emission level in 2020 would require a reduction in GHG emissions of approximately 28.5 percent in the absence of new laws and regulations (referred to as "Business-As-Usual" [BAU]) (ibid.). The Scoping Plan evaluates opportunities for sector-specific reductions, integrates all CARB and Climate Action Team (CAT) early actions and additional GHG reduction measures, identifies additional measures to be pursued as regulations, and outlines the role of the cap-and-trade program (ibid.).

In May 2014, CARB approved the First Update to the Climate Change Scoping Plan (Update), which builds upon the initial Scoping Plan with new strategies and recommendations. The Update highlights California's progress toward meeting the near-term 2020 GHG emission reduction goals, highlights the latest climate change science and provides direction on how to achieve long-term emission reduction goal described in Executive Order S-3-05. The Update recalculates 1990 GHG emissions using new global warming potentials identified in the IPCC Fourth Assessment Report released in 2007. Using those GWPs, the 427 $MTCO_2e$ 1990 emissions level and 2020 GHG emissions limit identified in the 2008 Scoping Plan would be slightly higher, at 431 $MTCO_2e$ (ibid.). Based on the revised 2020 emissions level projection identified in the 2011 Final Supplement and the updated 1990 emissions levels identified in the discussion draft of the First Update, achieving the 1990 emissions level in 2020 would require a reduction of 78 $MTCO_2e$ (down from 509 MTCO2e), or approximately 15.3 percent (down from 28.5 percent), from the BAU condition (ibid.).

Table 4.7-3 Scoping Plan GHG Reduction Measures Towards 2020 Target

Recommended Reduction Measures	*Reductions Counted toward 2020 Target of 169 MMT CO2e*	*Percentage of Statewide 2020 Target*
Cap and Trade Program and Associated Measures		
California Light-Duty Vehicle GHG Standards	31.7	19%
Energy Efficiency	26.3	16%
Renewable Portfolio Standard (33 percent by 2020)	21.3	13%
Low Carbon Fuel Standard	15	9%
Regional Transportation-Related GHG Targets[1]	5	3%
Vehicle Efficiency Measures	4.5	3%
Goods Movement	3.7	2%
Million Solar Roofs	2.1	1%
Medium/Heavy Duty Vehicles	1.4	1%
High Speed Rail	1.0	1%
Industrial Measures	0.3	0%
Additional Reduction Necessary to Achieve Cap	34.4	20%
Total Cap and Trade Program Reductions	146.7	87%
Uncapped Sources/Sectors Measures		
High Global Warming Potential Gas Measures	20.2	12%
Sustainable Forests	5	3%
Industrial Measures (for sources not covered under cap and trade program)	1.1	1%
Recycling and Waste (landfill methane capture)	1	1%
Total Uncapped Sources/Sectors Reductions	27.3	16%
Total Reductions Counted toward 2020 Target	174	100%
Other Recommended Measures – Not Counted toward 2020 Target		
State Government Operations	1.0 to 2.0	1%
Local Government Operations	To Be Determined[2]	NA
Green Buildings	26	15%
Recycling and Waste	9	5%
Water Sector Measures	4.8	3%
Methane Capture at Large Dairies	1	1%
Total Other Recommended Measures – Not Counted toward 2020 Target	42.8	NA

Source: CARB. 2008, MMTons CO2e: million metric tons of CO2e
[1]Reductions represent an estimate of what may be achieved from local land use changes. It is not the SB 375 regional target.
[2]According to the Measure Documentation Supplement to the Scoping Plan, local government actions and targets are anticipated to reduce vehicle miles by approximately 2 percent through land use planning, resulting in a potential GHG reduction of 2 million metric tons of CO2e (or approximately 1.2 percent of the GHG reduction target). However, these reductions were not included in the Scoping Plan reductions to achieve the 2020 Target

In December 2017, CARB adopted the Second Update to the Scoping Plan, which identifies the State's post-2020 reduction strategy. The Second Update reflects the 2030 target of a 40 percent GHG emissions reduction below 1990 levels set by SB 32. The Second Update builds upon the Cap- and-Trade Regulation; the Low Carbon Fuel Standard; much cleaner cars, trucks and freight movement; cleaner, renewable energy; and strategies to reduce methane emissions from agricultural and other wastes to reduce GHG emissions.

5. California Senate Bill No. 1368 (SB 1368)

In 2006, the State Legislature adopted Senate Bill (SB) 1368 (Perata, Chapter 598, Statutes of 2006), which directs the California Public Utilities Commission (CPUC) to adopt a GHG emission performance standard

(EPS) for the future power purchases of California utilities. SB 1368 seeks to limit carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than five years from resources that exceed specified emissions criteria (CEC, 2020). Accordingly, SB 1368 effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. SB 1368 will lead to dramatically lower GHG emissions associated with California energy demand (ibid.).

6. Executive Order S-01-07

Executive Order (EO) S-01-07 is effectively known as the Low Carbon Fuel Standard (LCFS). The Executive Order seeks to reduce the carbon intensity of California's passenger vehicle fuels by at least 10 percent by 2020 (Office of the Governor, 2008). The LCFS requires fuel providers in California to ensure that the mix of fuel they sell into the California market meet, on average, a declining standard for GHG emissions measured in CO_2e grams per unit of fuel energy sold.

7. Senate Bill 1078

Senate Bill (SB) 1078 establishes the California Renewables Portfolio Standard Program, which requires electric utilities and other entities under the jurisdiction of the California Public Utilities Commission to meet 20% of their renewable power by December 31, 2017 for the purposes of increasing the diversity, reliability, public health, and environmental benefits of the energy mix (CA Legislative Information, 2002).

8. Senate Bill 107

SB 107 directed California Public Utilities Commission's Renewable Energy Resources Program to increase the amount of renewable electricity (Renewable Portfolio Standard) generated per year, from 17% to an amount that equals at least 20% of the total electricity sold to retail customers in California per year by December 31, 2010 (CA Legislative Information, 2006).

9. Executive Order S-14-08

On November 17, 2008, former Governor Schwarzenegger signed Executive Order S-14-08, revising California's existing Renewable Portfolio Standard (RPS) upward to require all retail sellers of electricity to serve 33% of their load from renewable energy sources by 2020. In order to meet this new goal, a substantial increase in the development of wind, solar, geothermal, and other "RPS eligible" energy projects will be needed. Executive Order S-14-08 seeks to accelerate such development by streamlining the siting, permitting, and procurement processes for renewable energy generation facilities.

10. Senate Bill 97

By enacting SB 97 in 2007, California's lawmakers expressly recognized the need to analyze GHGs as a part of the CEQA process. SB 97 required the Governor's Office of Planning and Research (OPR) to develop, and the Natural Resources Agency to adopt, amendments to the CEQA Guidelines addressing the analysis and mitigation of greenhouse gas emissions. Those CEQA Guidelines amendments clarified several points, including the following (OPR, 2020):

- Lead agencies must analyze the GHG emissions of proposed projects, and must reach a conclusion regarding the significance of those emissions. (See CEQA Guidelines § 15064.4.)
- When a project's GHG emissions may be significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions. (See CEQA Guidelines § 15126.4(c).)
- Lead agencies must analyze potentially significant impacts associated with placing projects in hazardous locations, including locations potentially affected by climate change. (See CEQA Guidelines § 15126.2(a).)
- Lead agencies may significantly streamline the analysis of GHGs on a project level by using a programmatic GHG emissions reduction plan meeting certain criteria. (See CEQA Guidelines § 15183.5(b).)
- CEQA mandates analysis of a proposed project's potential energy use (including transportation-related energy), sources of energy supply, and ways to reduce energy demand, including through the use of efficient transportation alternatives. (See CEQA Guidelines, Appendix F.)

The CEQA Guideline amendments do not identify a quantitative threshold of significance for GHG emissions, nor do they prescribe assessment methodologies or specific mitigation measures (ibid.). Instead, they call for a "good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project" (ibid.) The amendments encourage lead agencies to consider many factors in performing a CEQA analysis and preserve lead agencies' discretion to make their own determinations based upon substantial evidence. The amendments also encourage public agencies to make use of programmatic mitigation plans and programs from which to tier when they perform individual project analyses. The GHG analysis thresholds incorporated into the CEQA Guidelines' Environmental Checklist (Guidelines Appendix G) are addressed in this EIR. The amendments to the CEQA Guidelines implementing SB 97 became effective on March 18, 2010.

11. Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008) supports the State's climate action goals to reduce greenhouse gas (GHG) emissions through coordinated transportation and land use planning with the goal of more sustainable communities. Under the Sustainable Communities Act, CARB sets regional targets for GHG emissions reductions from passenger vehicle use (CARB, 2018). In 2010, CARB established these targets for 2020 and 2035 for each region covered by one of the State's metropolitan planning organizations (MPO) (ibid.). CARB will periodically review and update the targets, as needed.

Each of California's MPOs must prepare a "sustainable communities strategy" (SCS) as an integral part of its regional transportation plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets (ibid.). Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. CARB must review the adopted SCS to confirm and accept the MPO's determination that the SCS would meet the regional GHG targets (ibid.). If the combination of measures in the SCS would not meet the regional targets, the MPO must

prepare a separate "alternative planning strategy" (APS) to meet the targets (ibid.). The APS is not a part of the RTP.

The Sustainable Communities Act also establishes incentives to encourage local governments and developers to implement the SCS or the APS. Developers can get relief from certain environmental review requirements under CEQA if their new residential and mixed-use projects are consistent with a region's SCS (or APS) that meets the targets (see Cal. Public Resources Code §§ 21155, 21155.1, 21155.2, 21159.28.) (ibid.).

12. Executive Order B-30-15 & Senate Bill 32

On April 29, 2015, former Governor Brown issued Executive Order B-30-15, which sets a goal to reduce GHG emissions in California to 40 percent below 1990 levels by 2030. The 2030 target serves as a benchmark goal on the way to achieving the GHG reductions goal set by former Governor Schwarzenegger via Executive Order S-3-05 (i.e., 80 percent below 1990 GHG emissions levels by 2050).

On September 8, 2016, former Governor Jerry Brown signed the Senate Bill (SB) 32 and its companion bill, Assembly Bill (AB) 197. SB 32 requires the State to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 goal of 1990 levels by 2020 and provides an intermediate goal to achieving S-3-05, which sets a statewide greenhouse gas reduction target of 80% below 1990 levels by 2050.

D. Local Plans, Policies, and Regulations

1. City of Moreno Valley Climate Action Strategy

On October 9, 2012, the Moreno Valley City Council approved an Energy Efficiency and Climate Action Strategy and related GHG analysis. The Energy Efficiency and Climate Action Strategy document identifies potential programs and policies to reduce overall City energy consumption and increase the use of renewable energy (Moreno Valley, 2012). The majority of the policies are directed at municipal operations of the City, but the document also contains recommended policies for the community at large (including private development projects). These recommended policies include but are not limited to: energy efficiency, water use reduction, trip reduction, solid waste diversion, and educational policies (ibid.). The overall goal of the Energy Efficiency and Climate Action Strategy is to ensure that the City is consistent with and would not otherwise conflict with the provisions of AB 32 (ibid.).

2. City of Moreno Valley General Plan

The City of Moreno Valley General Plan does not identify specific GHG or climate change policies or goals; however, the Air Quality Element of the City's General Plan contains a number of measures (i.e., Objective 6.6, Objective 6.7, Policy 6.7.5, and Policy 6.7.6) that reduces or controls criteria pollutant emissions and peripherally reduce GHG emissions.

4.7.3 Methodology for Estimating Greenhouse Gas Emissions

The California Emission Estimator Model (CalEEMod, v2016.3.2, released on October 17, 2017), developed by the California Air Pollution Control Officers Association (CAPCOA) in collaboration with the SCAQMD

and air pollution control districts across the State, was used to quantify GHG emissions from Project-related construction and operational activities. CalEEMod is the software analysis tool recommended by SCAQMD for the quantification of GHG emissions associated with the construction and operation of land development projects because it is the only software model maintained by CAPCOA and incorporates locally-approved emission factors and methodologies for estimating pollutant emissions. CalEEMod defaults for mobile source emissions have been revised to reflect the latest Emission Factor model (EMFAC) 2017 emission rates published by CARB (Urban Crossroads, 2021d, p. 45; Urban Crossroads, 2021e, p. 45). Inputs and outputs from the model runs for both Project-related construction and operational activities are provided in Appendices 3.1 through 3.3 of *Technical Appendix H1 and H2* and Appendices 3.1 through 3.3 of *Technical Appendices B1 and B2*.

Although CalEEMod is a comprehensive analysis tool, CalEEMod is limited to quantifying GHG emissions that are known as of the date of release of the model, there may be sources of GHG emissions that are not known (or not quantifiable) at this time but may be measurable by the time the Project is constructed and operational. Furthermore, CalEEMod relies on data published by the CARB and other data sources to be representative of local/regional averages which may not be completely representative of the Project's construction and/or operational characteristics (and may slightly underestimate or overestimate the Project's emissions). Lastly, not all the CalEEMod calculation data files are known or publicly available for review, although it is reasonable to assume that the data contained in CalEEMod is accurate and grounded in science because CalEEMod is developed by CAPCOA in collaboration with 35 local air pollution control districts.

A life-cycle analysis (LCA), which assesses economy-wide GHG emissions from construction (i.e., the processes in manufacturing and transporting all raw materials used in the project development and infrastructure) and operation, was not conducted for the Project due to the lack of scientific consensus on LCA methodology (Urban Crossroads, 2021d, p. 46; Urban Crossroads, 2021e, p. 46). A LCA depends on emission factors or econometric factors that are not well established for all processes as of the date the NOP for this EIR was published (ibid.). Additionally, SCAQMD recommends analyzing a project's direct and indirect GHG emissions generated within California in-lieu of an LCA because a project's life-cycle effects could extend beyond California and these effects might not be well understood or well documented and/or infeasible to mitigate (ibid.).

A. Methodology for Estimating Project-Related Construction Emissions

The Project's construction-related GHG emissions were calculated using the same methodology, construction schedule information, and equipment fleet information that were used to calculate construction-related criteria air pollutant emissions, and as previously described in detail in EIR Subsection 4.2, *Air Quality* (Urban Crossroads, 2021d, p. 47; Urban Crossroads, 2021e, p. 47). Refer to EIR Subsection 4.2 and *Technical Appendices B1 and B2* for a detailed description of the methodology used to calculate the Project's construction GHG emissions.

In accordance with the SCAQMD recommendations, the Project's construction-related GHG emissions were quantified, amortized over a 30-year period, and then added to the sum of the Project's annual operational GHG emissions (Urban Crossroads, 2021d, p. 48; Urban Crossroads, 2021e, p. 48).

B. Methodology for Estimating Project-Related Operational Emissions

The Project's operational GHG emissions were calculated using the same methodology that was used to calculate operational criteria air pollutant emissions, and as previously described in detail in EIR Subsection 4.2, *Air Quality* (Urban Crossroads, 2021d, pp. 49-52; Urban Crossroads, 2021e, pp. 49-52). Refer to EIR Subsection 4.2 and *Technical Appendices B1 and B2* for a detailed description of the methodology used to calculate the Project's operational GHG emissions.

4.7.4 Basis for Determining Significance

The proposed Project would result in a significant impact to greenhouse gas emissions if the Project or any Project-related component would:

a. *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or*

b. *Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

The above-listed thresholds are referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act* and address and address a development project's potential to result in significant impacts due to GHG emissions. Neither the CEQA Statute nor the CEQA Guidelines prescribe specific methodologies and significance criteria for determining the significance of GHG emissions impacts. The CEQA Guidelines emphasize the lead agency's discretion to determine the appropriate thresholds consistent with the manner in which other impact categories are handled in CEQA. CEQA case law has upheld local agencies' discretion to determine the significance of GHG emissions impacts.

As part of the November, 30, 2015, decision in *Center for Biological Diversity v. California Department of Fish and Wildlife ("Newhall Ranch")*, the California Supreme Court outlined four potential pathways that CEQA compliance documents could use to determine if GHG emissions from a specific project would be significant under Threshold "a":

- Substantiation of Project Reductions from "Business as Usual" (BAU). A lead agency may use a BAU comparison based on the CARB Scoping Plan's methodology if it also substantiates the reduction a particular project must achieve to comply with statewide goals. The Court suggested a lead agency could examine the "data behind the Scoping Plan's business-as-usual model" to determine the necessary project level reductions from new land use development at the proposed location;

- Compliance with Regulatory Programs or Performance-based Standards. A lead agency "might assess consistency with AB 32's goal in whole or part by looking to compliance with regulatory programs designed to reduce greenhouse gas emissions from particular activities";

- Compliance with GHG Reduction Plans or Climate Action Plans (CAPs). A lead agency may utilize "geographically specific GHG emission reduction plans" such as climate action plans or greenhouse gas emission reduction plans to provide a basis for the tiering or streamlining of project-level CEQA analysis; or

- Compliance with Local Air District Thresholds. A lead agency may rely on "existing numerical thresholds of significance for greenhouse gas emissions" adopted by, for example, local air districts.

The City of Moreno Valley does not have an adopted threshold of significance for GHG emissions; however, based on the foregoing guidance from the California Supreme Court, the City of Moreno Valley has elected to rely on compliance with a local air district threshold in the determination of significance of Project-related GHG emissions. Specifically, the City has selected the SCAQMD's adopted GHG emissions threshold for industrial projects for which SCAQMD is the lead agency (i.e., 10,000 $MTCO_2e$ per year) against which to evaluate Project-related GHG emissions. The SCAQMD-adopted industrial threshold was selected by the City because the Project is analogous to an industrial use much more closely than any other land use type, such as commercial or residential, in terms of its expected operating characteristics. Also, the industrial threshold adopted by SCAQMD is a widely accepted threshold used by numerous lead agencies in the South Coast Air Basin (SCAB) and was established based on the recommendations from California Air Pollution Control Officers Association CAPCOA contained in a report titled "CEQA and Climate Change" (dated January 2008), which serves as a resource for public agencies as they establish agency procedures for reviewing GHG emissions from projects under CEQA. The CAPCOA report provides three recommendations for evaluating a development project's GHG emissions. When establishing their significance threshold, SCAQMD selected the CAPCOA non-zero approach which establishes a numerical threshold based on capture of approximately 90 percent of emissions from future development (Approach 2, Threshold 2.5) (CAPCOA, 2008, pp. 46-47; SCAQMD, 2008). A 90 percent emission capture rate means that 90 percent of total emissions from all new or modified projects would be subject to evaluation under CEQA. Based on SCAQMD's research of 1,297 major, industrial source point (i.e., stationary) emission sources in the SCAB, SCAQMD found that source point industrial facilities that generate at least 10,000 $MTCO_2e$ per year produce approximately 90 percent of the carbon dioxide equivalent emissions in the SCAB per year (SCAQMD, 2008). As such, SCAQMD established their significance criterion at 10,000 $MTCO_2e$ as that threshold would capture 90 percent of total emissions from future industrial development in accordance with CAPCOA recommendations.

Based on the foregoing, if Project-related GHG emissions do not exceed the 10,000 $MTCO_2e$ per year threshold, then Project-related GHG emissions would have a less-than-significant impact pursuant to Threshold "a." On the other hand, if Project-related GHG emissions exceed 10,000 $MTCO_2e$ per year, the Project-related GHG emissions would be deemed a significant impact. To ensure that this analysis is conservative in its application, the 10,000 $MTCO_2e$ threshold used in this analysis is applied to all sources of Project-related GHG emissions whether stationary source, mobile source, area source, or other whereas SCAQMD originally intended for this threshold to apply only to stationary source emissions for industrial projects.

4.7.5 Impact Analysis

The analysis provided on the following pages addresses the potential impacts from GHG emissions that could result from implementation of the proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*. Except where specifically noted herein, implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses would result in similar impacts from GHG emissions.

Threshold a: ***Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?***

Table 4.7-4 through Table 4.7-7 summarize annual Project-related GHG emissions under both potential user scenarios. As shown, implementation of the Project would exceed the significance threshold of 10,000 $MTCO_2e$ per year for both the warehouse distribution/logistics and e-commerce/fulfillment uses (and under both the with and without cold storage scenarios) and, thus, are determined to constitute to a significant impact.

Table 4.7-4 Project Annual GHG Emissions – Warehouse Distribution/Logistics (Without Cold Storage)

Emission Source	Emissions (MT/yr)			
	CO_2	CH_4	N_2O	Total CO_2e
Annual construction-related emissions amortized over 30 years	163.50	0.01	0.00	163.87
Area Source	0.09	2.30E-03	0.00	0.09
Energy Source	936.69	0.04	0.01	940.28
Mobile Source (Passenger Car)	1,882.56	0.04	0.00	1,883.59
Mobile Source (Truck)	10,758.03	0.12	0.00	10,761.00
On-Site Equipment	253.96	0.08	0.00	256.01
Waste	254.23	15.02	0.00	629.85
Water Usage	1,376.04	10.09	0.25	1,702.25
Total CO_2e (All Sources)	**16,336.94**			

Source: CalEEMod output; See Appendices 3.1 through 3.3 of *Technical Appendix H1* for detailed model outputs.
Source: (Urban Crossroads, 2021d, Table 3-6)

Table 4.7-5 Project Annual GHG Emissions – Warehouse Distribution/Logistics (With Cold Storage)

Emission Source	Emissions (MT/yr)			
	CO_2	CH_4	N_2O	Total CO_2e
Annual construction-related emissions amortized over 30 years	163.50	0.01	0.00	163.87
Area Source	0.09	2.30E-03	0.00	0.09
Energy Source	1,658.16	0.06	0.02	1,664.64
Mobile Source (Passenger Car)	1,920.98	0.04	0.00	1,922.03
Mobile Source (Truck)	11,209.04	0.18	0.00	11,213.55
On-Site Equipment	253.96	0.08	0.00	256.01
Waste	254.23	15.02	0.00	629.85
Water Usage	1,376.04	10.09	0.25	1,702.25
Total CO_2e (All Sources)	**17,552.30**			

Source: CalEEMod output; See *Technical Appendix B5* for detailed model outputs.
Source: (Urban Crossroads, 2020d, Table 8)

Table 4.7-6 Project Annual GHG Emissions – E-Commerce/Fulfillment (Without Cold Storage)

Emission Source	Emissions (MT/yr)			
	CO_2	CH_4	N_2O	Total CO_2e
Annual construction-related emissions amortized over 30 years	163.50	0.01	0.00	163.87
Area Source	0.11	2.90E-04	0.00	0.12
Energy Source	1,001.32	0.04	0.01	1,005.14
Mobile Source (Passenger Car)	10,304.70	0.23	0.00	10,310.34
Mobile Source (Truck)	14,137.99	0.16	0.00	14,141.98
On-Site Equipment	253.96	0.08	0.00	256.01
Waste	254.23	15.02	0.00	629.85
Water Usage	1,376.04	10.09	0.25	1,702.25
Total CO_2e (All Sources)	**28,209.57**			

Source: CalEEMod output; See Appendices 3.1 through 3.3 of *Technical Appendix H2* for detailed model outputs.
Source: (Urban Crossroads, 2021e, Table 3-6)

Table 4.7-7 Project Annual GHG Emissions – E-Commerce/Fulfillment (With Cold Storage)

Emission Source	Emissions (MT/yr)			
	CO_2	CH_4	N_2O	Total CO_2e
Annual construction-related emissions amortized over 30 years	163.50	0.01	0.00	163.87
Area Source	0.11	2.90E-04	0.00	0.12
Energy Source	1,722.09	0.07	0.02	1,729.51
Mobile Source (Passenger Car)	10,033.96	0.22	0.00	10,039.43
Mobile Source (Truck)	14,479.25	0.24	0.00	14,485.23
On-Site Equipment	253.96	0.08	0.00	256.01
Waste	254.23	15.02	0.00	629.85
Water Usage	1,376.04	10.09	0.25	1,702.25
Total CO_2e (All Sources)	**29,006.27**			

Source: CalEEMod output; See *Technical Appendix B6* for detailed model outputs.
Source: (Urban Crossroads, 2020e, Table 8)

Threshold b: ***Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

The Project would not conflict with applicable regulations, policies, plans, and policy goals that would reduce GHG emissions, including the City of Moreno Valley Energy Efficiency and Climate Action Strategy, the City of Moreno Valley General Plan's Air Quality Element, Title 24 California Building Standards Code (CBSC), Assembly Bill 32 (AB 32), and Senate Bill 32 (SB 32), which are regulations particularly applicable to the Project.

On October 9, 2012, the Moreno Valley City Council approved an Energy Efficiency and Climate Action Strategy and related GHG analysis. The Energy Efficiency and Climate Action Strategy document identifies potential programs and policies to reduce overall City energy consumption and increase the use of renewable energy. The majority of the policies are directed at municipal operations of the City, but the document also contains recommended policies for the community at large (including private development projects). These recommended policies include but are not limited to: energy efficiency, water use reduction, trip reduction, solid waste diversion, and educational policies. The overall goal of the Energy Efficiency and Climate Action Strategy is to ensure that the City is consistent with and would not otherwise conflict with the provisions of AB 32. Refer to Table 3-9 of *Technical Appendices H1 and H2* for a more detailed analysis of the Project's consistency with the policies in the City's Energy Efficiency and Climate Action Strategy under both the warehouse distribution/logistics and e-commerce/fulfillment options. Furthermore, as demonstrated by the analysis below, neither potential use for the Project would conflict with the provisions of AB 32 and, therefore, would not obstruct implementation of the components of the City's Energy Efficiency and Climate Action Strategy that are applicable to the Project.

The City of Moreno Valley's General Plan does not identify specific GHG or climate change policies or goals; however, the City's General Plan Air Quality Element contains measures that act to reduce or control criteria pollutant emissions and peripherally reduce GHG emissions. Refer to Table 3-8 of *Technical Appendices H1 and H2* for a point-by-point analysis of the Project's consistency with the applicable measures in the City's General Plan Air Quality Element under both the warehouse distribution/logistics and e-commerce/fulfillment options. As summarized therein, neither implementation of the Project for warehouse distribution/logistics use nor e-commerce/fulfillment use would conflict with the applicable measures of the City's General Plan Air Quality Element.

The Project would include contemporary, energy-efficient/energy-conserving design features and operational procedures. Warehouse distribution/logistics and e-commerce/fulfillment uses are not inherently energy-intensive. The Project's total energy demands would be comparable to, or less than, other goods movement projects of similar scale and configuration due to the Project's modern construction and requirement to be constructed in accordance with the most recent CBSC (Urban Crossroads, 2021d, p. 59; Urban Crossroads, 2021e, p. 59). The CBSC includes the California Energy Code, or Title 24, Part 6 of the California Code of Regulations, also titled "The Energy Efficiency Standards for Residential and Nonresidential Buildings." The California Energy Code was established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated approximately every three years to improve energy efficiency by allowing incorporating new energy efficiency technologies and methods (the next update will take effect on January 1, 2023). The Project Applicant would be required to comply with all applicable provisions of the CBSC in effect at the time of Project construction. As such, the Project's energy demands would be minimized through design features and operational programs that, in aggregate, would ensure that Project energy efficiencies would comply with – or exceed – incumbent CBSC energy efficiency requirements, thereby minimizing GHG emissions produced during from energy consumption. The Project would be consistent with the mandatory regulations of the CBSC under both the warehouse distribution/logistics and e-commerce/fulfillment options.

In April 2015, former Governor Edmund Brown Jr. signed EO B-30-15, which advocated for a statewide GHG-reduction target of 40 percent below year 1990 levels by 2030 and 80 percent below 1990 levels by 2050. In September 2016, former Governor Brown signed the Senate Bill (SB) 32. SB 32 formally established a statewide goal to reduce GHG emissions to 40 percent below year 1990 levels by 2030. To date, no statutes or regulations have been adopted to translate the year 2050 GHG reduction goal into comparable, scientifically-based statewide emission reduction targets. CARB prepared the 2017 Scoping Plan Update to identify the measures that would achieve the emissions reductions goals of SB 32 (and, thus, also would achieve the emissions reductions goals of AB 32). Research conducted by the Lawrence Berkeley National Laboratory confirmed that California, under its existing GHG reduction policy framework (i.e., Scoping Plan Update), is on track to meet the years 2020 and 2030 reduction targets established by AB 32 and SB 32, respectively (Urban Crossroads, 2021d, pp. 27, 30-31; Urban Crossroads, 2021e, pp. 27, 30-31). As explained in point-by-point detail in Table 3-7 of *Technical Appendices H1 and H2*, the Project would not conflict with applicable measures of the 2017 Scoping Plan Update under either the warehouse distribution/logistics or e-commerce/fulfillment options and, therefore, would not interfere with the State's ability to achieve the year GHG-reduction targets established by AB 32 and SB 32 (ibid.).

Rendering a significance determination for year 2050 GHG emissions relative to EO B-30-15 would be speculative because EO B-30-15 establishes a goal more than three decades into the future; no agency with GHG subject matter expertise has adopted regulations to achieve these statewide goals at the project-level; and, available analytical models cannot presently quantify all project-related emissions in those future years. Further, due to the technological shifts anticipated and the unknown parameters of the regulatory framework in 2050, available GHG models and the corresponding technical analyses are subject to limitations for purposes of quantitatively estimating the Project's emissions in 2050.

As described on the preceding pages, implementation of the Project for either warehouse distribution/logistics or e-commerce/fulfillment uses would not conflict with the State's ability to achieve the State-wide GHG reduction mandates and would be consistent with applicable policies and plans related to GHG emissions reductions. Implementation of the Project for warehouse distribution/logistics or e-commerce/fulfillment uses would not actively interfere with any future federally-, State-, or locally-mandated retrofit obligations (such as requirements to use new technologies such as diesel particulate filters, emissions upgrades to a higher tier equipment, etc.) enacted or promulgated to legally require development projects to assist in meeting State-adopted GHG emissions reduction targets, including those established under Executive Order S-3-05, Executive Order B-30-15, or SB 32. Therefore, use of the Project for warehouse distribution/logistics or e-commerce/fulfillment uses would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and would result in a less-than-significant impact.

4.7.6 Cumulative Impact Analysis

GCC occurs as the result of global emissions of GHGs. An individual development project does not have the potential to result in direct and significant GCC-related effects in the absence of cumulative sources of GHGs. The CEQA Guidelines emphasize that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (See CEQA Guidelines Section 15130[f]). Accordingly, the analysis provided in Subsection 4.7.5 reflects a cumulative impact analysis of the effects related to the Project's GHG emissions, which concludes that the Project would not conflict with an

applicable GHG-reduction plans, policies, or regulations but would generate cumulatively-considerable GHG emissions that may have a significant impact on the environment because the Project would exceed the SCAQMD's GHG emissions threshold of 10,000 $MTCO_2e$ per year under both the warehouse distribution/logistics and e-commerce/fulfillment options.

4.7.7 Significance of Impacts Before Mitigation

Threshold a: Significant Cumulatively-Considerable Impact. Operation of the Project as a warehouse distribution/logistics use is calculated to generate between approximately 16,336.94 $MTCO_2e$ and 17,552.30 $MTCO_2e$ per year. Operation of the Project as an e-commerce/fulfillment use is calculated to generate between approximately 28,209.57 $MTCO_2e$ and 29,006.27 $MTCO_2e$ per year. Both of these user options for the Project would exceed the SCAQMD significance threshold of 10,000 $MTCO_2e$ per year. As such, the Project would generate substantial, cumulatively-considerable GHG emissions that may have a significant impact on the environment.

Threshold b: Less-than-Significant Impact. The Project would be consistent with or otherwise would not conflict with, applicable regulations, policies, plans, and policy goals that would further reduce GHG emissions.

4.7.8 Mitigation

Refer to Mitigation Measures MM 4.2-5 through MM 4.2-11 in EIR Subsection 4.2, *Air Quality*, which would minimize the Project's GHG emissions in conjunction with reducing the Project's criteria air pollutant emissions.

4.7.9 Significance of Impacts After Mitigation

Threshold a: Significant Unavoidable Cumulatively-Considerable Impact. The application of MM 4.2-5 through MM 4.2-11 in EIR Subsection 4.2 would reduce Project-related GHG emissions; however, these measures would not substantially reduce Project mobile source emissions (i.e., emissions from construction equipment, passenger cars and trucks), which comprise more than 78 percent (for the warehouse distribution/logistics option) or more than 87 percent (for the e-commerce/fulfillment option) of all Project-related GHG emissions. Mobile source GHG emissions are regulated by State and federal fuel standards and tailpipe emissions standards, and are outside of the control and authority of the City of Moreno Valley, the Project Applicant, and future Project occupants. CEQA Guidelines Section 15091 provides that mitigation measures must be within the responsibility and jurisdiction of the Lead Agency (i.e., City of Moreno Valley) in order to be implemented. No other mitigation measures are available that are feasible for the City of Moreno Valley to enforce that have a proportional nexus to the Project's level of impact. Accordingly, the City of Moreno Valley finds that the Project's GHG emissions under both the warehouse distribution/logistics and e-commerce/fulfillment options are a significant and unavoidable cumulatively-considerable impact for which no feasible mitigation is available.

4.8 HAZARDS AND HAZARDOUS MATERIALS

The information and analysis presented in this Subsection is based in part on a technical study that was prepared to determine the presence or absence of hazardous materials on the Project site under existing conditions. The report titled "Phase I Environmental Site Assessment APNs 488-340-002 through -012, Southwest Corner of Redlands Boulevard and Eucalyptus Avenue, Moreno Valley, California," prepared by LOR Geotechnical Group, Inc. (hereinafter "LOR"), and dated March 1, 2019 (LOR, 2019). This report is provided as EIR *Technical Appendix I*. This Subsection also relies on information from the City of Moreno Valley General Plan (Moreno Valley, 2006a); the City of Moreno Valley General Plan EIR (Moreno Valley, 2006b); Cal Fire – Fire Hazard Severity Zone Map (Cal Fire, 2007); and Google Earth Pro (Google Earth Pro, 2020). Refer to Section 7.0, *References*, for a complete list of reference sources used in this analysis.

In this EIR the term "toxic substance" is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may present an unreasonable risk of injury to human health or the environment. Toxic substances include chemical, biological, flammable, explosive, and radioactive substances.

In this EIR the term "hazardous material" is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may: 1) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed of, or otherwise mismanaged; or 2) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating illness.

Hazardous waste is defined in the California Code of Regulations, Title 22, Section 66261.3. The defining characteristics of hazardous waste are: ignitability (oxidizers, compressed gases, and extremely flammable liquids and solids), corrosivity (strong acids and bases), reactivity (explosives or generates toxic fumes when exposed to air or water), and toxicity (materials listed by the United States Environmental Protection Agency (USEPA) as capable of inducing systemic damage to humans or animals). Certain wastes are called "Listed Wastes" and are found in the California Code of Regulations, Title 22, Sections 66261.30 through 66261.35. Wastes appear on the lists because of their known hazardous nature or because the processes that generate them are known to produce hazardous wastes (which are often complex mixtures).

4.8.1 EXISTING CONDITIONS

Under existing conditions, the Project site is vacant and undeveloped, except for an approximately 8.5-acre commercial plant nursery (Adam Hall's Plant Nursery) with associated structures (i.e., an office building, an ancillary garage), three (3) residential buildings with associated garages and storage sheds, and one (1) swimming pool/hot tub located at the southeast corner of the Project site. All three (3) of the residential buildings on the Adam Hall's Plant Nursery site are occupied under existing conditions. A natural meandering dirt channel (Quincy Channel) is located along the western Project site boundary.

A. Historical Review, Regulatory Records Review, and Field Reconnaissance

1. Historical Review

LOR reviewed various sources of information to determine the historical use of the Project site, including three environmental site assessments (ESAs) prepared for the Project site in 2016, a preliminary environmental assessment (PEA) prepared for the Project site in 2007, historical aerial photographs, historical topographic maps, Environmental Data Resources (EDR) collection of regulatory database records, city directories, historical site occupants, and historical site ownership records. Refer to *Technical Appendix I* of this EIR for a more detailed description of LOR's research results.

The eastern half of the Project site consisted of agricultural land (citrus groves) with residential and/or support structures from at least 1938 to 1953 (LOR, 2019, pp. 14-17, 20). The remainder of the site was vacant/dry farmland (ibid.). In 1961, the Project site began to be cleared of citrus groves, a horse ranch and associated structures were constructed in the northeast corner of the site, and four (4) above ground storage tanks (ASTs) appeared on the northeast portion of the Project site (ibid.). By 1985, citrus groves were no longer present on the Project site (ibid.). In 1989, a plant nursery with associated structures had been established in the southeast corner of the Project site (ibid.). In 2006, the residence located in the northeast corner of the site on APN 488-340-004 (28855 Redlands Boulevard) was removed and, in 2009, the horse ranch was removed from the site (ibid.). In 2016, the residence and associated outbuildings located in the northeast portion of the site on APN 488-340-003 (28555 Fir Avenue) were removed (ibid.). In 2018, the ASTs were removed from the Project site in accordance with State and local regulations (ibid.).

As part of the PEA prepared in 2007, 66 soil samples were taken from 33 locations across the Project site, excluding the property occupied by the Adam Hall's Plant Nursery (LOR, 2019, pp. 8-10). The soil samples were tested for the presence of organochlorine pesticides, metals, lead, and arsenic. Elevated levels of chlordane – a pesticide primarily used to treat termites – were detected around the then-standing residence at 28555 Fir Avenue; organochlorine pesticides and metals were detected above laboratory reporting limits but below levels that pose a significant risk to human health (ibid.). Approximately 1.52 cubic yards of soil with elevated levels of chlordane was removed from the Project site and disposed off-site at an appropriate facility (ibid.). Following the removal of the contaminated soil, nine confirmation samples were taken from property at 28555 Fir Avenue; excessive levels of chlordane were not detected in the confirmation samples (ibid.). Following completion of the soil removal and the subsequent confirmation sampling, the California Department of Toxic Substances Control (DTSC) issued a no further action determination (ibid.).

2. Regulatory Records Review

LOR researched federal, State, and local environmental records databases to identify properties within one mile of the Project site with reported environmental issues. A summary of the research results is provided below; a detailed description of the environmental record review results is included in *Technical Appendix I* of this EIR.

The Project site address of 28855 Redlands Boulevard is listed on two State environmental records databases and one local (SCAQMD) database for a narcotics lab cleanup action and asbestos removal associated with the demolition of former structures at this address (LOR, 2019, pp. 25-26). No spill or release was indicated

in the report and the asbestos containing material (ACM) was properly transported and disposed off-site (ibid.). Accordingly, no adverse environmental impact was identified on the Project site. The Adam Hall's Plant Nursery is listed on a Riverside County Agricultural Commissioner's Office (RCACO) database for using restricted pesticides/herbicides (Roundup Promax Herbicide and Dimension 270-G) between February 2015 and August 2018; the pesticides/herbicides are classified as "restricted" because they are more hazardous to humans than retail pesticides/herbicides and should only be used by professionals (ibid.). The Project site is not listed on any federal or local environmental records database (ibid.).

3. Field Reconnaissance

LOR conducted an inspection of the Project site on February 13 and 20, 2019. During the site inspection, LOR observed the property to consist of undeveloped land, except for a commercial plant nursery which contained an associated office building and an ancillary garage, three residential buildings with associated garages and storage sheds, and one swimming pool/hot tub located in the southeast corner of the site.

LOR observed on-site storage of hazardous and non-hazardous substances associated with the plant nursery, including stockpiles of mulch, concrete blocks, landscape pots, shade cloth, steel and PVC pipe, concrete mixer, signs, plastic wrap, buckets of PVC fittings, a battery, hoses, small tools, some automotive products, cardboard and plastic storage boxes/containers, bags of potting soil, a pallet of urea, bags and containers of pesticides, several one (1)-gallon contains of PVC glue, and several five (5)-gallon buckets containing oil, paint, power washer, generator, and welder (LOR, 2019, pp. 1-2, 20-23, 27-29). In addition, several empty 55-gallon drums were observed on-site (ibid.). LOR did not observe substantial staining in the vicinity of any of the containers or drums (ibid.). An irrigation pipe and a potential well is located in the western half of the Project site and another water well was observed in the southeast corner of the site (ibid.). Minor amounts of household trash and debris were observed in the western half of the Project site from residential structures that had been recently demolished (ibid.). In addition, the Project site contains several active water wells and the remnants of a historic agricultural irrigation system (ibid.). No evidence of underground storage tanks (USTs), waste pits (other than the five domestic septic systems and leach fields serving the existing structures on the site), ponds, lagoons, pools of liquid, stained soil, stressed vegetation, exterior wastewater discharge, or stormwater were found on the Project site (ibid.). LOR did not observe any evidence of recognized environmental conditions (RECs) on the Project site, including historic recognized environmental conditions (HRECs), controlled recognized environmental conditions (CRECs), or vapor encroachment concerns (VECs), as defined by the American Society for Testing and Materials (ASTM) Designation E 15727-13 (ibid.).

B. Airport Hazards

The Project site is located approximately 5.7 miles northeast of the March Air Reserve Base/Inland Port (MARB/IP) Airport. The Project site is located outside of the influence area of the MARB/IP and is therefore not subject to the MARB/IP Airport Land Use Compatibility Plan (ALUCP) (ALUC, 2014a, Map MA-1). In addition, according to the ALUCP, the Project site is outside of the 60 dB CNEL noise contour and is not located within the March Air Reserve Base's Accident Potential Zone, its General Approach/Departure Traffic Pattern (approximately 80% of aircraft overflights estimated to occur within these limits), or within its Closed Circuit Traffic Pattern Envelope (approximately 80% of large aircraft overflights estimated to occur within these limits) (ALUC, 2014b,Exhibits MA-4 and MA-5).

C. Wildland Fire Hazards

The Project site is located in a portion of the City of Moreno Valley that is not located adjacent to any wildlands. According to the Moreno Valley General Plan, the Project site and its surrounding area are not located within a "very high fire risk" area (Moreno Valley, 2006b, Figure 5.5-2). According to the California Department of Forestry and Fire Protection (Cal Fire), the Project site is not located within a very high fire hazard severity zone (Cal Fire, 2007).

4.8.2 Regulatory Setting

Hazardous materials and hazardous wastes are regulated by various federal, State, and local regulations to protect public health and the environment. The following is a brief description of the federal, State, and local environmental laws and related regulations governing issues related to hazards and hazardous materials.

A. Federal Plans, Policies, and Regulations

1. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Superfund Amendments and Reauthorization Act (SARA)

The Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or Superfund, provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment (EPA, 2019b). Through CERCLA, the Environmental Protection Agency (EPA) was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup. EPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. EPA also recovers costs from financially viable individuals and companies once a response action has been completed.

EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies.

The Superfund Amendments and Reauthorization Act (SARA) reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA).

2. Resource Conservation and Recovery Act (RCRA)

The Resource Conservation and Recovery Act (RCRA) gives EPA the authority to control hazardous waste from the "cradle-to-grave" (EPA, 2019c). This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

3. Hazardous Materials Transportation Act (HMTA)

The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property" (OSHA, n.d.).

Hazardous materials regulations are subdivided by function into four basic areas:

- Procedures and/or Policies 49 CFR Parts 101, 106, and 107
- Material Designations 49 CFR Part 172
- Packaging Requirements 49 CFR Parts 173, 178, 179, and 180
- Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177

The HMTA is enforced by use of compliance orders [49 U.S.C. 1808(a)], civil penalties [49 U.S.C. 1809(b)], and injunctive relief (49 U.S.C. 1810). The HMTA (Section 112, 40 U.S.C. 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement.

4. Hazardous Materials Transportation Uniform Safety Act of 1990

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce (OSHA, n.d.). The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property.

The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials.

5. Occupational Safety and Health Act (OSHA)

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions (EPA, 2019d).

In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states.

6. Toxic Substances Control Act

The Toxic Substances Control Act of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures (EPA, 2019e). Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

Various sections of TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern.
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all TSCA b§8(e) submissions as well as voluntary "For Your Information" (FYI) submissions. The latter are not required by law, but are submitted by industry and public interest groups for a variety of reasons.

7. Federal Aviation Regulations Part 77

Federal Regulation Title 14 Part 77 establishes standards and notification requirements for objects affecting navigable airspace. This notification serves as the basis for:

- Evaluating the effect of the construction or alteration on operating procedures;

- Determining the potential hazardous effect of the proposed construction on air navigation;
- Identifying mitigating measures to enhance safe air navigation; and
- Charting of new objects.

Notification allows the Federal Aviation Administration (FAA) to identify potential aeronautical hazards in advance to prevent or minimize the adverse impacts to the safe and efficient use of navigable airspace. Any person/organization who intends to sponsor any of the following construction or alterations must notify the Administrator of the FAA (FAA, 2019):

- Any construction or alteration exceeding 200 feet above ground level.
- Any construction or alteration:
  - within 20,000 feet of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with at least one runway more than 3,200 feet.
  - within 10,000 feet of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 feet.
  - within 5,000 feet of a public use heliport which exceeds a 25:1 surface.
- Any highway, railroad, or other traverse way whose prescribed adjusted height would exceed that above noted standards.
- When requested by the FAA.
- Any construction or alteration located on a public use airport or heliport regardless of height or location.

B. State Plans, Policies, and Regulations

1. Cal/OSHA and the California State Plan

Under an agreement with OSHA, since 1973 California has operated an occupational safety and health program in accordance with Section 18 of the federal OSHA. The State of California's Department of Industrial Relations administers the California Occupational Safety and Health Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSH) is the principal agency that oversees plan enforcement and consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State safety and health standards, and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace.

Pursuant to 29 CFR 1952.172, the California State Plan applies to all public and private sector places of employment in the State, with the exception of federal employees, the United States Postal Service, private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusively under federal jurisdiction and employers

that require federal security clearances. Cal/OSHA is the only agency in the State authorized to adopt, amend, or repeal occupational safety and health standards or orders. The Cal/OSHA enforcement unit conducts inspections of California workplaces in response to a report of an industrial accident, a complaint about an occupational safety and health hazard, or as part of an inspection program targeting industries with high rates of occupational hazards, fatalities, injuries or illnesses.

2. California Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) (Health and Safety Code [HSC], Division 20, Chapter 6.5, Article 2, Section 25100, et seq.) is the primary hazardous waste statute in California. The HWCL implements RCRA as a "cradle-to-grave" waste management system in the State. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reuse as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates a number of waste types and waste management activities not covered by federal law (RCRA).

3. California Code of Regulations (CCR), Titles 5, 17, 22 and 26

A variety of California Code of Regulation (CCR) titles address regulations and requirements related to hazardous materials and hazardous waste. Title 5 contains the California Plumbing Code which, in Appendix H, establishes detailed standards for the capping, removal, fill, and disposal of cesspools, septic tanks, and seepage pits (see H 1101.0). CCR Title 17, Division 1, Chapter 8, defines and regulates handling and disposal of lead-based paint. Any detectable amount of lead is regulated. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully-authorized state according to RCRA, most regulations (i.e., 40 CFR 260, *et seq*.) have been duplicated and integrated into Title 22. However, because the Department of Toxic Substances Control (DTSC) regulates hazardous waste more stringently than the EPA, the integration of State and federal hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 CFR 260. As with the HSC, Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics). However, the hazardous waste regulations are still commonly referred to collectively as "Title 22."

4. California Government Code (CGC) Section 51178

This section specifies that the Director of CalFire, in cooperation with local fire authorities, shall identify areas that are Very High Fire Hazard Severity Zones (VHFHSZ) in Local Responsibility Areas (LRAs), based on consistent statewide criteria, and the expected severity of fire hazard. Per CGC Section 51178, a local agency may, at its discretion, exclude from the requirements of Section 51182 an area within its jurisdiction that has been identified as a VHFHSZ, if it provides substantial evidence in the record that the requirements of Section 51182 are not necessary for effective fire protection within the area. Alternatively, local agencies may include areas not identified as VHFHSZ by CalFire, following a finding supported by substantial evidence in the record that the requirements of Section 51182 are necessary for effective fire protection within the new area.

According to Section 51182, such changes made by a local agency shall be final, and shall not be rebuttable by CalFire.

C. *Local Plans, Policies, and Regulations*

1. *Local Permitting Requirements*

The aforementioned federal and State hazardous materials regulations require all businesses that handle more than a specified amount of hazardous materials or extremely hazardous materials to obtain a hazardous materials permit and submit a business plan to its local Certified Unified Program Agency (CUPA). The CUPA also ensures local compliance with all applicable hazardous materials regulations. The CUPA with responsibility for the City of Moreno Valley is the Riverside County Department of Environmental Health (DEH). The Riverside County DEH manages and oversees 25 other programs related to hazardous materials/waste, including programs related to the handling and storage of hazardous materials, hazardous materials remediation, petroleum storage tanks, green waste, solid waste, liquid waste, universal waste and environmental cleanup (RCDEH, 2020). The Riverside County DEH also manages and oversees programs related to emergency response and enforcement, vector control and water quality (ibid.).

2. *SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities*

Rule 1403 requires the implementation of specific work practices to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM) (SCAQMD, 2007). The requirements for demolition and renovation activities include asbestos surveying, notification, ACM removal procedures and time schedules, ACM handling and clean-up procedures, and storage, disposal, and landfilling requirements for asbestos-containing waste materials (ACWM) (ibid.).

4.8.3 Basis for Determining Significance

The Project would result in a significant impact to hazards and hazardous materials if the Project or any Project-related component would:

a. *Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials;*

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;*

c. *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;*

d. *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment;*

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;*

f. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

The above-listed thresholds are referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act* and address the typical, adverse effects related to hazards and hazardous materials that could result from development projects.

4.8.4 IMPACT ANALYSIS

The proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*, would result in identical ground-disturbing impacts. Thus, the analysis provided on the following pages addresses the potential impacts related to hazards and hazardous materials that would result from implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses.

Threshold a:	***Would the Project create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?***
Threshold b:	***Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

Implementation of the Project would require demolition and removal of all existing structures, improvements, and solid waste from the Project site and would result in the construction and long-term operation of a light industrial building on the site. In the event any hazards or hazardous materials were to be present on the Project site or any hazardous materials were to be used or stored on the Project site during construction or long-term operation, the Project would have the potential to expose workers on-site, the public, and/or the environment to a substantial hazard. The analysis below evaluates the potential for the Project to result in a substantial hazard to people or the environment during any stage of the Project.

A. Impact for Analysis for Existing Site Conditions

As discussed in Subsection 4.8.1, the Project site contains no evidence of RECs, USTs, PCBs, or significant chemical release/disposal.

1. Pesticides

The eastern half of the Project site was used for agriculture (i.e., citrus orchards) from at least 1938 until 1967. Soil samples were collected from the Project site in 2007, excluding from the area occupied by the Adam Hall's Plant Nursery. The Adam Hall's Plant Nursery site was historically part of the same citrus orchard operation as the other portions of the Project site where soil samples were taken; thus, the results of the 2007 soil samples are considered to be representative of the conditions at the Adam Hall's Plant Nursery site. Except for an isolated on-site area with elevated levels of chlordane (which has since been remediated), none of the

soil samples contained pesticides or heavy metals at concentrations that posed a substantial hazard to people or the environment (LOR, 2019, pp. 8-10). Pesticides that pose the biggest risk to human and environmental health – organochlorine pesticides – were banned prior to operation of the Adam Hall's Plant Nursery and LOR did not observe the improper use, handling, or storage of pesticides on the Nursery site during the site reconnaissance; therefore, it is unlikely that there are any special circumstances on the Nursery site that would not be reflected in the 2007 soil samples. Based on the foregoing, the historical agricultural use of the Project site does not represent a REC or a human health risk (LOR, 2019, pp. 28-29). Implementation of the Project would result in a less-than-significant impact.

2. Building Materials

The use of ACMs (a known carcinogen) and lead paint (a known toxin) was common in building construction prior to 1978. Because the Project site contains structures known to be constructed before 1978, there is the potential that ACMs and/or lead paint is present on the Project site. The Project site also has the potential to contain underground irrigation pipes that could date to the 1930s (or earlier) that contain or are wrapped in ACMs.

Asbestos is a carcinogen and is categorized as a hazardous air pollutant by the federal EPA. Federal asbestos requirements are found in National Emission Standards for Hazardous Air Pollutants (NESHAP) within the Code of Federal Regulations (CFR) Title 40, Part 61, Subpart M, and are enforced in the Project area by the SCAQMD via Rule 1403. Rule 1403 establishes survey requirements, notification, and work practice requirements to prevent asbestos emissions from emanating during building renovation and demolition activities. Assuming that ACMs are present in the existing construction debris and/or structures located on the property, then Rule 1403 requires notification of the SCAQMD prior to commencing any demolition or renovation activities. Rule 1403 also sets forth specific procedures for the removal of asbestos, and requires that an on-site representative trained in the requirements of Rule 1403 be present during the stripping, removing, handling, or disturbing of ACM. Mandatory compliance with the provisions of Rule 1403 would ensure that construction-related grading, clearing and demolition activities do not expose construction workers or nearby sensitive receptors to significant health risks associated with ACMs. Because the Project's demolition and construction contractors would be required to comply with AQMD Rule 1403 during demolition activities, impacts due to asbestos would be less than significant.

During demolition of the existing buildings on-site, there also is a potential to expose construction workers to health hazards associated with lead-based paint (LBP). The Project's demolition and construction contractors would be required to comply with CCR Title 17 (Division 1, Chapter 8), which includes requirements such as employer provided training, air monitoring, protective clothing, respirators, and hand washing facilities. Mandatory compliance with these mandatory requirements would ensure that construction workers and the public are not exposed to significant LBP health hazards during demolition and/or during transport of demolition waste to an appropriate disposal facility, and would ensure that impacts related to LBP remain less than significant.

Although impacts would be less than significant with compliance to the regulations cited above, Mitigation Measures (MMs) 4.8-1 and 4.8-2 are included in this EIR to ensure compliance with applicable regulations. MM 4.8-1 requires a pre-demolition survey for ACMs and LBP. If any ACMs and/or LBP are detected on-

site, MM 4.8-2 requires the Project Applicant to provide evidence to the City that the ACMs and/or LBP have been removed. Impacts would remain less than significant.

3. Septic Systems

Although not observed in the 2019 site inspection conducted by LOR, a 2016 site inspection conducted by Partner Engineering and Science Inc. identified five (5) septic systems associated with the residences on the Project site. Any septic system found on-site would be required to be removed, handled, and disposed in accordance with all applicable local and State regulations, including but not limited to the CCR Title 5, Appendix H. Accordingly, implementation of the Project would not expose the public or the environment to significant hazards associated with the removal and disposal of the on-site septic systems from the Project site; impacts would be less than significant.

4. Water Wells

A water well associated with the existing plant nursey is located on the southeast corner of the Project site and potentially another water well is located in the western portion of the Project site; both of which would be abandoned as part of the proposed Project. The abandonment of the existing water wells would be required to occur in accordance with the Riverside County DEH policies and procedures, including but not limited to a mandatory decommissioning and capping procedure as part of proposed construction activities. Contaminated groundwater does not exist beneath the surface of the site; therefore, in the event of an accident during the well abandonment process, there is no potential to release contaminated groundwater. As such, a significant hazard to the public or the environment would not be created and impacts would be less than significant.

B. Impact Analysis for Temporary Construction-Related Activities

Heavy equipment (e.g., dozers, excavators, tractors) would be operated on the Project site during construction. This heavy equipment likely would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which are considered hazardous if improperly stored or handled. In addition, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located on the Project site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the Project than would occur on any other similar construction site. Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited requirements imposed by the EPA, DTSC, and the Santa Ana RWQCB. With mandatory compliance with applicable hazardous materials regulations, the Project would not create significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase. A less-than-significant impact would occur.

Although impacts would be less than significant with compliance to the regulations cited above, Mitigation Measure MM 4.8-3 is specified herein to ensure regulatory compliance, which requires the Project Applicant to conduct soil testing in the event that any unidentified subsurface feature, oil, or chemical-stained concrete

is discovered during grading and removal/remediation actions (if deemed hazardous). Impacts would remain less than significant.

C. *Impact Analysis for Long-Term Operation*

The future occupants of the Project's proposed light industrial building are currently unknown. It is anticipated that the building will be occupied by warehouse distribution/logistics or fulfillment/e-commerce businesses. There is the potential for hazardous materials (e.g., diesel fuel, cleansers, lubricants) to be used during the course of normal daily operations at the Project site with these types of users. State and federal Community-Right-to-Know laws allow the public access to information about the amounts and types of chemicals that may be used by businesses on the Project site. Laws also are in place that require businesses to plan and prepare for possible chemical emergencies. Any business that occupies the building on the Project site and that handles/stores substantial quantities of hazardous materials (as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95) will require a permit from the Riverside County Fire Department, Hazardous Materials Division in order to register the business as a hazardous materials handler. Such businesses also are required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the Riverside County Fire Department and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and to prepare a Hazardous Materials Business Emergency Plan (HMBEP). An HMBEP is a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of a hazardous material.

With mandatory regulatory compliance, the Project would not pose a significant hazard to the public or the environment through the routine transport, use, storage, emission, or disposal of hazardous materials, nor would the Project increase the potential for accident conditions which could result in the release of hazardous materials into the environment. Based on the foregoing information, potential hazardous materials impacts associated with long-term operation of the Project are regarded as less than significant and no mitigation is required.

Threshold c:	***Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

No existing or proposed schools are located within one-quarter mile of the Project site. The nearest school to the Project site is Ridge Crest Elementary School, located at 28500 John F Kennedy Drive, approximately 0.4-mile south 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, and/or wastes within one-quarter mile of an existing or proposed school.

As described above under the analysis for Thresholds "a" and "b," the use of and transport of hazardous substances or materials to-and-from the Project site during construction and long-term operational activities would be required to comply with applicable federal, State, and local regulations that would preclude substantial public safety hazards. Accordingly, there would be no potential for existing or proposed schools to be exposed to substantial safety hazards associated with emission, handling of, or the routine transport of hazardous substances or materials to-and-from the Project site and impacts would be less than significant.

Refer to EIR Subsection 4.2, *Air Quality*, for analysis pertaining to human health risks associated with air pollutant emissions associated with the Project, including risks to the maximally exposed school child receptors located within a one-quarter mile radius from the Project site and its primary truck route. As concluded in EIR Subsection 4.2, the Project's toxic air contaminant emissions (and their associated health risks) would be less than significant.

Threshold d: ***Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?***

The Project site is not located on any list of hazardous materials sites complied pursuant to Government Code Section 65962.5 (DTSC, 2020; LOR, 2019, pp. 25-27). Accordingly, no impact would occur.

Threshold 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?***

As previously described, the Project site is located outside of the influence area for the MARB/IP Airport. The Project site also is outside of the 60 dB CNEL noise contour and is not located within an Accident Potential Zone, "Clear Zone," its General Approach/Departure Traffic Pattern (approximately 80% of aircraft overflights estimated to occur within these limits), or within its Closed Circuit Traffic Pattern Envelope (approximately 80% of large aircraft overflights estimated to occur within these limits) (ALUC, 2014a, Map MA-1; ALUC, 2014b, Exhibits MA-4 and MA-5; Moreno Valley, 2006b, Figure 5.5-3). Accordingly, implementation of the Project would not expose future employees on the Project site to substantial safety hazards or adverse noise effects from the MARB/IP Airport. Impacts would be less than significant.

Threshold f: ***Would the Project impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, the proposed Project would be required to maintain adequate emergency access for emergency vehicles. As part of the City's discretionary review process, the City of Moreno Valley reviewed the Project's application materials to ensure that appropriate emergency ingress and egress would be available to-and-from the Project site and that the Project would not substantially impede emergency response times in the local area. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan, and no impact would occur.

Threshold g: ***Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?***

The Project site is not located within a State Responsibility Area or a very high fire hazard severity zone. Neither Cal Fire nor the City of Moreno Valley identify the Project site within an area susceptible to wildland fires and the Project site and surrounding areas generally consist of agricultural, commercial, industrial, and/or

residential uses, which are generally not associated with wildland fire hazards (Moreno Valley, 2006b, Figure 5.5-2; Cal Fire, 2007; Google Earth Pro, 2020). Accordingly, the Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impact would occur.

4.8.5 Cumulative Impact Analysis

As discussed above under the responses to Thresholds "a" and "b," the Project's construction and operation would be required to comply with all applicable federal, State, and local regulations to ensure proper use, storage, and disposal of hazardous substances. Such uses also would be subject to additional review and permitting requirements by the Riverside County Fire Department. Similarly, any other developments in the area proposing the construction of uses with the potential for use, storage, or transport of hazardous materials also would be required to comply with applicable federal, State, and local regulations, and such uses would be subject to additional review and permits from their local oversight agency. Therefore, the potential for release of toxic substances or hazardous materials into the environment, either through accidents or due to routine transport, use, or disposal of such materials, would be reduced to a less-than-cumulatively-significant level.

The Project site is not located within one-quarter mile of an existing or planned school; therefore, the Project would not contribute to a cumulatively significant hazards/hazardous materials impact on any public or private schools located within one-quarter mile of the site.

The Project site is not located on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, the Project has no potential to contribute to substantial, cumulative effects related to the development or re-development of contaminated property.

As discussed above under the response to Threshold "e," the Project is not located within the influence area of the MARB/IP Airport; therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area and would not contribute to a cumulatively-considerable impact associated with airport hazards.

The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route; thus, there is no potential for the Project to contribute to any cumulative impacts associated with an adopted emergency response plan or emergency evacuation plan.

As discussed above under Threshold "g," the Project site is not located within or in close proximity to areas identified as being subject to wildland fire hazards and would have no potential to contribute to adverse, cumulative wildland fire hazards.

4.8.6 Significance of Impacts Before Mitigation

Threshold a and b: Less-than-Significant Impact. During Project construction and operation, mandatory compliance to federal, State, and local regulations would ensure that the proposed Project would not create a significant hazard to the environment due to routine transport, use, disposal, or upset of hazardous materials.

Threshold c: Less-than-Significant Impact. The Project site is not located within one-quarter mile of any existing or proposed school. Accordingly, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Impacts to schools located more than one-quarter mile of the Project site would be less than significant.

Threshold d: No Impact. The Project site is not located on any list of hazardous materials sites complied pursuant to Government Code Section 65962.5.

Threshold e: Less-than-Significant Impact. The Project is not subject to the MARB ALUCP because the Project site is located outside of the MARB influence area. As such, the Project would not result in an airport safety hazard for people residing or working in the Project area.

Threshold f: Less-than-Significant Impact. The Project site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, adequate emergency vehicle access is required to be provided. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan.

Threshold g: No Impact. The Project site is not located in close proximity to wildlands or areas with high fire hazards. Thus, the Project would not expose people or structures to a significant wildfire risk.

4.8.7 Mitigation

Although implementation of the Project would result in less-than-significant impacts related to hazards and hazardous materials, the following mitigation measures are included in this EIR to ensure regulatory compliance with applicable federal, State, and local regulations addressing hazardous materials.

MM 4.8-1 Prior to the issuance of any demolition permits, the Project Applicant shall provide evidence to the City that a pre-demolition survey for asbestos-containing materials (ACMs) and lead-based paint (LBP) has been conducted for each building to be demolished. If ACMs or LBP are detected, MM 4.8-2 shall be implemented.

MM 4.8-2 In the event that ACMs or LBP are detected during the pre-construction survey required by Mitigation Measure MM 4.8-1, the Project Applicant shall provide evidence to the City that all ACMs and LBP have been removed and disposed of according to applicable laws and regulations, as outlined in "Steps to Lead Safe Removal, Renovation, and Disposal" (U.S. EPA-740- K-11-001) issued October 2011 (www.epa.gov/lead) for LBP and "Standards for Demolition and Removal" (40 CFR Section 61.145) under the Asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) (www.epa.gov/asbestos) for ACMs.

MM 4.8-3 In the event that any unidentified subsurface feature, oil, or chemical-stained concrete is discovered during grading or other ground-disturbing construction activity, all activity in the vicinity of the unidentified material shall be halted and a qualified hazardous materials professional shall be called to inspect the site and determine if further assessment is needed.

The results of any testing shall be provided to the City. In the event that the material is determined not to be hazardous, no further action is required. In the event that the material is deemed hazardous, removal/remediation shall be conducted pursuant to applicable State Department of Toxic Substances Control (DTSC) or California Code of Regulations (CCR) Title 22 hazardous waste criteria or contamination standards for industrial land uses. This work must be carried out by a qualified hazardous materials professional hired by the Project Applicant. Prior to the completion of material removal, the Project Applicant shall submit evidence to the City for review and approval demonstrating that the hazardous material has been appropriately removed/remediated. This measure shall be implemented to the satisfaction of the City of Moreno Valley's Community Development Department.

4.9 HYDROLOGY & WATER QUALITY

Information in this Subsection relies on four technical reports prepared for the Project site by Thienes Engineering, Inc. (hereafter, "Thienes"): 1) "Preliminary Hydrology Calculations for Moreno Valley Trade Center," dated October 28, 2019 (revised March 17, 2021) (Thienes, 2019a); 2) "Project Specific Preliminary Water Quality Management Plan," dated August 23, 2019 (Thienes, 2019b); 3) "Preliminary Hydrology Calculations for Moreno Valley Trade Center, Option 2 E-Commerce/Fulfillment Center Site Plan" dated January 24, 2020 (revised March 24, 2021) (Thienes, 2020a); and 4) "Project Specific Preliminary Water Quality Management Plan Moreno Valley Trade Center, Option 2 E-Commerce/Fulfillment Center Site Plan" dated March 16, 2020 (Thienes, 2020b). The analysis in the section also is supported by a supplemental hydrology memorandum prepared by Thienes (Thienes, 2021). These reports and memorandum are provided as *Technical Appendices J1* through *J5* to this EIR, respectively.

The Project site is located within the Santa Ana River watershed and is under the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB). As such, information for this Subsection also was obtained from the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Plan* (updated June 2019) and the *Integrated Regional Water Management Plan (IRWMP)* for the Santa Ana River Watershed (also referred to as "One Water One Watershed Plan Update 2018," (February 19, 2019) prepared by the Santa Ana Watershed Project Authority (SAWPA). These documents are herein incorporated by reference and are available for public review at the physical locations and website addresses given in EIR Section 7.0, *References*.

4.9.1 EXISTING CONDITIONS

A. Regional Hydrology

The Project site is located within the Santa Ana River watershed, which drains a 2,840 square-mile area and is the principal surface flow water body within the region. The Santa Ana River rises in Santa Ana Canyon in the southern San Bernardino Mountains and runs southwesterly across San Bernardino, Riverside, and Orange Counties, where it discharges into the Pacific Ocean at the City of Huntington Beach. The total length of the Santa Ana River and its major tributaries is approximately 700 miles (SAWPA, 2019, p. 4-1). The location of the Project site within the Santa Ana River watershed is depicted on Figure 4.9-1, *Santa Ana River Watershed Map*.

B. Site Hydrology

Under existing conditions, runoff from the Project site drains across the Project site as sheet flow southerly towards Encelia Avenue and then, within Encelia, from west to east to an existing earthen channel adjacent to Redlands Boulevard (Thienes, 2019a; Thienes, 2020a). From the earthen channel, flows continue south where they discharge into an existing storm drain pipe beneath Redlands Boulevard at Dracaea Avenue and are conveyed to an existing storm drain channel south of Brodiaea Avenue.

C. Flooding and Dam Inundation

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06065C0770G, dated August 28, 2008, the Project site is located within "Zone X (shaded)," which corresponds

to areas within the 500-year floodplain (also referred to as the 0.2% annual chance floodplain) (FEMA, 2008). No portions of the Project site are located within a 100-year flood hazard area (ibid.).

According to the City of Moreno Valley General Plan EIR, the Project site is not located within any mapped dam inundation area (Moreno Valley, 2006b, Figure 6-4).

D. Water Quality

The Federal Water Pollution Control Act Amendment of 1972 (also referred to as the Clean Water Act, CWA) requires all states to conduct water quality assessments of their water resources to identify water bodies that do not meet water quality standards. Water bodies that do not meet water quality standards due to excessive concentrations of pollutants are placed on a list of impaired waters pursuant to Section 303(d) of the CWA. Canyon Lake (nutrients), Lake Elsinore (DDT, nutrients, organic enrichment/low dissolved oxygen, Polychlorinated biphenyls [PCBs], and toxicity), the Santa Ana River Reach 3 (copper, indicator bacteria, and lead), and Tidal Prism of Santa Ana River and Newport Slough (indicator bacteria) are receiving waters from the Project site that are included on the Section 303(d) list of the CWA as having water quality impairments (Thienes, 2019b, pp. 8-9; Thienes, 2020b, pp. 8-9).

E. Groundwater

The City of Moreno Valley is underlain by groundwater resources associated with the Perris North and San Jacinto Groundwater Basins. The Project site is located within the Perris North Groundwater Basin within the West San Jacinto Groundwater Management Area (EMWD, 2019, Figure 7-1). The Eastern Municipal Water District (EMWD) relies on groundwater resources from both the Perris North and San Jacinto Groundwater Basins for a portion of its water supply, and each of these groundwater basins are regulated by the EMWD's West San Jacinto Groundwater Basin Groundwater Management Plan (EMWD, 2019, pp. 1, 22). EMWD oversees the monitoring programs within the West San Jacinto Management Area including groundwater extraction at public and private wells and works with well owners to limit groundwater use and maximize groundwater supply. According to a site survey conducted by LOR, there are multiple active and suspected water wells on the Project site (LOR, 2019, p. 1).

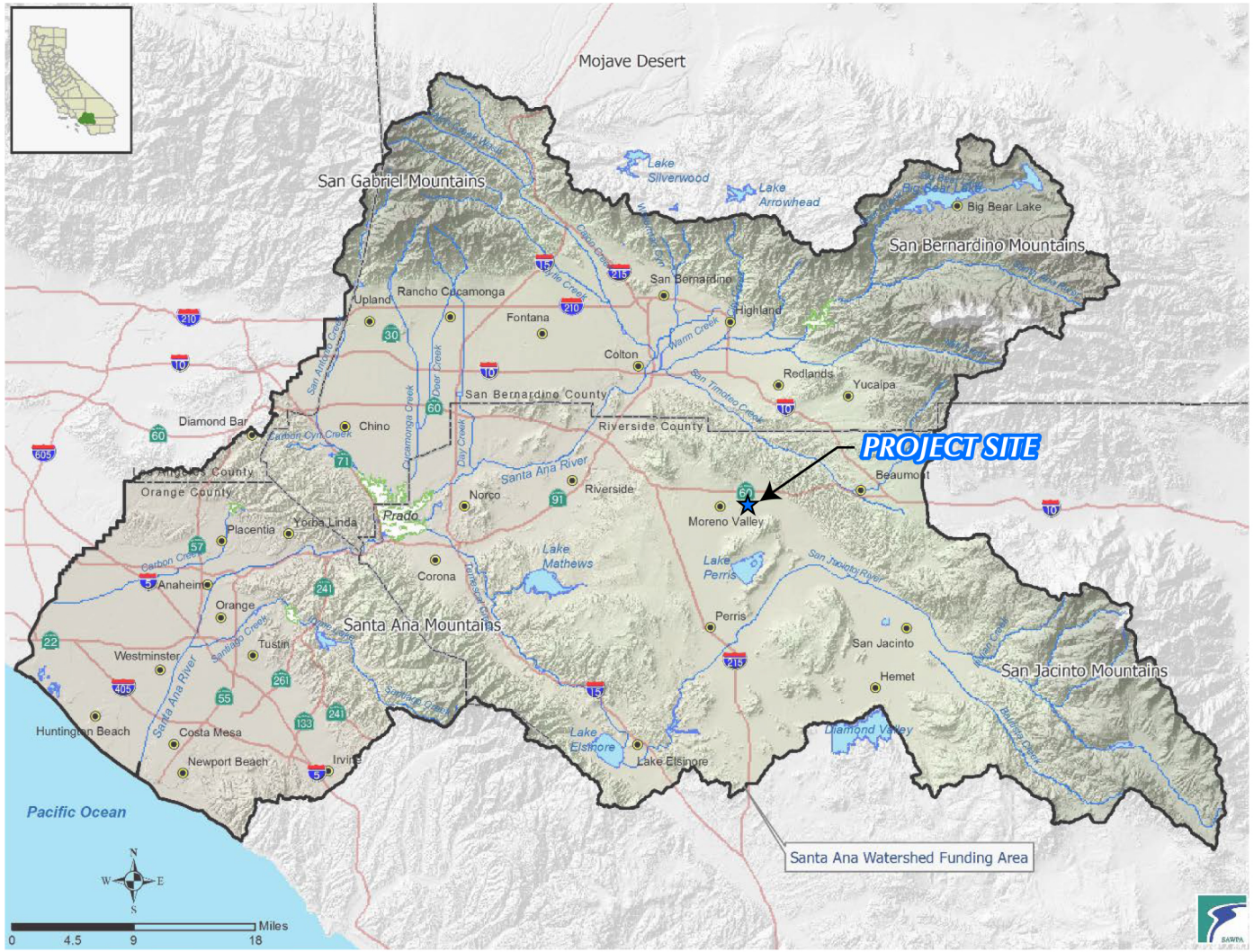
4.9.2 Regulatory Setting

The following is a brief description of the federal, State, and local environmental laws, related regulations, and plans related to hydrology and water quality.

A. Federal Plans, Policies, and Regulations

1. Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters (EPA, 2019a). The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented



Source(s): SAWPA (November 2018)

Not to Scale

Figure 4.9-1

Santa Ana River Watershed Map

pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man- made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

B. State Plans, Policies, and Regulations

1. Porter-Cologne Water Control Act

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code Section 13000 *et seq.*), the policy of the State is as follows (SWRCB, 2014a):

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The State Water Board and Regional Water Boards have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The Storm Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCBs) can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. The Project site is located in the Santa Ana River Watershed which is within the purview of Santa Ana RWQCB. The Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Plan* is the governing water quality plan for the region.

2. California Water Code

The California Water Code is the principal state law regulating water quality in California. Water quality provisions must be complied with as contained in numerous code sections including: 1) the Health and Safety Code for the protection of ground and surface waters from hazardous waste and other toxic substances; 2) the Fish and Game Code for the prevention of unauthorized diversions of any surface water and discharge of any substance that may be deleterious to fish, plant, animal, or bird life; 3) the Harbors and Navigation Code for the prevention of the unauthorized discharge of waste from vessels into surface waters; and 4) the Food and Agriculture Code for the protection of groundwater which may be used for drinking water supplies. The California Department of Fish and Wildlife (CDFW), through provisions of the Fish & Game Code (Sections 1601-1603) is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by CDFW.

Surface water quality is the responsibility of the Regional Water Quality Control Board (RWQCB), water supply and wastewater treatment agencies, and city and county governments. The principal means of enforcement by the RWQCB is through the development, adoption, and issuance of water discharge permits. RWQCB basin plans establish water quality objectives that are defined as the limits or levels of water quality constituents or characteristics for the reasonable protection of beneficial uses of water.

3. California Toxics Rule (CTR)

The California Toxics Rule (CTR) fills gap in California's water quality standards necessary to protect human health and aquatic life beneficial uses. The CTR criteria are similar to those published in the National Recommended Water Quality Criteria. The CTR supplements, and does not change or supersede, the criteria that EPA promulgated for California waters in the National Toxics Rule (NTR). The human health NTR and CTR criteria that apply to drinking water sources (those water bodies designated in the Basin Plans as municipal and domestic supply) consider chemical exposure through consumption of both water and aquatic organisms (fish and shellfish) harvested from the water. For waters that are not drinking water sources (e.g., enclosed bays and estuaries), human health NTR and CTR criteria only consider the consumption of contaminated aquatic organisms. The CTR and NTR criteria, along with the beneficial use designations in the Basin Plans and the related implementation policies, are the directly applicable water quality standards for toxic priority pollutants in California waters (SWRCB, 2016, pp. 14-15).

4. Watershed Management Initiative (WMI)

The State and Regional Water Boards are currently focused on looking at entire watersheds when addressing water pollution. The Water Boards adopted the Watershed Management Initiative (WMI) to further their goals. The WMI establishes a broad framework overlying the numerous federal and State mandated priorities. As such, the WMI helps the Water Boards achieve water resource protection, enhancement and restoration while balancing economic and environmental impacts (SWRCB, 2017). The integrated approach of the WMI involves three main ideas:

- Use water quality to identify and prioritize water resource problems within individual watersheds. Involve stakeholders to develop solutions.
- Better coordinate point source and nonpoint source regulatory efforts. Establish working relationships between staff from different programs.
- Better coordinate local, state, and federal activities and programs, especially those relating to regulations and funding, to assist local watershed groups.

5. Sustainable Groundwater Management Act (SGMA)

The California Department of Water Resources' (DWR's) 2014 Sustainable Groundwater Management Act (SGMA) requires local public agencies and Groundwater Sustainability Agencies (GSAs) in "high"- and "medium"-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs (DWR, 2019). The DWR categorizes the priority of groundwater basins. The DWR categorizes the priority of groundwater basins (DWR, 2018). GSPs are detailed road maps for how groundwater basins will reach long term sustainability. Section 10720.8(a) of the SGMA exempts adjudicated basins from the SGMA's requirement to prepare a GSP (DWR, 2016b).

C. Local Plans, Policies, and Regulations

1. Moreno Master Drainage Plan

The Project site is located within the boundary of the Moreno Master Drainage Plan (MDP). The Moreno MDP was prepared by the Riverside County Flood Control and Water Conservation District (RCFCWCD), to identify master-planned drainage and flood control facilities that are needed in the Project area to safely convey the peak runoff of a 100-year frequency storm (RCFCWCD, 2015). Per the Moreno MDP, drainage flows from the Project site are planned to outlet to the Line "F-2" storm drain located beneath Redlands Boulevard, which conveys flows to an existing drainage channel south of Brodiaea (Line "F") (Thienes, 2019a; Thienes, 2020a).

2. City of Moreno Valley Municipal Code

Chapter 8.10 *et seq.* (Stormwater/Urban Runoff Management and Discharge Controls) and Section 8.21.170 (National Pollutant Discharge Elimination Systems) of the City of Moreno Valley Municipal Code requires the City to participate as a "Co-permittee" under the NPDES permit program to accomplish the requirements of the CWA (Moreno Valley, n.d.). Pursuant to this chapter, the City is required to participate in the

improvement of water quality and comply with federal requirements for the control of urban pollutants to stormwater runoff.

3. SCAQMD Rule 403 (Fugitive Dust)

SCAQMD Rule 403 (Fugitive Dust) requires the implementation of best available dust control measures (BACM) during active operations capable of generating fugitive dust (SCAQMD, 2005). The purpose of this Rule is to minimize the amount of particulate matter in the ambient air as a result of anthropogenic fugitive dust sources.

4.9.3 Basis for Determining Significance

The Project would result in a significant impact to hydrology and water quality if the Project or any Project-related component would:

a. *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality;*

b. *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;*

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*

   ii. *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site*

   iii. *Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;*

   iv. *Impede or redirect flood flows;*

d. *Result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or*

e. *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.*

The above-listed thresholds are referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act* and address the typical, adverse effects related to hydrology and water quality that could result from development projects.

4.9.4 Impact Analysis

The analysis provided on the following pages addresses the potential hydrology and water quality impacts could result from implementation of the proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*. Except where specifically noted herein, implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses would result in similar hydrology and water quality impacts.

Threshold a: ***Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?***

The Project would be required to comply with Section 402 of the Clean Water Act, which authorizes the National Pollution Discharge Elimination System (NPDES) permit program that covers point sources of pollution discharging to a water body. The NPDES program also requires operators of construction sites one-acre or larger to prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain authorization to discharge stormwater under an NPDES construction stormwater permit. The Project also would be required to comply with the California Porter-Cologne Water Quality Control Act (Section 13000 et seq., of the California Water Code), which requires that comprehensive water quality control plans be developed for all waters within the State of California. The Project site is located within the jurisdiction of the Santa Ana RWQCB.

A. Construction-Related Water Quality Impacts

Construction of the Project would involve demolition, site preparation, pile driving, grading, building construction, paving, and the application of architectural coatings. Construction activities have the potential to result in water quality pollutants such as silt, debris, adhesives, paints, and other chemicals with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during Project construction in the absence of any protective or avoidance measures.

Pursuant to the requirements of the Santa Ana RWQCB and the City Moreno Valley (Municipal Code Chapter 8.10 et seq. and Section 8.21.170), the Project would be required to obtain coverage under the State's General Construction Storm Water Permit (NPDES Permit). The NPDES permit is required for all projects that include construction activities, such as clearing, soil stockpiling, grading, and/or excavation that disturb at least one (1) acre of total land area. In addition, the Project would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES permit and the *Santa Ana River Basin Water Quality Control Program* involves the preparation and implementation of a SWPPP for construction-related activities, including grading. The SWPPP will specify the Best Management Practices (BMPs) that the Project would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Mandatory compliance with the SWPPP would ensure that the Project's construction does violate any water quality standards or waste discharge requirements. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.

B. Post-Development Water Quality Impacts

Stormwater pollutants that may be produced during Project operation include metals, nutrients, pesticides, toxic organic compounds, sediments, trash and debris, and oil and grease; however, the potential waterborne pollutants generated by the Project would not contribute to existing Section 303(d) impairments of downstream receiving waters and thus would not be considered "pollutants of concern" (Thienes, 2019b, p. 22; Thienes, 2020b, p. 23).

The Project Applicant would be required to implement a Water Quality Management Plan (WQMP) to demonstrate compliance with the City's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. The WQMP is a site-specific post-construction water quality management program designed to address the pollutants of concern of a development project via BMPs, implementation of which ensures the on-going protection of the watershed basin. The Project's Preliminary WQMP, prepared by Thienes, is included as *Technical Appendix J2* to this EIR and the Preliminary WQMP for the conceptual fulfillment/e-commerce site plan is included as *Technical Appendix J4* to this EIR. As identified in *Technical Appendices J2* and *J4*, the Project is designed to include structural source control BMPs (including water quality/detention basins) as well as operational source control BMPs (including but not limited to: the installation of water-efficient landscape irrigation systems, storm drain system stenciling and signage, and implementation of a trash and waste storage areas) to minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows before they are discharged into the municipal storm drain system (Thienes, 2019b, pp. 7, 26-27; Thienes, 2020b, pp. 7, 27-28). Compliance with the WQMP would be required as a condition of Project approval pursuant to Municipal Code Chapter 8.10 and Municipal Code Section 8.21.170, and long-term maintenance of on-site BMPs would be required to ensure their long-term effectiveness. Therefore, water quality impacts associated with long-term operational activities would be less than significant.

Additionally, the NPDES program requires certain land uses, including the industrial land uses proposed by the Project, to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. On April 1, 2014, the California State Water Resources Control Board adopted an updated new NPDES permit for storm water discharge associated with industrial activities (referred to as the "Industrial General Permit") (SWRCB, 2014b). The new Industrial General Permit, which is more stringent than the former Industrial General Permit, became effective on July 1, 2015. Under this currently effective NPDES Industrial General Permit, the Project Applicant would be required to prepare a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. Because the permit is dependent upon a detailed accounting of all operational activities and procedures, and the Project's building users and their operational characteristics are not known at this time, details of the operational SWPPP (including BMPs) or potential exemption to the SWPPP operational activities requirement cannot be determined with certainty at this time. However, based on the performance requirements of the NPDES Industrial General Permit, the Project's mandatory compliance with all applicable water quality regulations would further reduce potential water quality impacts during long-term operation.

Based on the foregoing analysis, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during long-term operation. Impacts would be less than significant.

Threshold b:	***Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?***

The Project would be served with potable water by the EMWD and would not utilize wells or any other groundwater extractive activities. The existing water well located on the Project site as well as any other

potential wells found on the site during the construction process would be capped and abandoned in accordance with State and local regulations. The EMWD relies on local potable groundwater as a source of its water supply (in addition to imported water from the Metropolitan Water District of Southern California, desalted ground water, and recycled water). As determined in the Project's Water Supply Assessment, which is provided as *Technical Appendix M* to this EIR, EMWD would have adequate water supply, including groundwater resources, to serve the Project in addition to past, present, and future commitments (EMWD, 2020, p. 20). Accordingly, implementation of the proposed Project has no potential to extract or consume a substantial quantity of groundwater and the Project's direct impact to groundwater supplies would be less than significant.

Development of the Project would increase impervious surface coverage on the property, which would reduce the amount of water percolating down into the underground aquifer that underlies the Project site. However, and as noted in the City's General Plan EIR, "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" (Moreno Valley, 2006b, p. 5.7-12). Additionally, the Project includes design features that would maximize the percolation of rainfall into the groundwater basin, such as the proposed water quality/detention basin and proposed permeable landscape areas. With buildout of the Project, the local groundwater levels would not be adversely affected. Accordingly, buildout of the Project would not interfere substantially with groundwater recharge.

For the reasons stated above, the Project would neither substantially deplete groundwater supplies nor interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Impacts would be less than significant.

Threshold c:	***Would the Project 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?
	ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
	iii. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
	iv. Impede or redirect flood flows?

Implementation of the Project would alter the existing ground contours of the Project site and result in the installation of impervious surfaces, which would result in changes to the site's existing, internal drainage patterns. As described in detail in EIR Section 3.0, *Project Description*, the Project would include the installation of an integrated, on-site system of underground storm drain pipes, catch basins, and a water quality/detention to capture on-site stormwater runoff flows, convey the runoff across the site, and treat the runoff to minimize the amount of water-borne pollutants carried from the Project site. (As noted in EIR Section 3.0, under the conceptual fulfillment/e-commerce site plan, multiple, smaller water quality/detention basins – including one underground basin – would be constructed in place of the one large basin proposed by the

warehouse distribution/logistics site plan.) Upon development of the Project, all stormwater from the Project site would be discharged to a public storm drain beneath Redlands Boulevard that would be upgraded as part of the Project in accordance with the Moreno MDP. Figure 4.9-2 and Figure 4.9-3 illustrate the post-development drainage conditions on the Project site under the proposed site plan and the conceptual fulfillment/e-commerce site plan, respectively.

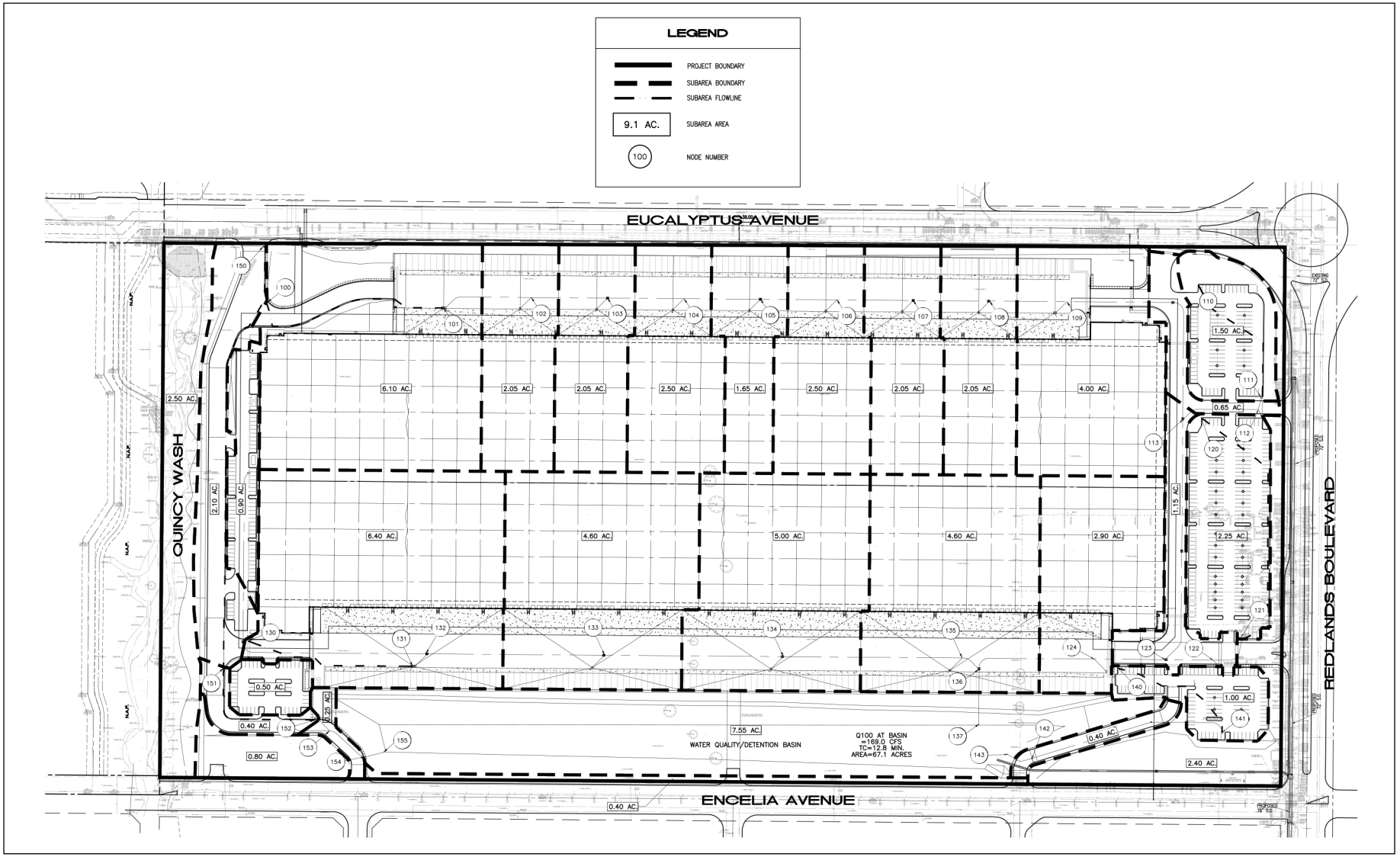
The following analysis evaluates the potential for Project-related development activities to adversely affect water quality or cause or exacerbate local flooding.

A. Erosion and Siltation

Although the Project would alter the subject property's interior drainage patterns, such changes would not result in substantial erosion or siltation on- or off-site.

Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the Project would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES permit and the *Santa Ana River Basin Water Quality Control Program* involves the preparation and implementation of a SWPPP for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that would be required to be implemented during construction activities to ensure that waterborne pollution – including erosion/siltation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Lastly, the Project would be required to implement an erosion control plan pursuant to Moreno Valley Municipal Code Section 8.21.160 and to ensure compliance with SCAQMD Rule 403 to minimize water- and windborne erosion. Mandatory compliance with the SWPPP and the City-required erosion control plan would ensure that Project construction activities would not result in substantial erosion or sedimentation.

Upon Project buildout, the Project Applicant would be required to implement a WQMP, which is a site-specific post-construction water quality management program that will be implemented to minimize erosion and siltation, pursuant to Moreno Valley Municipal Code Section 8.10.050. The WQMP is required to identify an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. The WQMP also is required to establish a post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the WQMP will be required as a condition of approval for the Project, as will the long-term maintenance of erosion and sediment control features. The preliminary WQMP for the Project is provided as *Technical Appendix J2* to this EIR and the preliminary WQMP for the conceptual fulfillment/e-commerce site plan is provided as *Technical Appendix J4* to this EIR. Because the Project would be required to utilize erosion and sediment control measures to preclude substantial,

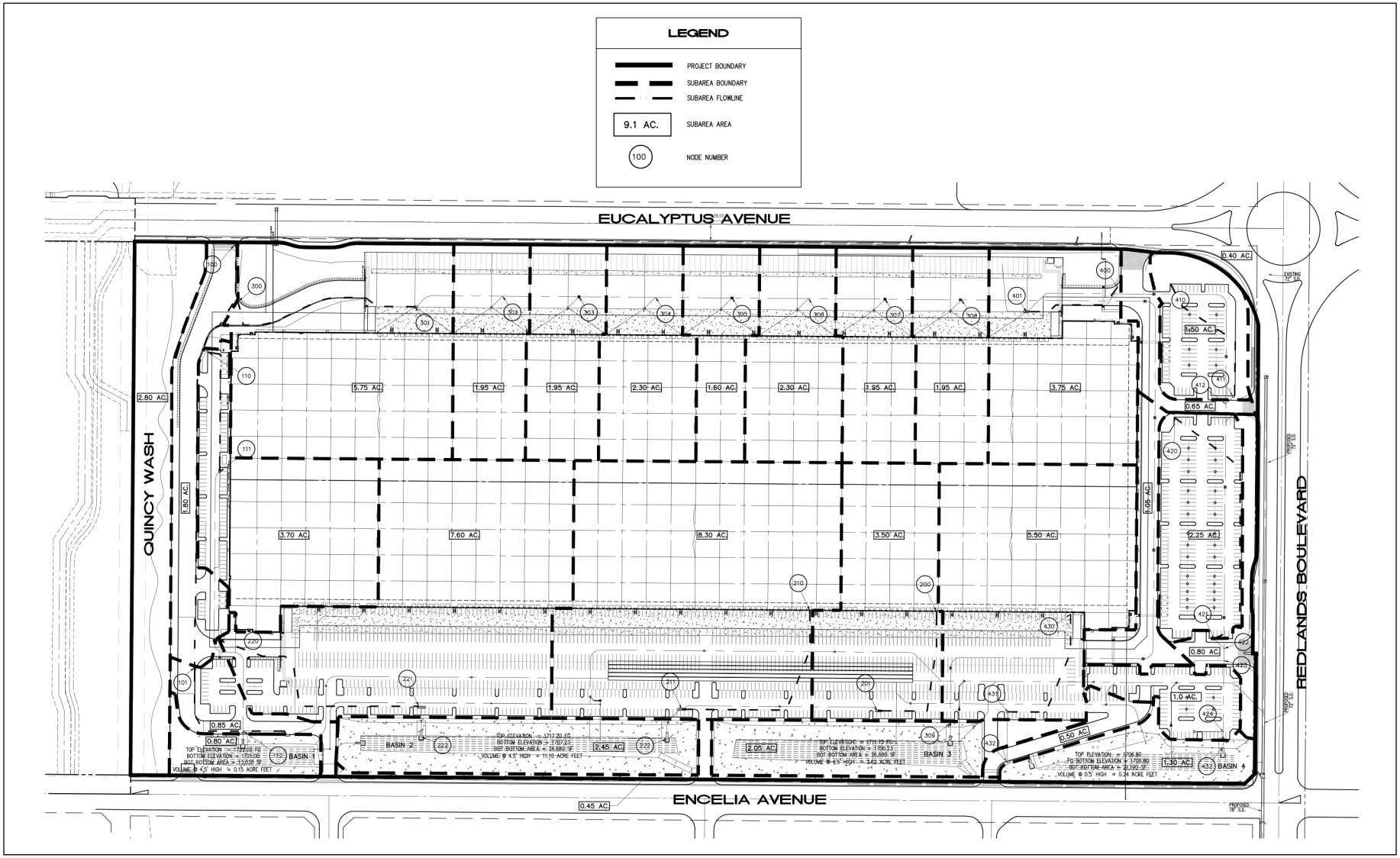


Source(s): Thienes Engineering, Inc. (10-28-2019)

Figure 4.9-2

Not to Scale

Proposed Post-Development Hydrology Map



Source(s): Thienes Engineering, Inc. (02-05-2020)

Not to Scale

Figure 4.9-3
Conceptual Post-Development Hydrology Map for Fulfillment/E-Commerce Site Plan

long-term soil erosion and loss of topsoil, Project operation would result in less-than-significant impacts related to soil erosion and sedimentation.

B. On- or Off-Site Flooding

During a peak storm event (100-year event, 1-hour storm), the Project site contributes 131.5 cubic feet per second (cfs) of stormwater runoff under existing conditions to the existing storm drain beneath Redlands Boulevard (via Encelia Avenue as surface sheet flow) (Thienes, 2019a; Thienes, 2020a). Upon Project buildout, all on-site storm runoff would be conveyed to the proposed on-site water quality/detention basin in the southern portion of the site (or the multiple on-site water quality/detention basins provided for the conceptual fulfillment/e-commerce site plan). The water quality/detention basins contain design features that would control the discharge of stormwater runoff from the site so that peak discharge does not exceed existing peak flows (Thienes, 2019a; Thienes, 2020a). From the on-site water quality/detention basin, stormwater runoff would be conveyed to a storm drain line beneath Redlands; the Project site would no longer would discharge stormwater runoff to Encelia Avenue (ibid.). Abutting the Project site, the storm drain line beneath Redlands Boulevard (Line F-2 of the Moreno MDP) would be replaced with a new pipe segment that is sized per the Moreno MDP to adequately convey ultimate future stormwater runoff from the Project site in addition to upstream areas (ibid.). This new pipe segment would continue beneath Redlands Boulevard to Dracaea Avenue, where it would connect to an existing storm drain line. The existing storm drain line at Dracaea Avenue is constructed at an interim, and not ultimate, size and does not have adequate capacity to accommodate peak runoff flows under existing conditions; during heavy rainfall events, some flows are conveyed via the storm drain line to an existing channel south of Brodiaea Avenue (Line F of the Moreno MDP) while overflow drains to the street and flows south within Redlands Boulevard to Line F (Thienes, 2021). The Project would provide a relief system at the connection point of the new and existing storm drain lines beneath Redlands Boulevard to ensure that any flows that cannot be conveyed south of Dracaea Avenue by the existing storm drain line would discharge to Redlands Boulevard and flow south along the street as surface sheet flow, similar to what occurs under existing conditions, until the time the remaining segments of Line F-2 are upgraded to the ultimate size planned by the Moreno MDP (ibid.). Because the Project would not increase the rate or amount of stormwater runoff discharged from the Project site or in the Project area above existing levels under either the proposed warehouse distribution/logistics or conceptual fulfillment/e-commerce site plans, implementation of the Project would not result in flooding on- or off-site. Impacts would be less than significant.

C. Stormwater Drainage System Capacity and Polluted Runoff

Moreno MDP Line F-2 does not have adequate capacity south of Dracaea Avenue to capture and convey peak stormwater runoff flows to Moreno MDP Line F under existing conditions because this storm drain pipe segment has not yet been constructed to its ultimate size as planned by the Moreno MDP. As a result, during heavy rain events, stormwater runoff flows that exceed the available capacity of Line F-2 travel south along Redlands Boulevard as surface sheet flow before discharging into Line F south of Brodiaea Avenue. Storm water runoff from the Project site is directed to Line F-2 at Dracaea Avenue under existing conditions and, as noted in the analysis above, implementation of the Project would not increase the rate or volume of stormwater discharged from the Project site during peak storm events relative to existing conditions. Thus, because the Project site already discharges to Line F-2 under existing conditions and because the Project would not increase

the rate or amount of stormwater runoff leaving the Project site during heavy rain events, implementation of the Project would not represent a substantial alteration to the existing drainage pattern of the area and the Project would not substantially increase downstream risks related to flooding due to insufficient capacity within Line F-2 (Thienes, 2021). Implementation of the Project would result in a less than significant impact.

As discussed in the response to Threshold "a," the Project's construction contractors would be required to comply with a SWPPP and the Project's owner or operator would be required to comply with the applicable Preliminary WQMP (*Technical Appendix J2* or *J4*) to ensure that Project-related construction activities and operational activities do not result in substantial amounts of polluted runoff. The Project would not result in substantial additional sources of polluted runoff and impacts would be less than significant.

D. Flood Flows

According to the FEMA FIRM No. 06065C0770G, dated August 28, 2008, the Project site is located within a 500-year floodplain, which is not considered a special flood hazard area (FEMA, 2008). 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. No impact would occur.

Threshold d: ***Would the Project result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?***

The Pacific Ocean is located over 45 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 4.0 miles south of the Project site, which is too far away from the subject property to impact the property with a seiche (Google Earth Pro, 2020). Furthermore, as noted in the City of Moreno Valley General Plan and General Plan EIR, the Project site is not located within any mapped dam inundation area (Moreno Valley, 2006b, Figure 5.5-2; Moreno Valley, 2006a, Figure 6-4). Accordingly, the Project would not release water pollutants due to inundation. No impact would occur.

Threshold e: ***Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?***

As previously discussed in the response to Threshold "a," the Project site is located within the Santa Ana River Basin and Project-related construction and operational activities would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Plan* by preparing and adhering to a SWPPP and WQMP. Implementation of the Project would not conflict with or obstruct the *Santa Ana River Basin Water Quality Control Plan* and impacts would be less than significant.

The Project site is located within the Perris North Groundwater Basin, which part of the West San Jacinto Groundwater Management area of the larger San Jacinto Groundwater Basin. As noted previously in the response to Threshold "b," implementation of the Project would not result in substantial adverse effects to local groundwater supplies or groundwater recharge. Thus, no component of the Project would obstruct with or prevent implementation of the management plan for the San Jacinto Groundwater Basin. As such, the

Project's construction and operation would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

4.9.5 Cumulative Impacts

The cumulative impact analysis considers construction and operation of the Project in conjunction with other development projects in the vicinity of the Project site and projects located in the Santa Ana River Basin and Perris North Groundwater Basin.

A. Water Quality

Project construction and the construction of other projects in the cumulative study area would have the potential to contribute waterborne pollution, including erosion and siltation, to the Santa Ana River Watershed. Pursuant to the requirements of the State Water Resources Control Board and the Santa Ana RWQCB, all construction projects that disturb one (1) or more acres of land area are required to obtain coverage for construction activities under the State's General Construction NPDES Permit. In order to obtain coverage, an effective site-specific SWPPP is required to be developed and implemented. The SWPPP must identify potential on-site pollutants and identify an effective combination of erosion control and sediment control measures to reduce or eliminate discharge of pollutants to surface waters. In addition, the Project Applicant and all cumulative developments in the Santa Ana River Basin would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*, which establishes water quality standards for ground and surface waters of the region. Compliance with these mandatory regulatory requirements, would ensure that development projects within the Santa Ana River watershed, including the proposed Project, would not contribute substantially to water quality impairments during construction.

Operational activities on the Project site would be required to comply with the Project's WQMP to minimize the amount of waterborne pollution, including erosion and sediment, discharged from the site. Other development projects within the watershed would similarly be required by law to prepare and implement site-specific WQMPs to ensure that runoff does not substantially contribute to water quality violations. Accordingly, operation of the Project would not contribute to cumulatively-considerable water quality effects.

B. Groundwater Supplies and Management

Although the Project would increase impervious surface coverage on the site, the Project incorporates design features that would allow surface runoff to infiltrate into the groundwater basin. Other development projects would similarly be required by applicable lead agencies to incorporate design features that facilitate percolation (e.g., through minimum landscaped/permeable area requirements, water quality/detention basins, infiltration basins). Also, as previously noted, the City's General Plan EIR evaluated potential impacts to the groundwater basins beneath the City and concluded that the incremental reduction in groundwater would not be significant as domestic water supplies are not reliant on groundwater as a primary source (City of Moreno Valley, 2006, pp. 5.7-12). No component of the Project would obstruct with or prevent implementation of the applicable groundwater management plan (West San Jacinto Groundwater Basin Management Plan) and other development projects within the San Jacinto Groundwater Basin would be prohibited from any activity that would endanger the health and sustainability of the groundwater basin. Based on the lack of impacts to groundwater, the provision of design measures that would facilitate percolation, and compliance with

applicable San Jacinto Groundwater Basin management plans, cumulative development would not result in a considerable, adverse effect to local groundwater supplies.

C. Flooding

Construction of the Project and other development projects within the Santa Ana River Basin would be required to comply with federal, State, and local regulations and applicable regional and local master drainage plans in order to mitigate flood hazards both on- and off-site. Compliance with federal, State, and local regulations and applicable drainage plans would require development sites to be protected from flooding during peak storm events (i.e., 100-year storm) and also would not allow development projects to expose downstream properties to increased flooding risks during peak storm events. In addition, future development proposals within the Santa Ana River Basin would be required to prepare hydrologic and hydraulic calculations, subject to review and approval by the responsible City/County Engineer, to demonstrate that substantial on- and/or off-site flood hazards would not occur. As discussed under the response to Threshold "c," the Project is designed to ensure that runoff from the Project site during peak storm events is substantially reduced relative to existing conditions. Because the Project and all other developments throughout the Santa Ana River Basin, would need to comply with federal, State, and local regulations to ensure that stormwater discharges do not substantially exceed existing volumes or exceed the volume of available conveyance infrastructure, a substantial cumulative impact related to flood hazards would not occur.

Additionally, the Project site is not located within a special flood hazard area or in an area subject to inundation. Accordingly, development on the Project site would have no potential to impede or redirect flood flows and a cumulatively-considerable impact would not occur.

4.9.6 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Adherence to a SWPPP and WQMP is required as part of the Project's implementation to address construction- and operational-related water quality.

Threshold b: Less-than-Significant Impact. The Project would not physically impact any of the major groundwater recharge facilities in the Perris North Groundwater Basin. The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the Perris North Groundwater Basin.

Threshold c: Less-than-Significant Impact. The Project Applicant would be required to comply with applicable water quality regulatory requirements to minimize erosion and siltation. Additionally, the Project would not result in flooding on- or off-site or impede/redirect flood flows. Lastly, the Project would not create or contribute to increased flooding risks due to insufficient capacity of existing or planned stormwater drainage systems or and would not provide substantial additional sources of polluted runoff.

Threshold d: No Impact. The Project site would not be subject to inundation from tsunamis, seiches, or other hazards.

Threshold e: Less-than-Significant Impact. The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.9.7 MITIGATION

Impacts would be less than significant; therefore, mitigation is not required.

4.10 LAND USE & PLANNING

This Subsection discusses the Project's consistency with applicable land use and planning policies adopted by the City of Moreno Valley and other governing agencies for the purpose of reducing adverse effects on the environment. Information used to support the analysis in this Subsection was obtained primarily from the City of Moreno Valley General Plan (Moreno Valley, 2006a), City of Moreno Valley Zoning Ordinance (Moreno Valley, 2018), Southern California Association of Governments (SCAG) *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)* (SCAG, 2016), and SCAG's *2020-2045 RTP/SCS* (hereafter, "Connect SoCal") (SCAG, 2020b). Refer to Section 7.0, *References*, for a complete list of reference sources.

4.10.1 EXISTING CONDITIONS

A. Existing Land Use and Development

Under existing conditions, the Project site is mainly vacant and undeveloped, except for an approximately 8.5-acre active plant nursery (Adam Hall's Plant Nursery) and associated structures (i.e., one [1] office building, shade and storage structures), and three (3) residential buildings with associated garages and storage sheds at the southeast corner of the Project site. A natural meandering dirt channel (Quincy Channel) is located along the western Project site boundary and enters the Project site from the northwest through a culvert and flows in a southerly direction for 1,487 linear feet before continuing off-site to the south past Encelia Avenue.

As shown on Figure 2-1, *Surrounding Land Uses*, Eucalyptus Avenue abuts the Project site to the north. North of Eucalyptus Avenue is a warehouse distribution center (Aldi Distribution Center). Encelia Avenue abuts the Project site on the south. South of Encelia Avenue is a residential community and vacant, undeveloped land. Immediately west of the Project site is a meandering dirt channel (Quincy Channel). Further west are vacant, undeveloped parcels. Immediately east of the Project site is Redlands Boulevard. Farther east (beyond Redlands Boulevard) are vacant, undeveloped parcels that are within the approved World Logistics Center Specific Plan and are planned for industrial use.

4.10.2 REGULATORY SETTING

The following is a brief description of the federal, State, and local environmental laws and related regulations related to land use and planning.

A. State Plans, Policies, and Regulations

1. California Planning and Zoning Law

The legal framework in which California cities and counties exercise local planning and land use functions is set forth in the California Planning and Zoning Law, §§ 65000 - 66499.58. Under State of California planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. These requirements include the inclusion of seven mandatory elements described in the Government Code, including a section on land use. Each of the elements must contain text and descriptions

setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and mitigation measures.

2. Office of Planning and Research (OPR) General Plan Guidelines

Each city and county in California must prepare a comprehensive, long term general plan to guide its future. To assist local governments in meeting this responsibility, the Governor's Office of Planning and Research (OPR) is required to adopt and periodically revise guidelines for the preparation and content of local general plans pursuant to Government Code § 65040.2 (OPR, 2017, p. 1). The General Plan Guidelines is advisory, not mandatory (ibid.). Nevertheless, it is the State's only official document explaining California's legal requirements for general plans. Planners, decision-making bodies, and the public depend upon the General Plan Guidelines for help when preparing local general plans. The courts have periodically referred to the General Plan Guidelines for assistance in determining compliance with planning law. For this reason, the General Plan Guidelines closely adheres to statute and case law. It also relies upon commonly accepted principles of contemporary planning practice.

B. Local Plans, Policies, and Regulations

1. City of Moreno Valley General Plan

At the time this EIR was prepared, the City of Moreno Valley had initiated a comprehensive General Plan Update; however, the General Plan Update had not been approved. The draft General Plan and associated Environmental Impact Report was released for public review on April 2, 2021. Therefore, the 2006 General Plan is the applicable General Plan for purposes of analysis herein. The City of Moreno Valley General Plan (adopted July 11, 2006) is a policy document that reflects the City's vision for the future of Moreno Valley. The General Plan is organized into seven (7) separate elements that contain a series of policies to guide the City's vision for future development. Each of the elements from the City of Moreno Valley 2006 General Plan are summarized below:

❑ Community Development

The Community Development Element functions as a land use guide for future development in the City. The Element identifies the general distribution, general location, and extent of land uses, such as housing, business, industry, open space, recreation, floodplains, and public facilities. These designations are reflected on the General Plan Land Use Map, which are applied on a parcel-by-parcel basis throughout the City. The Community Development Element also provides standards for residential density and non-residential intensity. It governs how land is to be used; therefore, many of the issues and policies contained in other elements of the General Plan are linked in some degree to this Element.

The Community Development Element designates the Project site for "Residential: Max 2 du/ac (R2)" land uses. The "R2" land use designation is intended to provide for suburban lifestyles on residential lots larger than commonly available in suburban subdivisions and to provide a rural atmosphere. The maximum allowable density for "R2" land uses is 2.0 dwelling units per acre.

❑ Parks, Recreation, and Open Space

The Parks, Recreation and Open Space Element includes specific policies related to open space preservation, outdoor recreation and recreation facilities, and trails.

❑ Circulation

The purpose of the Circulation Element is to develop a safe, efficient, environmentally and financially sound, integrated vehicular circulation system. It also is intended to provide for safe and adequate non-vehicular transportation, including pedestrian, bicycle, and public transportation systems.

❑ Safety

The goal of the Safety Element is to assist the City in achieving acceptable levels of protection from natural and man-made hazards to life, health, and property, and to ensure that emergency services in the City are adequate to meet the City's needs during both minor emergencies and major catastrophic situations.

❑ Conservation

The Conservation Element is intended to achieve the wise use of natural resources within the City and immediate environs. Issues addressed by the Conservation Element include erosion, water quality and supply, biological resources and associated habitat, energy conservation, historical/archaeological resources, visual quality, and solid waste and recycling.

❑ Housing

The Housing Element identifies and establishes the City's policies with respect to meeting the needs of existing and future residents of the City. Specific components of the Housing Element, which also are requirements of State law, include the following: an assessment of housing needs and inventory; an analysis and program for preserving assisted housing developments; a statement of community goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing; and a program which sets forth a five-year schedule of actions that the City is undertaking, or intends to undertake, to implement the policies set forth in the Housing Element.

2. City of Moreno Valley Zoning Ordinance

Development of the Project site is regulated by the development regulations and design standards contained within the City's Zoning Ordinance. The City of Moreno Valley's Zoning Ordinance is contained as Chapter 9 of the City of Moreno Valley Municipal Code. Under existing conditions, the entire Project site is zoned "Residential Agriculture 2 (RA2) District." According to the City of Moreno Valley Municipal Code, the primary purpose of the "RA2" zoning 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 (Moreno Valley, 2018). This district is intended as an area for development of large lot, single-family residential development at a maximum allowable density of two dwelling units (DU) per net acre (ibid.).

The City of Moreno Valley's Zoning Ordinance also applies the "Primary Animal Keeping Overlay (PAKO)" zoning overlay to the Project site. The PAKO is intended to maintain animal keeping and the rural character of the area noted within the overlay district and designates a portion of the parcel for medium and large animal keeping (Moreno Valley, 2018). Any proposed development within the PAKO must comply with City Zoning Ordinance Section 9.07.080, *Primary Animal Keeping Overlay (PAKO)*.

3. City of Moreno Valley Bicycle Master Plan

The City of Moreno Valley Bicycle Master Plan, adopted in January 2015, identifies deficiencies and opportunities in the City's existing bicycle facility system and presents a long-range plan for the provision of a safe, convenient and efficient environment for bicycle travel in Moreno Valley. On and surrounding the Project site, the Plan calls for a Class 2 bike lane along Eucalyptus Avenue and Redlands Boulevard (Moreno Valley, 2015, Figure 15). Refer to EIR Subsection 4.12, *Transportation*, for an analysis of the Project's consistency with the City of Moreno Valley Bicycle Master Plan.

4. SCAG Regional Transportation Plan and Sustainable Communities Strategy

The Southern California Association of Governments (SCAG) is a Joint Powers Authority (JPA) under California State law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues (SCAG, 2016). Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO) and under State law as a Regional Transportation Planning Agency and a Council of Governments. The SCAG region encompasses six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura) and 191 cities in an area covering more than 38,000 square miles. SCAG develops long-range regional transportation plans including sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations and other plans for the region.

As a MPO and public agency, SCAG develops transportation and housing strategies that transcend jurisdictional boundaries that affect the quality of life for southern California as a whole. SCAG's *2016-2040 RTP/SCS* includes long-range regional transportation plans, regional transportation improvement programs, regional housing needs allocations, and other plans for the region (SCAG, 2016). The *2016-2040 RTP/SCS* also provides objectives for meeting emissions reduction targets set forth by the California Air Resources Board (CARB); these objectives were provided in a direct response to Senate Bill 375 (SB 375) which was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing and environmental planning.

The 2016-2040 RTP/SCS also includes an appendix titled "Goods Movement" that is applicable to the Project because the Project entails the development of a light industrial building in the SCAG region that could support a variety of logistics/distribution warehousing or fulfillment center/e-commerce users. In April 2018 SCAG published *"Industrial Warehousing in the SCAG Region."* According to the document, the SCAG region is a vibrant hub for international and domestic trade because of its large transportation base and extensive multimodal transportation system (SCAG, 2018). The SCAG region's freight transportation system includes warehouses and distribution centers; the Ports of Los Angeles, Long Beach, and Hueneme; airports; rail intermodal terminals; rail lines, and local streets, state highways and interstates (ibid.). Together the system

enables the movement of goods from source to market, facilitating uninterrupted global commerce (ibid.). The region is home to approximately 34,000 warehouses with 1.17 billion square feet of warehouse building space, and undeveloped land that could accommodate an additional 338 million square feet of new warehouse building space (ibid.). These regions attract robust logistics activities, and are a major reason why the region is a critical mode in the global supply chain.

On November 7, 2019, SCAG adopted the *2020-2045 RTP/SCS (Connect SoCal)* and its associated Program EIR for federal transportation conformity purposes only (SCAG, 2020b). *Connect SoCal* serves as an update to the *2016-2040 RTP/SCS* and is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. Because *Connect SoCal* is not entirely adopted, the *2016 RTP/SCS* goals and 2016 Program EIR are still valid until the full adoption of Connect SoCal and recertification of the associated Program EIR, which is anticipated to be in September 2020. Because the goals of the *2016 RTP/SCS* are still valid at the time this EIR is being prepared, SCAG recommends completing a Project consistency analysis for goals outlined in the *2016 RTP/SCS* and *Connect SoCal*.

5. SCAQMD Air Quality Management Plan

An AQMP is a plan for the regional improvement of air quality. The SCAQMD *2016 AQMP* is the applicable AQMP for the South Coast Air Basin and was approved by the SCAQMD Governing Board in March 2017 (SCAQMD, 2017). The Project's consistency with the *2016 AQMP* was analyzed in detail in EIR Subsection 4.2, *Air Quality*, and as such is not further evaluated in this Subsection 4.10.

6. Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

The Western Riverside County MSHCP is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) focusing on conservation of species and their habitats in Western Riverside County. The Western Riverside County MSHCP was adopted on June 17, 2003, and an Implementing Agreement (IA) was executed between the USFWS, CDFW, and participating entities (including the City of Moreno Valley). Rather than focusing on one species at a time, implementation of the Western Riverside County MSHCP Section 10 Permit preserves native vegetation and meet the habitat needs of multiple species.

The Project site is located within the Reche Canyon Area Plan of the Western Riverside County MSHCP but is not located within a Cell Group, Criteria Cell, or Sub-Unit and is not targeted for conservation. The Project site is located within the MSHCP Burrowing Owl Survey Area but is not located within the Narrow Endemic Plan Species Survey Area (NEPSSA), the Criteria Area Plant Species Survey Area (CAPSSA), or the MSHCP Mammal and Amphibian Survey Areas. (RCA, n.d.) The proposed Project's consistency with the Western Riverside County MSHCP is discussed in detail in EIR Section 4.3, *Biological Resources*, and as such is not further evaluated in this Subsection 4.10.

7. Airport Land Use Compatibility Plan

The March Air Reserve Base/ Inland Port (MARB/IP) Airport Land Use Compatibility Plan (ALUCP) identifies land use standards and design criteria for new development located in the proximity of the MARB/IP Airport to ensure compatibility between the airport and surrounding land uses and to maximize public safety.

The Project site is over five miles northeast of the MARB/IP and is outside of the MARB/IP influence area and is not subject to the MARB/IP ALUCP (ALUC, 2014, Map MA-1). Thus, this plan is not further discussed herein.

4.10.3 Basis for Determining Significance

The Project would result in a significant impact related to land use and planning if the Project or any Project-related component would:

a. *Physically divide an established community; or*

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.*

The above-listed thresholds are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to land use and planning that could result from development projects.

4.10.4 Impact Analysis

The analysis provided on the following pages addresses the potential land use and planning impacts that could result from implementation of the proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*. Except where specifically noted herein, implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses would result in similar land use and planning impacts.

Threshold a: ***Would the Project physically divide an established community?***

Under existing conditions, the Project site is bordered by Eucalyptus Avenue to the north, Redlands Boulevard to the east, Encelia Avenue to the south, and Quincy Channel to the west. Immediately south of Encelia Avenue is a residential community. Immediately north and northwest of Eucalyptus Avenue are industrial warehouse facilities. Immediately east of Redlands Boulevard are vacant, undeveloped parcels that are within the approved World Logistics Center Specific Plan and are planned for industrial use.

The Project site contains three (3) occupied residential homes under existing conditions; implementation of the Project would remove these structures from the Project site. However, existing industrial land uses (i.e., warehouses) are located north and northwest of the Project site and undeveloped land planned for non-residential land uses (i.e., "Commercial") is located north of the Project site. East of the Project site is an assemblage of undeveloped land that is planned for employment and commerce uses as part of the World Logistics Center Specific Plan; this area occupies approximately 2,600 acres and generally extends east of Redlands Boulevard to Gilman Springs Road and south of SR-60 to Cactus Avenue. The Project's proposed General Plan Amendment would extend the existing and planned employment and commerce land uses in the Project vicinity onto the Project site. Therefore, the Project would be a continuation of the established and planned industrial uses in the General Plan and the Project would not have the potential to physically divide an established community.

The Project would connect to the existing roadway system and other infrastructure and would not involve the reconfiguration of streets that could have the potential to alter the surrounding pattern of future development, or that would affect the connectivity of existing residential uses to the south of the Project site.

Therefore, implementation of the Project would not physically divide any existing, surrounding community and impacts would be less than significant.

Threshold b: ***Would the Project 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?***

A. City of Moreno Valley General Plan

The Project includes an amendment to the City of Moreno Valley General Plan Land Use Map that would change the Project site's land use designation from "Residential: Max 2 du/ac (R2)" to "Business Park/Light Industrial (BP/LI)". Approval of the requested General Plan Amendment would eliminate any potential inconsistency between proposed land uses and the site's existing land use designations. Impacts to the environment associated with the Project's proposed General Plan Amendment are evaluated throughout this EIR, and where significant impacts are identified, mitigation measures are imposed to reduce impacts to the maximum feasible extent. There are no environmental impacts that would result as a specific consequence of the proposed changes to the site's General Plan land use designation, beyond what is already evaluated and disclosed by this EIR.

Although implementation of the Project would result in the re-classification of the Project site from a residential land use (R2) to a non-residential land use (BP/LI), the City of Moreno Valley has enacted the "Density Bonus Program for SB 330" ordinance (Municipal Code Section 9.03.065) that includes density bonus/transfer provisions to ensure that land use actions taken by the City of Moreno Valley would result in no net loss of residential capacity within the City. Accordingly, the residential units assigned to the Project site by the General Plan under existing conditions could be developed elsewhere in the City in the future, in areas specifically targeted by the City for a range of dwelling types – including more affordable dwelling types.

Based on a review of the Project's Application materials conducted by City of Moreno Valley staff, the Project would not conflict with any specific objectives, policies, or actions in the General Plan's Community Development, Economic Development, Parks, Recreation and Open Spaces, Circulation, Safety, Conservation, and Housing Elements that were adopted for the purpose of avoiding or mitigating an environmental effect. As discussed in Subsection 4.12, *Transportation*, although the Project would contribute to traffic congestion and not comply with General Plan Circulation Element Policy 5.3 related to LOS criteria, SB 743 and the CEQA Guidelines stipulate that LOS is not to be used as a criterion for determining significant effects on the environment.

Impacts would be less than significant.

B. City of Moreno Valley Zoning Ordinance

The Project includes a Change of Zone to amend the City of Moreno Valley Zoning Map to change the zoning classification of the Project site from "Residential Agriculture 2 (RA2) District" to "Light Industrial (LI) District," and to remove the Project site's "Primary Animal Keeping Overlay (PAKO)" overlay classification. Approval of the requested Change of Zone would eliminate any potential inconsistency between the proposed Project and the site's underlying zoning classifications. The Project would not conflict with any development regulations and design standards in the Zoning Ordinance, and there are no components of the Project's proposed Change of Zone that would result in impacts not already evaluated and disclosed by this EIR. Impacts would be less than significant.

C. SCAG Regional Transportation Plan and Sustainable Communities Strategy

As shown in Table 4.10-1, *SCAG's RTP/SCS Goal Consistency Analysis*, the Project would not conflict with the adopted goals of the *2016 RTP/SCS* and *Connect SoCal*. However, as discussed in EIR Subsection 4.7, *Greenhouse Gas Emissions*, SCAG intended that the *2016 RTP/SCS* and *Connect SoCal* ensure that the southern California region attains the per capita vehicle miles targets for passenger vehicles identified by CARB, as required by Senate Bill 375. The Project would be consistent with the *2016 RTP/SCS* and *Connect SoCal* for integrating the transportation network and related strategies with an overall land use pattern that responds to projected growth, housing needs, changing demographics, and transportation demands; however as detailed in Subsection 4.7, Table 4.7-4 and Table 4.7-5, the estimated GHG emissions from Project operation (16,336.94 $MTCO_2e$ per year for warehouse distribution use and 28,209.57 $MTCO_2e$ per year for e-commerce use) would exceed the SCAQMD threshold (10,000 $MTCO_2e$ per year). Even with implementation of mitigation measures identified in Subsection 4.7, GHG emissions would be in excess of SCAQMD thresholds due to the size of the Project; therefore, the Project would not be consistent with SCAG's *2016 RTP/SCS* and *Connect SoCal's* Performance Measure regarding criteria pollutants and GHG emissions. The Project would not result in any other land use and planning conflicts with the *2016 SCS/RTP* or *Connect SoCal* that were not already disclosed in EIR Subsection 4.7.

Table 4.10-1 SCAG's RTP/SCS Goal Consistency Analysis

RTP/SCS Goals	Goal Statement	Project Consistency Discussion
2016 RTP/SCS		
G1	Align the plan investments and policies with improving regional economic development and competitiveness.	No conflict identified. This policy would be implemented by cities and the counties within the SCAG region as part of comprehensive local and regional planning efforts. It should be noted that the Project would improve the regional economy by creating a new warehouse facility.
G2	Maximize mobility and accessibility for all people and goods in the region.	No conflict identified. EIR Subsection 4.12, *Transportation*, evaluates Project-related traffic impacts and specifies mitigation measures to ensure that roadway and intersection improvements needed to accommodate Project traffic volumes are implemented concurrent with proposed development. Additionally, the Project would improve the accessibility of goods to the surrounding area.

Table 4.10-1 SCAG's RTP/SCS Goal Consistency Analysis

RTP/SCS Goals	Goal Statement	Project Consistency Discussion
G3	Ensure travel safety and reliability for all people and goods in the region.	No conflict identified. As disclosed in EIR Subsection 4.12 there are no components of the Project that would result in a substantial safety hazards to motorists or pedestrians.
G4	Preserve and ensure a sustainable regional transportation system.	No conflict identified. This policy would be implemented by cities and the counties within the SCAG region as part of the overall planning and maintenance of the regional transportation system. The Project would have no adverse effect on such planning or maintenance efforts.
G5	Maximize the productivity of our transportation system.	No conflict identified. This policy would be implemented by cities and the counties within the SCAG region as part of comprehensive transportation planning efforts. The Project would not conflict with the City of Moreno Valley's General Plan Circulation Element, which meets this goal to maximize productivity.
G6	Protect the environment and health for our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking).	No conflict identified. An analysis of the Project's environmental impacts is provided throughout this EIR, and mitigation measures are specified where warranted. Air quality is addressed in EIR Subsection 4.2, *Air Quality*, and mitigation measures are specified to reduce the Project's air quality impacts to the maximum feasible extent. Additionally, and as discussed in EIR Subsections 4.7, *Greenhouse Gas Emissions*, and 4.5, *Energy*, the Project would foreseeably incorporate various measures related to building design, landscaping, and energy systems to promote the efficient use of energy. Additionally, the Project would construct frontage improvements, including sidewalks which would encourage walking in the Project area. The Project also would construct two (2) bus stop turnouts to encourage public transportation in the Project area.
G7	Actively encourage and create incentives for energy efficiency, where possible.	No conflict identified. This policy provides guidance to City staff to establish local incentive programs to encourage and promote energy efficient development. EIR Subsection 4.5, *Energy*, discusses the Project's foreseeable design features related to building design, landscaping, and energy systems to promote the efficient use of energy.
G8	Encourage land use and growth patterns that facilitate transit and active transportation.	No conflict identified. This policy provides guidance to the City to establish a local land use plan that facilitates the use of transit and non-motorized forms of transportation. The Project would develop the subject property with an employment-generating land use (i.e., one warehouse building) that would provide local job opportunities to existing and future residents of the City that would be accessible by transit and active transportation.
G9	Maximize the security of the regional transportation system through improved system	No conflict identified. This policy provides guidance to the City of Moreno Valley to monitor the transportation

Table 4.10-1 SCAG's RTP/SCS Goal Consistency Analysis

RTP/SCS Goals	Goal Statement	Project Consistency Discussion
	monitoring, rapid recovery planning, and coordination with other security agencies.	network and to coordinate with other agencies as appropriate. The Project would not conflict with the City's transportation network or the City's coordination with other agencies.
Connect SoCal		
1	Encourage regional economic prosperity and global competitiveness.	No conflict identified. Refer to the consistency analysis for Goal G1 of the *2016 RTP/SCS*.
2	Improve mobility, accessibility, reliability, and travel safety for people and goods.	No conflict identified. Refer to the consistency analysis for Goals G2 and G3 of the *2016 RTP/SCS*.
3	Enhance the preservation, security, and resilience of the regional transportation system.	No conflict identified. Refer to the consistency analysis for Goals G4 and G9 of the *2016 RPT/SCS*.
4	Increase person and goods movement and travel choices within the transportation system.	No conflict identified. The Project involves development of a warehouse facility within a developing industrial area, along designated truck routes, and in close proximity to the State highway system, which would avoid or shorten truck-trip lengths on other roadways. Also, refer to the consistency analysis for Goals G6 and G8 of the *2016 RTP/SCS*, which addresses accommodations for alternative modes of transportation (e.g., transit, bicycle and walking).
5	Reduce greenhouse gas emission and improve air quality.	Potential conflict~~No conflict~~ identified. The Project would produce GHG emissions that would exceed the SCAQMD threshold (10,000 MTCO2e per year), which could hinder the ability to reduce Basin-wide GHG emissions.~~Refer to the consistency analysis for goals G6 and G7 of the *2016 RTP/SCS*.~~
6	Support healthy and equitable communities.	No conflict identified. This policy pertains to health and equitable communities, and these issues area addressed through goals and policies outlined in the Safety Element of the City's General Plan. Relevant to the Project, the proposed building design would support the health of occupants and users by using non-toxic building materials and finishes, and by using windows and design features to maximize natural light and ventilation.
7	Adapt to a changing climate and support an integrated regional development.	No conflict identified. *Connect SoCal* indicates that since the adoption of the *2016 RTP/SCS*, there have been significant drivers of change in the goods movement industry including emerging and new technologies, more complex supply chain strategies, evolving consumer demands and shifts in trade policies. Warehouse distribution and e-commerce continues to be one of the most influential factors shaping goods movement. The Project involves the redevelopment of a Project site, historically used for agriculture and as a plant nursery, with a warehouse facility that would diversity the City of Moreno Valley's economy and bring employment

Table 4.10-1 SCAG's RTP/SCS Goal Consistency Analysis

RTP/SCS Goals	Goal Statement	Project Consistency Discussion
		opportunities closer to the local workforce. Co-locating jobs near housing reduces greenhouse gas emissions caused by long commutes and contributes to integrated development patterns.
8	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	No conflict identified. *Connect SoCal* also indicates that the advancement of automation is expected to have considerable impacts throughout regional supply chains. Notably, warehouses, such as those proposed with the Project, are increasingly integrating automation to improve operational efficiencies in response to the surge in direct-to-consumer e-commerce. Additionally, continued developments and demonstrations of electric-powered and automated truck technologies will alter the goods movement environment with far-reaching impacts ranging from employment to highway safety. The Project would meet contemporary industry standards to support advancements in these and other transportation technologies.
9	Encourage development of diverse housing types in areas that are supported by multiple transportation options.	No conflict identified. The Project is located in an area designated for industrial uses and would not interfere with the City's ability to encourage the development of diverse housing types that are supported by multiple transportation options in other parts of the City, as appropriate.
10	Promote conservation of natural and agricultural lands and restoration of habitats.	No conflict identified. As disclosed in EIR Subsection 4.3, *Biological Resources*, the Project would provide mitigation to protect the burrowing owl and to fully compensate for impacts to sensitive habitat. Therefore, implementation of the Project would not interfere with City's ability to promote the conservation of natural and agricultural lands and the restoration of habitats. Additionally, the Project site does not include any land designated for agricultural uses.

Source: (SCAG, 2016, p. 64; SCAG, 2020b, p. 9)

4.10.5 Cumulative Impact Analysis

Under existing conditions, the Project site is physically separated from neighboring land uses to the south by an existing roadway (i.e., Encelia Avenue). Because the Project site does not directly abut any established communities, there is no potential for the Project to cause or cumulatively contribute to the division of an established community.

Amendments to the City of Moreno Valley General Plan land use designation applied to the Project site would permit development of the proposed warehouse facility. The Project's proposed General Plan Amendment would eliminate inconsistencies between the proposed land use and the site's existing General Plan land use designation. As development occurs elsewhere throughout the cities of Perris, Hemet, Beaumont, Riverside,

and the larger Riverside County area, any proposal to change the underlying land use or development intensity for a specific property similarly would not have the potential to result in conflict with applicable land plans and result in substantial, adverse environmental effects with implementation of an amendment to the applicable land use plan. The Project would not result in any cumulatively-considerable land use and planning conflicts in the context of compliance with applicable environmental plans, policies, and regulations beyond those identified in other Subsections of this EIR.

4.10.6 Significance of Impacts Before Mitigation

Threshold a: No Impact. The Project would not physically divide an established community.

Threshold b: Less-than-Significant Impact. The Project's proposed General Plan Amendment would eliminate inconsistencies between the proposed on-site land use and the site's existing General Plan land use designation. The Project would not result in significant land use and planning conflicts in the context of compliance with applicable environmental plans, policies, and regulations beyond those identified in other Subsections of this EIR.

4.10.7 Mitigation

Impacts would be less than significant; therefore, mitigation is not required.

4.11 NOISE

This Subsection addresses the environmental issue of noise, including existing noise levels in the Project area and the Project's potential to introduce new or elevated sources of noise. The analysis contained herein incorporates information contained in two (2) reports prepared by Urban Crossroads, Inc.: 1) "Moreno Valley Trade Center Warehouse Noise Impact Analysis," dated January 10, 2021 (Urban Crossroads, 2021f); and 2) "Moreno Valley Trade Center E-Commerce Noise Impact Analysis," dated January 10, 2021 (Urban Crossroads, 2021g). The reports are included as *Technical Appendices K1 and K2*, respectively, to this EIR. Refer to Section 7.0, *References*, for a complete list of all reference sources used in this Subsection.

4.11.1 NOISE FUNDAMENTALS

A. Noise Definitions

Noise is simply defined as "unwanted sound." Sound becomes unwanted when it interferes with normal activities, when it causes physical harm, or when it has adverse effects on health. Because the range of sound that the human ear can detect is large, the scale used to measure sound intensity is based on multiples of 10, the logarithmic scale (Urban Crossroads, 2021f, pp. 9-10; Urban Crossroads, 2021g, pp. 9-10). The unit of measure to describe sound intensity is the decibel (dB). A sound increase of 10 dB represents a ten-fold increase in sound energy and is perceived by the human ear as being roughly twice as loud (ibid). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise sources by discriminating against very low and very high frequencies of the audible spectrum (i.e., frequencies that are not audible to the human ear) (ibid.). The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud) (ibid.). Normal conversation at a distance of three feet is roughly 60 dBA, while a jet engine is 110 dBA at approximately 100 feet (ibid.).

B. Noise Descriptors

Environmental noise descriptors are generally based on averages, rather than instantaneous noise levels (Urban Crossroads, 2021f, p. 10; Urban Crossroads, 2021g, p. 10). The most commonly used figure is the equivalent continuous noise level (Leq). Leq represents a steady state sound level containing the same total energy as a time varying signal over a given time period (ibid.). Leq values are not measured directly but are calculated from sound pressure levels typically measured in dBA (ibid.). Consequently, Leq can vary depending on the time of day (ibid.).

Peak hour or average noise levels, while useful, do not completely describe a given noise environment. Noise levels lower than peak hour levels may be disturbing if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping) hours. To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours (Urban Crossroads, 2021f, p. 10; Urban Crossroads, 2021g, p. 10). The time of day corrections require the addition of five (5) dB to sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 dB to sound levels at night between 10:00 p.m. and 7:00 a.m (ibid.). These additions are made to account for the noise sensitive time periods during the evening and nighttime hours when sound appears louder. CNEL does not represent the actual sound level heard at any particular time, but rather represents the total sound exposure (ibid.). The City

of Moreno Valley relies on the 24-hour CNEL level to assess land use compatibility with transportation-related noise sources (ibid.).

C. Sound Propagation

When sound propagates over a distance, it changes in level and frequency content. The manner in which noise reduces with distance depends on geometric spreading, ground absorption, atmospheric effects, and shielding (Urban Crossroads, 2021f, p. 10; Urban Crossroads, 2021g, p. 10).

1. Geometric Spreading

Sound from a localized source (i.e., a stationary point source) propagates uniformly outward in a spherical pattern. The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source (Urban Crossroads, 2021f, p. 10; Urban Crossroads, 2021g, p. 10). Highways consist of several localized noise sources on a defined path and hence can be treated as a line source, which approximates the effect of several point sources (ibid.). Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading (ibid.). Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source (ibid.).

2. Ground Absorption Noise

To account for the ground-effect attenuation (absorption) of noise, two types of site conditions are commonly used in noise models: soft site and hard site conditions. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receptor, such as a parking lot or body of water), no excess ground attenuation is assumed (Urban Crossroads, 2021f, pp. 10-11; Urban Crossroads, 2021g, pp. 10-11). For acoustically absorptive or soft sites (i.e., sites with an absorptive ground surface between the source and the receptor such as soft dirt, grass, or scattered bushes and trees), an excess ground attenuation value of 1.5 dB per doubling of distance is normally assumed (ibid.).

3. Atmospheric Effects

Receptors located downwind from a noise source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels (Urban Crossroads, 2021f, p. 11; Urban Crossroads, 2021g, p. 11). Other factors that may affect noise levels include air temperature, humidity, and turbulence (ibid.).

4. Shielding

A large object or barrier in the path between a noise source and a receptor can substantially attenuate noise levels at the receptor. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Solid objects or barriers are most effective at attenuating noise levels (Urban Crossroads, 2021f, p. 11; Urban Crossroads, 2021g, p. 11). Effective noise barriers can reduce noise levels by 10 to 15 dBA. Noise barriers, however, do have limitations (ibid.). For a noise barrier to work, it must be high enough and long enough to block the path of the noise source (ibid.).

5. Reflection

Field studies conducted by the Federal Highway Administration (FHWA) have shown that the reflection from barriers and buildings does not substantially increase noise levels (Urban Crossroads, 2021f, p. 11; Urban Crossroads, 2021g, p. 11). If all the noise striking a structure was reflected back to a given receiving point, the increase would be theoretically limited to 3 dBA (ibid.). Further, not all the acoustical energy is reflected back to same point. Some of the energy would go over the structure, some is reflected to points other than the given receiving point, some is scattered by ground coverings (e.g., grass and other plants), and some is blocked by intervening structures and/or obstacles (e.g., the noise source itself) (ibid.). Additionally, some of the reflected energy is lost due to the longer path that the noise must travel (ibid.). FHWA measurements made to quantify reflective increases in traffic noise have not shown an increase of greater than 1-2 dBA; an increase that is not perceptible to the average human ear (ibid.).

D. Response to Noise

Approximately 10% of the population has a very low tolerance for noise and will object to any noise not of their own making (Urban Crossroads, 2021f, pp. 12-13; Urban Crossroads, 2021g, pp. 12-13). Consequently, even in the quietest environment, some complaints will occur. Another 25% of the population will not complain even in very severe noise environments (ibid.). Thus, a variety of reactions can be expected from people exposed to any given environment. Despite this variability in behavior on an individual level, the population as a whole can be expected to exhibit the following responses to changes in noise levels: an increase of 1 dBA cannot be perceived except in carefully controlled laboratory experiments; a change of 3 dBA is considered "barely perceptible;" and a change of 5 dBA is considered "readily perceptible" (ibid.).

E. Vibration

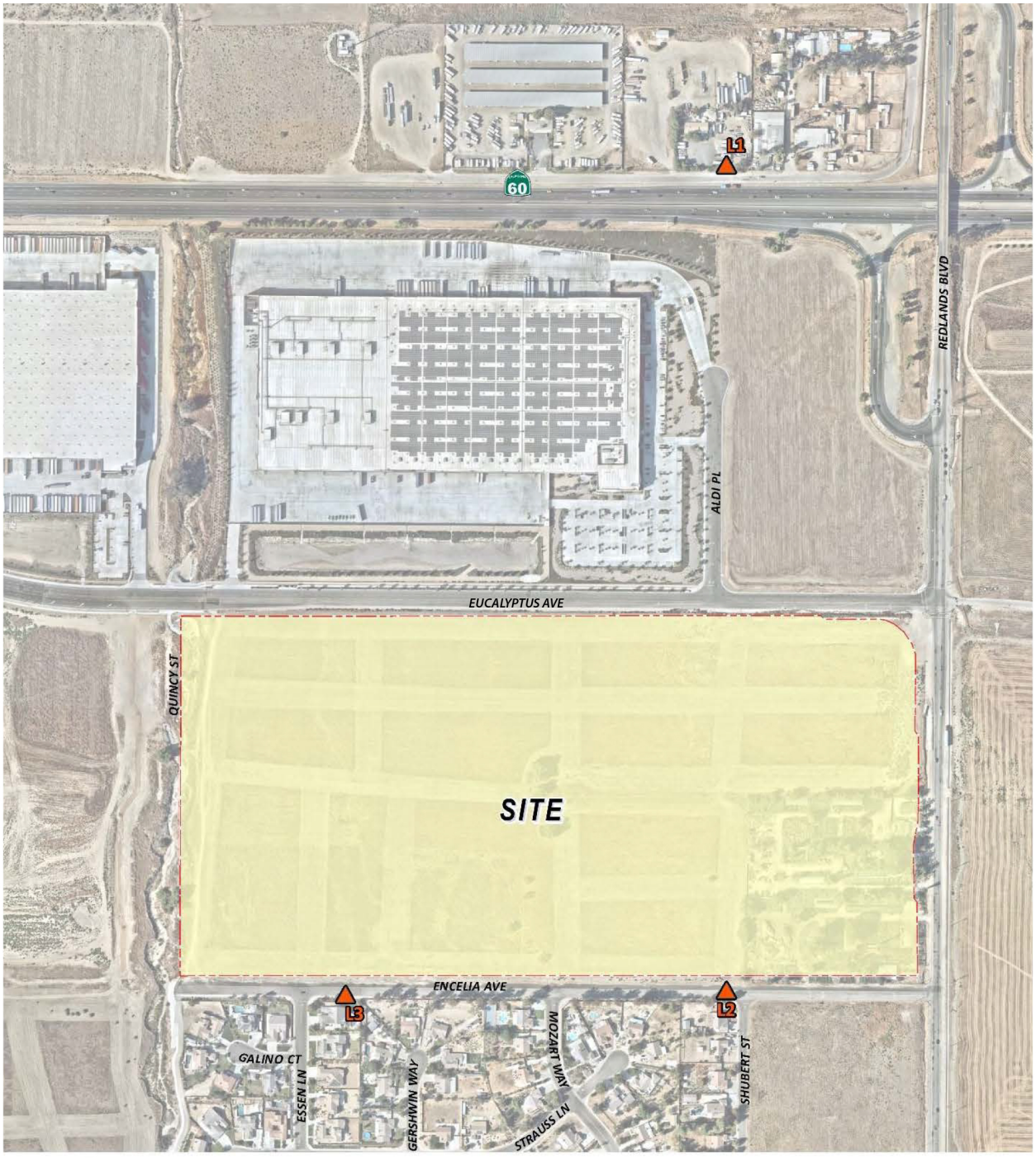
Vibration is the periodic oscillation of a medium or object. Sources of groundborne vibration include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, groundborne vibrations may be described by amplitude and frequency. Vibration is often described in units of velocity (inches per second) and decibels (dB) and is denoted as VdB.

The background vibration-velocity level in residential areas is generally 50 VdB (Urban Crossroads, 2021f, p. 14; Urban Crossroads, 2021g, p. 14). Groundborne vibration is normally perceptible to humans at approximately 65 VdB (ibid.). For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels (ibid.).

4.11.2 Existing Noise Conditions

A. Existing Study Area Ambient Noise Conditions

Urban Crossroads recorded 24-hour noise readings at three (3) locations near the Project site on December 12, 2019. The noise measurement locations are identified in Figure 4.11-1, *Noise Measurement Locations*. The results of the existing noise level measurements are summarized below. Refer to Appendix 5.2 of *Technical*



Source(s): Urban Crossroads (06-03-2020)

Figure 4.11-1

Not to Scale

Noise Measurement Locations

Appendices K1 and K2 for the noise measurement worksheets used by Urban Crossroads to calculate the noise levels, including a summary of the hourly noise levels and the minimum and maximum observed noise levels at each measurement location. The existing ambient noise levels in the vicinity of the Project site are dominated by traffic noise associated with automobiles and truck traffic on the local arterial roadway network (Urban Crossroads, 2021f, p. 27; Urban Crossroads, 2021g, p. 27).

- **Location L1** represents the noise levels north of the Project site near an existing residential home and SR-60. The noise levels at this location consist primarily of traffic noise from SR-60. The noise level measurements collected show an overall 24-hour exterior noise level of 80.5 dBA CNEL (Urban Crossroads, 2021f, p. 28; Urban Crossroads, 2021g, p. 28). The energy (logarithmic) average daytime noise level was calculated at 75.3 dBA Leq with an average nighttime noise level of 73.8 dBA Leq (ibid.).
- **Location L2** represents the noise levels south of the Project site near existing single-family residential homes by Encelia Avenue and Shubert Street. The noise level measurements collected show an overall 24-hour exterior noise level of 61.0 dBA CNEL. The energy (logarithmic) average daytime noise level was calculated at 54.2 dBA Leq with an average nighttime noise level of 54.6 dBA Leq (Urban Crossroads, 2021f, p. 28; Urban Crossroads, 2021g, p. 28). The noise levels at this location consist primarily of traffic noise from Encelia Avenue and Shubert Street (ibid.).
- **Location L3** represents the noise levels south of the Project site on Encelia Avenue next to existing single-family residential homes. The 24-hour CNEL indicates that the overall exterior noise level is 56.8 dBA CNEL. The energy (logarithmic) average daytime noise level was calculated at 51.0 dBA Leq with an average nighttime noise level of 50.4 dBA Leq (Urban Crossroads, 2021f, p. 28; Urban Crossroads, 2021g, p. 28). Traffic on Encelia Avenue represents the primary source of noise at this location.

B. Existing Groundborne Vibration

There are no sources of perceptible groundborne vibration on the Project site under existing conditions.

C. Existing Airport Noise

The Project site is located approximately 5.7 miles northeast of the March Air Reserve Base/Inland Port (MARB/IP) Airport. The Project site is located outside of the influence area of the MARB/IP Airport and is therefore not subject to the MARB/IP Airport Land Use Compatibility Plan (ALUCP) (ALUC, 2014a, Map MA-1).

4.11.3 Regulatory Setting

The following is a brief description of the federal, State, and local environmental laws and regulations related to noise that are applicable to the Project, the Project site, and/or the surrounding area.

A. Federal Plans, Policies, and Regulations

1. Noise Control Act of 1972

The Noise Control Act of 1972 establishes a national policy to promote an environment for all Americans free from noise that jeopardizes their health and welfare. The Act also serves to (1) establish a means for effective coordination of federal research and activities in noise control; (2) authorize the establishment of federal noise emission standards for products distributed in commerce; and (3) provide information to the public respecting the noise emission and noise reduction characteristics of such products (EPA, 2019g).

While primary responsibility for control of noise rests with State and local governments, federal action is essential to deal with major noise sources in commerce, control of which require national uniformity of treatment. The Environmental Protection Agency (EPA) is directed by Congress to coordinate the programs of all federal agencies relating to noise research and noise control.

2. Federal Transit Administration

The Federal Transit Administration (FTA) published a Noise and Vibration Impact Assessment (NVIA), which provides guidance for preparing and reviewing the noise and vibration sections of environmental documents (FTA, 2006, p. 1-1). In the interest of promoting quality and uniformity in assessments, the manual is used by project sponsors and consultants in performing noise and vibration analyses for inclusion in environmental documents. The manual sets forth the methods and procedures for determining the level of noise and vibration impact resulting from most federally-funded transit projects and for determining what can be done to mitigate such impact.

3. Federal Highway Administration

The Federal Highway Administration (FHWA) is the agency responsible for administering the federal-aid highway program in accordance with federal statutes and regulations. The FHWA developed the noise regulations as required by the Federal-Aid Highway Act of 1970 (Public Law 91-605, 84 Stat. 1713). The regulation, 23 CFR 772 Procedures for Abatement of Highway Traffic Noise and Construction Noise, applies to highway construction projects where a State department of transportation has requested federal funding for participation in the project (FHWA, 2017). The regulation requires the highway agency to investigate traffic noise impacts in areas adjacent to federally-aided highways for proposed construction of a highway on a new location or the reconstruction of an existing highway to either significantly change the horizontal or vertical alignment or increase the number of through-traffic lanes. If the highway agency identifies impacts, it must consider abatement. The highway agency must incorporate all feasible and reasonable noise abatement into the project design.

The FHWA regulations for mitigation of highway traffic noise in the planning and design of federally aided highways are contained in Title 23 of the United States Code of Federal Regulations Part 772. The regulations contain noise abatement criteria, which represent the upper limit of acceptable highway traffic noise for different types of land uses and human activities. The regulations do not require meeting the abatement criteria in every instance. Rather, they require highway agencies make every reasonable and feasible effort to provide

noise mitigation when the criteria are approached or exceeded. Compliance with the noise regulations is a prerequisite for the granting of federal-aid highway funds for construction or reconstruction of a highway.

4. Construction-Related Hearing Conservation

The Occupational Safety and Health Administration (OSHA) hearing conservation program is designed to protect workers with significant occupational noise exposures from hearing impairment even if they are subject to such noise exposures over their entire working lifetimes (OSHA, 2002). Standard 29 CFR, Part 1910 indicates the noise levels under which a hearing conservation program is required to be provided to workers exposed to high noise levels.

B. State Plans, Policies, and Regulations

1. State of California Noise Requirements

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires that each county and city in the State of California adopt a General Plan that includes a Noise Element, which is to be prepared according to guidelines adopted by the Governor's Office of Planning and Research. The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels.

2. Building Standards Code

The State of California's noise insulation standards are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 2, and the California Building Standards Code. These noise standards are applied to new construction in California for the purpose of controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are developed near major transportation noise sources, and where such noise sources create an exterior noise level of 60 dBA CNEL or higher. Acoustical studies that accompany building plans for noise-sensitive land uses must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new residential buildings, schools, and hospitals, the acceptable interior noise limit for new construction is 45 dBA CNEL.

3. OPR General Plan Guidelines

Though not adopted by law, the 2017 California General Plan Guidelines, published by the California Governor's Office of Planning and Research (OPR), provides guidance for local agencies in preparing or updating General Plans. The Guidelines provide direction on the required Noise Element portion of the General Plans (OPR, 2017b, pp. 131-132). The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels. The OPR Guidelines state that General Plan policies and standards must be sufficient to serve as a guideline for compliance with sound transmission control requirements, and directly correlate to the Land Use, Circulation, and Housing Elements. The Guidelines also state that the Noise Element must be used to guide decisions concerning land use and the location of new roads and transit facilities since these are common sources of excessive noise levels. The City of Moreno Valley's General Plan addresses the

topic of noise in the City's General Plan Safety Element. Refer below for a discussion of the City of Moreno Valley's General Plan.

C. Local Plans, Policies, and Regulations

1. City of Moreno Valley General Plan

Moreno Valley General Plan addresses the topic of Noise in General Plan Chapter 6 (Safety Element), and in Chapter 9 (Goals and Objectives) (Moreno Valley, 2006a, pp. 9-30 through 9-35). In particular, noise is addressed by Objectives 6.3, 6.4 and 6.5 and associated policies and Program 6-3. For example, Policy 6.3.1 requires noise mitigation for sensitive uses where the projected noise level would exceed 65 CNEL. Policy 6.5.1 requires new commercial and industrial activities to mitigate noise impacts on adjacent uses. Policy 6.5.2 requires construction activities to limit noise impacts on surrounding uses. Program 6-3 calls for the City to reevaluate designated truck routes in terms of noise impact to determine if those routes should be adjusted to minimize exposure to truck noise.

2. City of Moreno Valley Municipal Code

The Noise Ordinance included in Chapter 11.80 of the Moreno Valley Municipal Code provides performance standards and noise control guidelines for activities within the City limits, as described below.

❑ Construction Noise Standards

The City of Moreno Valley Municipal Code has established restrictions on the time of day that noisy construction activities can occur. Moreno Valley Municipal Code Section 11.80.030(D)(7), *Construction and Demolition*, states:

> *No person shall operate or cause operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between the hours of 8:00 p.m. and 7:00 a.m. the following day such that the sound there from creates a noise disturbance, except for emergency work by public service utilities or for other work approved by the city manager or designee.* (Moreno Valley, 2018)

A noise disturbance is defined by the Moreno Valley Municipal Code as any sound which: a) disturbs a reasonable person of normal sensitivities; b) exceeds the sound level limits set forth in Municipal Code Table 11.80.030-2; or c) is plainly audible as defined in Municipal Code Section 11.80.030 (Moreno Valley, 2018). Where no specific distance is set forth for the determination of audibility, references to noise disturbance are deemed to mean plainly audible at a distance of 200 feet from the real property line of the source of the sound on private property or from the source of the sound on roads or other publicly owned property (ibid.). For this analysis, the stationary-source noise level limits of 65 dBA Leq during the daytime hours and 60 dBA Leq during the nighttime hours are used as appropriate construction thresholds for the nearby sensitive land uses (e.g. residential homes) in the Project study area.

In addition, grading operations are limited to the hours identified in Section 8.21.050 (O) of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 4:00 p.m. on weekends and holidays or as approved by the City Engineer (Moreno Valley, 2018).

❑ Operational Noise Standards

Moreno Valley Municipal Code Section 11.80.030(C), *Nonimpulsive Sound Decibel Limits*, provides the following restriction:

> *No person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any nonimpulsive sound which exceeds the limits set forth for the source land use category (as defined in Section 11.80.020) in Table 11.80.030-2 when measured at a distance of two hundred (200) feet or more from the real property line of the source of the sound, if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property. Any source of sound in violation of this subsection shall be deemed prima facie to be a noise disturbance.* (Moreno Valley, 2018)

For industrial land uses, the operational noise level limits are 65 dBA Leq during the daytime hours (8:00 a.m. to 10:00 p.m.) and 60 dBA Leq during the nighttime hours (10:01 p.m. to 7:59 a.m.) (Moreno Valley, 2018). Therefore, at a distance of 200 feet from the property line, operational noise from industrial buildings is not permitted to exceed 65 dBA Leq during the day and 60 dBA Leq during the night.

Additionally, Moreno Valley Municipal Code Section 9.10.140 prohibits the use of loudspeakers, bells, gongs, buzzers, or other noise attention or attracting devices on industrial properties that exceed 55 dBA at any one time beyond the boundaries of the subject property (Moreno Valley, 2018).

❑ Vibration

Moreno Valley Municipal Code Section 9.10.170 prohibits vibration that "can be felt at or beyond the property line" (Moreno Valley, 2018).

4.11.4 Methodology for Calculating Project-Related Noise Impacts

A. Construction Noise Analysis Methodology

For the construction noise analysis, reference noise level measurements are relied upon that Urban Crossroads collected with calibrated noise monitoring meters at construction sites in southern California. The reference noise level measurements included the types of construction equipment that would be used on the Project site performing similar types of construction activities at a similar level of activity/intensity as is expected to occur on the Project site. Table 4.11-1, *Construction Reference Noise Levels*, provides a summary of the reference noise level measurements. Because the reference noise measurements were collected at varying distances, all construction noise level measurements presented in Table 4.11-1 were normalized by Urban Crossroads to describe a common reference distance of 50 feet (Urban Crossroads, 2021f, p. 63; Urban Crossroads, 2021g, p. 67).

The construction noise analysis evaluates Project construction-related noise levels at the closest nearby receiver locations in the Project study area. Three (3) representative receiver locations were considered in the construction noise analysis, including existing dwelling units located north and south of the Project site. The receiver locations used in the construction noise analysis are shown on Figure 4.11-2, *Noise Receiver Locations*. The modeled noise-sensitive receiver locations are representative of existing receptors nearest the Project site. It is not necessary to study every single receiver location surrounding Project's construction area because receivers located at a similar distance from Project-related construction activities with similar ground elevations, orientation, and intervening physical conditions as the modeled receptor locations would experience the same or very similar noise effects as those disclosed herein, and those at a greater distance would experience lesser noise effects.

Table 4.11-1 Construction Reference Noise Levels

Construction Stage	Reference Construction Activity[1]	Reference Noise Level @ 50 Feet (dBA Leq)	Highest Reference Noise Level (dBA Leq)
Demolition	Demolition Activity	67.9	71.9
	Backhoe	64.2	
	Water Truck Pass-By & Backup Alarm	71.9	
Site Preparation	Scraper Turnaround & Pass-by 4 with Blades	72.6	72.6
	Backhoe	64.2	
	Water Truck Pass-By & Backup Alarm	71.9	
Grading	Rough Grading Activities	73.5	73.5
	Water Truck Pass-By & Backup Alarm	71.9	
	Construction Vehicle Maintenance Activities	67.5	
Building Construction	Foundation Trenching	68.2	71.6
	Framing	62.3	
	Concrete Mixer Backup Alarms & Air Brakes	71.6	
Paving	Concrete Mixer Truck Movements	71.2	71.2
	Concrete Paver Activities	65.6	
	Concrete Mixer Pour & Paving Activities	65.9	
Architectural Coating	Air Compressors	65.2	65.2
	Generator	64.9	
	Crane	62.3	

[1]Reference construction noise level measurements collected by Urban Crossroads, Inc.
Source: (Urban Crossroads, 2021f, Table 10-1; Urban Crossroads, 2021g, Table 10-1)

B. Sheet Pile System Construction Analysis Methodology

An additional analysis was completed to assess potential impacts due to sheet pile drilling activities planned along the western Project site boundary. Figure 4.11-3, *Sheet Pile Driving Noise Source Locations*, shows the location of the sheet pile drilling area in relation to three (3) nearby sheet pile receiver locations. The sheet

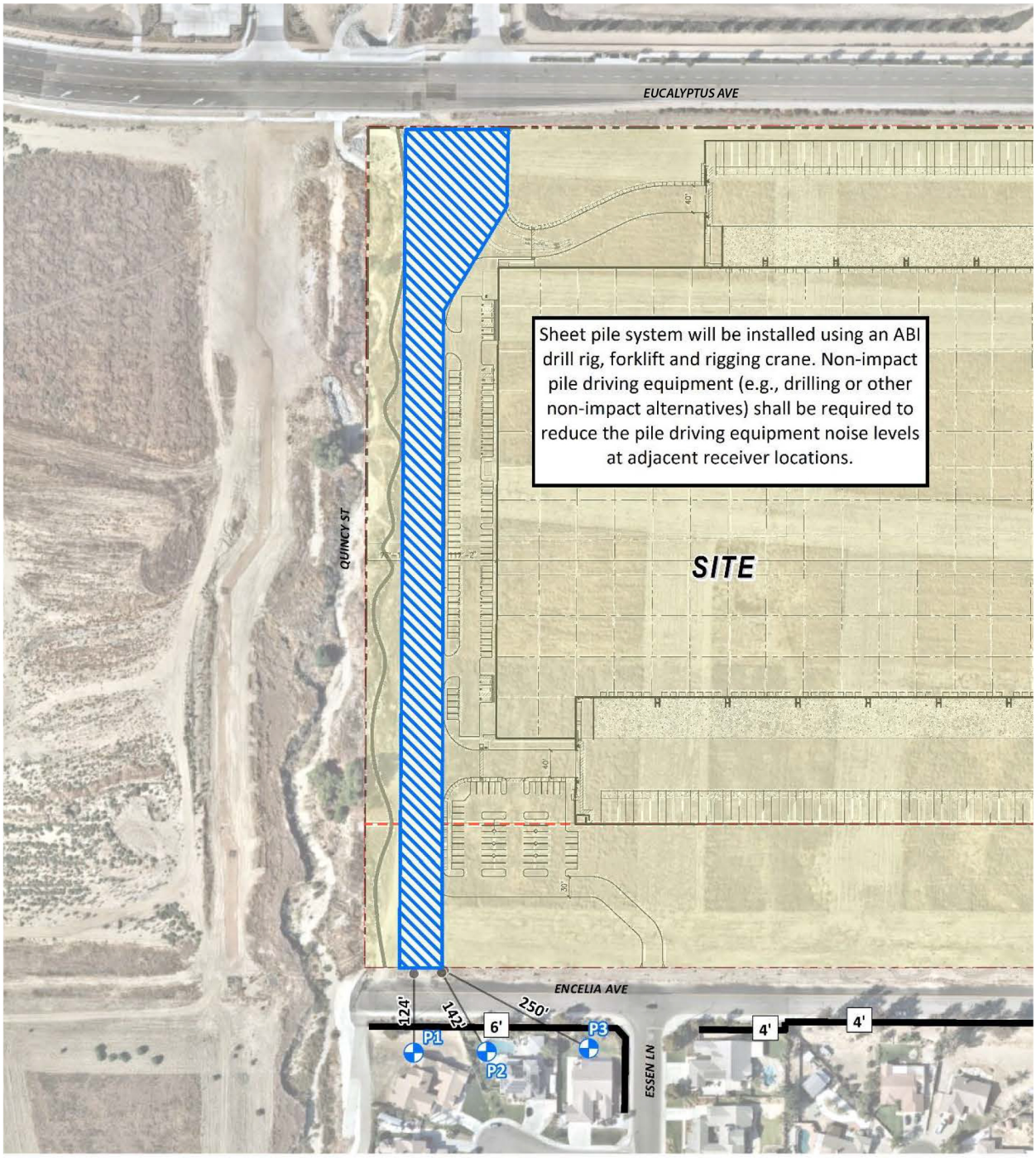


Source(s): Urban Crossroads (06-03-2020)

Not to Scale

Figure 4.11-2

Noise Receiver Locations



Source(s): Urban Crossroads (06-03-2020)

Not to Scale

Figure 4.11-3

Sheet Pile Driving Noise Source Locations

pile system would be installed using an ABI drill rig, forklift and rigging crane. Although in practicality the equipment will not be in continuous use for 8 hours a day, for purposes of analysis and to present a worst-case noise impact level, the analysis assumes that the contractor would be using the ABI drill rig to drive piles 8 hours per day (Urban Crossroads, 2021f, p. 67; Urban Crossroads, 2021g, p. 72). This activity is expected to occur for approximately 25 days (ibid.). This sheet pile construction noise analysis was prepared using reference construction equipment noise levels from the FHWA's Roadway Construction Noise Model (RCNM), which includes a national database of construction equipment reference noise emission levels. A default ground attenuation factor of 1.0 was used in the Computer Aided Noise Abatement (CadnaA) noise prediction model to account for hard site conditions (Urban Crossroads, 2021f, p. 68; Urban Crossroads, 2021g, p. 72). Table 4.11-2, *Sheet Pile System Construction Reference Noise Levels*, provides a summary of the reference average Leq noise levels used to describe the sheet pile system stage of construction. Because the reference noise measurements were collected at varying distances, all sheet pile system construction noise level measurements presented in Table 4.11-2 were normalized by Urban Crossroads to describe a common reference distance of 50 feet.

Sheet pile system methods can include different equipment types, such as impact or drilling, and as such, noise levels would vary depending on the method used. Non-impact pile driving equipment (e.g., drilling or other non-impact alternatives) such as the planned ABI drill rig would be required to reduce the pile driving equipment noise levels at adjacent receiver locations (Urban Crossroads, 2021f, p. 68; Urban Crossroads, 2021g, p. 72).

Table 4.11-2 Sheet Pile System Construction Reference Noise Levels

Construction Stage	Typical Equipment	Reference Noise Level @ 50 Feet (dBA L_{eq})[1]	Highest Reference Noise Level (dBA L_{eq})
Sheet Pile System	Drill Rig	77	77
	Forklifts	68	
	Cranes	73	

[1]FHWA's Roadway Construction Noise Model, January 2006.
Source: (Urban Crossroads, 2021f, Table 10-5; Urban Crossroads, 2021g, Table 10-5)

C. Stationary Noise Analysis Methodology

For the operational (stationary) noise analysis, reference noise level measurements are used that were collected by Urban Crossroads at industrial facilities in southern California. The reference noise level measurements included the types of equipment and site operations that are expected on the Project site. Table 4.11-3, *Operational Reference Noise Levels*, provides a summary of the reference noise level measurements. Because the reference noise measurements were collected at varying distances, all operational noise level measurements presented in Table 4.11-3 were normalized by Urban Crossroads to describe a common reference distance of 50 feet (Urban Crossroads, 2021f, p. 55; Urban Crossroads, 2021g, p. 59).

The stationary noise analysis evaluates Project-related noise levels at the nearby receiver locations in the Project study area. Three (3) receiver locations were considered in the construction noise analysis, including

existing dwelling units located north and south of the Project site. The receiver locations used in the stationary noise analysis are the same that are used in the construction analysis (refer to Figure 4.11-2, *Noise Receiver Locations*). As discussed earlier in this Subsection, it is not necessary to study every single receiver location surrounding Project site because receivers located at similar distances from the Project site with similar ground elevations, orientation, and intervening physical conditions (e.g., walls, landscaping) as the modeled receptor locations would experience noise levels the same or very similar to those disclosed herein.

Table 4.11-3 Operational Reference Noise Levels

Noise Source[1]	Noise Source Height (Feet)	Min./Hour[2]		Reference Noise Level (dBA L_{eq}) @ 50 feet	Sound Power Level (dBA)[3]
		Day	Night		
Cold Storage Loading Dock Activity	8'	60	60	65.7	111.5
Dry Goods Loading Dock Activity	8'	60	60	62.8	103.4
Entry Gate & Truck Movements	8'	-[4]	-[4]	58.0	89.7
Roof-Top Air Conditioning Units	5'	39	28	57.2	88.9
Trash Enclosure Activity	5'	5	5	57.3	89.0

[1]As measured by Urban Crossroads, Inc.
[2]Anticipated duration (minutes within the hour) of noise activity during typical hourly conditions expected at the Project site. "Daytime" = 8:00 a.m. - 10:00 p.m.; "Nighttime" = 10:01 p.m. - 7:59 a.m.
[3]Sound power level represents the total amount of acoustical energy (noise level) produced by a sound source independent of distance or surroundings. Sound power levels calculated using the CadnaA noise model at the reference distance to the noise source. Numbers may vary due to size differences between point and area noise sources.
[4]Entry Gate & Truck Movements are calculate based on the number of events by time of day (See Table 9-2 of *Technical Appendices K1 and K2*).
Source: (Urban Crossroads, 2021f, Table 9-1; Urban Crossroads, 2021g, Table 9-1)

D. Transportation-Related Noise Analysis Methodology

Transportation-related noise impacts were projected using a computer program that replicates the Federal Highway Administration (FHWA) Traffic Noise Prediction Model FHWA-RD-77-108 (the "FHWA Model") (Urban Crossroads, 2021f, p. 31; Urban Crossroads, 2021g, p. 31). The FHWA Model arrives at a predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL). In California, the national REMELs are substituted with the California Vehicle Noise (Calveno) Emission Levels. Adjustments are then made to the REMELs to account for: 1) roadway classification (e.g., collector, secondary, major or arterial), 2) roadway travel width (i.e., the distance between the center of the outermost travel lanes on each side of the roadway), 3) total average daily traffic (ADT), 4) travel speed, 5) percentages of automobiles, medium trucks, and heavy trucks in the traffic volume, 6) roadway grade, 7) angle of view (e.g., whether the roadway view is blocked), 8) site conditions ("hard" or "soft" relates to the absorption of the ground, pavement, or landscaping), and 9) percentage of total ADT that flows each hour throughout a 24-hour period (ibid.).

Table 4.11-4, *Roadway Parameters – Warehouse Use*, presents the FHWA Model roadway parameters used by Urban Crossroads for each of the 15 roadway segments in the Project study area for warehouse distribution use and Table 4.11-5, *Roadway Parameters – E-Commerce Use*, presents the FHWA Model roadway

parameters used by Urban Crossroads for each of the 36 roadway segments in the Project study area for e-commerce use. For the purpose of the off-site analysis, soft site conditions were used to analyze the traffic noise impacts on each roadway segment in the study area because landscaping typically exists between the street surface and the noise receiver (Urban Crossroads, 2021f, p. 33; Urban Crossroads, 2021g, p. 31).

To quantify transportation-related noise levels, the vehicular trips associated with the Project were assigned to the 15 roadway segments for warehouse distribution use and 36 roadway segments for e-commerce use, using the trip distribution and vehicle mix information contained in the Project's traffic impact analyses prepared by Translutions, Inc. (refer to *Technical Appendices L1, L2, L3, and L4*) (Urban Crossroads, 2021f, p. 33; Urban Crossroads, 2021g, p. 31).

Table 4.11-4 Roadway Parameters – Warehouse Use

ID	Roadway	Segment	Receiving General Plan Land Use[1]	Distance from Centerline to Receiving Land Use (Feet)[2]	Vehicle Speed (mph)[3]
1	Redlands Blvd.	s/o SR-60 Westbound Ramps	BP-LI/C	55'	50
2	Redlands Blvd.	s/o SR-60 Eastbound Ramps	BP-LI/C	55'	50
3	Redlands Blvd.	s/o Eucalyptus Av.	BP-LI/R	55'	50
4	Redlands Blvd.	s/o Dwy. 6	BP-LI/R	55'	50
5	Redlands Blvd.	n/o Encelia Av.	BP-LI/R	55'	50
6	Moreno Beach Dr.	s/o SR-60 Westbound Ramps	C	67'	50
7	Moreno Beach Dr.	s/o SR-60 Eastbound Ramps	C	67'	50
8	Eucalyptus Av.	e/o Moreno Beach Dr.	BP-LI/C	50'	40
9	Eucalyptus Av.	e/o Auto Mall Dr.	BP-LI/R	50'	40
10	Eucalyptus Av.	w/o Aldi Place	BP-LI/R	50'	40
11	Eucalyptus Av.	w/o Dwy. 5	BP-LI/R/C	50'	40
12	Eucalyptus Av.	w/o Redlands Blvd.	BP-LI/R/C	50'	40
13	Encelia Av.	e/o Essen Lane	R	44'	45
14	Encelia Av.	e/o Mozart Wy.	R	44'	45
15	Encelia Av.	w/o Redlands Blvd.	R	44'	45

[1]Sources: City of Moreno Valley Land Use Map Figure 2-2.
[2]Distance to receiving land use is based upon the right-of-way distances.
[3]Source: Moreno Valley Trade Center Traffic Impact Analysis, Translutions, inc.
"BP-LI"= Business Park/Light Industrial; "C"= Commercial; "R"= Residential.
Source: (Urban Crossroads, 2021f, Table 6-1)

Table 4.11-5 Roadway Parameters – E-Commerce Use

ID	Roadway	Segment	Receiving General Plan Land Use[1]	Distance from Centerline to Receiving Land Use (Feet)[2]	Vehicle Speed (mph)[3]
1	San Timoteo Cyn. Rd.	n/o Alessandro Rd.	RP	36'	45
2	San Timoteo Cyn. Rd.	s/o Live Oak Canyon Rd.	RR	55'	55
3	Redlands Blvd.	s/o San Timoteo Canyon Rd.	RR	55'	55
4	Redlands Blvd.	n/o Ironwood Av.	R	55'	50
5	Redlands Blvd.	s/o Ironwood Av.	R	55'	50
6	Redlands Blvd.	s/o SR-60 Westbound Ramps	BP-LI/C	55'	50
7	Redlands Blvd.	n/o Eucalyptus Av.	BP-LI/C	55'	50
8	Redlands Blvd.	s/o Eucalyptus Av.	BP-LI/R	55'	50
9	Redlands Blvd.	n/o Dwy. 7	BP-LI/R	55'	50
10	Redlands Blvd.	s/o Dwy. 7	BP-LI/R	55'	50
11	Redlands Blvd.	s/o Encelia Av.	BP-LI/R	55'	50
12	Redlands Blvd.	n/o Alessandro Blvd.	R/C	55'	50
13	Redlands Blvd.	s/o Alessandro Blvd.	R/C	55'	50
14	John F Kennedy Dr.	s/o Cactus Av.	HR	44'	45
15	Moreno Beach Dr.	n/o SR-60 Westbound Ramps	O	50'	40
16	Moreno Beach Dr.	s/o SR-60 Eastbound Ramps	C	67'	50
17	Moreno Beach Dr.	s/o Alessandro Blvd.	C/R-O/R	67'	50
18	Moreno Beach Dr.	s/o Cactus Av.	R/OS	67'	50
19	Moreno Beach Dr.	s/o John F Kennedy Dr.	R/C/OS	67'	50
20	Iris Av.	e/o Nason St.	HR/R-O/C/O	67'	50
21	Iris Av.	e/o Lasselle St.	C/R	67'	50
22	Iris Av.	e/o Kitching St.	R/OS	67'	50
23	Eucalyptus Av.	e/o Nason St.	R/OS	50'	40
24	Eucalyptus Av.	e/o Fir Av.	R/OS/C	50'	40
25	Eucalyptus Av.	w/o Moreno Beach Dr.	C/R	50'	40
26	Eucalyptus Av.	e/o Auto Mall Dr.	BP-LI/R	50'	40
27	Eucalyptus Av.	e/o Dwy. 1	BP-LI/R	50'	40
28	Eucalyptus Av.	w/o Dwy. 5	BP-LI/R/C	50'	40
29	Eucalyptus Av.	w/o Redlands Blvd.	BP-LI/R/C	50'	40
30	Eucalyptus Av.	e/o Redlands Blvd.	BP-LI	50'	40
31	Encelia Av.	e/o Essen Lane	R	44'	45
32	Encelia Av.	e/o Mozart Wy.	R	44'	45
33	Encelia Av.	w/o Redlands Blvd.	R	44'	45
34	Alessandro Blvd.	e/o Lasselle St.	R/C	67'	45
35	Alessandro Blvd.	e/o Nason St.	R-O/R	55'	45
36	Alessandro Blvd.	e/o Moreno Beach Dr.	C/R	55'	45

[1]City of Moreno Valley Land Use Map Figure 2-2, City of Redlands General Plan Land Use Map, Riverside County General Plan Land Use Map.
[2]Distance to receiving land use is based upon the right-of-way distances.
[3]Source: Moreno Valley Trade Center Traffic Impact Analysis, translutions, inc.
"RP"= Resource Preservation; "RR"= Rural Residential; "R"= Residential; "BP-LI"= Business Park/Light Industrial; "C"= Commercial; "HR"= Hillside Residential; "O'= Office; "R-O"= Residential/Office; "OS"= Open Space.
Source: (Urban Crossroads, 2021g, Table 6-1)

E. Vibration

Vibration levels were predicted using reference vibration levels and logarithmic equations contained in the Federal Transit Administration's (FTA) 2018 publication: "Transit Noise and Vibration Impact Assessment" (Urban Crossroads, 2021f, p. 38; Urban Crossroads, 2021g, p. 38). The vibration source levels for Project construction equipment are summarized in Table 4.11-6, *Vibration Source Levels for Construction Equipment*.

Table 4.11-6 Vibration Source Levels for Construction Equipment

Equipment	Vibration Decibels (VdB) at 25 feet
Small bulldozer	58
Jackhammer	79
Loaded Trucks	86
Large bulldozer	87
Pile Driver	93

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment
Source: (Urban Crossroads, 2021f, Table 6-8; Urban Crossroads, 2021g, Table 6-8)

4.11.5 Basis for Determining Significance

The Project would result in a significant noise impact if the Project or any Project-related component would result in:

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;

b. Generation of excessive groundborne vibration or groundborne noise levels; or

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.

The above-listed thresholds are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse noise-related effects that could result from development projects.

In relation to Threshold "a," City of Moreno Valley Noise Ordinance (Moreno Valley Municipal Code Chapter 11.80 and Section 8.21.050) is the only relevant, established construction noise standards for the Project site. Pursuant to the Moreno Valley Municipal Code, the Project would result in a significant temporary noise impact relevant to Threshold "a" if any of the following were to occur:

- If Project-related construction activities create noise levels at 200 feet from the property line of the noise source that exceed 65 dBA Leq during the daytime hours (7:00 a.m. to 8:00 p.m. for general construction activities on week days; 7:00 a.m. to 6:00 p.m. for grading activities on week days; and

8:00 a.m. to 4:00 p.m. for grading activities on weekends and holidays), or 60 dBA Leq during the nighttime hours (between 10:01 p.m. to 7:59 a.m.).

In relation to Threshold "a," the Project would result in a significant noise impact during operation if any of the following conditions occur:

Project-related traffic noise would result in a significant impact if traffic noise exceeds the levels established in the OPR land use/noise compatibility criteria, found in Figure 2 of the General Plan Guidelines, Appendix D: Noise Element Guidelines as follows:

- If Project related traffic on the roadway system exposes noise sensitive receptors (including residential homes) to:
  - A 5 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise level is less than 60 dBA;
  - A 3 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise level is between 60.1 and 65 dBA CNEL; or
  - A 1.5 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise levels exceeds 65.1 dBA CNEL.
- If off-site Project-related traffic on the roadway system exposes non-noise-sensitive receptors to:
  - A 5 dBA or greater noise level increase at non-noise-sensitive receptors when the existing ambient noise level is less than 70 dBA; or
  - A 3 dBA or greater noise level increase at non-noise sensitive receptors when the existing ambient noise level is greater than 70 dBA.

Project operational activities would result in a significant impact if operational noise exceeds the levels allowed by the City of Moreno Valley Municipal Code (Section 11.80.030) as follows:

- If operational (stationary-source) noise levels exceed 65 dBA Leq during the daytime hours (8:00 a.m. to 10:00 p.m.) and/or 60 dBA Leq during the nighttime hours (10:01 p.m. to 7:59 a.m.) when measured at a distance of 200 feet from the Project site's property line; or
- If Project-related operations exposes noise-sensitive receptors to:
  - A 5 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise level is less than 60 dBA Leq;
  - A 3 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise level is between 60.1 and 65 dBA CNEL; or
  - A 1.5 dBA or greater noise level increase at noise-sensitive receptors when the existing ambient noise levels exceeds 65.1 dBA CNEL.

In relation to Threshold "b," the Moreno Valley Municipal Codes does not define the numeric level at which a development project's vibration levels are considered "excessive." For purposes of this EIR, the metric used to evaluate whether the Project's vibration levels are considered "excessive" during either construction or operation is adapted from FTA, Transit Noise and Vibration Impact Assessment Manual (Urban Crossroads, 2021f, pp. 22, 25-26; Urban Crossroads, 2021g, pp. 22, 25-26). Accordingly, in consideration of the Municipal Code and FTA criteria, for evaluation under Threshold "b," vibration levels are considered significant if Project-related activities would:

- Construction Activities:
  - Create or cause to be created any vibration activity that would exceed 78 VdB at a noise sensitive receptor land use.
- On-Site Project Operations:
  - Create or cause to be created any vibration activity that would exceed 78 Vdb during the daytime hours (8:00 a.m. to 10:00 p.m.) and/or 72 VdB during the nighttime hours (10:01 p.m. to 7:59 a.m.) at a noise sensitive receptor land use.

4.11.6 Impact Analysis

The analysis provided on the following pages addresses the potential noise impacts could result from implementation of the proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*. Except where specifically noted herein, implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses would result in similar noise impacts.

Threshold a:	***Would the Project result in 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?***

The analysis presented on the following pages summarizes the Project's potential construction noise levels and operational noise levels, including operational noise that would be generated on-site as well as off-site noise on the roadway system that would be generated by the Project's traffic. The detailed noise calculations for the analysis presented here are provided in Appendices 7.1 and 9.1 of *Technical Appendices K1 and K2*.

A. Short-Term Construction Noise Impact Analysis

Construction of the proposed Project, whether it be a warehouse distribution/logistics use or fulfillment center/e-commerce use (see EIR Section 3.0, *Project Description*) would result in identical ground disturbances, utilize the same construction equipment fleet, and result in the same improvements. Accordingly, the analysis below addresses potential construction-related effects from implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses.

Construction activities on the Project site would proceed in six (6) stages: 1) demolition; 2) site preparation; 3) grading; 4) building construction; 5) paving; and 6) application of architectural coatings. These activities

would create temporary periods of noise when heavy construction equipment (i.e., bulldozer, trucks, concrete mixer, portable generators, power tools) is in operation and would cause a short-term increase in ambient noise levels. The Project construction noise levels at nearby receiver locations are summarized in Table 4.11-7, *Project Construction Noise Levels*.

Table 4.11-7 Project Construction Noise Levels

Receiver Location[1]	Construction Noise Levels (dBA L_{eq})		
	Highest Construction Noise Levels[2]	Threshold[3]	Threshold Exceeded?[4]
R1	58.6	65	No
R2	64.7	65	No
R3	64.5	65	No
at 200'	63.3	65	No

[1]Noise receiver locations are shown on Exhibit 10-A of *Technical Appendices K1 and K2.*
[2]Highest construction noise level calculations based on distance from the construction noise source activity to nearby receiver locations as shown on Table 10-2 of *Technical Appendices K1 and K2.*
[3]Construction noise level thresholds are listed in Subsection 4.11.5 and shown on Table 4-1 of *Technical Appendices K1 and K2.*
[4]Do the estimated Project construction noise levels exceed the construction noise level threshold?
Source: (Urban Crossroads, 2021f, Table 10-3; Urban Crossroads, 2021g, Table 10-3)

As shown on Table 4.11-7, the Project's daytime construction noise levels are expected to range from 58.6 to 64.7 A-weighted decibels (dBA) equivalent sound level (L_{eq}) at the nearby receiver locations and would be 63.3 dBA L_{eq} at 200 feet from the Project site. Project construction noise levels are considered exempt from the noise limits specified in the City of Moreno Valley's Municipal Code if activities occur within the hours of 7:00 a.m. to 8:00 p.m. (Municipal Code Section 11.80.030(D)(7)). Because Project-related construction activities are expected to occur during daylight hours, Project construction would not exceed the standards established by the City of Moreno Valley Municipal Code and impacts would be less than significant.

Notwithstanding, there is the potential that specific Project construction activities could occur outside of the construction hours permitted by right in the Municipal Code. Pursuant to Municipal Code Section 11.80.030(D)(7), the City of Moreno Valley would be required to approve any nighttime construction activities. If nighttime construction activities were to occur, noise levels above 60 dBA L_{eq} would exceed the standards established in the City's Municipal Code Section 11.80.030(C). The only Project construction activity with a reasonable potential to occur during nighttime hours is concrete pouring – either for the building foundation and/or wall panels – which would occur only within the building footprint. As shown in Table 4.11-8, nighttime concrete pouring activities would not exceed 55.8 dBA L_{eq} at any nearby sensitive receiver location or 55.4 dBA L_{eq} at a distance of 200 feet from the Project site. Neither noise level would exceed the standard established by the City of Moreno Valley Municipal Code. Impacts during potential nighttime concrete pouring activities would be less than significant.

Table 4.11-8 Nighttime Concrete Pouring Noise Levels

Receiver Location[1]	Construction Noise Levels (dBA L_{eq})		
	Paving Construction[2]	Nighttime Construction Standard[3]	Threshold Exceeded?[4]
R1	52.9	60	No
R2	55.8	60	No
R3	55.8	60	No
at 200'	55.4	60	No

[1] Noise receiver locations are shown on Exhibit 10-A of *Technical Appendices K1 and K2.*
[2] Construction noise level calculations based on the distance from receiver location and the concrete pouring construction activity area.
[3] Construction noise level standards are listed in Subsection 4.11.5 and shown on Table 4-1 of *Technical Appendices K1 and K2.*
[4] Do the estimated Project construction noise levels exceed the construction noise level threshold?
Source: (Urban Crossroads, 2021f, Table 10-4; Urban Crossroads, 2021g, Table 10-4)

B. Short-Term Sheet Pile System Construction Noise Impact Analysis

Sheet pile driving is proposed along the western Project site boundary during construction, under both the proposed warehouse distribution/logistics use or the conceptual fulfillment center/e-commerce use (see EIR Section 3.0, *Project Description*). Accordingly, the analysis below addresses potential construction-related effects from pile driving during construction for either warehouse distribution/logistics or fulfillment/e-commerce uses.

Using the reference RCNM construction equipment noise levels and the CadnaA noise prediction model, an assessment of noise impacts associated with sheet pile driving was conducted for three (3) representative receiver locations. To assess the worst-case construction noise levels, the analysis reports the highest noise level impacts when the equipment with the highest reference noise level is operating at the closest point from the Project site boundary, and thus the closest distance to sensitive receivers. The noise levels from the proposed pile driving at receiver locations located 200 feet from the Project site's property line are summarized in Table 4.11-9, *Project Sheet Pile System Construction Noise Levels*. As shown on Table 4.11-9, none of the receiver locations located near the Project site or at 200 feet from the property line would be exposed to noise levels that exceed the applicable limits established by the City of Moreno Valley Municipal Code, assuming a non-impact method of pile driving. Accordingly, the Project's sheet pile system construction noise impact would be less than significant and no mitigation would be required.

C. Operational Noise Impact Analysis – Stationary Noise

As explained in EIR Section 3.0, *Project Description*, the future occupant(s) of the Project's building is currently unknown. The Project Applicant expects that the building would be occupied by warehouse distribution/logistics operator(s) or fulfillment/e-commerce businesses. Both occupant types are evaluated herein, with the warehouse option evaluated in *Technical Appendix I* and the fulfillment/e-commerce option evaluated in *Technical Appendix J*.

Table 4.11-9 Project Sheet Pile System Construction Noise Levels

Receiver Location[1]	Sheet Pile System Construction Noise Levels (dBA L_{eq})		
	Highest Construction Noise Levels[2]	Threshold[3]	Threshold Exceeded?[4]
R1	64.1	65	No
R2	62.2	65	No
R3	57.4	65	No
at 200'	60.0	65	No

[1]Noise receiver locations near the planned sheet pile area are shown on Exhibit 10-B of *Technical Appendices K1 and K2.*
[2]Highest construction noise level calculations based on distance from the sheet pile noise source activity to nearby receiver locations as shown on Table 10-5 of *Technical Appendices K1 and K2*.
[3]Construction noise level thresholds are listed in Subsection 4.11.5 and shown on Table 4-1 of *Technical Appendices K1 and K2.*
[4]Do the estimated Project construction noise levels exceed the construction noise level threshold?
Source: (Urban Crossroads, 2021f, Table 10-6; Urban Crossroads, 2021g, Table 10-6)

Under both scenarios, the proposed building is designed such that business operations would be conducted within the enclosed buildings, with the exception of traffic movement, parking, and the loading and unloading of tractor trailers at designated loading bays. Stationary noise from the proposed warehouse use and the conceptual fulfillment/e-commerce use would result in slightly different operational noise levels, mostly related to the differences in parking lot activity at the south side of the building. Accordingly, the analysis below addresses potential stationary noise from implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses.

Stationary (on-site) noise sources associated with long-term Project operation are expected to include idling trucks, delivery truck and automobile parking, delivery truck backup alarms, roof-top air conditioning units, loading and unloading of dry goods, and parking lot vehicle movements. The Project also is expected to generate noise during the loading and unloading of delivery trailers on-site.

Project-related stationary noise levels were calculated at three (3) representative receptor locations located near the Project site (i.e., Receptors R1, R2, and R3) previously shown on Figure 4.11-2. As discussed under Subsection 4.11.4A, it is not necessary to study every single receptor location surrounding the Project site because receptors located at similar distances from the noise source with similar ground elevations, orientation, and intervening physical conditions (e.g., walls, landscaping) as the three (3) modeled receptor locations would experience the same or very similar noise levels to those disclosed herein. The daytime and nighttime Project stationary noise levels at nearby receptor locations is summarized in Table 4.11-10, *Project Operational (Stationary) Noise – Warehouse Use* and Table 4.11-11, *Project Operational (Stationary) Noise – E-Commerce Use*.

Table 4.11-10 Project Operational (Stationary) Noise – Warehouse Use

Receiver Location[1]	Project Operational Noise Levels (dBA Leq)[2]		Noise Level Standards (dBA Leq)[3]		Noise Level Standards Exceeded?[4]	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	44.3	44.1	65	60	No	No
R2	40.1	39.7	65	60	No	No
R3	41.0	39.8	65	60	No	No
at 200'	40.0	39.3	65	60	No	No

[1]See Exhibit 8-A of *Technical Appendices K1 and K2* for the receiver locations.
[2]Proposed Project operational noise levels as shown on Tables 9-3 and 9-4 of *Technical Appendices K1 and K2.*
[3]Exterior noise level standards for source (commercial) land use, as shown on Table 4-1 of *Technical Appendices K1 and K2.*
[4]Do the estimated Project operational noise source activities exceed the noise level standards listed in Subsection 4.11.5?
"Daytime" = 8:00 a.m. - 10:00 p.m.; "Nighttime" = 10:01 p.m. - 7:59 a.m.
Source: (Urban Crossroads, 2021f, Table 9-5)

Table 4.11-11 Project Operational (Stationary) Noise – E-Commerce Use

Receiver Location[1]	Project Operational Noise Levels (dBA Leq)[2]		Noise Level Standards (dBA Leq)[3]		Noise Level Standards Exceeded?[4]	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	44.3	44.1	65	60	No	No
R2	30.9	28.6	65	60	No	No
R3	30.0	28.5	65	60	No	No
at 200'	29.1	27.7	65	60	No	No

[1]See Exhibit 8-A of *Technical Appendices K1 and K2* for the receiver locations.
[2]Proposed Project operational noise levels as shown on Tables 9-3 and 9-4 of *Technical Appendices K1 and K2.*
[3]Exterior noise level standards for source (commercial) land use, as shown on Table 4-1 of *Technical Appendices K1 and K2.*
[4]Do the estimated Project operational noise source activities exceed the noise level standards listed in Subsection 4.11.5?
"Daytime" = 8:00 a.m. - 10:00 p.m.; "Nighttime" = 10:01 p.m. - 7:59 a.m.
Source: (Urban Crossroads, 2021g, Table 9-5)

As shown in Table 4.11-10 and Table 4.11-11, none of the sensitive receptor locations near the Project site would be exposed to noise levels that exceed the applicable limits established by the Moreno Valley Municipal Code. Accordingly, the Project's operational noise impact as either a warehouse distribution/logistics use or fulfillment/e-commerce use would be less than significant and no mitigation would be required.

D. Off-Site Traffic Noise Impact Analysis

The analysis below addresses potential off-site traffic noise generated from the Project as either a warehouse distribution/logistics or a fulfillment/e-commerce use. To minimize roadway noise on Encelia Avenue along the Project site's southern boundary, and as explained in Section 3.0, *Project Description*, the Project Applicant will install rubberized asphalt to cover the entire width of the Encelia Avenue vehicular travel way from the

southwestern Project site boundary to Redlands Boulevard – the 32-foot-wide travel way that would be installed on the north side of the street as part of the Project plus the existing travel way on the southern half of the street. This design feature is assumed in the analysis.

To evaluate off-site noise increases that could result from Project-related traffic on the roadway system, noise levels were modeled for the following scenarios:

- Existing plus Project
- Opening Year (2024)
- General Plan Build-Out (2040)

The Existing plus Project (E+P) analysis determines the Project's traffic noise impacts under the theoretical scenario where traffic from the Project is added to existing conditions. The E+P scenario is presented to disclose direct impacts to the existing environment as required by CEQA. In the case of the Project, the estimated time period between the commencement of the Project's CEQA analysis (2020) and Project buildout (2024) is four years. During this time period, traffic conditions are not static – other projects are being constructed, the transportation network is evolving, and traffic patterns are changing. Therefore, the E+P scenario is very unlikely to materialize in real-world conditions when the Project is constructed and becomes operational.

The Opening Year (2024) analysis provides an evaluation of traffic noise conditions at the time the Project becomes operational. The Opening Year (2024) analysis relies on data from the Project's traffic report, which follows the direction from the City of Moreno Valley's *Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment* by defining "opening year" as existing conditions plus five years. In the case of the Project's traffic analysis, 2019 represents the existing condition; therefore, the Opening Year is defined as 2024. The Opening Year analyses are utilized to determine the Project's potential to cumulatively contribute to near-term noise impacts upon consideration of existing traffic + ambient growth + Project traffic + traffic from cumulative development projects.

The Horizon Year (2040) analysis determines the potential for the Project to contribute to long-term noise impacts after the addition of growth expected from build out of local general plans and local cumulative development projects.

Refer to EIR Subsection 4.12, *Transportation*, for information about the distribution pattern of Project-related traffic for either warehouse distribution/logistics or fulfillment/e-commerce uses. The trip distribution for the Project was developed based on anticipated passenger car and truck travel patterns to-and-from the Project site. The traffic distribution pattern for Project-related truck trips and passenger car trips are shown in EIR Subsection 4.12 and discussed in more detail in the Project's Traffic Impact Analysis included as *Technical Appendices L1 and L2* to this EIR. The analysis below addresses potential off-site traffic noise impacts from implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses.

1. *Existing plus Project Conditions*

As summarized in Table 4.11-12, *Existing plus Project Traffic Noise Levels – Warehouse Use*, Project traffic noise under the scenario where the Project is operated as a warehouse distribution/logistics use, would generate a noise level increase of up to 7.7 dBA CNEL on the study area roadway segments. As indicated in Table 4.11-12, noise from Project-related operational traffic would not exceed the applicable significance thresholds under the E+P scenario; therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.

Table 4.11-12 Existing plus Project Traffic Noise Levels – Warehouse Use

ID	Road	Segment	Receiving Existing Land Use[1]	CNEL at Receiving Land Use (dBA)[2]			Noise Sensitive Land Use?	Incremental Noise Level Increase Threshold[3]	
				No Project	With Project	Project Addition		Limit	Exceeded?
1	Redlands Blvd.	s/o SR-60 Westbound Ramps	Non-Sensitive	71.5	73.0	1.6	No	3.0	No
2	Redlands Blvd.	s/o SR-60 Eastbound Ramps	Non-Sensitive	70.8	72.8	2.1	No	3.0	No
3	Redlands Blvd.	s/o Eucalyptus Av.	Non-Sensitive	70.9	71.0	0.1	No	3.0	No
4	Redlands Blvd.	s/o Dwy. 6	Non-Sensitive	70.9	71.0	0.1	No	3.0	No
5	Redlands Blvd.	n/o Encelia Av.	Non-Sensitive	70.9	71.0	0.2	No	3.0	No
6	Moreno Beach Dr.	s/o SR-60 Westbound Ramps	Non-Sensitive	70.1	70.1	0.0	No	3.0	No
7	Moreno Beach Dr.	s/o SR-60 Eastbound Ramps	Non-Sensitive	72.9	73.7	0.8	No	3.0	No
8	Eucalyptus Av.	e/o Moreno Beach Dr.	Non-Sensitive	63.6	67.9	4.3	No	n/a	No
9	Eucalyptus Av.	e/o Auto Mall Dr.	Non-Sensitive	60.1	66.8	6.7	No	n/a	No
10	Eucalyptus Av.	w/o Aldi Place	Non-Sensitive	59.7	67.5	7.7	No	n/a	No
11	Eucalyptus Av.	w/o Dwy. 5	Non-Sensitive	61.8	68.5	6.7	No	n/a	No
12	Eucalyptus Av.	w/o Redlands Blvd.	Non-Sensitive	61.8	68.5	6.7	No	n/a	No
13	Encilia Av.	e/o Essen Lane	Sensitive	53.1	54.5	1.4	Yes	5.0	No
14	Encilia Av.	e/o Mozart Wy.	Sensitive	53.1	55.8	2.7	Yes	5.0	No
15	Encilia Av.	w/o Redlands Blvd.	Sensitive	56.5	58.8	2.3	Yes	5.0	No

[1]Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
[2]The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.
[3]Does the Project create an incremental noise level increase exceeding the significance criteria (listed in Subsection 4.11.5 and on Table 4-1 of *Technical Appendix K1*)?
Source: (Urban Crossroads, 2021f, Table 7-7)

As summarized in Table 4.11-13, *Existing plus Project Traffic Noise Levels – E-Commerce Use*, Project traffic noise under the scenario where the Project is operated as a fulfillment/e-commerce use, would generate a noise level increase of up to 10.1 dBA CNEL on the study area roadway segments. As indicated in Table 4.11-13, noise from Project-related operational traffic would not exceed the applicable significance thresholds under the E+P scenario; therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.

Table 4.11-13 Existing plus Project Traffic Noise Levels – E-Commerce Use

ID	Road	Segment	Receiving Existing Land Use[1]	CNEL at Receiving Land Use (dBA)[2]			Noise Sensitive Land Use?	Incremental Noise Level Increase Threshold[3]	
				No Project	With Project	Project Addition		Limit	Exceeded?
1	San Timoteo Cyn. Rd.	n/o Alessandro Rd.	Non-Sensitive	73.3	73.4	0.0	No	3.0	No
2	San Timoteo Cyn. Rd.	s/o Live Oak Canyon Rd.	Sensitive	72.6	72.6	0.1	Yes	1.5	No
3	Redlands Blvd.	s/o San Timoteo Cyn. Rd.	Sensitive	72.6	72.6	0.0	Yes	1.5	No
4	Redlands Blvd.	n/o Ironwood Av.	Sensitive	72.4	72.5	0.1	Yes	1.5	No
5	Redlands Blvd.	s/o Ironwood Av.	Sensitive	71.7	71.7	0.1	Yes	1.5	No
6	Redlands Blvd.	s/o SR-60 Westbound Ramps	Non-Sensitive	71.5	73.0	1.6	No	3.0	No
7	Redlands Blvd.	n/o Eucalyptus Av.	Non-Sensitive	70.8	72.9	2.1	No	3.0	No
8	Redlands Blvd.	s/o Eucalyptus Av.	Non-Sensitive	70.9	71.4	0.6	No	3.0	No
9	Redlands Blvd.	n/o Dwy. 7	Non-Sensitive	70.9	71.5	0.7	No	3.0	No
10	Redlands Blvd.	s/o Dwy. 7	Non-Sensitive	70.9	71.5	0.7	No	3.0	No
11	Redlands Blvd.	s/o Encelia Av.	Sensitive	70.1	70.4	0.3	Yes	1.5	No
12	Redlands Blvd.	n/o Alessandro Blvd.	Sensitive	69.6	69.7	0.1	Yes	1.5	No
13	Redlands Blvd.	s/o Alessandro Blvd.	Sensitive	69.2	69.2	0.1	Yes	1.5	No
14	John F Kennedy Dr.	s/o Cactus Av.	Sensitive	67.4	67.5	0.1	Yes	1.5	No
15	Moreno Beach Dr.	n/o SR-60 Westbound Ramps	Non-Sensitive	69.0	69.0	0.0	No	n/a	No
16	Moreno Beach Dr.	s/o SR-60 Eastbound Ramps	Non-Sensitive	72.9	73.7	0.9	No	3.0	No
17	Moreno Beach Dr.	s/o Alessandro Blvd.	Sensitive	71.8	71.9	0.1	Yes	1.5	No
18	Moreno Beach Dr.	s/o Cactus Av.	Sensitive	71.0	71.0	0.1	Yes	1.5	No
19	Moreno Beach Dr.	s/o John F Kennedy Dr.	Sensitive	71.1	71.2	0.1	Yes	1.5	No
20	Iris Av.	e/o Nason St.	Sensitive	71.9	72.0	0.1	Yes	1.5	No
21	Iris Av.	e/o Lasselle St.	Sensitive	73.9	73.9	0.0	Yes	1.5	No
22	Iris Av.	e/o Kitching St.	Sensitive	73.3	73.3	0.0	Yes	1.5	No
23	Eucalyptus Av.	e/o Nason St.	Sensitive	67.7	67.7	0.1	Yes	1.5	No
24	Eucalyptus Av.	e/o Fir Av.	Sensitive	69.4	69.5	0.0	Yes	1.5	No
25	Eucalyptus Av.	w/o Moreno Beach Dr.	Non-Sensitive	63.6	65.2	1.5	No	n/a	No
26	Eucalyptus Av.	e/o Auto Mall Dr.	Non-Sensitive	60.1	67.1	7.0	No	n/a	No
27	Eucalyptus Av.	e/o Dwy. 1	Non-Sensitive	59.7	69.9	10.1	No	n/a	No
28	Eucalyptus Av.	w/o Dwy. 5	Non-Sensitive	61.8	68.7	6.9	No	n/a	No
29	Eucalyptus Av.	w/o Redlands Blvd.	Non-Sensitive	61.8	63.0	1.2	No	n/a	No
30	Eucalyptus Av.	e/o Redlands Blvd.	Non-Sensitive	62.1	62.1	0.0	No	n/a	No
31	Encilia Av.	e/o Essen Lane	Sensitive	53.1	57.1	4.0	Yes	5.0	No
32	Encilia Av.	e/o Mozart Wy.	Sensitive	53.1	59.6	6.5	Yes	5.0	No
33	Encilia Av.	w/o Redlands Blvd.	Non-Sensitive	56.5	62.4	5.8	No	n/a	No
34	Alessandro Blvd.	e/o Lasselle St.	Sensitive	69.4	69.4	0.1	Yes	1.5	No
35	Alessandro Blvd.	e/o Nason St.	Sensitive	69.7	69.7	0.1	Yes	1.5	No
36	Alessandro Blvd.	e/o Moreno Beach Dr.	Sensitive	67.3	67.5	0.2	Yes	1.5	No

[1]Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
[2]The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.
[3]Does the Project create an incremental noise level increase exceeding the significance criteria (listed in Subsection 4.11.5 and on Table 4-1 of *Technical Appendix K2*)?
Source: (Urban Crossroads, 2021g, Table 7-7)

2. Opening Year Conditions

As summarized in Table 4.11-14, *Opening Year (2024) Traffic Noise Levels – Warehouse Use*, Project traffic noise under the scenario where the Project is operated as a warehouse distribution/logistics use, would generate a noise level increase of up to 5.6 dBA CNEL on the study area roadway segments. As indicated in Table 4.11-14, noise from Project-related operational traffic would not exceed the applicable significance thresholds under the Opening Year scenario; therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.

Table 4.11-14 Opening Year (2024) Traffic Noise Levels – Warehouse Use

ID	Road	Segment	Receiving Existing Land Use[1]	CNEL at Receiving Land Use (dBA)[2]			Noise Sensitive Land Use?	Incremental Noise Level Increase Threshold[3]	
				No Project	With Project	Project Addition		Limit	Exceeded?
1	Redlands Blvd.	s/o SR-60 Westbound Ramps	Non-Sensitive	72.5	73.7	1.3	No	3.0	No
2	Redlands Blvd.	s/o SR-60 Eastbound Ramps	Non-Sensitive	72.0	73.6	1.6	No	3.0	No
3	Redlands Blvd.	s/o Eucalyptus Av.	Non-Sensitive	71.6	71.7	0.1	No	3.0	No
4	Redlands Blvd.	s/o Dwy. 6	Non-Sensitive	71.6	71.8	0.1	No	3.0	No
5	Redlands Blvd.	n/o Encelia Av.	Non-Sensitive	71.6	71.8	0.2	No	3.0	No
6	Moreno Beach Dr.	s/o SR-60 Westbound Ramps	Non-Sensitive	71.7	71.7	0.0	No	3.0	No
7	Moreno Beach Dr.	s/o SR-60 Eastbound Ramps	Non-Sensitive	74.2	74.9	0.6	No	3.0	No
8	Eucalyptus Av.	e/o Moreno Beach Dr.	Non-Sensitive	66.0	68.9	2.9	No	n/a	No
9	Eucalyptus Av.	e/o Auto Mall Dr.	Non-Sensitive	62.7	67.5	4.8	No	n/a	No
10	Eucalyptus Av.	w/o Aldi Place	Non-Sensitive	62.5	68.1	5.6	No	n/a	No
11	Eucalyptus Av.	w/o Dwy. 5	Non-Sensitive	63.8	69.0	5.2	No	n/a	No
12	Eucalyptus Av.	w/o Redlands Blvd.	Non-Sensitive	63.8	69.0	5.2	No	n/a	No
13	Encilia Av.	e/o Essen Lane	Sensitive	53.6	54.8	1.3	Yes	5.0	No
14	Encilia Av.	e/o Mozart Wy.	Sensitive	53.6	56.1	2.5	Yes	5.0	No
15	Encilia Av.	w/o Redlands Blvd.	Sensitive	56.9	59.1	2.2	Yes	5.0	No

[1]Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
[2]The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.
[3]Does the Project create an incremental noise level increase exceeding the significance criteria (listed in Subsection 4.11.5 and on Table 4-1 of *Technical Appendix K1*)?
Source: (Urban Crossroads, 2021f, Table 7-8)

As summarized in Table 4.11-15, *Opening Year (2024) Traffic Noise Levels – E-Commerce Use*, Project traffic noise under the scenario where the Project is operated as a warehouse distribution/logistics use, would generate a noise level increase of up to 7.7 dBA CNEL on the study area roadway segments. As indicated in Table 4.11-15, noise from Project-related operational traffic would not exceed the applicable significance thresholds under the Opening Year scenario; therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.

Table 4.11-15 Opening Year (2024) Traffic Noise Levels – E-Commerce Use

ID	Road	Segment	Receiving Existing Land Use[1]	CNEL at Receiving Land Use (dBA)[2]			Noise Sensitive Land Use?	Incremental Noise Level Increase Threshold[3]	
				No Project	With Project	Project Addition		Limit	Exceeded?
1	San Timoteo Cyn. Rd.	n/o Alessandro Rd.	Non-Sensitive	74.0	74.0	0.0	No	3.0	No
2	San Timoteo Cyn. Rd.	s/o Live Oak Canyon Rd.	Sensitive	73.2	73.2	0.0	Yes	1.5	No
3	Redlands Blvd.	s/o San Timoteo Cyn. Rd.	Sensitive	73.3	73.3	0.0	Yes	1.5	No
4	Redlands Blvd.	n/o Ironwood Av.	Sensitive	73.1	73.2	0.1	Yes	1.5	No
5	Redlands Blvd.	s/o Ironwood Av.	Sensitive	72.3	72.4	0.1	Yes	1.5	No
6	Redlands Blvd.	s/o SR-60 Westbound Ramps	Non-Sensitive	72.5	73.8	1.3	No	3.0	No
7	Redlands Blvd.	n/o Eucalyptus Av.	Non-Sensitive	72.0	73.7	1.7	No	3.0	No
8	Redlands Blvd.	s/o Eucalyptus Av.	Non-Sensitive	71.6	72.1	0.5	No	3.0	No
9	Redlands Blvd.	n/o Dwy. 7	Non-Sensitive	71.6	72.2	0.6	No	3.0	No
10	Redlands Blvd.	s/o Dwy. 7	Non-Sensitive	71.6	72.2	0.6	No	3.0	No
11	Redlands Blvd.	s/o Encelia Av.	Sensitive	71.0	71.2	0.2	Yes	1.5	No
12	Redlands Blvd.	n/o Alessandro Blvd.	Sensitive	70.6	70.7	0.1	Yes	1.5	No
13	Redlands Blvd.	s/o Alessandro Blvd.	Sensitive	70.0	70.0	0.1	Yes	1.5	No
14	John F Kennedy Dr.	s/o Cactus Av.	Sensitive	68.3	68.3	0.1	Yes	1.5	No
15	Moreno Beach Dr.	n/o SR-60 Westbound Ramps	Non-Sensitive	70.6	70.6	0.0	No	3.0	No
16	Moreno Beach Dr.	s/o SR-60 Eastbound Ramps	Non-Sensitive	74.2	74.9	0.7	No	3.0	No
17	Moreno Beach Dr.	s/o Alessandro Blvd.	Sensitive	73.2	73.2	0.0	Yes	1.5	No
18	Moreno Beach Dr.	s/o Cactus Av.	Sensitive	72.5	72.5	0.0	Yes	1.5	No
19	Moreno Beach Dr.	s/o John F Kennedy Dr.	Sensitive	73.2	73.3	0.1	Yes	1.5	No
20	Iris Av.	e/o Nason St.	Sensitive	73.8	73.8	0.0	Yes	1.5	No
21	Iris Av.	e/o Lasselle St.	Sensitive	75.3	75.3	0.0	Yes	1.5	No
22	Iris Av.	e/o Kitching St.	Sensitive	74.7	74.7	0.0	Yes	1.5	No
23	Eucalyptus Av.	e/o Nason St.	Sensitive	68.5	68.6	0.0	Yes	1.5	No
24	Eucalyptus Av.	e/o Fir Av.	Sensitive	70.4	70.5	0.0	Yes	1.5	No
25	Eucalyptus Av.	w/o Moreno Beach Dr.	Non-Sensitive	66.0	67.0	1.0	No	n/a	No
26	Eucalyptus Av.	e/o Auto Mall Dr.	Non-Sensitive	62.7	67.7	5.1	No	n/a	No
27	Eucalyptus Av.	e/o Dwy. 1	Non-Sensitive	62.5	70.2	7.7	No	n/a	No
28	Eucalyptus Av.	w/o Dwy. 5	Non-Sensitive	63.8	69.2	5.4	No	n/a	No
29	Eucalyptus Av.	w/o Redlands Blvd.	Non-Sensitive	63.8	64.6	0.8	No	n/a	No
30	Eucalyptus Av.	e/o Redlands Blvd.	Non-Sensitive	65.8	65.8	0.0	No	n/a	No
31	Encilia Av.	e/o Essen Lane	Sensitive	53.6	57.3	3.8	Yes	5.0	No
32	Encilia Av.	e/o Mozart Wy.	Sensitive	53.6	59.7	6.1	Yes	5.0	No
33	Encilia Av.	w/o Redlands Blvd.	Non-Sensitive	56.9	62.5	5.5	No	n/a	No
34	Alessandro Blvd.	e/o Lasselle St.	Sensitive	71.7	71.7	0.0	Yes	1.5	No
35	Alessandro Blvd.	e/o Nason St.	Sensitive	72.3	72.3	0.0	Yes	1.5	No
36	Alessandro Blvd.	e/o Moreno Beach Dr.	Sensitive	68.7	68.9	0.2	Yes	1.5	No

[1]Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
[2]The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.
[3]Does the Project create an incremental noise level increase exceeding the significance criteria (listed in Subsection 4.11.5 and on Table 4-1 of *Technical Appendix K2*)?
Source: (Urban Crossroads, 2021g, Table 7-8)

3. *General Plan Build-Out Conditions*

As summarized in Table 4.11-16, *General Plan Build-Out (2040) Traffic Noise Levels – Warehouse Use*, Project traffic noise under the scenario where the Project is operated as a warehouse distribution/logistics use, would generate a noise level increase of up to 2.9 dBA CNEL on the study area roadway segments. As indicated in Table 4.11-16, noise from Project-related operational traffic would not exceed the applicable significance thresholds under the General Plan Build-Out scenario; therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.

Table 4.11-16 General Plan Build-Out (2040) Traffic Noise Levels – Warehouse Use

ID	Road	Segment	Receiving Existing Land Use[1]	CNEL at Receiving Land Use (dBA)[2]			Noise Sensitive Land Use?	Incremental Noise Level Increase Threshold[3]	
				No Project	With Project	Project Addition		Limit	Exceeded?
1	Redlands Blvd.	s/o SR-60 Westbound Ramps	Non-Sensitive	74.0	74.9	0.9	No	3.0	No
2	Redlands Blvd.	s/o SR-60 Eastbound Ramps	Non-Sensitive	74.0	75.1	1.1	No	3.0	No
3	Redlands Blvd.	s/o Eucalyptus Av.	Non-Sensitive	73.9	74.0	0.1	No	3.0	No
4	Redlands Blvd.	s/o Dwy. 6	Non-Sensitive	73.9	74.0	0.1	No	3.0	No
5	Redlands Blvd.	n/o Encelia Av.	Non-Sensitive	73.9	74.0	0.1	No	3.0	No
6	Moreno Beach Dr.	s/o SR-60 Westbound Ramps	Non-Sensitive	73.0	73.0	0.0	No	3.0	No
7	Moreno Beach Dr.	s/o SR-60 Eastbound Ramps	Non-Sensitive	75.5	76.0	0.5	No	3.0	No
8	Eucalyptus Av.	e/o Moreno Beach Dr.	Non-Sensitive	69.0	70.7	1.7	No	n/a	No
9	Eucalyptus Av.	e/o Auto Mall Dr.	Non-Sensitive	67.1	69.5	2.4	No	n/a	No
10	Eucalyptus Av.	w/o Aldi Place	Non-Sensitive	67.0	69.8	2.9	No	n/a	No
11	Eucalyptus Av.	w/o Dwy. 5	Non-Sensitive	68.0	70.7	2.8	No	n/a	No
12	Eucalyptus Av.	w/o Redlands Blvd.	Non-Sensitive	68.0	70.7	2.8	No	n/a	No
13	Encilia Av.	e/o Essen Lane	Sensitive	65.8	65.9	0.1	Yes	1.5	No
14	Encilia Av.	e/o Mozart Wy.	Sensitive	65.8	66.0	0.2	Yes	1.5	No
15	Encilia Av.	w/o Redlands Blvd.	Sensitive	66.1	66.4	0.3	Yes	1.5	No

[1]Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
[2]The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.
[3]Does the Project create an incremental noise level increase exceeding the significance criteria (listed in Subsection 4.11.5 and on Table 4-1 of *Technical Appendix K1*)?
Source: (Urban Crossroads, 2021f, Table 7-9)

As summarized in Table 4.11-17, *General Plan Build-Out (2040) Traffic Noise Levels – E-Commerce Use*, Project traffic noise under the scenario where the Project is operated as a warehouse distribution/logistics use, would generate a noise level increase of up to 4.4 dBA CNEL on the study area roadway segments. As indicated in Table 4.11-17, noise from Project-related operational traffic would not exceed the applicable significance thresholds under the General Plan Build-Out scenario; therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant.

Table 4.11-17 General Plan Build-Out (2040) Traffic Noise Levels – E-Commerce Use

ID	Road	Segment	Receiving Existing Land Use[1]	CNEL at Receiving Land Use (dBA)[2]			Noise Sensitive Land Use?	Incremental Noise Level Increase Threshold[3]	
				No Project	With Project	Project Addition		Limit	Exceeded?
1	San Timoteo Cyn. Rd.	n/o Alessandro Rd.	Non-Sensitive	75.2	75.2	0.0	No	3.0	No
2	San Timoteo Cyn. Rd.	s/o Live Oak Canyon Rd.	Sensitive	74.0	74.1	0.0	Yes	1.5	No
3	Redlands Blvd.	s/o San Timoteo Cyn. Rd.	Sensitive	74.3	74.3	0.0	Yes	1.5	No
4	Redlands Blvd.	n/o Ironwood Av.	Sensitive	73.7	73.7	0.0	Yes	1.5	No
5	Redlands Blvd.	s/o Ironwood Av.	Sensitive	73.4	73.5	0.0	Yes	1.5	No
6	Redlands Blvd.	s/o SR-60 Westbound Ramps	Non-Sensitive	74.0	74.9	1.0	No	3.0	No
7	Redlands Blvd.	n/o Eucalyptus Av.	Non-Sensitive	74.0	75.2	1.1	No	3.0	No
8	Redlands Blvd.	s/o Eucalyptus Av.	Non-Sensitive	73.9	74.2	0.3	No	3.0	No
9	Redlands Blvd.	n/o Dwy. 7	Non-Sensitive	73.9	74.2	0.3	No	3.0	No
10	Redlands Blvd.	s/o Dwy. 7	Non-Sensitive	73.9	74.3	0.4	No	3.0	No
11	Redlands Blvd.	s/o Encelia Av.	Sensitive	72.1	72.3	0.2	Yes	1.5	No
12	Redlands Blvd.	n/o Alessandro Blvd.	Sensitive	71.8	71.9	0.1	Yes	1.5	No
13	Redlands Blvd.	s/o Alessandro Blvd.	Sensitive	70.2	70.2	0.1	Yes	1.5	No
14	John F Kennedy Dr.	s/o Cactus Av.	Sensitive	70.9	70.9	0.0	Yes	1.5	No
15	Moreno Beach Dr.	n/o SR-60 Westbound Ramps	Non-Sensitive	71.9	72.0	0.0	No	3.0	No
16	Moreno Beach Dr.	s/o SR-60 Eastbound Ramps	Non-Sensitive	75.5	76.0	0.5	No	3.0	No
17	Moreno Beach Dr.	s/o Alessandro Blvd.	Sensitive	74.2	74.2	0.0	Yes	1.5	No
18	Moreno Beach Dr.	s/o Cactus Av.	Sensitive	73.1	73.2	0.0	Yes	1.5	No
19	Moreno Beach Dr.	s/o John F Kennedy Dr.	Sensitive	74.3	74.4	0.0	Yes	1.5	No
20	Iris Av.	e/o Nason St.	Sensitive	75.7	75.7	0.0	Yes	1.5	No
21	Iris Av.	e/o Lasselle St.	Sensitive	77.0	77.0	0.0	Yes	1.5	No
22	Iris Av.	e/o Kitching St.	Sensitive	76.1	76.1	0.0	Yes	1.5	No
23	Eucalyptus Av.	e/o Nason St.	Sensitive	72.1	72.2	0.0	Yes	1.5	No
24	Eucalyptus Av.	e/o Fir Av.	Sensitive	72.6	72.6	0.0	Yes	1.5	No
25	Eucalyptus Av.	w/o Moreno Beach Dr.	Non-Sensitive	69.0	69.5	0.5	No	5.0	No
26	Eucalyptus Av.	e/o Auto Mall Dr.	Non-Sensitive	67.1	69.7	2.5	No	5.0	No
27	Eucalyptus Av.	e/o Dwy. 1	Non-Sensitive	67.0	71.4	4.4	No	5.0	No
28	Eucalyptus Av.	w/o Dwy. 5	Non-Sensitive	68.0	70.8	2.9	No	5.0	No
29	Eucalyptus Av.	w/o Redlands Blvd.	Non-Sensitive	68.0	68.3	0.3	No	5.0	No
30	Eucalyptus Av.	e/o Redlands Blvd.	Non-Sensitive	70.9	70.9	0.0	No	3.0	No
31	Encilia Av.	e/o Essen Lane	Sensitive	65.8	66.1	0.3	Yes	1.5	No
32	Encilia Av.	e/o Mozart Wy.	Sensitive	65.8	66.5	0.7	Yes	1.5	No
33	Encilia Av.	w/o Redlands Blvd.	Non-Sensitive	66.1	67.3	1.2	No	5.0	No
34	Alessandro Blvd.	e/o Lasselle St.	Sensitive	74.6	74.7	0.0	Yes	1.5	No
35	Alessandro Blvd.	e/o Nason St.	Sensitive	74.2	74.2	0.0	Yes	1.5	No
36	Alessandro Blvd.	e/o Moreno Beach Dr.	Sensitive	74.2	74.3	0.0	Yes	1.5	No

[1]Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
[2]The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.
[3]Does the Project create an incremental noise level increase exceeding the significance criteria (listed in Subsection 4.11.5 and on Table 4-1 of *Technical Appendix K2*)?
Source: (Urban Crossroads, 2021g, Table 7-10)

Threshold b: ***Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?***

The Moreno Valley Municipal Codes does not define the numeric level at which a development project's vibration levels are considered "excessive." For purposes of this EIR, the metric used to evaluate whether the Project's vibration levels are considered "excessive" during either construction or operation is adapted from FTA, *Transit Noise and Vibration Impact Assessment Manual* (Urban Crossroads, 2021f, pp. 22, 25-26; Urban Crossroads, 2021g, pp. 22, 25-26). Accordingly, the FTA criterion of 78 VdB is used to assess impacts due to groundborne vibration during construction activities and 78 VdB for daytime hours and 72 VdB for nighttime hours are used to assess impacts due to groundborne vibration during operational activities. (FTA, 2006).

A. Construction Analysis

Construction activities on the Project site would utilize construction equipment that has the potential to generate vibration. Vibration levels resulting from construction activities on the Project site were calculated at 200 feet of the Project site's property line at the same three (3) receiver locations that were evaluated in the construction noise analysis (refer to Figure 4.11-2). The three (3) representative receiver locations include existing residential homes located north and south of the Project site. Table 4.11-18, *Project Construction Vibration Levels*, summarizes Project construction vibration levels at the modeled receiver locations and the significance of the vibration levels using the FTA vibration level significance threshold of 78 VdB.

Table 4.11-18 Project Construction Vibration Levels

Receiver Location[1]	Distance to Construction Activity (Feet)	Receiver Vibration Levels (VdB)[2]					Threshold VdB[3]	Threshold Exceeded?[4]
		Small Bulldozer	Jack-hammer	Loaded Trucks	Large Bulldozer	Highest Vibration Levels		
R1	1,651'	3.4	24.4	31.4	32.4	32.4	78	No
R2	126'	36.9	57.9	64.9	65.9	65.9	78	No
R3	118'	37.8	58.8	65.8	66.8	66.8	78	No
at 200'	200'	30.9	51.9	58.9	59.9	59.9	78	No

[1]Noise receiver locations are shown on Exhibit 10-A of *Technical Appendices K1 and K2.*
[2]Based on the Vibration Source Levels of Construction Equipment included on Table 6-8 of *Technical Appendices K1 and K2.*.
[3]FTA Transit Noise and Vibration Impact Assessment maximum acceptable vibration criteria as listed in Subsection 4.11.5 and shown on Table 4-1 of *Technical Appendices K1 and K2.*
[4]Does the vibration level exceed the maximum acceptable vibration threshold?
Source: (Urban Crossroads, 2021f, Table 10-4; Urban Crossroads, 2021g, Table 10-4)

As shown in Table 4.11-18, none of the receiver locations in the vicinity of the Project site would be exposed to vibration levels that exceed the applicable limits established by the FTA. Accordingly, Project construction would not generate temporary, excessive groundborne vibration or noise levels and a less-than-significant impact would occur.

B. Sheet Pile System Construction Analysis

Sheet pile system construction activities on the Project site would utilize construction equipment that has the potential to generate vibration. Vibration resulting from sheet pile system construction activities on the Project site, assuming non-impact equipment use, were calculated at 200 feet of the Project site's property line at the same three (3) representative receiver locations that were evaluated in the sheet pile system construction noise analysis (refer to Figure 4.11-3). The three (3) receiver locations include existing residential homes located south of the Project site. Table 4.11-19, *Project Sheet Pile System Construction Noise Levels*, summarizes Project sheet pile system construction vibration levels at the three (3) modeled receiver locations and the significance of the vibration levels using the FTA vibration level significance threshold of 78 VdB.

Table 4.11-19 Sheet Pile System Construction Vibration Levels

Receiver Location[1]	Distance to Construction Activity (Feet)	Receiver Vibration Levels (VdB)[2]	Threshold VdB[3]	Threshold Exceeded?[4]
P1	124'	72.1	78	No
P2	142'	70.4	78	No
P3	250'	63.0	78	No
at 200'	200'	65.9	78	No

[1]Noise receiver locations are shown on Exhibit 10-B of *Technical Appendices K1 and K2.*
[2]Based on the Vibration Source Levels of Construction Equipment included on Table 6-8 of *Technical Appendices K1 and K2.*
[3]FTA Transit Noise and Vibration Impact Assessment maximum acceptable vibration criteria as listed in Subsection 4.11.5 and shown on Table 4-1 of *Technical Appendices K1 and K2.*
[4]Does the vibration level exceed the maximum acceptable vibration threshold?
Source: (Urban Crossroads, 2021f, Table 10-7; Urban Crossroads, 2021g, Table 10-7)

As shown in Table 4.11-19, none of the receiver locations in the vicinity of the Project site would be exposed to vibration levels that exceed the applicable limits established by the FTA. Accordingly, the Project's sheet pile system construction activities using non-impact equipment would not generate temporary, excessive groundborne vibration or noise levels and a less-than-significant impact would occur.

C. Operational Analysis

Under long-term conditions, the operational activities of the Project, whether from a warehouse/distribution logistics use or a fulfillment center/e-commerce use would not include or require equipment, facilities, or activities that would result in perceptible ground-borne vibration. Trucks would travel to and from the Project site on surrounding roadways; however, vibration and groundborne noise levels for heavy trucks operating at the posted speed limits on smooth, paved surfaces – as is expected on the Project site and surrounding roadways – rarely exceed 70 VdB, which is substantially lower than the applicable significance threshold (78 VdB for daytime hours and 72 VdB for nighttime hours) (Urban Crossroads, 2021f, p. 60; Urban Crossroads, 2021g, pp. 63-64). Accordingly, Project operation would not generate excessive groundborne vibration or groundborne noise levels and impacts would be less than significant.

Threshold 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?***

The Project site is not located within two (2) miles of a public airport or within an airport land use compatibility plan. The closest airport is the MARB/IP Airport, located approximately 5.7 miles northwest of the Project site. (ALUC, 2014a, Map MA-1; Google Earth Pro, 2020) Accordingly, the Project would not expose people working on the Project site to excessive noise levels. Impacts would be less than significant.

4.11.7 Cumulative Impact Analysis

The cumulative impact analysis considers construction and operation of the Project in conjunction with other development projects in the vicinity of the Project site and resulting from full General Plan buildout in the Cities of Moreno Valley, Perris, Hemet, Beaumont, Riverside, and nearby unincorporated areas in the County of Riverside.

A. Construction Noise

There are no known active, pending, or planned construction projects in the immediate vicinity of the Project site that would overlap with the Project's proposed construction schedule. Although the Project site is adjacent to the approved World Logistics Center site, simultaneous construction on the Project site and the World Logistics Center site is not expected to occur because the City of Moreno Valley only approved a Specific Plan for the World Logistics Center and did not approve any specific development actions (i.e., Plot Plans). Because of the time required to prepare a Plot Plan, move through the City's discretionary review process, be considered by the City of Moreno Valley hearing bodies, and then go through the City of Moreno Valley ministerial building permit review process, it is unlikely that any development proposals on the World Logistics Center site could catch up to the Project and be under concurrent construction. Furthermore, the World Logistics Center property is very large – more than 2,600 acres – and it is unknown where on the World Logistics site development will first occur and if these locations are close enough to the Project site to result in substantial cumulative construction noise.

Notwithstanding, in the unlikely event that construction on the Project site and the World Logistics Center site occur simultaneously and in a location on the World Logistics Center site that is potentially close enough to the Project site for construction noise to be additive (within the area identified as "Plot 1" in the World Logistics EIR), the effect to the sensitive receptors evaluated in this EIR – Receivers R1 through R3 – would not be cumulatively considerable in consideration of the less-than-significant noise levels from Project-related construction activities and the mitigated construction noise levels from the World Logistics Center. Pursuant to Mitigation Measure 4.12.6.1A from the World Logistics Center EIR, construction at the World Logistics Center site is required to abide by specific activity protocols and equipment restrictions and construct a temporary noise barrier, all of which would substantially reduce construction noise from the World Logistics Center site at the sensitive receptor locations evaluated in this EIR. In addition, the aforementioned mitigation measure from the World Logistics Center EIR prohibits nighttime construction activities on the World Logistics Center site within 800 feet of sensitive receptors. Due to noise attenuation over distance, there is no potential for noise levels from nighttime construction activities on the World Logistics Center site to combine

with noise levels from nighttime construction activities on the Project site and expose Receivers R1 through R3 to excessive, adverse noise. Accordingly, there is no potential for the Project to contribute to the exposure of nearby sensitive receptors to substantial temporary increases in daytime or nighttime ambient noise levels.

B. Stationary Noise

The analysis presented for Threshold "a" addresses the Project's contribution of noise to existing cumulative noise sources (i.e., ambient noise) in the Project area. As previously shown in Table 4.11-10 and Table 4.11-11, the Project's noise contribution would not be perceptible to noise-sensitive receptors in the Project area during daytime or nighttime hours. The Project's permanent stationary noise impacts would not be cumulatively considerable.

C. Traffic Noise

The analysis presented under Threshold "a" evaluates the Project's traffic noise contribution along study area roadways with consideration of near-term (Year 2024) and long-term (Year 2040) cumulative development. As summarized in Table 4.11-12 through Table 4.11-17, the Project's traffic noise contributions along study area roadways would not exceed applicable significance thresholds and, therefore, would not be cumulatively-considerable under near- or long-term conditions.

D. Groundborne Vibration and Noise

During construction, the Project's peak vibration impacts would occur during the grading phase when large pieces of equipment, like bulldozers, are operating on-site. (During the non-grading phases of Project construction, when smaller pieces of equipment are used on-site, the Project's vibration would be minimal.) Also, during sheet pile construction, non-impact pile driving equipment would be used to minimize vibration noise. Vibration effects diminish rapidly from the source; therefore, the only reasonable sources of cumulative vibration in the vicinity of the Project site could occur on properties abutting these sites. As described above, there are no known active or pending construction projects abutting the Project site that would overlap with the Project's proposed construction schedule. Accordingly, there is no potential for the Project to contribute to the exposure of persons to substantial temporary groundborne vibration or noise.

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project site. Trucks would travel to and from the Project site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not cumulatively-contribute to the exposure of persons to excessive groundborne vibration or noise levels during long-term operation.

E. Airport Noise

The Project would not involve the construction, operation, or use of any public airports or public use airports. There are no conditions associated with implementation of the Project that would contribute airport noise or exposure of additional people to unacceptable levels of airport noise. Accordingly, the Project would have no potential to cumulatively contribute to impacts associated with noise from a public airport, public use airport, or private airstrip. Additionally, the Project Site and the immediately surrounding area are not subject to

substantial airport- or air traffic-related noise. Accordingly, there is no potential for cumulative development to expose persons residing or working in the Project area to excessive airport-related noise levels.

4.11.8 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The Project would generate short-term construction and long-term operational noise but would not generate noise levels during construction and/or operation that exceed the standards established by the City of Moreno Valley General Plan or Municipal Code.

Threshold b: Less-than-Significant Impact. The Project's construction and operational activities would not result in a perceptible groundborne vibration or noise.

Threshold c: Less-than-Significant Impact. The Project site is not located within an area exposed to high levels of noise from the MARB/IP Airport. As such, the Project would not expose people to excessive noise levels associated with a public airport or public use airport.

4.11.9 Project Design Features

Impacts would be less than significant; therefore, mitigation is not required. Several project design features will be implemented to ensure that noise and vibration levels are less than significant.

1. Prior to the issuance of any grading, building or other permit that would authorize pile driving, the Project Applicant or grading contractor shall provide evidence to the City demonstrating that non-impact pile driving equipment (e.g., drilling or other non-impact alternatives), such as an ABI drill rig, will be used at the Project site. Only non-impact pile driving equipment shall be authorized for use to reduce vibration effects.

2. Prior to the issuance of any grading, building, road improvement, or other permit that would authorize improvements to Encelia Avenue, the City shall verify that the applicant will improve the right-of-way width from the Project's southwestern boundary to Redlands Boulevard with rubberized asphalt. To minimize roadway noise, the rubberized asphalt is to cover the entire width of the Encelia Avenue vehicular travel way – the 32-foot-wide travel way that would be installed on the north side of the street as part of the Project plus the existing travel way on the southern half of the street. The City shall not grant an occupancy permit for the building until the rubberized asphalt has been installed.

4.12 TRANSPORTATION

The analysis in this Subsection is primarily based on two (2) reports prepared by Translutions, Inc. titled, 1) "Moreno Valley Trade Center Traffic Impact Analysis Warehouse Scenario," dated November 5, 2020; and 2) "Moreno Valley Trade Center Traffic Impact Analysis E-Commerce Scenario," dated November 5, 2020. The reports are included as *Technical Appendices L1 and L2*, respectively, to this EIR. The Project's traffic impact analyses (TIA) are prepared in accordance with the City of Moreno Valley's *Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment* (June 2020). The analysis in this Subsection also relies on two (2) memoranda prepared by Translutions, Inc. titled, 1) "Moreno Valley Trade Center Trip Generation Comparison (Warehouse Scenario)," dated January 4, 2021; and 2) Moreno Valley Trade Center Trip Generation Comparison (E-Commerce Scenario)," dated January 4, 2021. These memoranda are included as *Technical Appendices L3 and L4*, respectively, to this EIR. Refer to Section 7.0, *References*, for a complete list of references.

This Subsection assesses transportation impacts resulting from implementation of the Project. In accordance with Senate Bill (SB) 743, further discussed under Subsection 4.12.5 below, the California Natural Resources Agency (CNRA) adopted changes to the CEQA Guidelines in December 2018, which identify that starting on July 1, 2020, vehicle miles traveled (VMT) is the appropriate metric to evaluate a project's transportation impacts. As of December 2018, when the revised CEQA Guidelines were adopted, automobile delay, as measured by "level of service" (LOS) and other similar metrics, no longer constitutes a significant environmental effect under CEQA. Lead agencies in California are required to use VMT to evaluate project-related transportation impacts. The VMT analysis for the Project is provided as Sections 11.0 of *Technical Appendices L1 and L2*.

Notwithstanding the VMT method of analysis for CEQA purposes, the City of Moreno Valley traffic study guidelines requires a traffic analysis based on LOS, which the City uses in part to determine transportation improvement obligations of development projects. However, CEQA Guidelines Section 15064.3, effective January 1, 2019, "describes specific considerations for evaluating a project's transportation impacts" and provides that, except for roadway capacity projects, "a project's effect on automobile delay (or LOS)" shall not constitute a significant environmental impact" (CEQA Guidelines Section 15064.3(a)).

Although not specifically relevant to an analysis of CEQA transportation impacts, the City of Moreno Valley General Plan's Circulation Element discusses LOS and General Plan Objective 5.3 states: "Maintain Level of Service (LOS) "C" on roadway links, wherever possible, and LOS "D" in the vicinity of SR 60 and high employment centers." For this reason, although LOS cannot be used to make a conclusion of a significant environmental effect, the Project's impact to transportation facilities based on LOS is provided herein for informational purposes.

4.12.1 EXISTING VEHICLE MILES TRAVELED

The City of Moreno Valley's method of VMT analysis for industrial projects is based on VMT per employee for home-based work trips. The average number of miles an employee travels in the City of Moreno Valley per day in 2020 by automobile, according to available data, is 11.41 miles (Translutions, 2020a, p. 61; Translutions, 2020b, p. 75).

4.12.2 EXISTING TRANSPORTATION SYSTEM

A. Existing Roadway System

The Project site is located immediately north of Encelia Avenue, immediately west of Redlands Boulevard, and immediately south of Eucalyptus Avenue. Existing traffic on nearby roadways consist of both passenger vehicles and trucks passing through the area and accessing nearby land uses. The primary regional vehicular travel route serving the Project area is SR-60, which is located approximately 0.25-mile north of the Project site. The Project site is located approximately 0.25 roadway mile southwest of the Redlands Boulevard on/off-ramp to SR-60 and approximately 0.8 roadway mile southeast of the Moreno Beach Drive on/off-ramp to SR-60. SR-60 provides access to I-215, which is located approximately 7.3 miles to the northwest of the Project site (Google Earth Pro, 2020). An approximately 4.5-mile segment of SR-60 between Gilman Springs Road (just east of the Project site) to 1.4 miles west of Jack Rabbit Trail in unincorporated Riverside County is in the process of being widened to construct an eastbound truck climbing lane and a westbound truck descending lane (RCTC, 2020). In addition, shoulders will be widened and sight distance will be improved by flattening curves in the roadway (ibid.).

B. Existing Truck Routes

The City of Moreno Valley has designated truck routes. In the vicinity of the Project site, Redlands Boulevard is a designated truck route from the SR-60 ramps, north to the City boundary. Redlands Boulevard abuts the Project site to the east, south of SR-60 (Moreno Valley, 2019). Other designated truck routes near the Project site include but are not limited to Alessandro Boulevard, Moreno Beach Drive between SR-60 and Alessandro Boulevard, World Logistics Parkway, and Gilman Springs Road (ibid.).

C. Existing Transit Services

The vicinity of the Project site is served primarily by Riverside Transit Agency (RTA), a public transit agency serving various jurisdictions within Riverside County. RTA provides local bus service in the Project area via Route 20 on Alessandro Boulevard, Moreno Beach Drive, and Iris Avenue, via Route 31 on Eucalyptus Avenue from Moreno Beach Drive to Kitching Street, and via Route 15 along 9th Street and Central Avenue (Translutions, 2020a, pp. 19-20; Translutions, 2020b, pp. 19-20). The nearest transit stop is located approximately 1.5 miles southwest of the Project site on Eucalyptus Avenue via Route 31 (Google Earth Pro, 2020).

The area also is served by Metrolink, a commuter rail service operated by the Southern California Regional Rail Authority (SCRRA). Metrolink train service is available between the counties of Ventura, Los Angeles, San Bernardino, Orange, Riverside, and north San Diego. The City of Moreno Valley is served by the Moreno Valley/March Field Metrolink Station, at 14160 Meridian Parkway and approximately 8.0 miles southwest of the Project site.

D. Existing Bicycle and Pedestrian Facilities

Field observations collected by Translutions indicate nominal pedestrian and bicycle activity near the Project site. There are no existing bicycle lanes on Redlands Boulevard bordering the Project site to the east or on Encelia Avenue bordering the Project site to the south. Regarding sidewalks and trails, to the south of the

Project site there is a sidewalk on the south side of Encelia Avenue between Shubert Street and the western Project boundary, and there is a sidewalk system within the residential community to the south. To the north of the Project site along the frontage of the Aldi warehouse development, there is a new sidewalk and a multi-use trail on the north side of Eucalyptus Avenue that were recently installed.

4.12.3 Study Area Description for Level of Service Analysis

The geographic area (hereafter referred to as the "Project Study Area" or "Study Area") that was evaluated for Project-related effects to the transportation network for purposes of a LOS evaluation is defined as follows:

A. Intersections

Pursuant to its traffic study guidelines, the City of Moreno Valley requires a performance analysis of intersections that would receive 50 or more peak hour trips from a development project. A "peak hour trip" is a trip that occurs between the hours of 7:00 AM and 9:00 AM (AM peak hour) or between the hours of 4:00 PM and 6:00 PM (PM peak hour).

1. Warehouse Distribution/Logistics

Fifteen (15) intersections are located within the Project Study Area based on the 50 peak hour trip criterion (Translutions, 2020a, p. 1). These intersections are identified on Figure 4.12-1, *Study Area Intersection Locations – Warehouse Distribution/Logistics*, and are listed in Table 4.12-1, *Study Area Intersection Locations – Warehouse Distribution/Logistics*. The Study Area includes intersections under the jurisdictions of the City of Moreno Valley as well as the California Department of Transportation (Caltrans).

2. Fulfillment/E-Commerce

Thirty-four (34) intersections are located within the Project Study Area based on the 50 peak hour trip criterion (Translutions, 2020b, pp. 1, 3). These intersections are identified on Figure 4.12-2, *Study Area Intersection Locations – Fulfillment/E-Commerce*, and are listed in Table 4.12-2, *Study Area Intersection Locations – Fulfillment/E-Commerce*. The Study Area includes intersections under the jurisdictions of the City of Moreno Valley as well as Caltrans.

B. Roadway Segments

1. Warehouse Distribution/Logistics

Fifteen (15) roadway segments are located within the Project Study Area that would receive the highest volume of Project traffic (Translutions, 2020a, pp. 1, 3). These segments are identified on Figure 4.12-3, *Study Area Roadway Segment Location – Warehouse Distribution/Logistics* and are listed in Table 4.12-3, *Study Area Roadway Segments – Warehouse Distribution/Logistics*. The Study Area includes roadway segments under the jurisdictions of the City of Moreno Valley as well as Caltrans.

2. Fulfillment/E-Commerce

Thirty-six (36) roadway segments are located within the Project Study Area that would receive the highest volume of Project traffic (Translutions, 2020b, pp. 3-4). These segments are identified on Figure 4.12-4, *Study*

Area Roadway Segment Location – Fulfillment/E-Commerce and are listed in Table 4.12-4, *Study Area Roadway Segments – Fulfillment/E-Commerce*. The Study Area includes roadway segments under the jurisdictions of the City of Moreno Valley as well as Caltrans.

4.12.4 Existing Levels of Service

Weekday AM and PM peak hour traffic count data was collected at Study Area intersections and roadway segments on October 30, 2019. The raw manual peak hour turning movement traffic count data sheets are included in Appendix B of *Technical Appendices L1 and L2*. On the date that traffic counts were collected, there were no atypical traffic conditions (e.g. construction activity or detour routes) and nearby schools were in session and operating on normal schedules (Translutions, 2020a, p. 16, Appendix B; Translutions, 2020b, p. 17, Appendix B).

The traffic count data includes a tabulation of passenger cars, 2-axle trucks, 3-axle trucks, and 4-or-more axle trucks. Larger vehicles take up more space on the roadway and take longer to accelerate and decelerate than smaller passenger vehicles; therefore, converting larger vehicles into passenger car equivalents (PCEs) allows for the real-world effect that larger vehicles have on roadways to be accurately reflected in the TIA and for traffic to be represented as a standardized unit. For purposes of this analysis, a PCE factor of 1.5 is applied to 2-axle truck trips, 2.0 is applied to 3-axle truck trips, and 3.0 is applied to 4 and 4+ axle truck trips (Translutions, 2020a, Table A; Translutions, 2020b, Table A). These PCE factors follow the recommendations of the City's traffic study guidelines.

Existing (2019) AM and PM peak hour intersection volumes are shown on Figure 4.12-5, *Existing Peak Hour Traffic Volumes (PCE) – Warehouse Distribution/Logistics* and Figure 4.12-6, *Existing Peak Hour Traffic Volumes (PCE) – Fulfillment/E-Commerce*. Except where specifically noted, all of the vehicle trips/traffic volumes presented in this EIR Subsection, including those illustrated on Figure 4.12-5 and Figure 4.12-6, are shown in terms of PCE.

A. Existing Intersection LOS Conditions

❑ Warehouse Distribution/Logistics

Existing peak hour traffic performance at existing Study Area intersections is summarized in Table 4.12-9, *Existing plus Project Intersection Analysis – Warehouse Distribution/Logistics*. The traffic performance levels shown in Table 4.12-9 were calculated using the analysis methodologies presented later in this Subsection (refer to Subsection 4.12.6). As shown in Table 4.12-9, all but one intersection in the Study Area operate at acceptable LOS during peak hours under existing conditions, with the exception of Moreno Beach Drive/SR-60 Eastbound Ramps (Intersection #2), which operates at LOS F in the AM & PM peak hours.

#	Intersection	AM Peak LOS	PM Peak LOS
2	Moreno Beach Drive/SR-60 Eastbound Ramps	F	F

❑ Fulfillment/E-Commerce

Existing peak hour traffic performance at existing Study Area intersections is summarized in Table 4.12-11, *Existing plus Project Intersection Analysis – Fulfillment/E-Commerce*. The traffic performance levels shown in Table 4.12-11 were calculated using the analysis methodologies presented later in this Subsection (refer to Subsection 4.12.6). As shown in Table 4.12-11, all but five intersections in the Study Area operate at acceptable LOS during peak hours under existing conditions. The five intersections are:

#	Intersection	AM Peak LOS	PM Peak LOS
10	Alessandro Road/San Timoteo Canyon Road	F	F
16	Moreno Beach Drive/SR-60 Eastbound Ramps	F	-
17	Live Oak Canyon Road/San Timoteo Canyon Road	F	F
18	Redlands Boulevard/San Timoteo Canyon Road	F	F
32	Redlands Boulevard/Alessandro Boulevard	D	D

B. Existing Roadway Segment Conditions

❑ Warehouse Distribution/Logistics

Existing roadway segment operations, which were calculated for Study Area roadway segments using the analysis methodologies presented in Subsection 4.12.6, are summarized in Table 4.12-10, *Existing plus Project Roadway Segment Analysis – Warehouse Distribution/Logistics*. As shown in Table 4.12-10, all roadway segments in the Study Area operate at acceptable LOS under existing conditions, with the exception of the following:

#	Roadway Segment	LOS
1	Redlands Boulevard from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	E
2	Redlands Boulevard from SR-60 Eastbound Ramps to Eucalyptus Avenue	E
3	Redlands Boulevard from Eucalyptus Avenue to Driveway 6	F
4	Redlands Boulevard from Driveway 6 to Driveway 7	F
5	Redlands Boulevard from Driveway 7 to Encelia Avenue	F
6	Moreno Beach Drive from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	F

❑ Fulfillment/E-Commerce

Existing roadway segment operations, which were calculated for Study Area roadway segments using the analysis methodologies presented in Subsection 4.12.6, are summarized in Table 4.12-12, *Existing plus Project Roadway Segment Analysis – Fulfillment/E-Commerce*. As shown in Table 4.12-12, all roadway segments in the Study Area operate at acceptable LOS under existing conditions, with the exception of the following:

#	Roadway Segment	LOS
1	San Timoteo Canyon Road from Alessandro Road to Live Oak Canyon Road	D
2	San Timoteo Canyon Road from Live Oak Canyon Road to Redlands Boulevard	F
3	Redlands Boulevard south of San Timoteo Canyon Road	F

#	Roadway Segment	LOS
4	Redlands Boulevard north of Ironwood Avenue	F
5	Redlands Boulevard from Ironwood Avenue to SR-60 Westbound Ramps	F
6	Redlands Boulevard from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	F
7	Redlands Boulevard from SR-60 Eastbound Ramps to Eucalyptus Avenue	E
8	Redlands Boulevard from Eucalyptus Avenue to Driveway 6	F
9	Redlands Boulevard from Driveway 6 to Driveway 7	F
10	Redlands Boulevard from Driveway 7 to Encelia Avenue	F
11	Redlands Boulevard from Encelia Avenue to Cottonwood Avenue	D
15	Moreno Beach Drive from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	F
17	Moreno Beach Drive from Alessandro Boulevard to Cactus Avenue	F

4.12.5 Applicable Environmental Plans, Policies, and Regulations

A. Senate Bill 743 and VMT-Based Analysis

Senate Bill 743, which was codified in Public Resources Code (PRC) Section 21099, required changes to the CEQA Guidelines regarding the analysis of transportation impacts. Pursuant to PRC Section 21099, the criteria for determining the significance of transportation impacts must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." To that end, in developing the criteria, the Office of Planning and Research (OPR) proposed, and the CNRA certified and adopted changes to the CEQA Guidelines in December 2018, which entailed changes to the thresholds of significance for the evaluation of impacts to transportation.

The updated CEQA Guidelines include the addition of CEQA Guidelines Section 15064.3, of which Subdivision b establishes criteria for evaluating a project's transportation impacts based on project type and using automobile VMT as the metric. As identified in Section 15064.3(b)(4) of the CEQA Guidelines, a lead agency has the discretion to choose the most appropriate methodology to evaluate a project's VMT. The City of Moreno adopted its VMT thresholds of significance and published its updated *Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment* on June 18, 2020. Pursuant to SB 743 and PRC Section 21099, the requirement for analyzing congestion impacts (i.e., LOS) for CEQA purposes was eliminated in December 2018. Therefore, an analysis of congestion impacts, including analysis of impacts related to the LOS of the circulation system is provided in this EIR only for informational purposes. The metric for determining a significant impact under CEQA is based on VMT.

B. SCAG Regional Transportation Plan/Sustainable Communities Strategy

The Southern California Association of Governments (SCAG) is a regional agency established pursuant to California Government Code Section 6500, also referred to as the Joint Powers Authority law. SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). The Project site is within SCAG's regional authority. On April 7, 2016, SCAG adopted the *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)* with goals to: 1) preserve the existing transportation system; 2) expand the regional transit system; 3) expand passenger rail; 4) improve highway and arterial capacity; 5) manage demands on the transportation system; 6) optimize the performance of the transportation system; 7) promote forms of active transportation;

8) strengthen the regional transportation network for goods movement; 9) leverage technology; 10) improve airport access; and 11) focus new growth around transit (SCAG, 2016, pp. 6-8).

On November 7, 2019, SCAG adopted the *2020-2045 RTP/SCS (Connect SoCal)* and its associated Program EIR for federal transportation conformity purposes only. *Connect SoCal* serves as an update to the *2016-2040 RTP/SCS* and focuses on the continued efforts of the previous RTP/SCS plans for an integrated approach in transportation and land uses strategies in development of the SCAG region through horizon year 2045. The goals for *Connect SoCal* include: 1) encourage regional economic prosperity and global competitiveness; 2) improve mobility, accessibility, reliability, and travel safety for people and goods; 3) enhance the preservation, security, and resilience of the regional transportation system; 4) increase person and goods movement and travel choices within the transportation system; 5) reduce greenhouse gas emissions and improve air quality; 6) support healthy and equitable communities; 7) adapt to a changing climate and support an integrated regional development pattern and transportation network; 8) leverage new transportation technologies and data-driven solutions that result in more efficient travel; 9) encourage development of diverse housing types in areas that are supported by multiple transportation options; and 10) promote conservation of natural and agricultural lands and restoration of habitats (SCAG, 2020, p. 9).

C. Transportation Uniform Mitigation Fee (TUMF) Program

In 2000, the Western Riverside Council of Governments (WRCOG) established the Transportation Uniform Mitigation Fee (TUMF) Program to mitigate the cumulative regional impacts of projected future growth and new development on the region's arterial highway system. The TUMF Program applies a uniform mitigation fee to new development projects that is collected by each WRCOG member agency, including the City of Moreno Valley. The collected funds are pooled and used by WRCOG to fund transportation network improvements, including roads, bridges, interchanges, and railroad grade separations, identified by the public works departments of WRCOG member agencies and listed in the Regional System of Highways and Arterials (RHSA) (WRCOG, 2016, p. 1).

D. City of Moreno Valley Development Impact Fee (DIF) Program

The City of Moreno Valley created its Development Impact Fee (DIF) program to impose and collect fees from new residential, commercial, and industrial development for the purpose of funding local improvements necessary to accommodate City growth as identified in the City's General Plan Circulation Element (Moreno Valley, 2018, Section 3.42.110). The identification of specific roadway and intersection improvement projects and the timing to use the DIF fees is established through periodic capital improvement programs which are overseen by the City's Public Works Department.

E. City of Moreno Valley General Plan Circulation Element

The City of Moreno Valley's General Plan Circulation Element is intended to guide the development of the City's circulation system in a manner that is compatible with the City's General Plan Land Use Element. To help meet traffic demands and achieve balanced growth, the City has adopted specific goals and policies, which serve as the basis for the Circulation Element. General Plan Objective 5.3 states: "Maintain Level of Service (LOS) "C" on roadway links, wherever possible, and LOS "D" in the vicinity of SR 60 and high employment centers" (Moreno Valley, 2006a).

F. City of Moreno Valley Bicycle Master Plan

The City of Moreno Valley's Bicycle Master Plan, adopted in January 2015, guides design and implementation of bicycle transportation infrastructure, programs and policies designed to make the City of Moreno Valley a more bicycle-friendly place and to encourage more residents to ride bicycles rather than drive (Moreno Valley, 2015, pp. iv-v).

4.12.6 Transportation Impact Analysis Methodology

The Project traffic impact analysis, as provided in *Technical Appendices L1 and L2*, and summarized in this Subsection, relies on the analysis methodologies described below.

A. Vehicle Miles Traveled (VMT) Evaluation Criteria and Methodology

In June 2020, the City of Moreno Valley adopted VMT based thresholds of significance. The City recommends using VMT per employee for home-based work trips for an industrial project. The City recommends the following thresholds (Translutions, 2020a, p. 57; Translutions, 2020b, pp. 63, 74):

- A project would have a significant VMT impact if, in the Existing plus Project scenario, per employee (for office and industrial projects) exceeds the average VMT for Moreno Valley.
- If a project is consistent with the regional *RTP/SCS*, then the cumulative impacts shall be considered less than significant subject to consideration of other substantial evidence. If it is not consistent with the RTP/SCS, then it would have a significant VMT impact if:
    - For office and industrial projects, the net VMT per employee exceeds the average VMT per employee for Moreno Valley in the *RTP/SCS* horizon-year

A Traffic Analysis Zone (TAZ) from the Riverside County Transportation Analysis Model (RivTAM) was used to estimate both the regional and Project VMT for the year 2020. RivTAM socioeconomic database for both base (2012) and future (2040) scenario were updated with the Project land use to derive 2020 conditions (Translutions, 2020a, pp. 57, 60; Translutions, 2020b, pp. 74, 76).

B. Level of Service (LOS) Methodology

The performance of roadway facilities is described using the term "level of service" (LOS). LOS is a qualitative description of traffic flow based on several factors such as speed, travel time, delay, and freedom to maneuver. LOS-based performance criteria include six (6) classifications ranging from LOS A, representing completely free-flow conditions, to LOS F, representing a breakdown in flow that results in stop-and-go conditions. Table 4.12-5, *Intersection LOS Thresholds*, summarize typical operational conditions at signalized and unsignalized intersections for each LOS classification, respectively. Table 4.12-6, *Roadway Segment LOS Thresholds*, summarize typical operational conditions at roadway segments for each LOS classification.

The CEQA Guidelines require that transportation impacts to the environment to be determined based on VMT; a LOS metric is no longer used as the basis for determining the significance of environmental impacts. Therefore, the analysis herein using LOS criteria focuses on consistency with the City of Moreno Valley's

General Plan General Plan Objective 5.3, which states: "Maintain Level of Service (LOS) "C" on roadway links, wherever possible, and LOS "D" in the vicinity of SR 60 and high employment centers." Inconsistency with the Objective 5.3, however, does not constitute a transportation impact under CEQA.

Refer to *Technical Appendices L1 and L2* of this EIR for a discussion of methodology used to determine Project-related effects using LOS criteria for Opening Year (2024) analysis, General Plan Buildout (2040) analysis, and the roadway network assumed to be in place in those analysis years. Detailed volume development worksheets are included in Appendix C of *Technical Appendices L1 and L2*. In instances where a "fair-share" monetary contribution toward the construction of roadway improvements is recommended to correct a LOS deficiency, the Project's fair-share contribution is determined by the equation presented below (Moreno Valley, 2020, p. 20). This calculation establishes a proportional nexus between the Project's effect on the transportation system and the recommended monetary contribution.

Project Fair Share % = Project Trips ÷ (Project Trips + Future Development Trips)

Refer to Table L of *Technical Appendix L1* and Table J and Table L of *Technical Appendix L2* for more information on the methodology used to calculate fair share contribution toward future intersection and/or roadway improvements.

1. Intersection Capacity LOS Analysis Methodology

The intersection LOS analysis is based on the traffic volumes observed on weekdays between 7:00 AM and 9:00 AM (AM peak hour) and 4:00 PM and 6:00 PM (PM peak hour). These AM and PM peak hours were selected for analysis because these hours typically experience the most traffic during a 24-hour period.

At signalized intersections, peak hour performance is calculated using the methodology described in the Highway Capacity Manual (HCM). Intersection performance is based on the average control delay at each leg of the intersection. Control delay includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. At signalized intersections, LOS is directly related to the average control delay per vehicle and is correlated to a LOS designation as described in Table 4.12-5. The traffic modeling and signal timing optimization software package Synchro (Version 10) is used to analyze signalized intersections capacity as specified in the HCM (Translutions, 2020a, p. 7; Translutions, 2020b, p. 8).

At unsignalized intersections, operations were evaluated using the methodology described in the HCM. At two-way or side-street stop-controlled intersections, LOS is calculated for each controlled movement and for the left turn movement from the major street, as well as for the intersection as a whole. For approaches comprising a single lane, the delay is computed as the average of all movements in that lane. For all-way stop controlled intersections, LOS is computed for the intersection as a whole. The LOS rating is based on the weighted average control delay expressed in seconds per vehicle, as shown in Table 4.12-5 (Translutions, 2020a, p. 7; Translutions, 2020b, p. 8).

2. *Roadway Segment LOS Capacity Analysis Methodology*

Roadway segment operations are evaluated using the applicable ADT roadway capacity values provided in the City of Moreno Valley's TIA guidelines. The roadway capacities utilized for the purposes of this analysis are considered "rule of thumb" estimates for planning purposes and are affected by such factors as intersections (spacing, configuration and control features), degree of access control, roadway grades, design geometrics (horizontal and vertical alignment standards), sight distance, vehicle mix (truck and bus traffic) and pedestrian bicycle traffic (Translutions, 2020a, p. 15; Translutions, 2020b, p. 15).

C. *Cumulative Projects*

CEQA Guidelines Section 15130 requires that this EIR disclose the impact from the Project along with the incremental impacts from closely-related past, present, and reasonably foreseeable future projects (i.e., cumulative impact analysis). As previously described in EIR Section 4.0, *Environmental Analysis*, the Project's cumulative traffic impact analysis utilizes a summary of projections approach plus a list of projects approach in order to provide a conservative analysis of cumulative impacts. The location of each cumulative project can be found in Figure 11 of *Technical Appendices L1 and L2* (as well as on EIR Figure 4.0-1).

4.12.7 Project Vehicle Trip Generation

Vehicle trip generation represents the amount of traffic that is associated with a development project. Determining traffic generation for a specific project is, therefore, based upon forecasting the amount of traffic that is expected to be both attracted to and produced by the specific land uses proposed by a given project.

Under the scenario where the Project would be operated as a warehouse distribution/logistics use, Project vehicle trips were calculated using the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition, 2017) trip generation rate and vehicle mix (i.e., percentage of passenger cars trips vs. truck trips) for warehouse uses (ITE Code 150) (Translutions, 2020a, p. 7). Under the scenario where the Project would be operated as an e-commerce/fulfillment use, Project vehicle trips were developed from surveys of e-commerce facilities located in the Inland Empire because e-commerce facilities typically generate higher passenger car trips than the warehouse uses from ITE (Translutions, 2020b, p. 8). The surveys are provided in Appendix B of *Technical Appendix L2*. For the purpose of this analysis, the trip generation was derived based on off-peak and peak season forecasts at the surveyed e-commerce facilities (ibid.). To provide a conservative analysis, the peak-season was considered to be two (2) months and the off-peak season was considered to be ten (10) months (ibid.).

The ITE Trip Generation Manual does not provide guidance on truck fleet mix (i.e., percentage of 2-axle, 3-axle, and 4-or-more axle trucks); therefore, assumptions regarding truck vehicle mix are based on recommendations provided by the South Coast Air Quality Management District (SCAQMD). (Translutions, 2020a, p. 7) Based on data from the ITE and the recommendations of the SCAQMD, operation of the Project as a warehouse distribution/logistics use is calculated to generate 2,321 actual daily vehicle trips, including 1,436 daily passenger car trips and 885 daily truck trips (Translutions, 2020a, Table A). Under the scenario where the Project is operated as an e-commerce/fulfillment use, the Project is calculated to generate 6,607 actual daily vehicle trips, including 5,750 daily passenger car trips and 857 daily truck trips (Translutions, 2020b, Table A).

As noted earlier in this Subsection, PCE trips are a better metric to reflect the real-world effect of larger vehicles (i.e., trucks) on the circulation system than are actual vehicle trips. Table 4.12-7, *Project Trip Generation Summary – Warehouse Distribution/Logistics*, and Table 4.12-8, *Project Trip Generation Summary – Fulfillment/E-Commerce*, summarize the Project's trip generation with PCE factors applied. After applying the PCE factors, Project operation as a warehouse distribution/logistics use is calculated to generate 3,665 daily PCE trips, including 363 PCE trips in the AM peak hour and 404 PCE trips in the PM peak hour; and Project operation as an e-commerce/fulfillment use is calculated to generate 7,903 daily PCE trips, including 554 PCE trips in AM peak hour and 1,118 PCE trips in the PM peak hour. The Project's PCE trips are utilized throughout the analysis in *Technical Appendices L1 and L2* and presented in this EIR Subsection to evaluate the Project's effect to the transportation and circulation network unless specifically noted.

It bears noting that, in the event that 50,000 s.f. of the proposed building is used as cold storage (as noted in EIR Section 3.0, *Project Description*), the Project's trip generation would vary slightly from the totals presented in the preceding paragraph: daily traffic associated with the Project would increase to 3,709 daily PCE trips for the warehouse distribution/logistics use (with no change in AM or PM peak hour PCE trips) and would decrease to 7,785 daily PCE trips for the e-commerce/fulfillment use (including a reduction to 554 PCE trips during the AM peak hour and 1,087 PCE trips during the PM) (Translutions, 2021a; Translutions 2021b). The potential inclusion of cold storage in the proposed building would not substantially change the trip generation – and would actually result in fewer trips under the potential e-commerce/fulfillment use – and would not change the results or conclusions of the traffic impact analyses presented in *Technical Appendices L1 and L2* (ibid.). Thus, the analysis presented in *Technical Appendices L1 and L2* and summarized in this EIR subsection is valid for the proposed warehouse distribution/logistics use and the conceptual e-commerce/fulfillment use, under both the scenarios with and without cold storage in the proposed building.

For more information on the trip generation methodology, refer to Subsection 2.1 of *Technical Appendices L1 and L2*.

4.12.8 Project Vehicle Trip Distribution

Trip distribution is the process of identifying the probable destinations, directions, or traffic routes that will be utilized by a development project's traffic. The trip distribution for Project traffic was developed based on anticipated passenger car and truck travel patterns to-and-from the Project site. The traffic distribution pattern for Project truck trips under the scenario of a warehouse distribution/logistics use is illustrated on Figure 4.12-7, *Project Truck Distribution – Warehouse Distribution/Logistics* and the traffic distribution pattern for Project passenger car trips is illustrated on Figure 4.12-8, *Project Passenger Car Trip Distribution – Warehouse Distribution/Logistics*. The traffic distribution pattern for Project truck trips under the scenario of an e-commerce/fulfillment use is illustrated on Figure 4.12-9, *Project Truck Trip Distribution – Fulfillment/E-Commerce*, and the traffic distribution pattern for Project passenger car trips is illustrated on Figure 4.12-10, *Project Passenger Car Trip Distribution – Fulfillment/E-Commerce*.

Based on Project traffic generation and trip distribution patterns, Project operation as a warehouse distribution/logistics use or an e-commerce/fulfillment use would contribute the PCE traffic volumes at Study Area intersections shown on Figure 4.12-11, *Project Trip Assignment (PCE) – Warehouse*

Distribution/Logistics and Figure 4.12-12, *Project Trip Assignment (PCE) – Fulfillment/E-Commerce*, respectively.

4.12.9 Basis for Determining Significance

The Project would result in a significant impact to the transportation system if the Project or any Project-related component would:

a. *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

b. *Conflict or be inconsistent with CEQA Guidelines Section 15064.3 or conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

c. *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?*

d. *Result in inadequate emergency access?*

The above-listed thresholds are referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act* and address the typical, adverse environmental effects related to transportation that could result from development projects.

4.12.10 Impact Analysis

The analysis provided on the following pages addresses the potential transportation impacts could result from implementation of the proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*. Except where specifically noted herein, implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses would result in similar transportation impacts.

Threshold a: ***Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?***

❑ SCAG 2016-2040 RTP/SCS

The fundamental goals of SCAG's *2016-2040 RTP/SCS* are to make the SCAG region a better place to live, work, and play for all residents regardless of race, ethnicity, or income class. Section 4.10, *Land Use and Planning*, of this EIR, addresses the Project's consistency with the *2016-2040 RTP/SCS*. As demonstrated through that analysis, implementation of the Project would be consistent with the goals and policies of SCAG's regional planning program, including the following goals related to vehicular and non-vehicular circulation:

- Maximize mobility and accessibility for all people and goods in the region.
- Ensure travel safety and reliability for all people and goods in the region.
- Preserve and ensure a sustainable regional transportation system.

- Protect the environment and health for our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking).
- Encourage land use and growth patterns that facilitate transit and active transportation.

❑ City of Moreno Valley Bicycle Master Plan

The City of Moreno Valley's Bicycle Master Plan, adopted in January 2015, guides design and implementation of bicycle transportation infrastructure. The Bicycle Master Plan calls for Class II bike lanes to be provide on Redlands Boulevard, which abuts the Project site to the east, and Eucalyptus Avenue, which abuts the Project site to the north. (Moreno Valley, 2015, pp. iv-v) The proposed Project is consistent with the Bicycle Master Plan by providing roadway frontage improvements that will accommodate the planned bicycle lanes, as described below. In addition, in accordance with the California Green Building Standards Code (CALGreen), bicycle parking will be provided on the Project site for use by employees and visitors to the Project site.

Development of the Project site would include improvements to the southern half of Eucalyptus Avenue, including a 38-foot-wide paved vehicular travel way, curb and gutter, an approximately 6.5-foot-wide sidewalk, and an approximately 5-foot-wide landscaped parkway within the public right-of-way. The proposed improvements to Eucalyptus Avenue are consistent with the street's "Arterial" classification established by the Moreno Valley General Plan Circulation Plan, which provides room in the paved vehicular travel way for a Class II bicycle lane.

Redlands Boulevard would be improved along the Project site frontage to provide a 43-foot-wide paved vehicular travel way (including raised median), curb and gutter, an approximately 6.5-foot-wide sidewalk, and an approximately 5-foot-wide landscaped parkway within the public right-of-way on both sides of the street. The proposed improvements to Redlands Boulevard are consistent with the street's "Divided Arterial – 4 lane" classification established by the Moreno Valley General Plan Circulation Plan, which provides room in the paved vehicular travel way for a Class II bicycle lane.

❑ City of Moreno Valley General Plan Circulation Element

Provided herein is a discussion of the Project's consistency with the objectives of the City of Moreno Valley's General Plan Circulation Element.

Objective 5.1 - Create a safe, efficient and neighborhood-friendly street system.

As part of the Project's development, roadway improvements would be constructed along the Project site's frontages with Redlands Boulevard, Eucalyptus Avenue, and Encelia Avenue, which would improve transportation safety and efficiency by providing sidewalks and improved travel ways. In addition, the Project will entail the provision of an 11-foot-wide trail that conforms to City of Moreno Valley Standard Plan MVGF-610H-0 for a "Multi-Use Trail Adjacent to Street with Sidewalk" along the west side of Redlands Boulevard. The Project also would improve efficiency of the transportation system by providing two new bus stop turnouts. A bus stop turnout is proposed on the Project site on the west side of Redlands Boulevard, north of Encelia Avenue, and a second bus stop turnout is proposed on the Project site along the south side of Eucalyptus Avenue, near the northwest corner of the Project site. The precise location of the bus stop turnouts would be determined in consultation between the Project Applicant and the Riverside Transit Agency (RTA). Lastly,

an approximately 16.5-foot-wide combination trail and sidewalk would be installed as part of the Project along the western Project site boundary abutting the existing Quincy Channel.

Objective 5.2 - Implement access management policies.

This policy addresses residential street design and the incorporation of traffic calming design into local and collector streets to promote safe vehicle speeds. The proposed Project is not a residential project, but abuts Encelia Avenue to the south, which is a collector street. To ensure that the Project's truck traffic does not interfere with passenger car traffic using Encelia Avenue, the Project's driveways that connect to Encelia Avenue are proposed to be designated for passenger vehicle traffic only. No trucks would be able to use the Project's driveways that connect with Encelia Avenue due to the design of the driveways connecting to Encelia Avenue and due to the design of interior drive aisles, which require turns that are too narrow for tractors or tractor-trailers to make (but can be used safely by passenger vehicles and emergency response vehicles).

Objective 5.3 - Maintain Level of Service (LOS) "C" on roadway links, wherever possible, and LOS "D" in the vicinity of SR 60 and high employment centers.

Although SB 743 and the CEQA Guidelines stipulate that environmental impact conclusions for transportation must be based on VMT (discussed in threshold (b) below) and not LOS, the analysis herein provides information about Project-related effects on LOS, in the context of a General Plan consistency analysis. For that purpose, the specific criteria described below are utilized to evaluate the consistency with applicable City of Moreno Valley LOS performance standards, as well as LOS performance standards established by the City of Redlands, County of Riverside, and Caltrans.

City of Moreno Valley

- The Project would be directly inconsistent with LOS performance criteria if it would: 1) cause a signalized intersection to degrade from either LOS C or better or LOS D or better to LOS D/E/F or LOS E/F, respectively; or 2) increase the delay by 5.0 or more seconds at a signalized intersection that operates at an unacceptable level of service (i.e., LOS D or LOS E/F) without the Project.
- The Project would be directly inconsistent with LOS performance criteria if it would: 1) cause an unsignalized intersection to degrade from either LOS C or better or LOS D or better to LOS D/E/F or LOS E/F, respectively; or 2) increase the delay by 5.0 or more seconds at an unsignalized intersection that operates at an unacceptable level of service (i.e., LOS D or LOS E/F) without the Project and the intersection meets the peak hour traffic signal warrant after the addition of Project traffic.
- The Project would be directly inconsistent with LOS performance criteria if it would: 1) cause a roadway segment to degrade from either LOS C or better or LOS D or better to LOS D/E/F or LOS E/F, respectively; or 2) increase the volume to capacity ratio by 0.05 along any roadway segment that operates at unacceptable level of service (i.e., LOS D or LOS E/F) without the Project.

City of Redlands and County of Riverside Intersections and Roadway Segments

- The Project would be directly inconsistent with LOS performance criteria if it would cause an intersection to degrade from either LOS C or better or LOS D or better to LOS D/E/F or LOS E/F, respectively.

- The Project would make a considerable contribution to an LOS performance inconsistency if an intersection is calculated to operate at an unacceptable level of service (i.e., LOS D or LOS E/F) without the Project, and the Project contributes 50 or more peak hour trips to the affected intersection or increases the average delay at the affected intersection by more than 1 second.

Caltrans Facilities

- The Project would be directly inconsistent with Caltrans performance criteria if the Project would cause an intersection to degrade from LOS D or better to LOS E or F.
- The Project would make a considerable contribution to a performance criteria inconsistency if an intersection under the jurisdiction of Caltrans is calculated to operate at an unacceptable level of service (i.e., LOS E or F) without the Project, and the Project contributes 50 or more peak hour trips to the affected roadway facility.

The Project traffic analysis contained in *Technical Appendices L1 and L2* address each of the scenarios listed below:

- Short-term Construction Conditions
- Existing (2019) plus Project Conditions
- Opening Year (2024)
- General Plan Build-Out (2040)

The Short-term Construction conditions analysis evaluates the potential for the Project construction traffic to result in an adverse effect to the local roadway system's LOS performance criteria.

The Existing (2019) plus Project (E+P) analysis evaluates the potential for Project traffic to affect the roadway system under the theoretical scenario where the Project is operational under existing conditions. In the case of the proposed Project, the estimated time period between the commencement of the Project's traffic scoping process (2019) and Project "opening" for purposes of this analysis (2024) is five years. During this time period, traffic conditions are not static – other projects are being constructed, the transportation network is evolving, and traffic patterns are changing. Therefore, the E+P scenario is very unlikely to materialize in real-world conditions by the proposed Project is constructed and becomes operational. Regardless, the City of Moreno Valley's *Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment* (June 2020) requires this scenario to be studied to determine the Project's obligations for transportation system improvements.

The Opening Year (2024) analysis includes an evaluation of traffic conditions at the "opening" of the Project. Pursuant to the methodology established by the City of Moreno Valley Transportation Engineering Division in their *Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment*, "opening year" is defined as existing conditions plus five years. In the case of the Project's traffic analysis, 2019 represents the existing condition; therefore, the Opening Year is defined as 2024. The Opening Year analysis is utilized to determine the potential for Project traffic to cumulatively contribute to near-term

circulation system deficiencies upon consideration of existing traffic + ambient growth + Project traffic + traffic from cumulative development projects.

The General Plan Build-Out (2040) analysis is utilized to determine if planned improvements funded through local and regional transportation mitigation fee programs, such as the City of Moreno Valley DIF program or other approved funding mechanisms, can accommodate the Study Area's expected long-term growth at the target LOS identified in the City's General Plan Circulation Element.

Refer to *Technical Appendices L1 and L2* for a list of cumulative development projects considered in the analysis.

A. Analysis for Short-Term Construction

Construction of the proposed warehouse distribution/logistics site plan and the conceptual fulfillment/e-commerce site plan (see EIR Section 3.0, *Project Description*) would result in identical ground disturbances, utilize the same construction equipment fleet, and result in the same built improvements. Accordingly, the analysis below addresses potential construction-related effects from implementation of the Project for either warehouse distribution/logistics or e-commerce/fulfillment uses.

During Project construction, traffic to-and-from the subject property would be generated by activities such as construction worker trips, construction materials deliveries, and the use/delivery of heavy equipment. Construction worker vehicular traffic would be substantially less than the peak hour traffic volumes generated during Project operational activities – and is expected to be less than 50 peak hour trips – because construction activities typically begin and end outside of the peak hours. Regardless, because Project operational activities would substantially contribute to transportation deficiencies in the Study Area (refer to Item "B" below), construction workers commuting to/from the Project site – albeit mostly outside of peak hours and at much lower volumes than would occur during Project operation – also could cause or substantially contribute to transportation LOS deficiencies in the Study Area in the same locations as would operational traffic.

B. Analysis of Existing Plus Project Scenario

❑ Warehouse Distribution/Logistics

Projected weekday peak hour intersection volumes in the Study Area under E+P traffic conditions are shown on Figure 4.12-13, *Existing plus Project Peak Hour Intersection Traffic Volumes – Warehouse Distribution/Logistics*. Table 4.12-9, *Existing plus Project Intersection Analysis – Warehouse Distribution/*Logistics, summarizes the peak hour LOS at Study Area intersections under E+P conditions. As shown in Table 4.12-9, Project-related traffic would exceed applicable LOS performance standards at the following intersection.

#	Intersection	AM Peak LOS	PM Peak LOS
2	Moreno Beach Drive/SR-60 Eastbound Ramps	F	F

Intersection #2 operates at deficient LOS under Existing (2020) conditions. Accordingly, the Project would not cause the LOS deficiencies at this intersection and the Project would not directly conflict with General Plan Objective 5.3. Notwithstanding, the Project would contribute more than 50 peak hour trips to Intersection #2 under E+P traffic conditions; therefore, the Project's cumulative contribution to the LOS deficiency at Intersection #2 would be substantial. Improvements to Intersection #2 are included in the City's Capital Improvement Program (CIP, which is partially funded by DIF); the design phase was completed in 2019 and construction is expected to be complete by December 2021 (Translutions, 2020a, p. 49). As a standard condition of approval, the Project Applicant's required payment of Development Impact Fees (DIF) would address the Project's effect on intersection performance.

Table 4.12-10, *Existing plus Project Roadway Segment Analysis – Warehouse Distribution/Logistics,* summarizes daily roadway segment operations in the Study Area under Existing plus Project traffic conditions. As shown on Table 4.12-10, Project-related traffic would exceed applicable LOS performance standards at Segment #2. The City's CIP addresses the widening of Segment #2 (planned for fiscal year 2023/2024) and the City would collect DIF from the Project Applicant to address the Project's effect on roadway segment performance (Translutions, 2020a, p. 49).

#	Roadway Segment	LOS
2	Redlands Boulevard from SR-60 Eastbound Ramps to Eucalyptus Avenue	F

❑ Fulfillment/E-Commerce

Projected weekday peak hour intersection volumes in the Study area under E+P traffic conditions are shown on Figure 4.12-14, *Existing plus Project Peak Hour Intersection Traffic Volumes – Fulfillment/E-Commerce*. Table 4.12-11, *Existing plus Project Intersection Analysis – Fulfillment/E-Commerce*, summarizes the peak hour LOS at intersections under E+P conditions. As shown in Table 4.12-11, Project-related traffic would exceed applicable LOS performance standards at the following Project Study Area intersections:

#	Intersection	AM Peak LOS	PM Peak LOS
10	Moreno Beach Drive/SR-60 Eastbound Ramps	F	C
16	Alessandro Road/San Timoteo Canyon Road	F	F
17	Live Oak Canyon Road/San Timoteo Canyon Road	F	F
18	Redlands Boulevard/San Timoteo Canyon Road	F	F
32	Redlands Boulevard/Alessandro Boulevard	E	F

As previously disclosed in Subsection 4.12.4, the above-listed intersections operate at deficient LOS under existing conditions. Accordingly, the Project would not cause the LOS deficiencies at these intersections and the Project would not directly conflict with General Plan Objective 5.3. Notwithstanding, the Project would contribute more than 50 peak hour trips to the intersections under E+P traffic conditions; therefore, the Project's cumulative contribution to the LOS deficiencies would be substantial. Improvements to Intersection #10 are included in the City's Capital Improvement Plan (CIP, which is partially funded by DIF); the design phase was completed in 2019 and construction is expected to be complete by December 2021 (Translutions, 2020b, pp. 49, 54). Additionally, the needed improvements to Intersection #32 (i.e., a traffic signal) are

covered by the City's development impact fee program (Translutions, 2020b, p. 49). The Project Applicant's required payment of DIF would address the Project's effect on intersection performance at Intersections #10 and #32. The City of Moreno Valley would require the Project Applicant to pay fair share fees for improvements to Intersections #16, #17, and #18, which are not covered by an established fee program (Translutions, 2020b, p. 49).

Table 4.12-12, *Existing plus Project Roadway Segment Analysis – Fulfillment/E-Commerce*, summarizes daily roadway segment operations in the Study Area under E+P traffic conditions. As shown on Table 4.12-12, Project-related traffic would exceed applicable LOS performance standards at the following roadway segments.

#	Roadway Segment	LOS
1	San Timoteo Canyon Road from Alessandro Road to Live Oak Canyon Road	D
2	San Timoteo Canyon Road from Live Oak Canyon Road to Redlands Boulevard	F
3	Redlands Boulevard south of San Timoteo Canyon Road	F
6	Redlands Boulevard from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	F
7	Redlands Boulevard from SR-60 Eastbound Ramps to Eucalyptus Avenue	E
11	Redlands Boulevard from Encelia Avenue to Cottonwood Avenue	E
12	Redlands Boulevard from Cottonwood Avenue to Alessandro Boulevard	D
15	Moreno Beach Drive from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	F
16	Moreno Beach Drive from SR-60 Eastbound Ramps to Eucalyptus Avenue	C

The City would collect DIF for improvements to Segments #6, #7, #11, #12, #15, and #16 to address the Project's effect on roadway segment performance (Translutions, 2020b, pp. 49, 54). The City of Moreno Valley would require the Project Applicant to pay fair share fees for improvements to the other roadway segments (Intersections #1, #2, and #3), which are not covered by an established fee program (ibid.).

C. Analysis of Opening Year (2024) Scenario

❑ Warehouse Distribution/Logistics

Peak hour intersection volumes for Opening Year (2024) traffic conditions are shown on Figure 4.12-15, *Opening Year (2024) Peak Hour Intersection Traffic Volumes – Warehouse Distribution/Logistics.* As summarized in Table 4.12-13, *Opening Year (2024) Intersection Analysis – Warehouse Distribution/Logistics*, Project-related traffic would exceed applicable LOS performance standards at the following intersections during one or both peak hours:

#	Intersection	AM Peak LOS	PM Peak LOS
2	Moreno Beach Drive/SR-60 Eastbound Ramps	F	F
10	Redlands Boulevard/SR-60 Westbound Ramps	E	E

Improvements to Intersection #2 is included in the City's CIP (which is partially funded by DIF); the design phase was completed in 2019 and construction is expected to be complete by December 2021 (Translutions,

2020a, p. 49). The Project Applicant's required payment of DIF would address the Project's effect on Intersection #2's performance. Intersection #10 is planned for future improvement; however, improvements may not be in place by the Opening Year (2024) scenario. In the event the Intersection #10 is not built to its ultimate configuration by 2024 and if operations at this Intersection do not meet the City's LOS performance thresholds (as projected), the City will address the performance deficiency via interim improvements (i.e., restriping the intersection to provide a northbound shared through/right turn lane) (ibid.).

Table 4.12-14, *Opening Year (2024) Roadway Segment Analysis – Warehouse Distribution/Logistics*, summarizes daily roadway segment operations in the Study Area under Opening Year traffic conditions. As shown on Table 4.12-14, Project-related traffic would exceed applicable LOS performance standards at the following roadway segments.

#	Roadway Segment	LOS
1	Redlands Boulevard from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	F
2	Redlands Boulevard from SR-60 Eastbound Ramps to Eucalyptus Avenue	E
6	Moreno Beach Drive from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	F

Widening and related improvements to Segment #6 are included in the City's CIP (which is partially funded by DIF); the design phase was completed in 2019 and construction is expected to be complete by December 2021 (Translutions, 2020a, p. 49). Additionally, widening and related improvements to Segments #1 and #2 are included in the City's CIP (planned for fiscal year 2023/2024) (ibid.). The Project Applicant's requirement payment of DIF would address the Project's effect on roadway performance at Segments #1, #2, and #6.

❑ Fulfillment/E-Commerce

Project peak hour intersection volumes for Opening Year (2024) traffic conditions are shown on Figure 4.12-16, *Opening Year (2024) Peak Hour Intersection Traffic Volumes – Fulfillment/E-Commerce*. Table 4.12-15, *Opening Year (2024) Intersection Analysis – Fulfillment/E-Commerce*, summarizes the peak hour LOS at intersections under Opening Year conditions. As shown in Table 4.12-15, Project-related traffic would exceed applicable LOS performance standards at the following Project Study Area intersections:

#	Intersection	AM Peak LOS	PM Peak LOS
10	Moreno Beach Drive/SR-60 Eastbound Ramps	F	F
11	Moreno Beach Drive/Eucalyptus	D	E
13	Moreno Beach Drive/Alessandro Boulevard	E	F
16	Alessandro Road/San Timoteo Canyon Road	F	F
17	Live Oak Canyon Road/San Timoteo Canyon Road	F	F
18	Redlands Boulevard/San Timoteo Canyon Road	F	F
25	Redlands Boulevard/SR-60 Westbound Ramps	-	E
32	Redlands Boulevard/Alessandro Boulevard	F	F
34	WLC Parkway/Eucalyptus Avenue	F	F

Improvements to Intersection #10 are addressed via the City's CIP (which is partially funded by DIF); the design phase was completed in 2019 and construction is expected to be complete by December 2021 (Translutions, 2020b, p. 54). The improvements needed to correct the LOS deficiencies at Intersections #13 and #32 are included in the City's DIF program. The Project Applicant's required payment of DIF fees would address the Project's effect on the performance of Intersections #10, 13, and 32 (Translutions, 2020b, pp. 54, 56). Intersection #25 is planned for future improvement; however, improvements may not be in place by the Opening Year (2024) scenario. In the event the Intersection #25 is not built to its ultimate configuration by 2024 and if operations at this Intersection do not meet the City's LOS performance thresholds (as projected), the City will address the performance deficiency via interim improvements (i.e., restriping the intersection to provide a northbound shared through/right turn lane) (Translutions, 2020b, p. 56). The City of Moreno Valley would require the Project Applicant to pay fair share fees for improvements to all of the other intersections, which are not covered by a fee program, with the exception of Intersection #34, which would be improved by the World Logistics Center project (Translutions, 2020b, pp. 54, 56).

Regarding roadway segments, Table 4.12-16, *Opening Year (2024) Roadway Segment Analysis – Fulfillment/E-Commerce*, summarizes daily roadway segment operations in the Study Area under Opening Year traffic conditions. As shown on Table 4.12-16, Project-related traffic would exceed applicable LOS performance criteria at the following roadway segments:

#	Roadway Segment	LOS
1	San Timoteo Canyon Road from Alessandro Road to Live Oak Canyon Road	F
2	San Timoteo Canyon Road from Live Oak Canyon Road to Redlands Boulevard	F
3	Redlands Boulevard south of San Timoteo Canyon Road	F
6	Redlands Boulevard from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	F
7	Redlands Boulevard from SR-60 Eastbound Ramps to Eucalyptus Avenue	F
11	Redlands Boulevard from Encelia Avenue to Cottonwood Avenue	F
12	Redlands Boulevard from Cottonwood Avenue to Alessandro Boulevard	F
15	Moreno Beach Drive from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	F
16	Moreno Beach Drive from SR-60 Eastbound Ramps to Eucalyptus Avenue	E

Widening and related improvements to Segment #15 are included in the City's CIP (which is partially funded by DIF); the design phase was completed in 2019 and construction is expected to be complete by December 2021 (Translutions, 2020b, p. 59). Additionally, widening and related improvements to Segments #6 and #7 are included in the City's CIP (planned for fiscal year 2023/2024) (Translutions, 2020b, p. 56). The improvements needed to correct the LOS deficiencies along Segments #11, #12, and #16 are included in the City's DIF program (Translutions, 2020b, pp. 56, 59). Thus, the Project Applicant's required payment of DIF would address the Project's effect on Segments #11, #12, #15, and #16. The City of Moreno Valley would require the Project Applicant to pay fair share fees for improvements to the other roadway segments (i.e., Segments #1, #2, and #3), which are not covered by an established fee program (Translutions, 2020b, pp. 54, 56).

D. Analysis of General Plan Build-Out (2040) Scenario

❑ Warehouse Distribution/Logistics

Project peak hour intersection volumes for General Plan Build-Out (2040) traffic conditions are shown on Figure 4.12-17, *General Plan Build-Out (2040) Peak Hour Intersection Traffic Volumes – Warehouse Distribution/Logistics*.

As summarized in Table 4.12-17, *General Plan Build-Out (2040) Intersection Analysis – Warehouse Distribution/Logistics*, Project-related traffic would not exceed applicable performance thresholds and all Study Area intersections would operate at acceptable LOS.

Table 4.12-18, *General Plan Build-Out (2040) Roadway Segment Analysis – Warehouse Distribution/Logistics*, summarizes daily roadway segment operations in the Study Area under General Plan Build-Out traffic conditions. As shown on Table 4.12-18, Project-related traffic would not exceed applicable performance thresholds and all Study Area roadway segments would operate at acceptable LOS.

❑ Fulfillment/E-Commerce

Project peak hour intersection volumes for General Plan Build-Out (2040) traffic conditions are shown on Figure 4.12-18, *General Plan Build-Out (2040) Peak Hour Intersection Traffic Volumes – Fulfillment/E-Commerce*. Table 4.12-19, *General Plan Build-Out (2040) Intersection Analysis – Fulfillment/E-Commerce*, summarizes the peak hour LOS at intersections under General Plan Build-Out conditions. As shown in Table 4.12-19, Project-related traffic would exceed applicable LOS performance standards at the following Project Study Area intersections:

#	Intersection	AM Peak LOS	PM Peak LOS
11	Moreno Beach Drive/Eucalyptus	F	F
16	Alessandro Road/San Timoteo Canyon Road	F	F
17	Live Oak Canyon Road/San Timoteo Canyon Road	F	F
18	Redlands Boulevard/San Timoteo Canyon Road	F	F
27	Redlands Boulevard/Eucalyptus Avenue	C	E

Improvements to Intersection #27 are included in the City's DIF program and the Project Applicant's required payment of DIF would address the Project's effect on intersection performance (Translutions, 2020b, p. 59). The City of Moreno Valley would require the Project Applicant to pay fair share fees for improvements to all of the other intersections, which are not covered by a fee program (ibid.).
In regard to roadway segments, Table 4.12-20, *General Plan Build-Out (2040) Roadway Segment Analysis – Fulfillment/E-Commerce*, summarizes daily roadway segment operations in the Study Area under General Plan Build-Out traffic conditions. As shown on Table 4.12-20, Project-related traffic would exceed applicable LOS performance standards at the following roadway segments:

#	Roadway Segment	LOS
1	San Timoteo Canyon Road from Alessandro Road to Live Oak Canyon Road	F
2	San Timoteo Canyon Road from Live Oak Canyon Road to Redlands Boulevard	F
3	Redlands Boulevard south of San Timoteo Canyon Road	F

The City of Moreno Valley would require the Project Applicant to pay fair share fees for improvements to the above-listed roadway segments, which are not covered by an established fee program (Translutions, 2020b, pp. 59, 63).

Objective 5.4 - Maximize efficiency of the regional circulation system through close coordination with state and regional agencies and implementation of regional transportation policies.

This objective would be implemented by cities and counties within the region as part of the overall planning and maintenance of the regional circulation system. The Project would not interfere in any way with the City's coordination with State and regional agencies. In addition, the Project would be consistent with regional transportation policies, including SCAG's *2016-2040 RTP/SCS* and *Connect SoCal.* Refer to Section 4.10, *Land Use & Planning* in this EIR for the Project's SCAG consistency analysis.

Objective 5.5 - Maximize efficiency of the local circulation system by using appropriate policies and standards to design, locate and size roadways.

The Project's roadway frontage improvements to Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue and non-vehicular circulation improvements to Eucalyptus Avenue, Redlands Boulevard, and the western Project site boundary would be designed in consistency with the City's General Plan Circulation Plan and/or the RTA for bus stop turnouts. Refer to Subsection 3.4, *Infrastructure Improvements*, in this EIR for a detailed description of proposed improvements for each roadway.

Objective 5.6 - Support development of a ground access system to March Inland Port in accordance with its development plan as a major cargo airport.

This objective is not applicable to the proposed Project, which is located approximately 5.7 miles northwest of the March Inland Port.

Objective 5.7 - Design roads to meet the needs of the residents of the community without detracting from the "rural" atmosphere in designated portions of Moreno Valley. (Designated "rural" areas include those encompassed by the Residential Agriculture 2, Residential 1, Rural Residential and Hillside Residential zoning districts. "Urban" areas encompass all other zoning districts.)

The Project involves a proposed a Change of Zone to amend the zoning designation of the site from "Residential Agriculture 2 (RA2) District" with "Primary Animal Keeping Overlay Zone (PAKO)" to "Light Industrial (LI) District." Therefore, the Project site would no longer be located within a designated "rural" area and Project roadway improvements would not detract from the "rural" atmosphere in other designated portions of the City.

Objective 5.8 - Encourage development of an efficient public transportation system for the entire community.

No transit lines serve the Project site or the immediate surrounding area. However, a bus stop turnout is proposed on the Project site on the west side of Redlands Boulevard, north of Encelia Avenue, and a bus stop turnout is proposed on the Project site along the south side of Eucalyptus Avenue, near the northwest corner of the Project site. Accordingly, implementation of the Project would encourage the development of an efficient public transportation system.

Objective 5.9 - Support and encourage development of safe, efficient and aesthetic pedestrian facilities.

The Project is not expected to attract large volumes of pedestrian or bicycle traffic. There is an existing sidewalk on the north side of Eucalyptus Avenue, on the opposite side of the Project site's frontage, and an existing sidewalk on the south side of Encelia Avenue, on the opposite side of the Project site's frontage (Translutions, 2020a, Figure 15; Translutions, 2020b, Figure 15). In addition, the Project Applicant is proposing an approximately 11-foot-wide decomposed granite trail abutting the west side of the Redlands Boulevard public right-of-way (which would conform to City of Moreno Valley Standard Plan MVGF-610H-0 for a "Multi-Use Trail Adjacent to Street with Sidewalk"), and an approximately 16.5-foot-wide combination trail and sidewalk along the western Project site boundary abutting the existing Quincy Channel, which is consistent with the City's designated trails under the City's General Plan (Translutions, 2020a, Figure 14; Translutions, 2020b, Figure 14).

Objective 5.10 - Encourage bicycling as an alternative to single occupant vehicle travel for the purpose of reducing fuel consumption, traffic congestion, and air pollution. The Moreno Bikeway Plan is shown in Figure 9-4.

The City of Moreno Valley Bicycle Master Plan (2015) recommends Class II bicycle routes along the Project site's frontage with Eucalyptus Avenue and Redlands Boulevard; however, there are no existing or proposed bicycle facilities on or abutting the Project site (Translutions, 2020a, Figure 23; Translutions, 2020b, Figure 23). Accordingly, the Project would not conflict with any existing City-designated bikeways. Furthermore, the Project's driveways would be stop-sign controlled and sight distance at each Project driveway would be reviewed by the City of Moreno Valley prior to the issuance of building permits to ensure that sight distance meets applicable City standards and provides for safe bicycle and pedestrian circulation. In addition, in accordance with the California Green Building Standards Code (CALGreen), bicycle parking will be provided on the Project site for use by employees and visitors to the Project site.

Development of the Project site would include improvements to the southern half of Eucalyptus Avenue, including a 38-foot-wide paved vehicular travel way, which provides room in the paved vehicular travel way for a Class II bicycle lane. The western half of Redlands Boulevard would be improved along the Project site frontage to provide a 43-foot-wide paved vehicular travel way, which also provides room in the paved vehicular travel way for a Class II bicycle lane.

Objective 5.11 - Eliminate obstructions that impede safe movement of vehicles, bicyclists, and pedestrians.

As previously mentioned in the discussion regarding consistency with Objective 5.1, above, Project roadway improvements would be constructed along the Project site's frontages with Redlands Boulevard, Eucalyptus Avenue, and Encelia Avenue, which would improve transportation safety by providing sidewalks and improved travel ways. In addition, the Project Applicant would install two trails to provide a safe walking space for pedestrians – one trail along the west side of Redlands Boulevard and one combination trail and sidewalk along the western Project site boundary abutting the existing Quincy Channel. Lastly, all proposed driveways would be stop controlled to ensure safety for vehicles and pedestrians.

Objective 5.12 - Promote efficient circulation planning for all school sites that will maximize pedestrian safety, and minimize traffic congestion and neighborhood impacts.

The nearest school to the Project site (Calvary Chapel Christian School) is located approximately 1.0-mile northwest of the Project site on the opposite (north) side of SR-60; therefore, roadways surrounding the Project site (i.e., Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue) are too far away to be utilized for schools. As such, the Project would not conflict with circulation planning associated with school sites. Regardless, sidewalk and/or trails would be installed along all Project site frontages with public streets. In addition, a pedestrian trail would be installed along the western Project site boundary to facilitate safe pedestrian circulation. In addition, as previously mentioned in the discussion of Objective 5.3, above, the Project Applicant would be obligated by pay TUMF fees, DIF fees, and fair share improvement fees that the City would use to ensure the implementation of roadway improvements in the area in order to minimize traffic congestion. Lastly, as mentioned in the discussion of Objective 5.2, to ensure that Project truck traffic does not interfere with passenger vehicle traffic from the residential community to the south of Encelia Avenue, the Project's driveways that connect to Encelia Avenue are proposed to be designated for passenger vehicle traffic only. No trucks would be able to use the Project's driveways that connect with Encelia Avenue, which would minimize neighborhood impacts due to Project traffic. Further, the Project Applicant is proposing to improve the segment of Encelia Avenue from the southwest Project site boundary to Redlands Boulevard with rubberized asphalt to reduce vehicular noise, as discussed in EIR Subsection 4.11, *Noise*.

Threshold b:	***Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3 or conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?***

As previously discussed, SB 743, approved in 2013, was intended to change the way transportation impacts are determined according to CEQA. Updates to the State CEQA Guidelines that were approved in December 2018 included the addition of CEQA Guidelines Section 15064.3, of which Subdivision "b" establishes criteria for evaluating a project's transportation impacts based on project type and using automobile VMT as the metric. As a component of OPR's revisions to the CEQA Guidelines, lead agencies were required to adopt VMT thresholds of significance by July 1, 2020. The City of Moreno Valley adopted its *Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment* in June 2020, which is used in this analysis to determine the significance of Project-related VMT.

A. Warehouse Distribution/Logistics

Table 4.12-21, *Project VMT Analysis – Warehouse Distribution/Logistics*, summarizes the Project's VMT per employee under model baseline (year 2012), year 2020, and year 2040 conditions without consideration of any design features associated with the Project. As shown in Table 4.12-21, the Project's VMT per employee would exceed the City's VMT per employee threshold under year 2012, year 2020, and year 2040 conditions when Project design features are not considered. With consideration of just two of the Project's design features that reduce vehicular transportation – the sidewalks the Project would provide along the site's Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue frontages and the trails the Project would provide along the site's western boundary (abutting the Quincy Channel) and eastern boundary (abutting Redlands Boulevard), both of which would facilitate pedestrian and bicycle travel to the site – the Project's VMT would be reduced by approximately two percent (2%) and would fall below the City's significance threshold (Translutions, 2020a, pp. 60, 63, 64). Therefore, based on the City's VMT significance guidelines, the Project would have a less-than-significant VMT impact under the scenario where the Project is operated as a warehouse distribution/logistics use.

B. Fulfillment/E-Commerce

Table 4.12-22, *Project VMT Analysis– Fulfillment/E-Commerce*, summarizes the Project's VMT per employee under model baseline (year 2012), year 2020, and year 2040 conditions without consideration of any design features associated with the Project. As shown in Table 4.12-22, the Project's VMT per employee would exceed the City's VMT per employee threshold under year 2012, year 2020, and year 2040 conditions when Project design features are not considered. With consideration of the Project's design features that minimize vehicular travel, including: 1) sidewalks along the Project site frontages with Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue and trails along the site's western boundary (abutting the Quincy Channel) and eastern boundary (abutting Redlands Boulevard) – both of which would facilitate pedestrian and bicycle travel to the site; 2) the Project's geographic location as an employment use in proximity to existing residential land uses – which would reduce Project-related VMT from employee commutes; and 3) an employee trip reduction program – which is required pursuant to MM 4.2-9 and would reduce Project-related VMT from employee commutes, the Project's VMT would be reduced by approximately 6.1% and would fall below the City's significance threshold (Translutions, 2020b, pp. 74, 76, 78, 79). Therefore, based on the City's VMT significance guidelines, the Project would have a less-than-significant VMT impact under the scenario where the Project is operated as an e-commerce/fulfillment use.

In summary, because the Project would not exceed the City's VMT per employee under year 2012, year 2020, and year 2040 as either a warehouse distribution/logistics use or an e-commerce/fulfillment use, the Project is determined to be consistent with CEQA Guidelines Section 15064.3. As such, a less-than-significant impact would occur for which mitigation is not required.

Threshold c: ***Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?***

The type of traffic generated by the Project (i.e., passenger cars and trucks) would be compatible with the type of existing traffic on Project Study Area roadways, as the surrounding area to the north and east are either developed or planned to be developed with industrial land uses. In addition, all proposed improvements within

the public right-of-way would be installed in conformance with City design standards. The City of Moreno Valley Public Works Department reviewed the Project's application materials and determined that no hazardous transportation design features would be introduced by the Project. Accordingly, the proposed Project would not create or substantially increase safety hazards due to a design feature or incompatible use. Impacts would be less than significant.

Threshold d: ***Would the Project result in inadequate emergency access?***

The City of Moreno Valley reviewed the Project's design and confirmed that the Project would provide adequate access to-and-from the Project site for emergency vehicles and also that development of the Project would not interfere with the circulation of emergency vehicles along public streets that abut the site. The City also will require the Project Applicant to provide adequate paved access to-and-from the site as a condition of Project approval. Lastly, the City will review all future Project construction drawings to ensure that adequate emergency access is maintained along abutting public streets during construction activities. Based on the proposed Project design and with required adherence to City requirements for emergency vehicle access, no impact would occur.

4.12.11 Cumulative Impact Analysis

The analysis under Threshold "a" discloses the Project's potential to conflict with General Plan objectives and policies related to the transportation network, including LOS standards, on a cumulative basis. As disclosed under the analysis of Threshold "a," the Project operating as either a warehouse distribution/logistics use or an e-commerce/fulfillment use, would make substantial, cumulative contributions to LOS deficiencies that conflict with applicable General Plan performance objectives and policies for the local roadway network at several Project Study Area intersections under E+P, Opening Year, and General Plan Build-Out traffic conditions.

The analysis under Threshold "b" discloses the Project's less-than-significant direct VMT impact as both a warehouse distribution/logistics and a fulfillment/e-commerce use. Under the City's VMT significance guidelines, Project-related VMT is also considered less than significant on a cumulative basis (Translutions, 2020a, p. 60; Translutions, 2020b, p. 76) Furthermore, the Project would be consistent with SCAG's *2016 RTP/SCS* and *Connect SoCal* for long-term VMT and GHG reduction goals. Accordingly, the Project would not contribute a cumulatively-considerable VMT impact.

The Project would not contribute to a significant cumulative impact under the topics discussed under Thresholds "c" and "d" because the Project would not cause or exacerbate existing transportation design safety concerns or adversely affect emergency access.

4.12.12 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The Project would not conflict with a program, plan, ordinance or policy addressing the circulation system such that the Project would result in a significant impact on the environment. Although the Project would contribute to traffic congestion and hinder compliance with General Plan Circulation Element Policy 5.3 related to LOS criteria, SB 743 and the CEQA Guidelines stipulate that LOS is not to be used as a criteria for determining significant effects on the environment.

Threshold b: Less-than-Significant Impact. The Project would not result in a significant VMT impact under the scenarios where the Project is operated as either a warehouse distribution/logistics use or an e-commerce/fulfillment use when all Project design features that would promote non-vehicular transportation and would reduce VMT from employee commutes are considered.

Threshold c: Less-than-Significant Impact. No significant transportation safety hazards would be introduced as a result of the proposed Project.

Threshold d: No Impact. Adequate emergency access would be provided to the Project site during construction and long-term operation. The Project would not result in inadequate emergency access to the site or surrounding properties.

Table 4.12-1 Study Area Intersection Locations – Warehouse Distribution/Logistics

ID	Intersection Location	Jurisdiction
1	Moreno Beach Drive and SR-60 Westbound Ramps	Caltrans
2	Moreno Beach Drive and SR-60 Eastbound Ramps	Caltrans
3	Moreno Beach Drive and Eucalyptus Avenue	City of Moreno Valley
4	Auto Mall Drive and Eucalyptus Avenue	City of Moreno Valley
5	Driveway 1 and Eucalyptus Avenue	City of Moreno Valley
6	Driveway 2-Essen Lane and Encelia Avenue	City of Moreno Valley
7	Driveway 3 and Encelia Avenue	City of Moreno Valley
8	Driveway 4-Shubert Street and Encelia Avenue	City of Moreno Valley
9	Driveway 5 and Eucalyptus Avenue	City of Moreno Valley
10	Redlands Boulevard and SR-60 Westbound Ramps	Caltrans
11	Redlands Boulevard and SR-60 Eastbound Ramps	Caltrans
12	Redlands Boulevard and Eucalyptus Avenue	City of Moreno Valley
13	Redlands Boulevard and Driveway 6	City of Moreno Valley
14	Redlands Boulevard and Driveway 7	City of Moreno Valley
15	Redlands Boulevard and Encelia Avenue	City of Moreno Valley

Source: (Translutions, 2020a, p. 1)

Table 4.12-2 Study Area Intersection Locations – Fulfillment/E-Commerce

ID	Intersection Location	Jurisdiction
1	Kitching Street and Iris Avenue	City of Moreno Valley
2	Lasselle Street and Alessandro Boulevard	City of Moreno Valley
3	Lasselle Street and Iris Avenue	City of Moreno Valley
4	Nason Street and Eucalyptus Avenue	City of Moreno Valley
5	Nason Street and Alessandro Boulevard	City of Moreno Valley
6	Nason Street and Iris Avenue	City of Moreno Valley
7	Fir Avenue and Eucalyptus Avenue	City of Moreno Valley
8	Oliver Street and Iris Avenue Moreno Valley	City of Moreno Valley
9	Moreno Beach Drive and SR-60 Westbound Ramps	Caltrans
10	Moreno Beach Drive and SR-60 Eastbound Ramps	Caltrans
11	Moreno Beach Drive and Eucalyptus Avenue	City of Moreno Valley
12	Auto Mall Drive and Eucalyptus Avenue	City of Moreno Valley
13	Moreno Beach Drive and Alessandro Boulevard	City of Moreno Valley
14	Moreno Beach Boulevard and Cactus Avenue	City of Moreno Valley
15	Moreno Beach Drive and John F. Kennedy Drive	City of Moreno Valley
16	Alessandro Boulevard and San Timoteo Canyon Road	City of Redlands
17	Live Oak Canyon Road and San Timoteo Canyon Road	City of Riverside
18	Redlands Boulevard and San Timoteo Canyon Road	City of Riverside
19	Driveway 1 and Eucalyptus Avenue	City of Moreno Valley
20	Driveway 2-Essen Lane and Encelia Avenue	City of Moreno Valley
21	Driveway 3 and Encelia Avenue	City of Moreno Valley
22	Driveway 4-Shubert Street and Encelia Avenue	City of Moreno Valley
23	Driveway 5 and Eucalyptus Avenue	City of Moreno Valley
24	Redland Boulevard and Ironwood Avenue	City of Moreno Valley
25	Redlands Boulevard and SR-60 Westbound Ramps	Caltrans
26	Redlands Boulevard and SR-60 Eastbound Ramps	Caltrans
27	Redlands Boulevard and Eucalyptus Avenue	City of Moreno Valley
28	Redlands Boulevard and Driveway 6	City of Moreno Valley
29	Redlands Boulevard and Driveway 7	City of Moreno Valley
30	Redlands Boulevard and Encelia Avenue	City of Moreno Valley
31	Redlands Boulevard and Cottonwood Avenue	City of Moreno Valley
32	Redlands Boulevard and Alessandro Boulevard	City of Moreno Valley
33	Redlands Boulevard-John F. Kennedy Drive and Cactus Avenue	City of Moreno Valley
34	World Logistics Parkway and Eucalyptus Avenue	City of Moreno Valley

Source: (Translutions, 2020b, pp. 1, 3)

Table 4.12-3 Study Area Roadway Segments – Warehouse Distribution/Logistics

ID	Roadway Segment	Jurisdiction
1	Redlands Boulevard from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	Caltrans
2	Redlands Boulevard from SR-60 Eastbound Ramps to Eucalyptus Avenue	City of Moreno Valley
3	Redlands Boulevard from Eucalyptus Avenue to Driveway 6	City of Moreno Valley
4	Redlands Boulevard from Driveway 6 to Driveway 7	City of Moreno Valley
5	Redlands Boulevard from Driveway 7 to Encelia Avenue	City of Moreno Valley
6	Moreno Beach Drive from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	Caltrans
7	Moreno Beach Drive from SR-60 Eastbound Ramps to Eucalyptus Avenue	City of Moreno Valley
8	Eucalyptus Avenue from Moreno Beach Drive to Auto Mall Drive	City of Moreno Valley
9	Eucalyptus Avenue from Auto Mall Drive to Driveway 1	City of Moreno Valley
10	Eucalyptus Avenue from Driveway 1 to Aldi Place	City of Moreno Valley
11	Eucalyptus Avenue Aldi Place to Driveway 5	City of Moreno Valley
12	Eucalyptus Avenue from Driveway 5 to Redlands Boulevard	City of Moreno Valley
13	Encelia Avenue from Essen Lane to Mozart Way	City of Moreno Valley
14	Encelia Avenue from Mozart Way to Shubert Street	City of Moreno Valley
15	Encelia Avenue Shubert Street to Redlands Boulevard	City of Moreno Valley

Source: (Translutions, 2020a, pp. 1, 3)

Table 4.12-4 Study Area Roadway Segments – Fulfillment/E-Commerce

ID	Roadway Segment	Jurisdiction
1	San Timoteo Canyon Road from Alessandro Road to Live Oak Canyon Road	City of Redlands
2	San Timoteo Canyon Road from Live Oak Canyon Road to Redlands Boulevard	County of Riverside
3	Redlands Boulevard south of San Timoteo Canyon Road	County of Riverside
4	Redlands Boulevard north of Ironwood Avenue	City of Moreno Valley
5	Redlands Boulevard from Ironwood Avenue to SR-60 Westbound Ramps	City of Moreno Valley
6	Redlands Boulevard from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	Caltrans
7	Redlands Boulevard from SR-60 Eastbound Ramps to Eucalyptus Avenue	City of Moreno Valley
8	Redlands Boulevard from Eucalyptus Avenue to Driveway 6	City of Moreno Valley
9	Redlands Boulevard from Driveway 6 to Driveway 7	City of Moreno Valley
10	Redlands Boulevard from Driveway 7 to Encelia Avenue	City of Moreno Valley
11	Redlands Boulevard from Encelia Avenue to Cottonwood Avenue	City of Moreno Valley
12	Redlands Boulevard from Cottonwood to Alessandro Boulevard	City of Moreno Valley
13	Redlands Boulevard from Alessandro Boulevard to Cactus Avenue	City of Moreno Valley
14	John F. Kennedy Drive from Cactus Avenue to Moreno Beach Drive	City of Moreno Valley
15	Moreno Beach Drive from SR-60 Westbound Ramps to SR-60 Eastbound Ramps	Caltrans
16	Moreno Beach Drive from SR-60 Eastbound Ramps to Eucalyptus Avenue	City of Moreno Valley
17	Moreno Beach Drive from Alessandro Boulevard to Cactus Avenue	City of Moreno Valley
18	Moreno Beach Drive from Cactus Avenue to JFK Drive	City of Moreno Valley
19	Moreno Beach Drive from John F. Kennedy Drive to Oliver Street	City of Moreno Valley
20	Iris Avenue from Nason Street to Oliver Street	City of Moreno Valley
21	Iris Avenue from Lasselle Street to Nason Street	City of Moreno Valley
22	Iris Avenue from Kitching Street to Lasselle Street	City of Moreno Valley
23	Eucalyptus Avenue from Nason Street to Fir Avenue	City of Moreno Valley
24	Eucalyptus Avenue from Fir Avenue to Moreno Beach Drive	City of Moreno Valley
25	Eucalyptus Avenue from Moreno Beach Drive to Auto Mall Drive	City of Moreno Valley
26	Eucalyptus Avenue from Auto Mall Drive to Driveway 1	City of Moreno Valley
27	Eucalyptus Avenue from Driveway 1 to Aldi Place	City of Moreno Valley
28	Eucalyptus Avenue Aldi Place to Driveway 5	City of Moreno Valley
29	Eucalyptus Avenue from Driveway 5 to Redlands Boulevard	City of Moreno Valley
30	Eucalyptus Avenue from Redlands Boulevard to World Logistics Center Driveway	City of Moreno Valley
31	Encelia Avenue from Essen Lane to Mozart Way	City of Moreno Valley
32	Encelia Avenue from Mozart Way to Shubert Street	City of Moreno Valley
33	Encelia Avenue Shubert Street to Redlands Boulevard	City of Moreno Valley
34	Alessandro Boulevard from Lasselle Street to Nason Street	City of Moreno Valley
35	Alessandro Boulevard from Nason Street to Moreno Beach Drive	City of Moreno Valley
36	Alessandro Boulevard from Moreno Beach Drive to Redlands Boulevard	City of Moreno Valley

Source: (Translutions, 2020b, pp. 3-4)

Table 4.12-5 Intersection LOS Thresholds

LOS	Description of Drivers' Perception and Traffic Operation	Intersection Delay in Seconds	
		Unsignalized	Signalized
A	This level is typically assigned when the volume-to-capacity ratio is low and either progression is exceptionally favorable, or the cycle length is very short. If it is due to favorable progression, most vehicles arrive during the green indication and travel through the intersection without stopping.	≤ 10	≤ 10
B	This level is assigned when the volume-to-capacity ratio is low and either progression is highly favorable, or the cycle length is short. More vehicles stop than with LOS A.	> 10 and ≤ 15	> 10 and ≤ 20
C	This level is typically assigned when progression is favorable, or the cycle length is moderate. Individual cycle failures (i.e., one or more queued vehicles are not able to depart as a result of insufficient capacity during the cycle) may begin to appear at this level. The number of vehicles stopping is significant, although many vehicles still pass through the intersection without stopping.	> 15 and ≤ 25	> 20 and ≤ 35
D	This level is typically assigned when the volume-to-capacity ratio is high and either progression is ineffective, or the cycle length is long. Many vehicles stop and individual cycle failures are noticeable.	> 25 and ≤ 35	> 35 and ≤ 55
E	This level is typically assigned when the volume-to-capacity ratio is high, progression is unfavorable, and the cycle length is long. Individual cycle failures are frequent.	> 35 and ≤ 50	> 55 and ≤ 80
F	This level is typically assigned when the volume-to-capacity ratio is very high, progression is very poor, and the cycle length is long. Most cycles fail to clear the queue.	> 50	> 80

Source: (Translutions, 2020a, Table B; Translutions, 2020b, Table B)

Table 4.12-6 Roadway Segment LOS Thresholds

Roadway Classification	Level of Service				
	A	B	C	D	E
Six-Lane Divided Arterial	33,900	39,400	45,000	50,600	56,300
Four-Lane Divided Arterial	22,500	26,300	30,000	33,800	37,500
Four-Lane Undivided Arterial	15,000	17,500	20,000	22,500	25,000
Two-Lane Industrial Collector	7,500	8,800	10,000	11,300	12,500
Two-Lane Undivided Residential	N/A	N/A	N/A	N/A	2,000

Source: (Translutions, 2020a, Table C; Translutions, 2020b, Table C)

Table 4.12-7 Project Trip Generation Summary – Warehouse Distribution/Logistics

Land Use	Units	Peak Hour						Daily
		AM Peak Hour			PM Peak Hour			
		In	Out	Total	In	Out	Total	
Total Vehicle Rates								
Trip Generation Rates[1]	TSF	0.131	0.039	0.170	0.051	0.139	0.190	1.740
PCE Inbound/Outbound Splits		77%	23%	100%	27%	73%	100%	50%/50%
Passenger Car Equivalent Rates Calculations								
Passenger Cars								
Recommended Mix (%)[2]		61.90%	61.90%	61.90%	61.90%	61.90%	61.90%	61.90%
PCE Factor[3]		1.0	1.0	1.0	1.0	1.0	1.0	1.0
PCE Rates		0.477	0.024	0.105	0.032	0.086	0.118	1.077
2-Axle Trucks								
Recommended Mix (%)[2]		6.45%	6.45%	6.45%	6.45%	6.45%	6.45%	6.45%
PCE Factor[3]		1.5	1.5	1.5	1.5	1.5	1.5	1.5
PCE Rates		0.013	0.004	0.016	0.005	0.013	0.018	0.168
3-Axle Trucks								
Recommended Mix (%)[2]		8.65%	8.65%	8.65%	8.65%	8.65%	8.65%	8.65%
PCE Factor[3]		2.0	2.0	2.0	2.0	2.0	2.0	2.0
PCE Rates		0.023	0.007	0.029	0.009	0.024	0.033	0.301
4-Axle Trucks								
Recommended Mix (%)[2]		22.99%	22.99%	22.99%	22.99%	22.99%	22.99%	22.99%
PCE Factor[3]		3.0	3.0	3.0	3.0	3.0	3.0	3.0
PCE Rates		0.090	0.027	0.117	0.035	0.096	0.131	1.200
Warehouse Net PCE Rate		**0.602**	**0.062**	**0.268**	**0.081**	**0.219**	**0.300**	**2.747**
Total Project Trip Generation (Trips, By Vehicle Type)								
Warehouse	1,332.38 TSF							
Passenger Cars		**109**	**32**	**141**	**43**	**114**	**157**	**1,436**
2-Axle Trucks		12	3	15	5	12	17	150
3-Axle Trucks		15	5	20	6	16	22	201
4+ Axle Trucks		41	12	53	17	42	59	534
All Trucks		**68**	**20**	**88**	**28**	**70**	**98**	**885**
Total Vehicles		**245**	**52**	**229**	**71**	**184**	**255**	**2,321**
Total Project Trip Generation (Passenger Car Eqivalent Trips, By Vehicle Type)								
Passenger Cars		**109**	**32**	**141**	**43**	**114**	**157**	**1,436**
Truck PCE								
2-Axle Trucks		18	5	23	8	18	26	225
3-Axle Trucks		30	10	40	12	32	44	402
4+ Axle Trucks		123	36	159	51	126	177	1,602
Total Truck PCE		**171**	**51**	**222**	**71**	**176**	**247**	**2,229**
Total PCE		**280**	**83**	**363**	**114**	**290**	**404**	**3,665**

[1]Rate based on Land Use 150 "Warehousing" from Institute of Transportation Engineers (ITE) Trip generation (10th Ed.).
[2]Recommended Truck Mix Percentages per SCAQMD Truck Trip Generation Study.
[3]Recommended PCE Factor per SBCTA Guidelines
Source: (Translutions, 2020a, Table A)

Table 4.12-8 Project Trip Generation Summary – Fulfillment/E-Commerce

Land Use		Units	Peak Hour						Daily
			AM Peak Hour			PM Peak Hour			
			In	Out	Total	In	Out	Total	
Total Vehicle Rates									
Total Vehicle Rates									
Trip Generation Rates[1]	1,332.38	TSF	0.2910	0.0717	0.3673	0.4087	0.3883	0.7970	4.9591
Trip Generation			388	96	489	545	517	1062	6,607
Passenger Car Equivalent Rates Calculations									
Passenger Cars									
Trip Generation Rates[1]	1,332.38	TSF	0.2800	0.0592	0.3392	0.3998	0.3733	0.7731	4.3155
Trip Generation			373	79	452	533	497	1030	5,750
PCE Factor[2]			1.0	1.0	1.0	1.0	1.0	1.0	1.0
PCEs			373	79	452	533	497	1030	5,750
2-Axle Trucks									
Trip Generation Rates[1]			0.0009	0.0009	0.0019	0.0002	0.0010	0.0011	0.1329
Trip Generation			1	1	3	0	1	2	177
PCE Factor[2]			1.5	1.5	1.5	1.5	1.5	1.5	1.5
PCEs			2	2	5	0	2	3	266
3-Axle Trucks									
Trip Generation Rates[1]			0.0027	0.0030	0.0057	0.0013	0.0025	0.0038	0.1149
Trip Generation			4	4	8	2	3	5	153
PCE Factor[2]			2.0	2.0	2.0	2.0	2.0	2.0	2.0
PCEs			8	8	16	4	6	10	306
4-Axle Trucks									
Trip Generation Rates[1]			0.0074	0.0085	0.0205	0.0074	0.0116	0.0190	0.3957
Trip Generation			10	11	27	10	15	25	527
PCE Factor[2]			3.0	3.0	3.0	3.0	3.0	3.0	3.0
PCEs			30	33	81	30	45	75	1,581
Total Project Trip Generation (Trips, By Vehicle Type)									
Warehouse	1,332.38	TSF							
Passenger Cars			**373**	**79**	**452**	**533**	**497**	**1,030**	**5,750**
2-Axle Trucks			1	1	3	0	1	2	177
3-Axle Trucks			4	4	8	2	3	5	153
4+ Axle Trucks			10	11	27	10	15	25	527
All Trucks			**15**	**16**	**38**	**12**	**19**	**32**	**857**
Total Vehicles			**403**	**95**	**490**	**545**	**516**	**1,062**	**6,607**
Total Project Trip Generation (Passenger Car Eqivalent Trips, By Vehicle Type)									
Passenger Cars			**373**	**79**	**452**	**533**	**497**	**1,030**	**5,750**
Truck PCE									
2-Axle Trucks			2	2	5	0	2	3	266
3-Axle Trucks			8	8	16	4	6	10	306
4+ Axle Trucks			30	33	81	30	45	75	1,581
Total Truck PCE			**40**	**43**	**102**	**34**	**53**	**88**	**2,153**
Total PCE			**413**	**122**	**554**	**567**	**550**	**1,118**	**7,903**

[1]Trips based on Surveys and application to Proposed Project.
[2]Recommended PCE Factor per SBCTA Guidelines
Source: (Translutions, 2020b, Table A)

Table 4.12-9 Existing plus Project Intersection Analysis – Warehouse Distribution/Logistics

Intersection	LOS Standard	Jurisdiction	Control	Without Project AM Peak Hour Delay	Without Project AM Peak Hour LOS	Without Project PM Peak Hour Delay	Without Project PM Peak Hour LOS	With Project AM Peak Hour Delay	With Project AM Peak Hour LOS	With Project PM Peak Hour Delay	With Project PM Peak Hour LOS	Change in Delay AM Peak Hour	Change in Delay PM Peak Hour	Exceed City's Operational Requirement?
1 . Moreno Beach Dr/SR-60 Westbound Ramps	D	Caltrans	Signal	16.5	B	15.2	B	13.5	B	19.1	B	-	-	-
2 . Moreno Beach Dr/SR-60 Eastbound Ramps	D	Caltrans	Signal	89.1	F *	>100	F *	>100	F *	>100	F *	-	-	-
3 . Moreno Beach Dr/Eucalyptus Avenue	D	Moreno Valley	Signal	30.2	C	32.5	C	32.4	C	37.8	D	2.2	5.3	NO
4 . Auto Mall Dr/Eucalyptus Avenue	D	Moreno Valley	TWSC	10.1	B	10.9	B	11.1	B	12.6	B	1.0	1.7	NO
5 . Driveway 1/Eucalyptus Avenue	D	Moreno Valley	TWSC	9.2	A		A	10.4	B	10.4	B	1.2	10.4	NO
6 . Driveway 2-Essen Ln/Encilia Avenue	D	Moreno Valley	TWSC	8.4	A	8.3	A	8.7	A	8.8	A	0.3	0.5	NO
7 . Driveway 3/Encilia Avenue	D	Moreno Valley	TWSC	8.4	A	8.3	A	8.9	A	9.0	A	0.5	0.7	NO
8 . Driveway 4-Shubert Street/Encilia Avenue	D	Moreno Valley	TWSC	8.4	A	8.3	A	9.1	A	9.2	A	0.7	0.9	NO
9 . Driveway 5/Eucalyptus Avenue	D	Moreno Valley	TWSC	*Future Intersection*				8.6	A	8.9	A	8.6	8.9	NO
10 . Redlands Boulevard/SR-60 Westbound Ramps	D	Caltrans	Signal	27.5	C	39.9	D	27.6	C	40.8	D	-	-	-
11 . Redlands Boulevard/SR-60 Eastbound Ramps	D	Caltrans	Signal	20.4	C	25.0	C	25.6	C	25.2	C	-	-	-
12 . Redlands Boulevard/Eucalyptus Avenue	D	Moreno Valley	Signal	8.9	A	6.5	A	10.1	B	14.3	B	1.2	7.8	NO
13 . Redlands Boulevard/Driveway 6	D	Moreno Valley	TWSC	*Future Intersection*				9.8	A	10.3	B	9.8	10.3	NO
14 . Redlands Boulevard/Driveway 7	D	Moreno Valley	TWSC	*Future Intersection*				9.7	A	10.4	B	9.7	10.4	NO
15 . Redlands Boulevard/Encilia Avenue	D	Moreno Valley	Signal	20.5	C	18.2	C	2.5	A	0.5	A	-18.0	-17.7	NO

LOS = Level of Service
Source: (Translutions, 2020a, Table D)

Table 4.12-10 Existing plus Project Roadway Segment Analysis – Warehouse Distribution/Logistics

Roadway Segment	Jurisdiction	LOS Standard	Classification	Roadway Capacity	Without Project Daily Volume	Without Project LOS	Without Project V/C	Classification	Roadway Capacity	With Project Daily Volume	With Project LOS	With Project V/C	Change in V/C	Exceed City's Operational Requirement?
1 . Redlands Blvd from SR-60 WB Ramps to SR-60 EB Ramps	Caltrans	D	2U	12,500	14,403	F *	1.152	2U	12,500	15,322	F *	1.226	-	-
2 . Redlands Blvd from SR-60 EB Ramps to Eucalyptus Ave	City of Moreno Valley	D	2U	12,500	12,290	E *	0.983	2U	12,500	14,015	F *	1.121	0.138	YES
3 . Redlands Blvd from Eucalyptus Ave to Driveway 6	City of Moreno Valley	D	2U	12,500	12,535	F *	1.003	4U	25,000	13,515	A	0.541	-0.462	NO
4 . Redlands Blvd from Driveway 6 to Driveway 7	City of Moreno Valley	D	2U	12,500	12,535	F *	1.003	4U	25,000	13,501	A	0.540	-0.463	NO
5 . Redlands Blvd from Driveway 7 to Encilia Ave	City of Moreno Valley	D	2U	12,500	12,535	F *	1.003	4U	25,000	13,174	A	0.527	-0.476	NO
6 . Moreno Beach Dr from SR-60 WB Ramps to SR-60 EB Ramps	Caltrans	D	2U	12,500	12,724	F *	1.018	2U	12,500	13,401	F *	1.072	-	-
7 . Moreno Beach Dr from SR-60 EB Ramps to Eucalyptus Ave	City of Moreno Valley	D	4D	37,500	23,934	B	0.638	4D	37,500	25,243	B	0.673	0.035	NO
8 . Eucalyptus Ave from Moreno Beach Dr to Auto Mall Dr	City of Moreno Valley	D	2U	12,500	3,673	A	0.294	2U	12,500	5,097	A	0.408	0.114	NO
9 . Eucalyptus Ave from Auto Mall Dr to Driveway 1	City of Moreno Valley	D	4U	25,000	1,617	A	0.065	4U	25,000	3,099	A	0.124	0.059	NO
10 . Eucalyptus Ave from Driveway 1 to Aldi Pl	City of Moreno Valley	D	3U	18,750	1,507	A	0.080	4U	25,000	2,930	A	0.117	0.037	NO
11 . Eucalyptus Ave Aldi Pl to Driveway 5	City of Moreno Valley	D	3U	18,750	2,424	A	0.129	4U	25,000	3,847	A	0.154	0.025	NO
12 . Eucalyptus Ave from Driveway 5 to Redlands Blvd	City of Moreno Valley	D	3U	18,750	2,424	A	0.129	4U	25,000	3,958	A	0.158	0.029	NO
13 . Encilia Ave from Essen Ln to Mozart Way	City of Moreno Valley	D	2UR	2,000	217	A	0.108	4U	25,000	361	A	0.014	-0.094	NO
14 . Encilia Ave from Mozart Way to Shubert St	City of Moreno Valley	D	2UR	2,000	217	A	0.108	4U	25,000	569	A	0.023	-0.086	NO
15 . Encilia Ave Shubert St to Redlands Blvd	City of Moreno Valley	D	2UR	2,000	475	A	0.237	4U	25,000	1,114	A	0.045	-0.193	NO

LOS = Level of Service, 2MA = 2-Lane Mountain Arterial, 2U = 2-Lane Undivided, 4U = 4-Lane Undivided, 6D = 6-Lane Divided, 4D = 4-Lane Divided 2UR = 2-Lane Undivided Residential
Source: (Translutions, 2020a, Table E)

Table 4.12-11 Existing plus Project Intersection Analysis – Fulfillment/E-Commerce

Intersection	LOS Standard	Jurisdiction	Control	Without Project				With Project				Change in Delay		Exceed City's Operational Requirement?
				AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		AM Peak Hour	PM Peak Hour	
				Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS			
1 . Kitching St/Iris Ave	C	Moreno Valley	Signal	34.4	C	32.8	C	34.6	C	33.4	C	0.2	0.6	NO
2 . Lasselle St/Alessandro Blvd	D	Moreno Valley	Signal	42.7	D	43.9	D	46.1	D	44.7	D	3.4	0.8	NO
3 . Lasselle St/Iris Ave	D	Moreno Valley	Signal	40.8	D	41.9	D	40.9	D	42.1	D	0.1	0.2	NO
4 . Nason St/Eucalyptus Ave	D	Moreno Valley	Signal	43.4	D	27.3	C	43.6	D	28.1	C	0.2	0.8	NO
5 . Nason St/Alessandro Blvd	D	Moreno Valley	Signal	39.1	D	29.4	C	39.4	D	30.3	C	0.3	0.9	NO
6 . Nason St/Iris Ave	C	Moreno Valley	Signal	24.2	C	22.6	C	24.2	C	22.6	C	0.0	0.0	NO
7 . Fir Ave/Eucalyptus Ave	D	Moreno Valley	Signal	23.5	C	21.3	C	23.7	C	21.5	C	0.2	0.2	NO
8 . Oliver St/Iris Ave	D	Moreno Valley	Signal	28.5	C	23.5	C	29.3	C	23.8	C	0.8	0.3	NO
9 . Moreno Beach Dr/SR-60 WB Ramps	D	Caltrans	Signal	16.5	B	15.2	B	17.1	B	15.4	B	-	-	-
10 . Moreno Beach Dr/SR-60 EB Ramps	D	Caltrans	Signal	89.1	F *	>100	F *	>100	F *	>100	F *	-	-	-
11 . Moreno Beach Dr/Eucalyptus Ave	D	Moreno Valley	Signal	30.2	C	32.5	C	33.3	C	39.9	D	3.1	7.4	NO
12 . Auto Mall Dr/Eucalyptus Ave	D	Moreno Valley	TWSC	10.1	B	10.9	B	11.6	B	16.3	C	1.5	5.4	NO
13 . Moreno Beach Dr/Alessandro Blvd	D	Moreno Valley	Signal	39.3	D	30.6	C	39.4	D	37.7	D	0.1	7.1	NO
14 . Moreno Beach Blvd/Cactus Ave	C	Moreno Valley	Signal	26.2	C	29.7	C	26.6	C	29.8	C	0.4	0.1	NO
15 . Moreno Beach Dr/John F Kennedy Dr	D	Moreno Valley	Signal	29.4	C	28.1	C	29.5	C	28.7	C	0.1	0.6	NO
16 . Alessandro Rd/San Timoteo Canyon Rd	C	Redlands	AWSC	59.6	F *	16.2	C	64.6	F *	18.7	C	-	-	-
17 . Live Oak Canyon Rd/San Timoteo Canyon Rd	C	Riverside County	AWSC	74.3	F *	60.7	F *	80.7	F *	80.0	F *	-	-	-
18 . Redlands Blvd/San Timoteo Canyon Rd	C	Riverside County	AWSC	86.2	F *	>100	F *	95.6	F *	>100	F *	-	-	-
19 . Dwy 1/Eucalyptus Ave	D	Moreno Valley	TWSC	9.2	A		A	10.6	B	13.0	B	1.4	13.0	NO
20 . Dwy 2-Essen Ln/Encilia Ave	D	Moreno Valley	TWSC	8.4	A	8.3	A	8.8	A	7.3	A	0.4	-1.0	NO
21 . Dwy 3/Encilia Ave	D	Moreno Valley	TWSC	8.4	A	8.3	A	9.5	A	11.0	B	1.1	2.7	NO
22 . Dwy 4-Shubert St/Encilia Ave	D	Moreno Valley	TWSC	8.4	A	8.3	A	10.3	B	13.4	B	1.9	5.1	NO
23 . Dwy 5/Eucalyptus Ave	D	Moreno Valley	TWSC	*Future Intersection*				8.8	A	9.1	A	8.8	9.1	NO
24 . Redlands Blvd/Ironwood Ave	D	Moreno Valley	Signal	19.8	B	13.8	B	20.1	C	13.8	B	0.3	0.0	NO
25 . Redlands Blvd/SR-60 WB Ramps	D	Caltrans	Signal	27.5	C	39.9	D	27.6	C	47.3	D	-	-	-
26 . Redlands Blvd/SR-60 EB Ramps	D	Caltrans	Signal	20.4	C	25.0	C	28.8	C	26.9	C	-	-	-
27 . Redlands Blvd/Eucalyptus Ave	D	Moreno Valley	Signal	8.9	A	6.5	A	12.2	B	18.3	B	3.3	11.8	NO
28 . Redlands Blvd/Dwy 6	D	Moreno Valley	TWSC	*Future Intersection*				10.1	B	11.9	B	10.1	11.9	NO
29 . Redlands Blvd/Dwy 7	D	Moreno Valley	TWSC	*Future Intersection*				10.0	B	11.8	B	10.0	11.8	NO
30 . Redlands Blvd/Encilia Ave	D	Moreno Valley	TWSC	20.5	C	18.2	C	6.5	A	5.8	A	-14.0	-12.4	NO
31 . Redlands Blvd/Cottonwood Ave	C	Moreno Valley	Signal	7.0	A	5.5	A	2.0	A	2.6	A	-5.0	-2.9	NO
32 . Redlands Blvd/Alessandro Blvd	C	Moreno Valley	AWSC	26.7	D *	26.7	D *	41.3	E *	70.9	F *	14.6	44.2	YES
33 . Redlands Blvd-John F Kennedy Dr/Cactus Ave	C	Moreno Valley	AWSC	11.1	B	11.3	B	11.4	B	11.8	B	0.3	0.5	NO
34 . WLC Parkway/Eucalyptus Ave	D	Moreno Valley	TWSC	10.0	B	9.6	A	10.4	B	10.2	B	0.4	0.6	NO

*Exceeds LOS Standard
TWSC = Two-Way Stop Control; For TWSC intersections, reported delay is for worst-case approach/movement.
LOS = Level of Service
Source: (Translutions, 2020b, Table D)

Table 4.12-12 Existing plus Project Roadway Segment Analysis – Fulfillment/E-Commerce

	Roadway Segment	Jurisdiction	LOS Standard	Classification	Roadway Capacity	Without Project			Classification	Roadway Capacity	With Project			Change in V/C	Exceed City's Operational Requirement?
						Daily Volume	LOS	V/C			Daily Volume	LOS	V/C		
1	San Timoteo Canyon Rd from Alessandro Rd to Live Oak Canyon Rd	City of Redlands/Riverside County	C	2MA	16,100	13,775	D *	0.856	2MA	16,100	14,177	D *	0.881	-	-
2	San Timoteo Canyon Rd from Live Oak Canyon Rd to Redlands Blvd	Riverside County	C	2MA	16,100	17,208	F *	1.069	2MA	16,100	17,668	F *	1.097	-	-
3	Redlands Blvd south of San Timoteo Canyon Rd	Riverside County	C	2MA	16,100	17,452	F *	1.084	2MA	16,100	17,912	F *	1.113	-	-
4	Redlands Blvd north of Ironwood Ave	City of Moreno Valley	C	2U	12,500	18,086	F *	1.447	2U	12,500	18,546	F *	1.484	0.037	NO
5	Redlands Blvd from Ironwood Ave to SR-60 WB Ramps	City of Moreno Valley	D	2U	12,500	15,092	F *	1.207	2U	12,500	15,552	F *	1.244	0.037	NO
6	Redlands Blvd from SR-60 WB Ramps to SR-60 EB Ramps	Caltrans	D	2U	12,500	14,403	F *	1.152	2U	12,500	16,055	F *	1.284	-	-
7	Redlands Blvd from SR-60 EB Ramps to Eucalyptus Ave	City of Moreno Valley	D	2U	12,500	12,290	E *	0.983	2U	12,500	15,136	F *	1.211	0.228	YES
8	Redlands Blvd from Eucalyptus Ave to Driveway 6	City of Moreno Valley	D	2U	12,500	12,535	F *	1.003	4U	25,000	15,447	B	0.618	-0.385	NO
9	Redlands Blvd from Driveway 6 to Driveway 7	City of Moreno Valley	D	2U	12,500	12,535	F *	1.003	4U	25,000	15,389	B	0.616	-0.387	NO
10	Redlands Blvd from Driveway 7 to Encilia Ave	City of Moreno Valley	D	2U	12,500	12,535	F *	1.003	4U	25,000	15,094	B	0.604	-0.399	NO
11	Redlands Blvd from Encilia Ave to Cottonwood Ave	City of Moreno Valley	C	2U	12,500	10,585	D *	0.847	2U	12,500	12,081	E *	0.966	0.120	YES
12	Redlands Blvd from Cottonwood Ave to Alessandro Blvd	City of Moreno Valley	C	2U	12,500	9,391	C	0.751	2U	12,500	10,771	D *	0.862	0.110	YES
13	Redlands Blvd from Alessandro Blvd to Cactus Ave	City of Moreno Valley	C	2U	12,500	8,501	B	0.680	2U	12,500	8,847	C	0.708	0.028	NO
14	JFK Dr from Cactus Ave to Moreno Beach Dr	City of Moreno Valley	C	4U	25,000	5,797	A	0.232	4U	25,000	6,027	A	0.241	0.009	NO
15	Moreno Beach Dr from SR-60 WB Ramps to SR-60 EB Ramps	Caltrans	D	2U	12,500	12,724	F *	1.018	2U	12,500	14,075	F *	1.126	-	-
16	Moreno Beach Dr from SR-60 EB Ramps to Eucalyptus Ave	City of Moreno Valley	D	4D	37,500	23,934	B	0.638	4D	37,500	26,464	C	0.706	0.067	YES
17	Moreno Beach Dr from Alessandro Blvd to Cactus Ave	City of Moreno Valley	D	2U	12,500	18,862	F *	1.509	2U	12,500	19,264	F *	1.541	0.032	NO
18	Moreno Beach Dr from Cactus Ave to JFK Dr	City of Moreno Valley	C	6D	56,300	15,452	A	0.274	6D	56,300	15,854	A	0.282	0.007	NO
19	Moreno Beach Dr from JFK Dr to Oliver St	City of Moreno Valley	D	6D	56,300	15,898	A	0.282	6D	56,300	16,530	A	0.294	0.011	NO
20	Iris Ave From Nason St to Oliver St	City of Moreno Valley	D	6D	56,300	19,248	A	0.342	6D	56,300	19,766	A	0.351	0.009	NO
21	Iris Ave From Lasselle St to Nason St	City of Moreno Valley	D	6D	56,300	30,134	A	0.535	6D	56,300	30,652	A	0.544	0.009	NO
22	Iris Ave From Kitching St to Lasselle St	City of Moreno Valley	D	6D	56,300	26,472	A	0.470	6D	56,300	26,760	A	0.475	0.005	NO
23	Eucalyptus Ave from Nason St to Fir Ave	City of Moreno Valley	D	4U	25,000	9,376	A	0.375	4U	25,000	9,664	A	0.387	0.012	NO
24	Eucalyptus Ave from Fir Ave to Moreno Beach Dr	City of Moreno Valley	D	4D	37,500	14,002	A	0.373	4D	37,500	14,290	A	0.381	0.008	NO
25	Eucalyptus Ave from Moreno Beach Dr to Auto Mall Dr	City of Moreno Valley	D	2U	12,500	3,673	A	0.294	2U	12,500	6,663	A	0.533	0.239	NO
26	Eucalyptus Ave from Auto Mall Dr to Driveway 1	City of Moreno Valley	D	4U	25,000	1,617	A	0.065	4U	25,000	4,837	A	0.193	0.129	NO
27	Eucalyptus Ave from Driveway 1 to Aldi Pl	City of Moreno Valley	D	3U	18,750	1,507	A	0.080	4U	25,000	4,496	A	0.180	0.099	NO
28	Eucalyptus Ave Aldi Pl to Driveway 5	City of Moreno Valley	D	3U	18,750	2,424	A	0.129	4U	25,000	5,413	A	0.217	0.087	NO
29	Eucalyptus Ave from Driveway 5 to Redlands Blvd	City of Moreno Valley	D	3U	18,750	2,424	A	0.129	4U	25,000	5,523	A	0.221	0.092	NO
30	Eucalyptus Ave from Redlands Blvd to World Logistics Center Driveway	City of Moreno Valley	D	2U	12,500	2,612	A	0.209	2U	12,500	2,900	A	0.232	0.023	NO
31	Encilia Ave from Essen Ln to Mozart Way	City of Moreno Valley	D	2UR	2,000	217	A	0.108	4U	25,000	793	A	0.032	-0.077	NO
32	Encilia Ave from Mozart Way to Shubert St	City of Moreno Valley	D	2UR	2,000	217	A	0.108	4U	25,000	1,627	A	0.065	-0.043	NO
33	Encilia Ave Shubert St to Redlands Blvd	City of Moreno Valley	D	2UR	2,000	475	A	0.237	4U	25,000	3,034	A	0.121	-0.116	NO
34	Alessandro Blvd from Lasselle St to Nason St	City of Moreno Valley	D	2U	12,500	10,745	D	0.860	2U	12,500	11,033	D	0.883	0.023	NO
35	Alessandro Blvd from Nason St to Moreno Beach Dr	City of Moreno Valley	D	2U	12,500	9,553	C	0.764	2U	12,500	10,071	D	0.806	0.041	NO
36	Alessandro Blvd from Moreno Beach Dr to Redlands Blvd	City of Moreno Valley	D	2U	12,500	5,549	A	0.444	2U	12,500	6,469	A	0.518	0.074	NO

LOS = Level of Service, 2MA = 2-Lane Mountain Arterial, 2U = 2-Lane Undivided, 4U = 4-Lane Undivided, 6D = 6-Lane Divided, 4D = 4-Lane Divided, 2UR = 2-Lane Undivided Residential
Source: (Translutions, 2020b, Table E)

Table 4.12-13 Opening Year (2024) Intersection Analysis – Warehouse Distribution/Logistics

	Intersection	LOS Standard	Jurisdiction	Control	Without Project				With Project				Change in Delay		Exceed City's Operational Requirement?
					AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		AM Peak Hour	PM Peak Hour	
					Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS			
1	Moreno Beach Dr/SR-60 Westbound	D	Caltrans	Signal	16.9	B	16.1	B	12.6	B	13.9	B	-	-	-
2	Moreno Beach Dr/SR-60 Eastbound	D	Caltrans	Signal	>100	F *	>100	F *	>100	F *	>100	F *	-	-	-
3	Moreno Beach Dr/Eucalyptus Avenue	D	Moreno Valley	Signal	30.4	C	37.1	D	35.1	D	46.3	D	4.7	9.2	NO
4	Auto Mall Dr/Eucalyptus Avenue	D	Moreno Valley	TWSC	10.5	B	11.7	B	11.5	B	13.8	B	1.0	2.1	NO
5	Driveway 1/Eucalyptus Avenue	D	Moreno Valley	TWSC	9.5	A		A	10.7	B	10.6	B	1.2	10.6	NO
6	Driveway 2-Essen Ln/Encilia Avenue	D	Moreno Valley	TWSC	8.4	A	8.3	A	8.7	A	8.8	A	0.3	0.5	NO
7	Driveway 3/Encilia Avenue	D	Moreno Valley	TWSC	8.5	A	8.3	A	8.9	A	9.0	A	0.4	0.7	NO
8	Driveway 4-Shubert Street/Encilia Av	D	Moreno Valley	TWSC	8.4	A	8.3	A	9.2	A	9.2	A	0.8	0.9	NO
9	Driveway 5/Eucalyptus Avenue	D	Moreno Valley	TWSC	*Future Intersection*				8.7	A	8.9	A	-	-	-
10	Redlands Boulevard/SR-60 Westbou	D	Caltrans	Signal	37.4	D	64.5	E *	40.1	D	65.1	E *	-	-	-
11	Redlands Boulevard/SR-60 Eastbour	D	Caltrans	Signal	40.9	D	32.1	C	43.7	D	38.5	D	2.8	6.4	NO
12	Redlands Boulevard/Eucalyptus Ave	D	Moreno Valley	Roundabout	16.0	C	8.4	A	19.7	C	10.4	B	3.7	2.0	NO
13	Redlands Boulevard/Driveway 6	D	Moreno Valley	TWSC	*Future Intersection*				10.1	B	11.5	B	10.1	11.5	NO
14	Redlands Boulevard/Driveway 7	D	Moreno Valley	TWSC	*Future Intersection*				10.1	B	11.6	B	10.1	11.6	NO
15	Redlands Boulevard/Encilia Avenue	D	Moreno Valley	Signal	30.5	D	26.9	D	2.4	A	1.2	A	-28.1	-25.7	NO
													-	-	-

Notes: LOS – Level of Service
Source: (Translutions, 2020a, Table F)

Table 4.12-14 Opening Year (2024) Roadway Segment Analysis – Warehouse Distribution/Logistics

Roadway Segment	Jurisdiction	LOS Standard	Classification	Roadway Capacity	Without Project			Classification	Roadway Capacity	With Project			Change in V/C	Exceed City's Operational Requirement?
					Daily Volume	LOS	V/C			Daily Volume	LOS	V/C		
1 . Redlands Blvd from SR-60 WB Ramps to SR-60 EB Ramps	Caltrans	D	2U	12,500	18,155	F *	1.452	2U	12,500	19,074	F *	1.526	-	-
2 . Redlands Blvd from SR-60 EB Ramps to Eucalyptus Ave	City of Moreno Valley	D	2U	12,500	16,324	F *	1.306	2U	12,500	18,049	F *	1.444	0.138	YES
3 . Redlands Blvd from Eucalyptus Ave to Driveway 6	City of Moreno Valley	D	2U	12,500	15,044	F *	1.203	4U	25,000	16,024	B	0.641	-0.563	NO
4 . Redlands Blvd from Driveway 6 to Driveway 7	City of Moreno Valley	D	2U	12,500	15,044	F *	1.203	4U	25,000	16,010	B	0.640	-0.563	NO
5 . Redlands Blvd from Driveway 7 to Encilia Ave	City of Moreno Valley	D	2U	12,500	15,044	F *	1.203	4U	25,000	15,683	B	0.627	-0.576	NO
6 . Moreno Beach Dr from SR-60 WB Ramps to SR-60 EB Ramps	Caltrans	D	2U	12,500	18,159	F *	1.453	2U	12,500	18,836	F *	1.507	-	-
7 . Moreno Beach Dr from SR-60 EB Ramps to Eucalyptus Ave	City of Moreno Valley	D	4D	37,500	32,941	D	0.878	4D	37,500	34,250	E *	0.913	0.035	NO
8 . Eucalyptus Ave from Moreno Beach Dr to Auto Mall Dr	City of Moreno Valley	D	2U	12,500	6,371	A	0.510	2U	12,500	7,795	B	0.624	0.114	NO
9 . Eucalyptus Ave from Auto Mall Dr to Driveway 1	City of Moreno Valley	D	4U	25,000	2,943	A	0.118	4U	25,000	4,425	A	0.177	0.059	NO
10 . Eucalyptus Ave from Driveway 1 to Aldi Pl	City of Moreno Valley	D	3U	18,750	2,822	A	0.150	4U	25,000	4,245	A	0.170	0.019	NO
11 . Eucalyptus Ave Aldi Pl to Driveway 5	City of Moreno Valley	D	3U	18,750	3,834	A	0.204	4U	25,000	5,257	A	0.210	0.006	NO
12 . Eucalyptus Ave from Driveway 5 to Redlands Blvd	City of Moreno Valley	D	3U	18,750	3,834	A	0.204	4U	25,000	5,368	A	0.215	0.010	NO
13 . Encilia Ave from Essen Ln to Mozart Way	City of Moreno Valley	D	2UR	2,000	240	A	0.120	4U	25,000	384	A	0.015	-0.104	NO
14 . Encilia Ave from Mozart Way to Shubert St	City of Moreno Valley	D	2UR	2,000	240	A	0.120	4U	25,000	592	A	0.024	-0.096	NO
15 . Encilia Ave Shubert St to Redlands Blvd	City of Moreno Valley	D	2UR	2,000	524	A	0.262	4U	25,000	1,163	A	0.047	-0.215	NO

Notes: LOS = Level of Service, 2MA = 2-Lane Mountain Arterial, 2U = 2-Lane Undivided, 4U = 4-Lane Undivided, 6D = 6-Lane Divided, 4D = 4-Lane Divided, 2UR = 2-Lane Undivided Residential
Source: (Translutions, 2020a, Table G)

Table 4.12-15 Opening Year (2024) Intersection Analysis – Fulfillment/E-Commerce

Intersection	LOS Standard	Jurisdiction	Control	Without Project				With Project				Change in Delay		Exceed City's Operational Requirement?
				AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		AM Peak Hour	PM Peak Hour	
				Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS			
1 . Kitching St/Iris Ave	C	Moreno Valley	Signal	39.7	D *	37.3	D *	40.0	D *	38.2	D *	0.3	0.9	NO
2 . Lasselle St/Alessandro Blvd	D	Moreno Valley	Signal	92.7	F *	60.8	E *	93.3	F *	63.6	E *	0.6	2.8	NO
3 . Lasselle St/Iris Ave	D	Moreno Valley	Signal	48.6	D	55.0	E *	50.3	D	55.7	E *	1.7	0.7	NO
4 . Nason St/Eucalyptus Ave	D	Moreno Valley	Signal	67.2	E *	37.7	D	68.1	E *	38.8	D	0.9	1.1	NO
5 . Nason St/Alessandro Blvd	D	Moreno Valley	Signal	42.2	D	36.9	D	42.2	D	37.9	D	0.0	1.0	NO
6 . Nason St/Iris Ave	C	Moreno Valley	Signal	30.8	C	29.8	C	31.0	C	32.6	C	0.2	2.8	NO
7 . Fir Ave/Eucalyptus Ave	D	Moreno Valley	Signal	25.5	C	25.8	C	26.6	C	26.0	C	1.1	0.2	NO
8 . Oliver St/Iris Ave	D	Moreno Valley	Signal	35.6	D	27.8	C	35.9	D	28.0	C	0.3	0.2	NO
9 . Moreno Beach Dr/SR-60 WB Ramps	D	Caltrans	Signal	16.9	B	16.1	B	17.3	B	16.2	B	-	-	-
10 . Moreno Beach Dr/SR-60 EB Ramps	D	Caltrans	Signal	>100	F *	>100	F *	>100	F *	>100	F *	-	-	-
11 . Moreno Beach Dr/Eucalyptus Ave	D	Moreno Valley	Signal	30.4	C	37.1	D	37.0	D	59.0	E *	6.6	21.9	YES
12 . Auto Mall Dr/Eucalyptus Ave	D	Moreno Valley	TWSC	10.5	B	11.7	B	12.1	B	18.6	C	1.6	6.9	NO
13 . Moreno Beach Dr/Alessandro Blvd	D	Moreno Valley	Signal	70.3	E *	85.2	F *	72.0	E *	>100	F *	1.7	14.2	YES
14 . Moreno Beach Blvd/Cactus Ave	C	Moreno Valley	Signal	30.4	C	33.2	C	30.6	C	33.6	C	0.2	0.4	NO
15 . Moreno Beach Dr/John F Kennedy Dr	D	Moreno Valley	Signal	30.0	C	28.3	C	30.3	C	29.0	C	0.3	0.7	NO
16 . Alessandro Rd/San Timoteo Canyon Rd	C	Redlands	AWSC	>100	F *	24.6	C	>100	F *	31.2	D *	-	-	-
17 . Live Oak Canyon Rd/San Timoteo Canyon Rd	C	Riverside County	AWSC	>100	F *	>100	F *	>100	F *	>100	F *	-	-	-
18 . Redlands Blvd/San Timoteo Canyon Rd	C	Riverside County	AWSC	>100	F *	>100	F *	>100	F *	>100	F *	-	-	-
19 . Dwy 1/Eucalyptus Ave	D	Moreno Valley	TWSC	9.5	A		A	10.9	B	14.4	B	1.4	14.4	NO
20 . Dwy 2-Essen Ln/Encilia Ave	D	Moreno Valley	TWSC	8.4	A	8.3	A	8.8	A	7.3	A	0.4	-1.0	NO
21 . Dwy 3/Encilia Ave	D	Moreno Valley	TWSC	8.5	A	8.3	A	9.4	A	10.7	B	0.9	2.4	NO
22 . Dwy 4-Shubert St/Encilia Ave	D	Moreno Valley	TWSC	8.4	A	8.3	A	10.4	B	13.4	B	2.0	5.1	NO
23 . Dwy 5/Eucalyptus Ave	D	Moreno Valley	TWSC	*Future Intersection*				8.9	A	9.2	A	8.9	9.2	NO
24 . Redlands Blvd/Ironwood Ave	D	Moreno Valley	Signal	21.0	C	19.5	B	21.0	C	26.3	C	0.0	6.8	NO
25 . Redlands Blvd/SR-60 WB Ramps	D	Caltrans	Signal	37.4	D	64.5	E *	41.6	D	71.7	E *	-	-	-
26 . Redlands Blvd/SR-60 EB Ramps	D	Caltrans	Signal	40.9	D	32.1	C	37.5	D	49.9	D	-	-	-
27 . Redlands Blvd/Eucalyptus Ave	D	Moreno Valley	Roundabout	16.0	C	8.4	A	23.0	C	15.6	C	7.0	7.2	NO
28 . Redlands Blvd/Dwy 6	D	Moreno Valley	TWSC	*Future Intersection*				10.5	B	13.6	B	10.5	13.6	NO
29 . Redlands Blvd/Dwy 7	D	Moreno Valley	TWSC	*Future Intersection*				10.3	B	13.5	B	10.3	13.5	NO
30 . Redlands Blvd/Encilia Ave	D	Moreno Valley	Signal	30.5	D	26.9	D	3.2	A	4.8	A	-27.3	-22.1	NO
31 . Redlands Blvd/Cottonwood Ave	C	Moreno Valley	Signal	7.9	A	6.9	A	2.6	A	3.3	A	-5.3	-3.6	NO
32 . Redlands Blvd/Alessandro Blvd	C	Moreno Valley	AWSC	95.1	F *	>100	F *	>100	F *	>100	F *	30.3	92.4	YES
33 . Redlands Blvd-John F Kennedy Dr/Cactus Ave	C	Moreno Valley	AWSC	21.8	C	31.2	D *	22.8	C	35.2	E *	1.0	4.0	NO
34 . WLC Parkway/Eucalyptus Ave	D	Moreno Valley	TWSC	>100	F *	>100	F *	>100	F *	>100	F *	677.7	10626.4	YES

Notes: * Exceeds LOS Standard
TWSC = Two-Way Stop Control; For TWSC intersections, reported delay is for worst-case approach/movement.
LOS = Level of Service
Source: (Translutions, 2020b, Table F)

Table 4.12-16 Opening Year (2024) Roadway Segment Analysis – Fulfillment/E-Commerce

	Roadway Segment	Jurisdiction	LOS Standard	Classification	Roadway Capacity	Without Project			Classification	Roadway Capacity	With Project			Change in V/C	Exceed City's Operational Requirement?
						Daily Volume	LOS	V/C			Daily Volume	LOS	V/C		
1	San Timoteo Canyon Rd from Alessandro Rd to Live Oak Canyon Rd	City of Redlands/Riverside County	C	2MA	16,100	15,849	E *	0.984	2MA	16,100	16,251	F *	1.009	-	-
2	San Timoteo Canyon Rd from Live Oak Canyon Rd to Redlands Blvd	Riverside County	C	2MA	16,100	19,852	F *	1.233	2MA	16,100	20,312	F *	1.262	-	-
3	Redlands Blvd south of San Timoteo Canyon Rd	Riverside County	C	2MA	16,100	20,216	F *	1.256	2MA	16,100	20,676	F *	1.284	-	-
4	Redlands Blvd north of Ironwood Ave	City of Moreno Valley	C	2U	12,500	21,242	F *	1.699	2U	12,500	21,702	F *	1.736	0.037	NO
5	Redlands Blvd from Ironwood Ave to SR-60 WB Ramps	City of Moreno Valley	D	2U	12,500	17,625	F *	1.410	2U	12,500	18,085	F *	1.447	0.037	NO
6	Redlands Blvd from SR-60 WB Ramps to SR-60 EB Ramps	Caltrans	D	2U	12,500	18,155	F *	1.452	2U	12,500	19,807	F *	1.585	-	-
7	Redlands Blvd from SR-60 EB Ramps to Eucalyptus Ave	City of Moreno Valley	D	2U	12,500	16,324	F *	1.306	2U	12,500	19,170	F *	1.534	0.228	YES
8	Redlands Blvd from Eucalyptus Ave to Driveway 6	City of Moreno Valley	D	2U	12,500	15,044	F *	1.203	4U	25,000	17,956	C	0.718	-0.485	NO
9	Redlands Blvd from Driveway 6 to Driveway 7	City of Moreno Valley	D	2U	12,500	15,044	F *	1.203	4U	25,000	17,898	C	0.716	-0.488	NO
10	Redlands Blvd from Driveway 7 to Encilia Ave	City of Moreno Valley	D	2U	12,500	15,044	F *	1.203	4U	25,000	17,603	C	0.704	-0.499	NO
11	Redlands Blvd from Encilia Ave to Cottonwood Ave	City of Moreno Valley	C	2U	12,500	12,891	F *	1.031	2U	12,500	14,387	F *	1.151	0.120	YES
12	Redlands Blvd from Cottonwood Ave to Alessandro Blvd	City of Moreno Valley	C	2U	12,500	11,794	E *	0.944	2U	12,500	13,174	F *	1.054	0.110	YES
13	Redlands Blvd from Alessandro Blvd to Cactus Ave	City of Moreno Valley	C	2U	12,500	10,196	D *	0.816	2U	12,500	10,542	D *	0.843	0.028	NO
14	JFK Dr from Cactus Ave to Moreno Beach Dr	City of Moreno Valley	C	4U	25,000	7,080	A	0.283	4U	25,000	7,310	A	0.292	0.009	NO
15	Moreno Beach Dr from SR-60 WB Ramps to SR-60 EB Ramps	Caltrans	D	2U	12,500	18,159	F *	1.453	2U	12,500	19,510	F *	1.561	-	-
16	Moreno Beach Dr from SR-60 EB Ramps to Eucalyptus Ave	City of Moreno Valley	D	4D	37,500	32,941	D	0.878	4D	37,500	35,471	E *	0.946	0.067	YES
17	Moreno Beach Dr from Alessandro Blvd to Cactus Ave	City of Moreno Valley	D	2U	12,500	25,697	F *	2.056	2U	12,500	26,099	F *	2.088	0.032	NO
18	Moreno Beach Dr from Cactus Ave to JFK Dr	City of Moreno Valley	C	6D	56,300	22,022	A	0.391	6D	56,300	22,424	A	0.398	0.007	NO
19	Moreno Beach Dr from JFK Dr to Oliver St	City of Moreno Valley	D	6D	56,300	26,091	A	0.463	6D	56,300	26,723	A	0.475	0.011	NO
20	Iris Ave From Nason St to Oliver St	City of Moreno Valley	D	6D	56,300	29,723	A	0.528	6D	56,300	30,241	A	0.537	0.009	NO
21	Iris Ave From Lasselle St to Nason St	City of Moreno Valley	D	6D	56,300	42,358	C	0.752	6D	56,300	42,876	C	0.762	0.009	NO
22	Iris Ave From Kitching St to Lasselle St	City of Moreno Valley	D	6D	56,300	36,225	B	0.643	6D	56,300	36,513	B	0.649	0.005	NO
23	Eucalyptus Ave from Nason St to Fir Ave	City of Moreno Valley	D	4U	25,000	11,434	A	0.457	4U	25,000	11,722	A	0.469	0.012	NO
24	Eucalyptus Ave from Fir Ave to Moreno Beach Dr	City of Moreno Valley	D	4D	37,500	17,687	A	0.472	4D	37,500	17,975	A	0.479	0.008	NO
25	Eucalyptus Ave from Moreno Beach Dr to Auto Mall Dr	City of Moreno Valley	D	2U	12,500	6,371	A	0.510	2U	12,500	9,361	C	0.749	0.239	NO
26	Eucalyptus Ave from Auto Mall Dr to Driveway 1	City of Moreno Valley	D	4U	25,000	2,943	A	0.118	4U	25,000	6,163	A	0.247	0.129	NO
27	Eucalyptus Ave from Driveway 1 to Aldi Pl	City of Moreno Valley	D	3U	18,750	2,822	A	0.150	4U	25,000	5,811	A	0.232	0.082	NO
28	Eucalyptus Ave Aldi Pl to Driveway 5	City of Moreno Valley	D	3U	18,750	3,834	A	0.204	4U	25,000	6,823	A	0.273	0.068	NO
29	Eucalyptus Ave from Driveway 5 to Redlands Blvd	City of Moreno Valley	D	3U	18,750	3,834	A	0.204	4U	25,000	6,933	A	0.277	0.073	NO
30	Eucalyptus Ave from Redlands Blvd to World Logistics Center Driveway	City of Moreno Valley	D	2U	12,500	6,042	A	0.483	2U	12,500	6,330	A	0.506	0.023	NO
31	Encilia Ave from Essen Ln to Mozart Way	City of Moreno Valley	D	2UR	2,000	240	A	0.120	4U	25,000	816	A	0.033	-0.087	NO
32	Encilia Ave from Mozart Way to Shubert St	City of Moreno Valley	D	2UR	2,000	240	A	0.120	4U	25,000	1,650	A	0.066	-0.054	NO
33	Encilia Ave Shubert St to Redlands Blvd	City of Moreno Valley	D	2UR	2,000	524	A	0.262	4U	25,000	3,083	A	0.123	-0.138	NO
34	Alessandro Blvd from Lasselle St to Nason St	City of Moreno Valley	D	2U	12,500	18,164	F *	1.453	2U	12,500	18,452	F *	1.476	0.023	NO
35	Alessandro Blvd from Nason St to Moreno Beach Dr	City of Moreno Valley	D	2U	12,500	17,498	F *	1.400	2U	12,500	18,016	F *	1.441	0.041	NO
36	Alessandro Blvd from Moreno Beach Dr to Redlands Blvd	City of Moreno Valley	D	2U	12,500	7,674	B	0.614	2U	12,500	8,594	B	0.688	0.074	NO

Notes: LOS = Level of Service, 2MA = 2-Lane Mountain Arterial, 2U = 2-Lane Undivided, 4U = 4-Lane Undivided, 6D = 6-Lane Divided, 4D = 4-Lane Divided, 2UR = 2-Lane Undivided Residential
Source: (Translutions, 2020b, Table G)

Table 4.12-17 General Plan Build-Out (2040) Intersection Analysis – Warehouse Distribution/Logistics

	Intersection	LOS Standard	Jurisdiction	Control	Without Project				With Project				Change in Delay		Exceed City's Operational Requirement?
					AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		AM Peak Hour	PM Peak Hour	
					Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS			
1	Moreno Beach Dr/SR-60 Westbound Ramps	D	Caltrans	Signal	2.8	A	0.2	A	2.8	A	0.1	A	-	-	-
2	Moreno Beach Dr/SR-60 Eastbound Ramps	D	Caltrans	Signal	15.1	B	27.6	C	16.4	B	33.4	C	-	-	-
3	Moreno Beach Dr/Eucalyptus Avenue	D	Moreno Valley	Signal	32.4	C	49.0	D	34.2	C	53.9	D	1.8	4.9	NO
4	Auto Mall Dr/Eucalyptus Avenue	D	Moreno Valley	TWSC	12.7	B	19.3	C	14.0	B	21.5	C	1.3	2.2	NO
5	Driveway 1/Eucalyptus Avenue	D	Moreno Valley	TWSC	11.5	B		A	13.1	B	14.8	C	1.6	14.8	NO
6	Driveway 2-Essen Ln/Encilia Avenue	D	Moreno Valley	TWSC	8.7	A	9.2	A	9.5	A	10.8	B	0.8	1.6	NO
7	Driveway 3/Encilia Avenue	D	Moreno Valley	TWSC	8.7	A	9.2	A	9.1	A	11.0	B	0.4	1.8	NO
8	Driveway 4-Shubert Street/Encilia Avenue	D	Moreno Valley	TWSC	8.6	A	9.2	A	9.2	A	10.3	B	0.6	1.1	NO
9	Driveway 5/Eucalyptus Avenue	D	Moreno Valley	TWSC	*Future Intersection*				9.0	A	10.1	B	9.0	10.1	-
10	Redlands Boulevard/SR-60 Westbound Ramps	D	Caltrans	Signal	9.6	A	7.5	A	11.6	B	7.6	A	-	-	-
11	Redlands Boulevard/SR-60 Eastbound Ramps	D	Caltrans	Signal	14.7	B	20.7	C	16.3	B	16.9	B	-	-	NO
12	Redlands Boulevard/Eucalyptus Avenue	D	Moreno Valley	Roundabout	8.6	A	16.1	C	9.7	B	20.3	C	1.1	4.2	NO
13	Redlands Boulevard/Driveway 6	D	Moreno Valley	TWSC	*Future Intersection*				11.6	B	13.3	B	11.6	13.3	NO
14	Redlands Boulevard/Driveway 7	D	Moreno Valley	TWSC	*Future Intersection*				11.6	B	13.4	B	11.6	13.4	NO
15	Redlands Boulevard/Encilia Avenue	D	Moreno Valley	Signal	14.1	B	28.0	C	15.5	B	27.3	C	1.4	-0.7	NO
													-	-	-

Notes: LOS – Level of Service
Source: (Translutions, 2020a, Table H)

Table 4.12-18 General Plan Build-Out (2040) Roadway Segment Analysis – Warehouse Distribution/Logistics

Roadway Segment	Jurisdiction	LOS Standard	Classification	Roadway Capacity	Without Project			With Project			Change in V/C	Exceed City's Operational Requirement?
					Daily Volume	LOS	V/C	Daily Volume	LOS	V/C		
1. Redlands Blvd from SR-60 WB Ramps to SR-60 EB Ramps	Caltrans	D	4D	37,500	25,690	B	0.685	26,609	C	0.710	0.025	NO
2. Redlands Blvd from SR-60 EB Ramps to Eucalyptus Ave	City of Moreno Valley	D	4D	37,500	26,068	B	0.695	27,793	C	0.741	0.046	NO
3. Redlands Blvd from Eucalyptus Ave to Driveway 6	City of Moreno Valley	D	4D	37,500	25,275	B	0.674	26,255	B	0.700	0.026	NO
4. Redlands Blvd from Driveway 6 to Driveway 7	City of Moreno Valley	D	4D	37,500	25,275	B	0.674	26,241	B	0.700	0.026	NO
5. Redlands Blvd from Driveway 7 to Encilia Ave	City of Moreno Valley	D	4D	37,500	25,275	B	0.674	25,914	B	0.691	0.017	NO
6. Moreno Beach Dr from SR-60 WB Ramps to SR-60 EB Ramps	Caltrans	D	6D	56,300	24,982	A	0.444	25,659	A	0.456	0.012	NO
7. Moreno Beach Dr from SR-60 EB Ramps to Eucalyptus Ave	City of Moreno Valley	D	6D	56,300	44,511	C	0.791	45,820	D	0.814	0.023	NO
8. Eucalyptus Ave from Moreno Beach Dr to Auto Mall Dr	City of Moreno Valley	D	4U	25,000	12,586	A	0.503	14,010	A	0.560	0.057	NO
9. Eucalyptus Ave from Auto Mall Dr to Driveway 1	City of Moreno Valley	D	4U	25,000	8,251	A	0.330	9,733	A	0.389	0.059	NO
10. Eucalyptus Ave from Driveway 1 to Aldi Pl	City of Moreno Valley	D	4U	25,000	7,912	A	0.316	9,335	A	0.373	0.057	NO
11. Eucalyptus Ave Aldi Pl to Driveway 5	City of Moreno Valley	D	4U	25,000	9,978	A	0.399	11,401	A	0.456	0.057	NO
12. Eucalyptus Ave from Driveway 5 to Redlands Blvd	City of Moreno Valley	D	4U	25,000	9,978	A	0.399	11,512	A	0.460	0.061	NO
13. Encilia Ave from Essen Ln to Mozart Way	City of Moreno Valley	D	4U	25,000	3,996	A	0.160	4,140	A	0.166	0.006	NO
14. Encilia Ave from Mozart Way to Shubert St	City of Moreno Valley	D	4U	25,000	3,996	A	0.160	4,348	A	0.174	0.014	NO
15. Encilia Ave Shubert St to Redlands Blvd	City of Moreno Valley	D	4U	25,000	4,312	A	0.172	4,951	A	0.198	0.026	NO

Notes: LOS = Level of Service, 2MA = 2-Lane Mountain Arterial, 2U = 2-Lane Undivided, 4U = 4-Lane Undivided, 6D = 6-Lane Divided, 4D = 4-Lane Divided, 2UR = 2-Lane Undivided Residential
Source: (Translutions, 2020a, Table I)

Table 4.12-19 General Plan Build-Out (2040) Intersection Analysis – Fulfillment/E-Commerce

Intersection	LOS Standard	Jurisdiction	Control	Without Project				With Project				Change in Delay		Exceed City's Operational Requirement?
				AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		AM Peak Hour	PM Peak Hour	
				Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS			
1. Kitching St/Iris Ave	C	Moreno Valley	Signal	95.4	F *	>100	F *	99.0	F *	>100	F *	3.6	0.6	NO
2. Lasselle St/Alessandro Blvd	D	Moreno Valley	Signal	39.6	D	39.5	D	39.7	D	39.6	D	0.1	0.1	NO
3. Lasselle St/Iris Ave	D	Moreno Valley	Signal	49.4	D	63.5	E *	49.8	D	64.6	E *	0.4	1.1	NO
4. Nason St/Eucalyptus Ave	D	Moreno Valley	Signal	58.4	E *	57.5	E *	58.4	E *	58.8	E *	0.0	1.3	NO
5. Nason St/Alessandro Blvd	D	Moreno Valley	Signal	44.8	D	40.6	D	44.8	D	40.7	D	0.0	0.1	NO
6. Nason St/Iris Ave	C	Moreno Valley	Signal	35.4	D *	63.5	E *	35.6	D *	63.9	E *	0.2	0.4	NO
7. Fir Ave/Eucalyptus Ave	D	Moreno Valley	Signal	32.6	C	34.1	C	32.8	C	34.4	C	0.2	0.3	NO
8. Oliver St/Iris Ave	D	Moreno Valley	Signal	34.0	C	32.2	C	34.2	C	32.4	C	0.2	0.2	NO
9. Moreno Beach Dr/SR-60 WB Ramps	D	Caltrans	Signal	2.8	A	0.2	A	2.8	A	0.1	A	-	-	-
10. Moreno Beach Dr/SR-60 EB Ramps	D	Caltrans	Signal	15.1	B	27.6	C	16.3	B	36.4	D	-	-	-
11. Moreno Beach Dr/Eucalyptus Ave	D	Moreno Valley	Signal	32.4	C	49.0	D	34.8	C	60.8	E *	2.4	11.8	YES
12. Auto Mall Dr/Eucalyptus Ave	D	Moreno Valley	TWSC	12.7	B	19.3	C	14.7	B	28.9	D	2.0	9.6	NO
13. Moreno Beach Dr/Alessandro Blvd	D	Moreno Valley	Signal	36.8	D	37.9	D	36.8	D	38.4	D	0.0	0.5	NO
14. Moreno Beach Blvd/Cactus Ave	C	Moreno Valley	Signal	29.6	C	28.5	C	29.7	C	28.7	C	0.1	0.2	NO
15. Moreno Beach Dr/John F Kennedy Dr	D	Moreno Valley	Signal	35.7	D	30.0	C	35.8	D	30.4	C	0.1	0.4	NO
16. Alessandro Rd/San Timoteo Canyon Rd	C	Redlands	AWSC	>100	F *	>100	F *	>100	F *	>100	F *	-	-	-
17. Live Oak Canyon Rd/San Timoteo Canyon Rd	C	Riverside County	AWSC	>100	F *	>100	F *	>100	F *	>100	F *	-	-	-
18. Redlands Blvd/San Timoteo Canyon Rd	C	Riverside County	AWSC	>100	F *	>100	F *	>100	F *	>100	F *	-	-	-
19. Dwy 1/Eucalyptus Ave	D	Moreno Valley	TWSC	11.5	B		A	13.4	B	22.2	C	1.9	22.2	NO
20. Dwy 2-Essen Ln/Encilia Ave	D	Moreno Valley	TWSC	8.7	A	9.2	A	9.5	A	11.6	B	0.8	2.4	NO
21. Dwy 3/Encilia Ave	D	Moreno Valley	TWSC	8.7	A	9.2	A	9.5	A	12.0	B	0.8	2.8	NO
22. Dwy 4-Shubert St/Encilia Ave	D	Moreno Valley	TWSC	8.6	A	9.2	A	9.6	A	13.1	B	1.0	3.9	NO
23. Dwy 5/Eucalyptus Ave	D	Moreno Valley	TWSC	*Future Intersection*				9.2	A	10.4	B	9.2	10.4	NO
24. Redlands Blvd/Ironwood Ave	D	Moreno Valley	Signal	25.9	C	32.2	C	26.1	C	24.7	C	0.2	-7.5	NO
25. Redlands Blvd/SR-60 WB Ramps	D	Caltrans	Signal	9.6	A	7.5	A	11.6	B	8.0	A	-	-	-
26. Redlands Blvd/SR-60 EB Ramps	D	Caltrans	Signal	14.7	B	20.7	C	15.6	B	14.7	B	-	-	-
27. Redlands Blvd/Eucalyptus Ave	D	Moreno Valley	Roundabout	8.6	A	16.1	C	10.2	B	42.8	E *	1.6	26.7	YES
28. Redlands Blvd/Dwy 6	D	Moreno Valley	TWSC	*Future Intersection*				12.1	B	16.0	C	12.1	16.0	NO
29. Redlands Blvd/Dwy 7	D	Moreno Valley	TWSC	*Future Intersection*				11.9	B	15.9	C	11.9	15.9	NO
30. Redlands Blvd/Encilia Ave	D	Moreno Valley	Signal	14.1	B	28.0	C	17.8	B	40.3	D	3.7	12.3	NO
31. Redlands Blvd/Cottonwood Ave	C	Moreno Valley	Signal	4.3	A	8.4	A	4.3	A	8.5	A	0.0	0.1	NO
32. Redlands Blvd/Alessandro Blvd	C	Moreno Valley	Signal	28.9	C	28.0	C	29.0	C	28.9	C	0.1	0.9	NO
33. Redlands Blvd-John F Kennedy Dr/Cactus Ave	C	Moreno Valley	Signal	28.7	C	24.9	C	28.7	C	24.9	C	0.0	0.0	NO
34. WLC Parkway/Eucalyptus Ave	D	Moreno Valley	Signal	26.0	C	49.2	D	26.6	C	51.4	D	0.6	2.2	NO

Notes: * Exceeds LOS Standard
TWSC = Two-Way Stop Control; For TWSC intersections, reported delay is for worst-case approach/movement.
LOS = Level of Service
Source: (Translutions, 2020b, Table H)

Table 4.12-20 General Plan Build-Out (2040) Roadway Segment Analysis – Fulfillment/E-Commerce

	Roadway Segment	Jurisdiction	LOS Standard	Classification	Roadway Capacity	Without Project			With Project			Change in V/C	Exceed City's Operational Requirement?
						Daily Volume	LOS	V/C	Daily Volume	LOS	V/C		
1	San Timoteo Canyon Rd from Alessandro Rd to Live Oak Canyon Rd	City of Redlands/Riverside County	C	2MA	16,100	21,100	F *	1.311	21,502	F *	-	-	-
2	San Timoteo Canyon Rd from Live Oak Canyon Rd to Redlands Blvd	Riverside County	C	2MA	16,100	24,137	F *	1.499	24,597	F *	-	-	-
3	Redlands Blvd south of San Timoteo Canyon Rd	Riverside County	C	2MA	16,100	25,853	F *	1.606	26,313	F *	-	-	-
4	Redlands Blvd north of Ironwood Ave	City of Moreno Valley	C	4D	37,500	23,883	B	0.637	24,343	B	0.649	0.012	NO
5	Redlands Blvd from Ironwood Ave to SR-60 WB Ramps	City of Moreno Valley	D	4D	37,500	22,667	B	0.604	23,127	B	0.617	0.012	NO
6	Redlands Blvd from SR-60 WB Ramps to SR-60 EB Ramps	Caltrans	D	4D	37,500	25,690	B	0.685	27,342	C	-	-	-
7	Redlands Blvd from SR-60 EB Ramps to Eucalyptus Ave	City of Moreno Valley	D	4D	37,500	26,068	B	0.695	28,914	C	0.771	0.076	NO
8	Redlands Blvd from Eucalyptus Ave to Driveway 6	City of Moreno Valley	D	4D	37,500	25,275	B	0.674	28,187	C	0.752	0.078	NO
9	Redlands Blvd from Driveway 6 to Driveway 7	City of Moreno Valley	D	4D	37,500	25,275	B	0.674	28,129	C	0.750	0.076	NO
10	Redlands Blvd from Driveway 7 to Encilia Ave	City of Moreno Valley	D	4D	37,500	25,275	B	0.674	27,834	C	0.742	0.068	NO
11	Redlands Blvd from Encilia Ave to Cottonwood Ave	City of Moreno Valley	C	4D	37,500	16,675	A	0.445	18,171	A	0.485	0.040	NO
12	Redlands Blvd from Cottonwood Ave to Alessandro Blvd	City of Moreno Valley	C	4D	37,500	15,667	A	0.418	17,047	A	0.455	0.037	NO
13	Redlands Blvd from Alessandro Blvd to Cactus Ave	City of Moreno Valley	C	4D	37,500	10,706	A	0.285	11,052	A	0.295	0.009	NO
14	JFK Dr from Cactus Ave to Moreno Beach Dr	City of Moreno Valley	C	4U	25,000	12,915	A	0.517	13,145	A	0.526	0.009	NO
15	Moreno Beach Dr from SR-60 WB Ramps to SR-60 EB Ramps	Caltrans	D	6D	56,300	24,982	A	0.444	26,333	A	-	-	-
16	Moreno Beach Dr from SR-60 EB Ramps to Eucalyptus Ave	City of Moreno Valley	D	6D	56,300	44,511	C	0.791	47,041	D	0.836	0.045	NO
17	Moreno Beach Dr from Alessandro Blvd to Cactus Ave	City of Moreno Valley	D	6D	56,300	32,569	A	0.578	32,971	A	0.586	0.007	NO
18	Moreno Beach Dr from Cactus Ave to JFK Dr	City of Moreno Valley	C	6D	56,300	25,486	A	0.453	25,888	A	0.460	0.007	NO
19	Moreno Beach Dr from JFK Dr to Oliver St	City of Moreno Valley	D	6D	56,300	33,716	A	0.599	34,348	B	0.610	0.011	NO
20	Iris Ave From Nason St to Oliver St	City of Moreno Valley	D	6D	56,300	45,638	D	0.811	46,156	D	0.820	0.009	NO
21	Iris Ave From Lasselle St to Nason St	City of Moreno Valley	D	6D	56,300	61,514	F *	1.093	62,032	F *	1.102	0.009	NO
22	Iris Ave From Kitching St to Lasselle St	City of Moreno Valley	D	6D	56,300	50,410	D	0.895	50,698	E *	0.900	0.005	NO
23	Eucalyptus Ave from Nason St to Fir Ave	City of Moreno Valley	D	4U	25,000	26,165	F *	1.047	26,453	F *	1.058	0.012	NO
24	Eucalyptus Ave from Fir Ave to Moreno Beach Dr	City of Moreno Valley	D	4D	37,500	28,783	C	0.768	29,071	C	0.775	0.008	NO
25	Eucalyptus Ave from Moreno Beach Dr to Auto Mall Dr	City of Moreno Valley	D	4U	25,000	12,586	A	0.503	15,576	B	0.623	0.120	NO
26	Eucalyptus Ave from Auto Mall Dr to Driveway 1	City of Moreno Valley	D	4U	25,000	8,251	A	0.330	11,471	A	0.459	0.129	NO
27	Eucalyptus Ave from Driveway 1 to Aldi Pl	City of Moreno Valley	D	4U	25,000	7,912	A	0.316	10,901	A	0.436	0.120	NO
28	Eucalyptus Ave Aldi Pl to Driveway 5	City of Moreno Valley	D	4U	25,000	9,978	A	0.399	12,967	A	0.519	0.120	NO
29	Eucalyptus Ave from Driveway 5 to Redlands Blvd	City of Moreno Valley	D	4U	25,000	9,978	A	0.399	13,077	A	0.523	0.124	NO
30	Eucalyptus Ave from Redlands Blvd to World Logistics Center Driveway	City of Moreno Valley	D	4U	25,000	19,426	C	0.777	19,714	C	0.789	0.012	NO
31	Encilia Ave from Essen Ln to Mozart Way	City of Moreno Valley	D	4U	25,000	3,996	A	0.160	4,572	A	0.183	0.023	NO
32	Encilia Ave from Mozart Way to Shubert St	City of Moreno Valley	D	4U	25,000	3,996	A	0.160	5,406	A	0.216	0.056	NO
33	Encilia Ave Shubert St to Redlands Blvd	City of Moreno Valley	D	4U	25,000	4,312	A	0.172	6,871	A	0.275	0.102	NO
34	Alessandro Blvd from Lasselle St to Nason St	City of Moreno Valley	D	6D	56,300	36,212	B	0.643	36,500	B	0.648	0.005	NO
35	Alessandro Blvd from Nason St to Moreno Beach Dr	City of Moreno Valley	D	4D	37,500	26,984	C	0.720	27,502	C	0.733	0.014	NO
36	Alessandro Blvd from Moreno Beach Dr to Redlands Blvd	City of Moreno Valley	D	4D	37,500	27,143	C	0.724	28,063	C	0.748	0.025	NO

Notes: LOS = Level of Service, 2MA = 2-Lane Mountain Arterial, 2U = 2-Lane Undivided, 4U = 4-Lane Undivided, 6D = 6-Lane Divided, 4D = 4-Lane Divided, 2UR = 2-Lane Undivided Residential
Source: (Translutions, 2020b, Table I)

Table 4.12-21 Project VMT Analysis – Warehouse Distribution/Logistics

	Total Homebased Work VMT	Total Employment	VMT/Employee
Year 2012			
Project	11,304	1,000	11.30
City of Moreno Valley			11.00
Year 2040			
Project	12,349	1,000	12.35
City of Moreno Valley			12.43
Year 2020			
Project	11,603	1,000	11.60
City of Moreno Valley			11.41
Project as a Percentage of City			**101.69%**

Source: (Translutions, 2020a, Table S)

Table 4.12-22 Project VMT Analysis– Fulfillment/E-Commerce

	Total Homebased Work VMT	Total Employment	VMT/Employee
Year 2012			
Project	23,359	2,000	11.68
City of Moreno Valley			11.00
Year 2040			
Project	24,770	2,000	12.38
City of Moreno Valley			12.43
Year 2020			
Project	23,762	2,000	11.88
City of Moreno Valley			11.41
Project as a Percentage of City			**104.13%**

Source: (Translutions, 2020b, Table X)

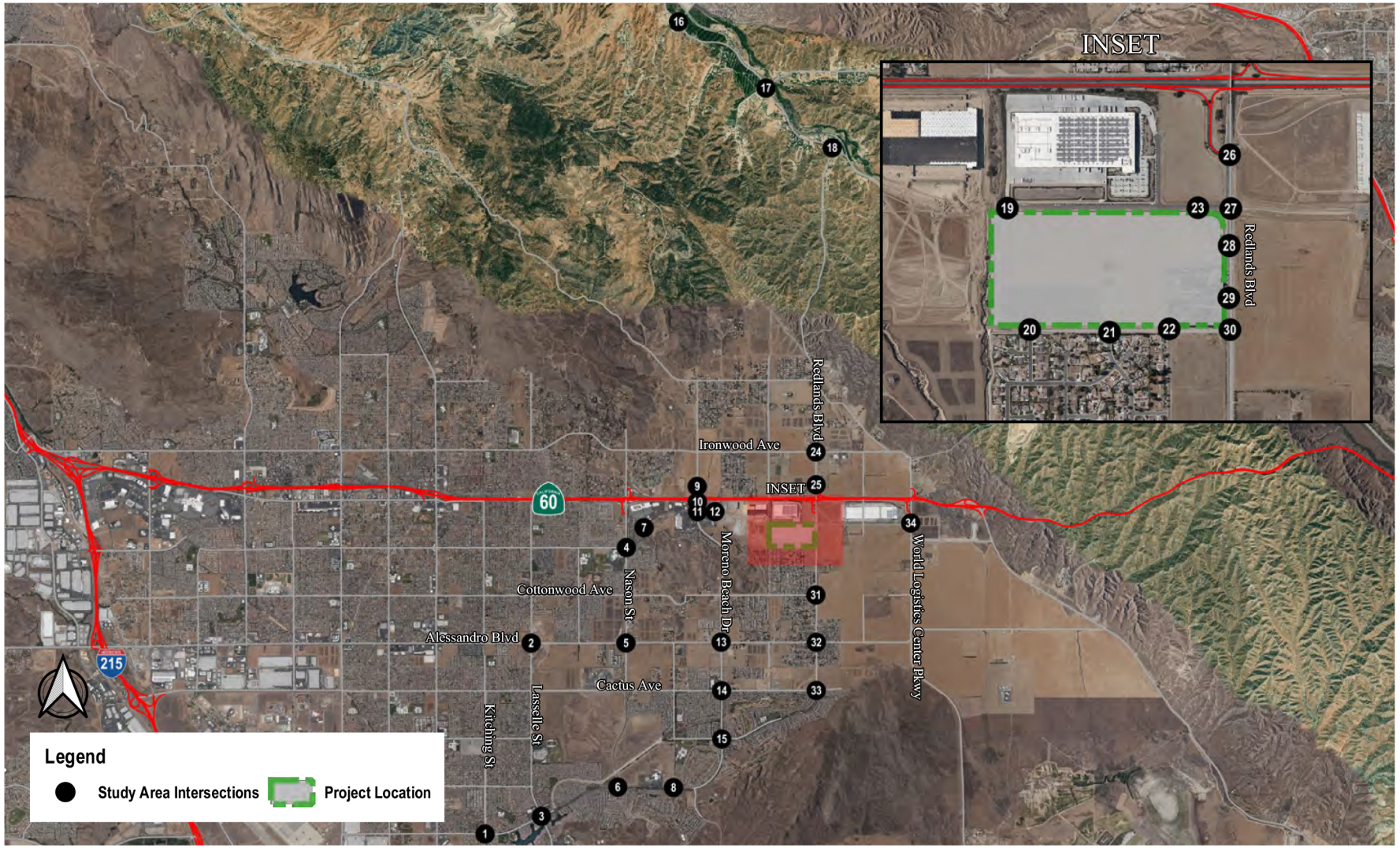


Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-1

Study Area Intersection Locations – Warehouse Distribution/Logistics



Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-2

Study Area Intersection Locations – Fulfillment/E-Commerce

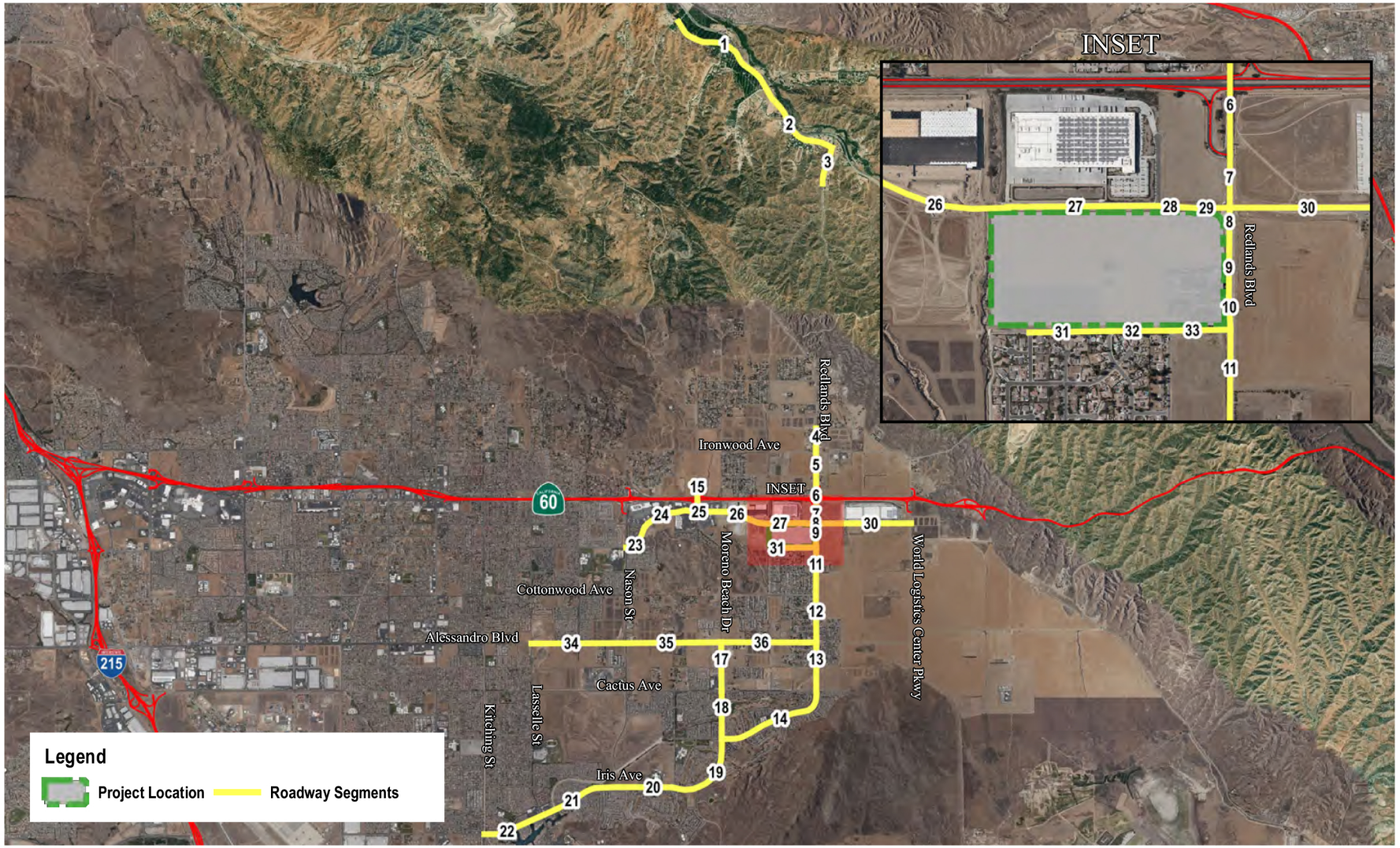


Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-3

Study Area Roadway Segment Location – Warehouse Distribution/Logistics

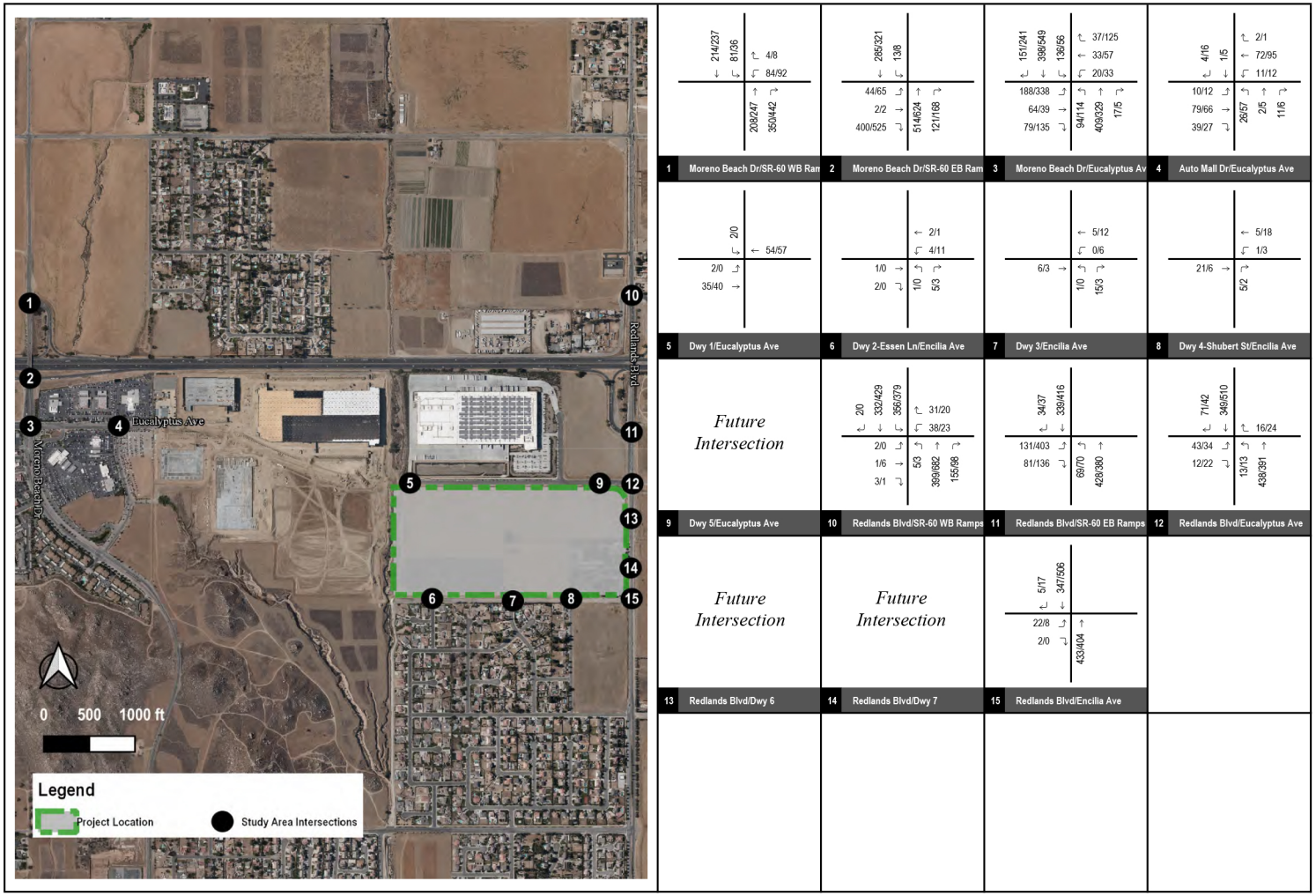


Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-4

Study Area Roadway Segment Location – Fulfillment/E-Commerce



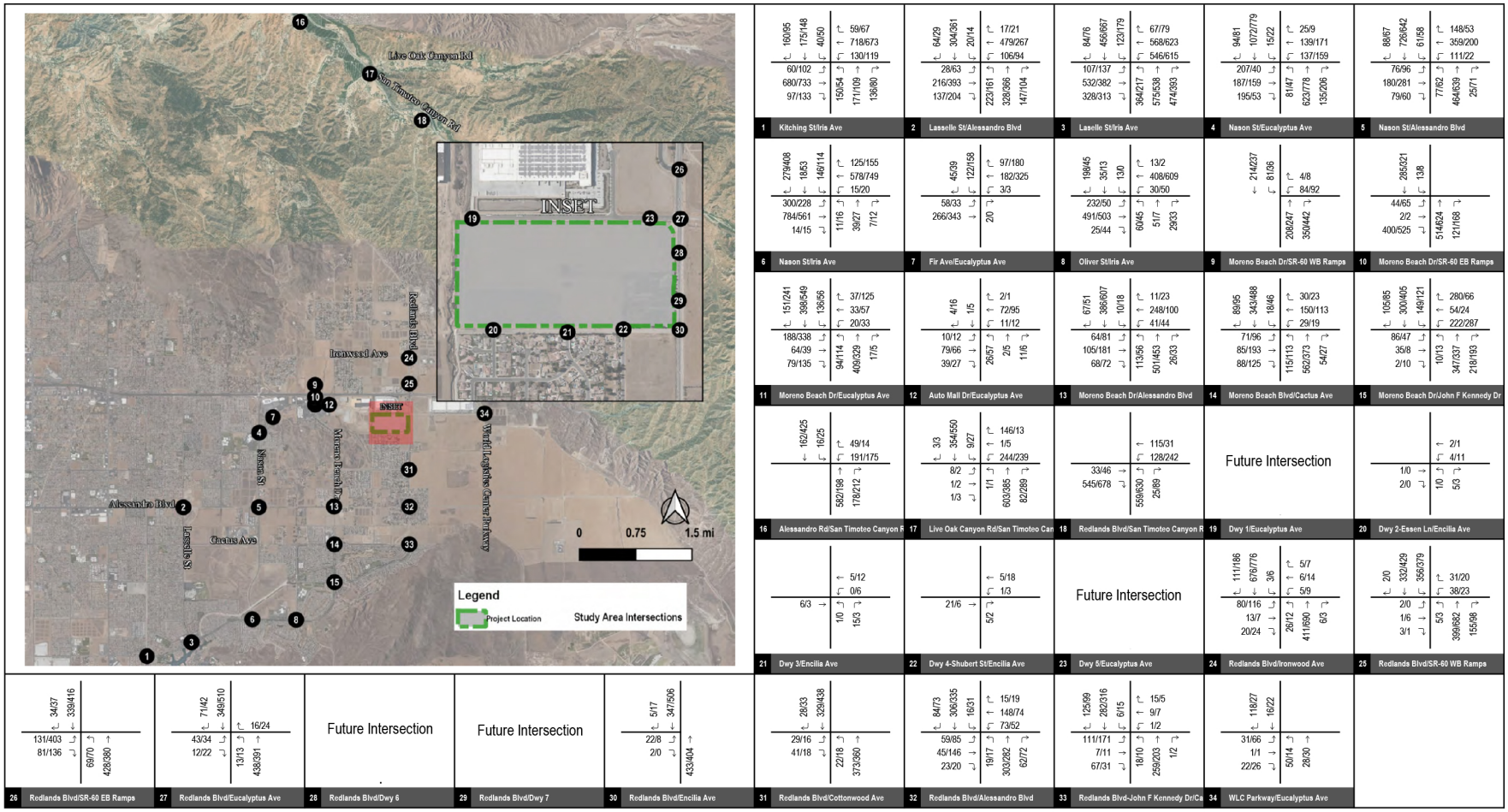
XXXX/YYYY AM/PM Peak Hour Traffic Volumes

Source(s): translutions, inc. (11-05-2020)

Figure 4.12-5

Not to Scale

Existing Peak Hour Traffic Volumes (PCE) – Warehouse Distribution/Logistics

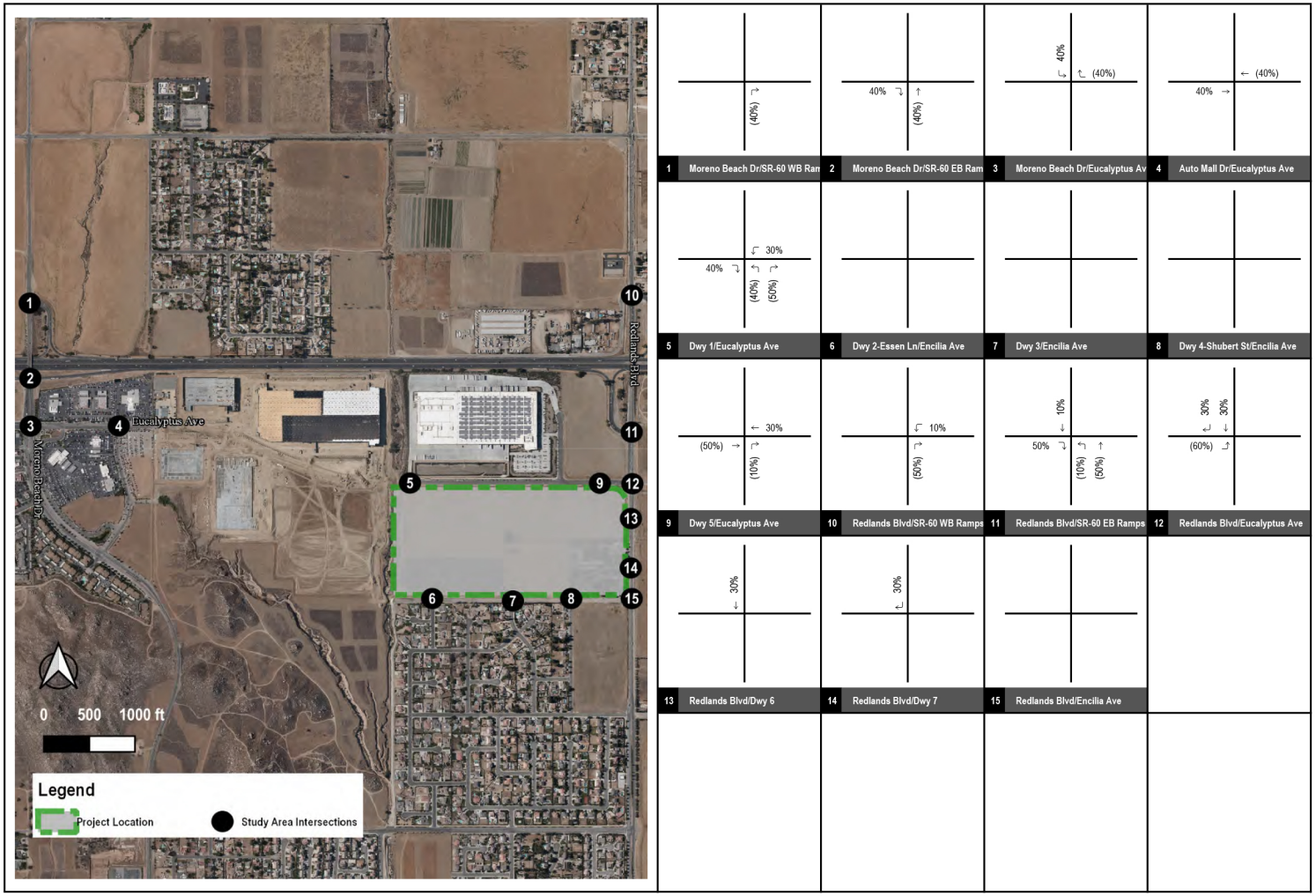


Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-6

Existing Peak Hour Traffic Volumes (PCE) – Fulfillment/E-Commerce



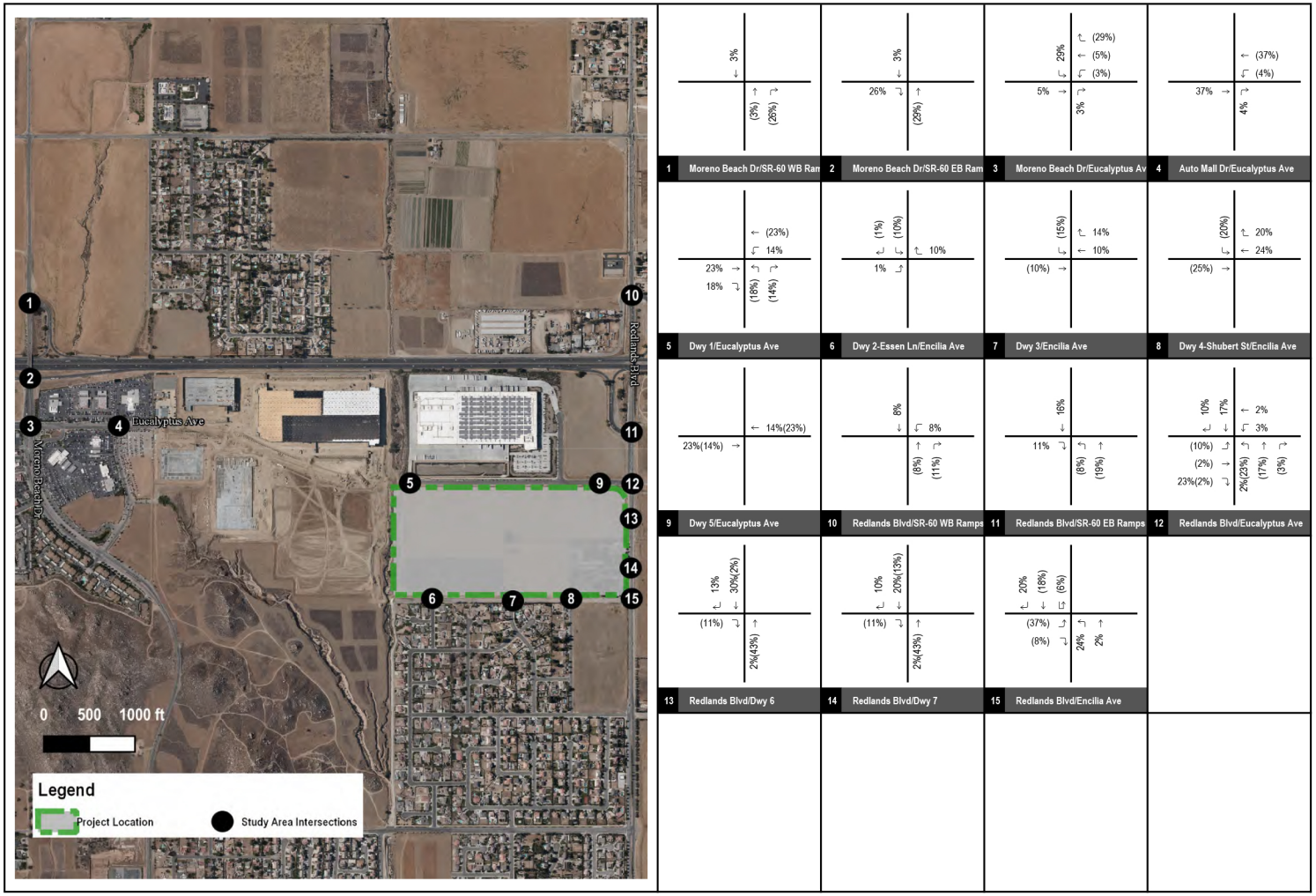
XX%(YY%) Inbound%(Outbound%) Distribution

Source(s): translutions, inc. (11-05-2020)

Figure 4.12-7

Not to Scale

Project Truck Distribution – Warehouse Distribution/Logistics



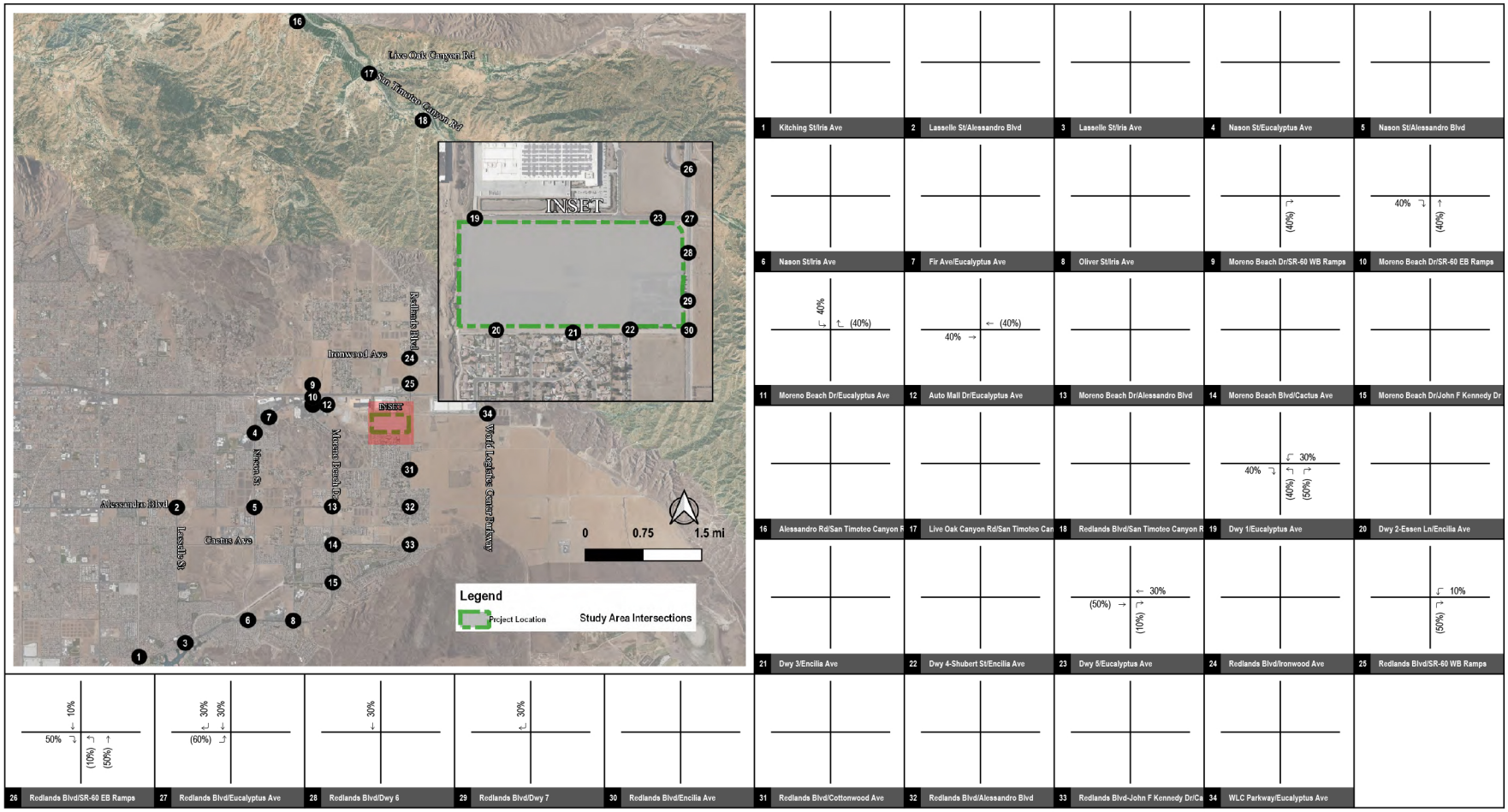
XX%(YY%) Inbound%(Outbound%) Distribution

Source(s): translutions, inc. (11-05-2020)

Figure 4.12-8

Not to Scale

Project Passenger Car Trip Distribution – Warehouse Distribution/Logistics

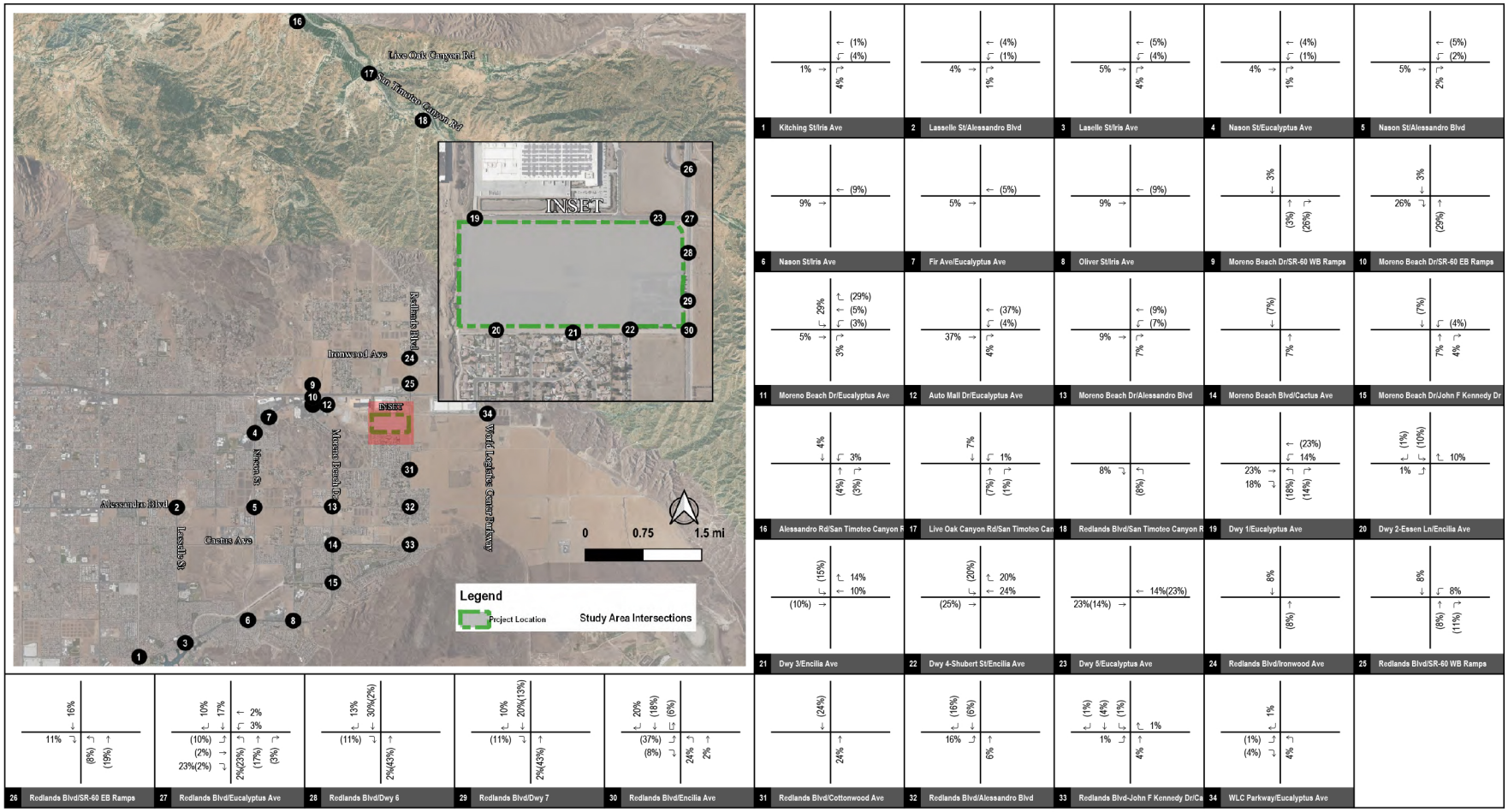


Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-9

Project Truck Trip Distribution – Fulfillment/E-Commerce

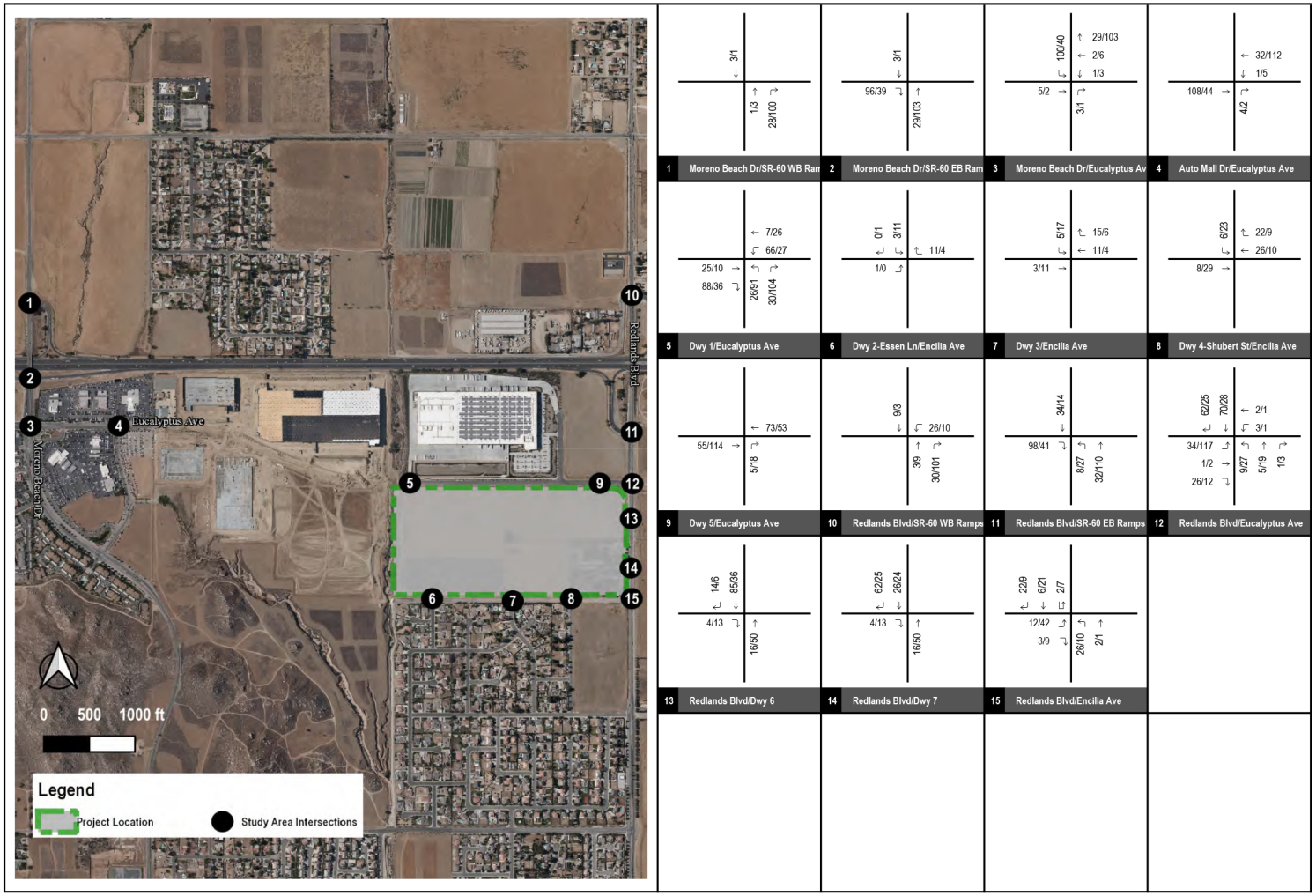


Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-10

Project Passenger Car Trip Distribution – Fulfillment/E-Commerce



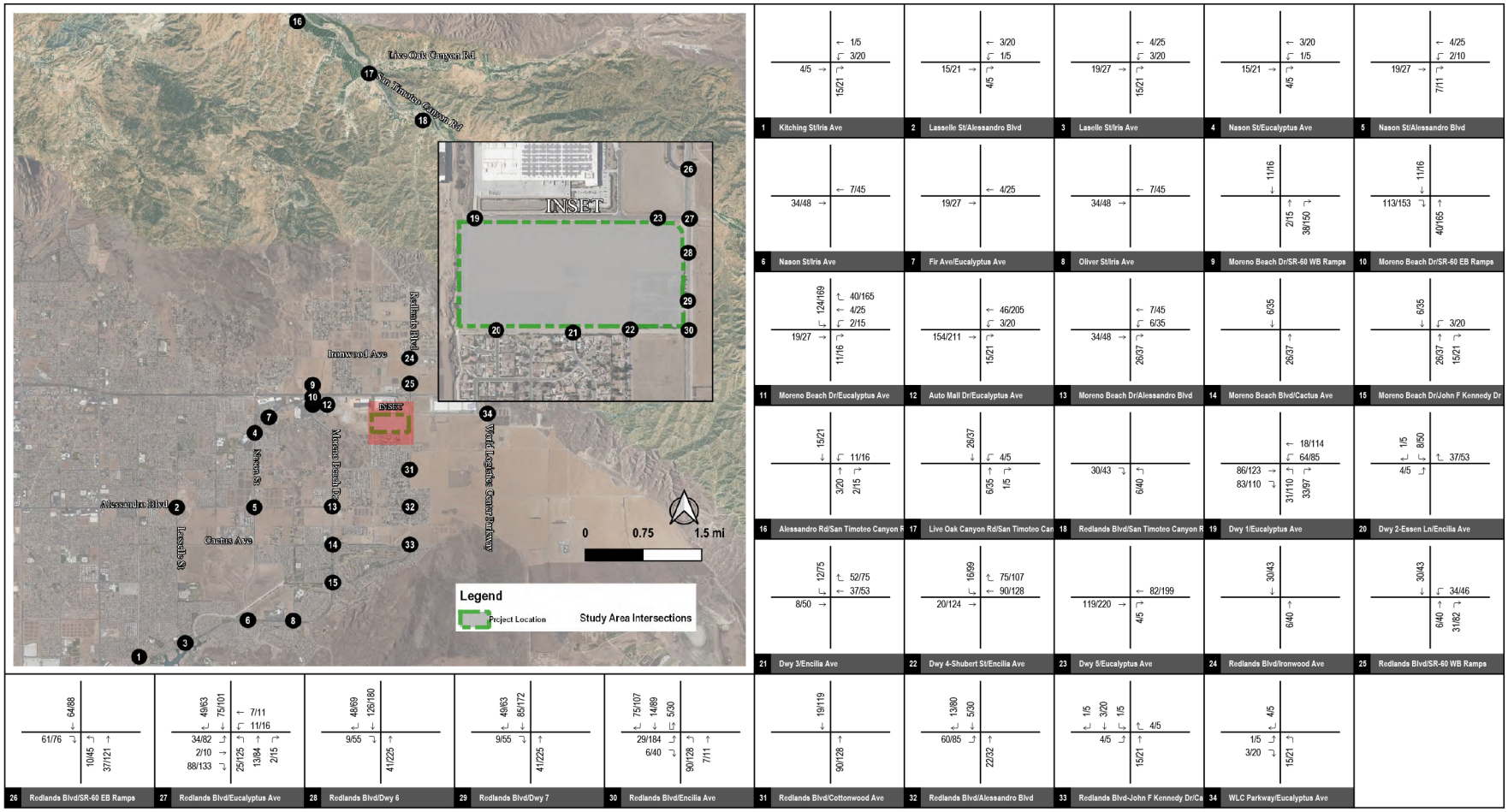
XXX/YYY AM/PM Peak Hour Trips

Source(s): translutions, inc. (11-05-2020)

Figure 4.12-11

Not to Scale

Project Trip Assignment (PCE) – Warehouse Distribution/Logistics

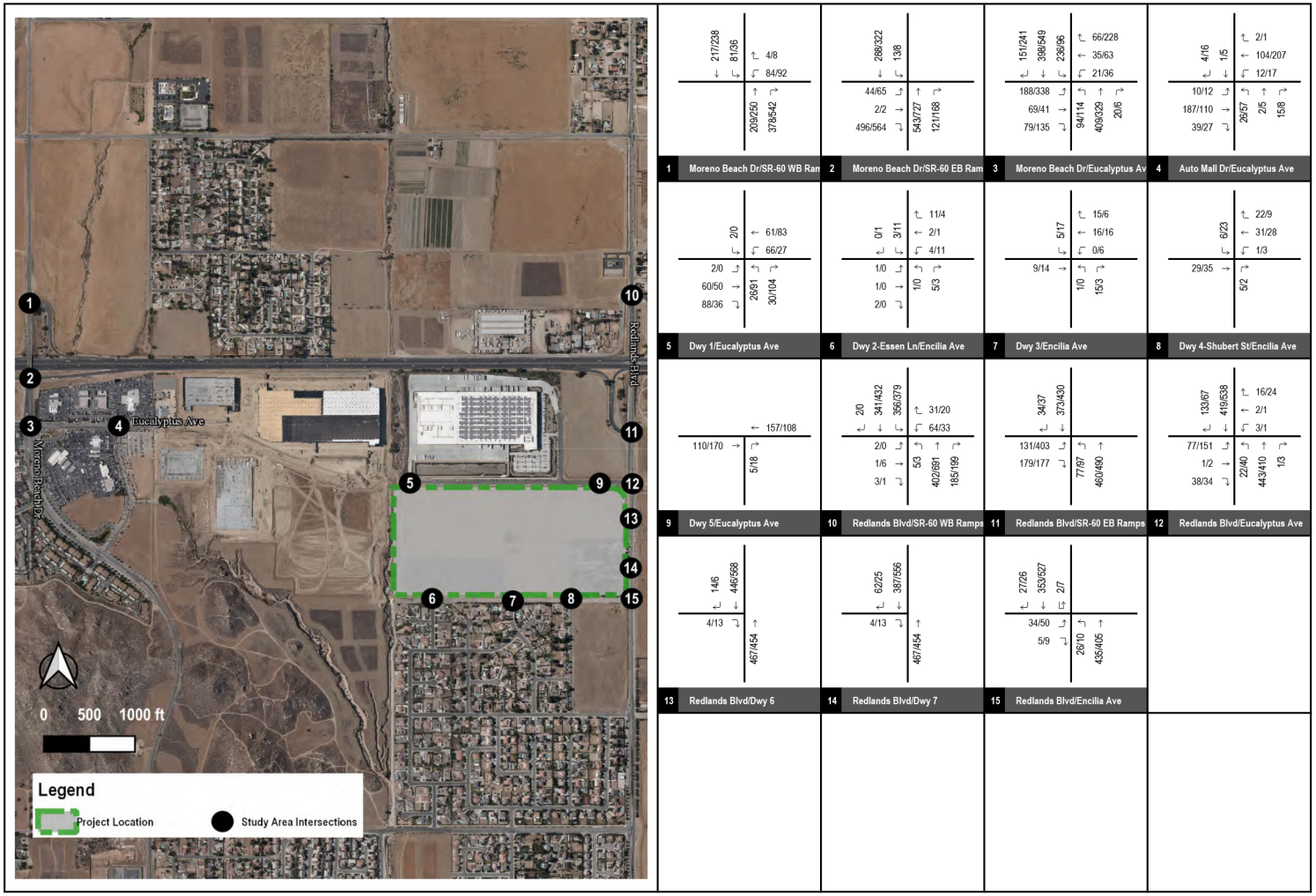


Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-12

Project Trip Assignment (PCE) – Fulfillment/E-Commerce



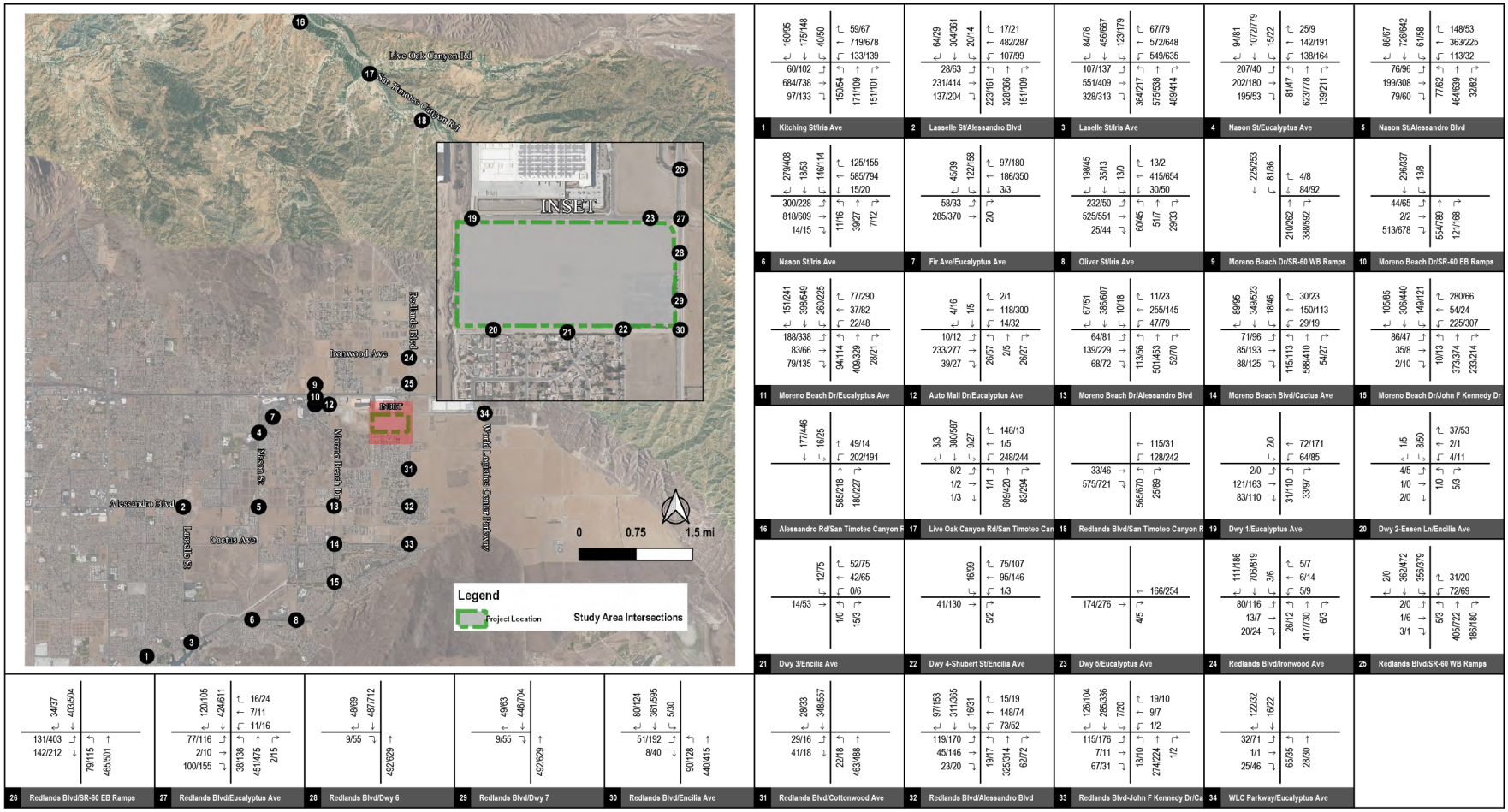
XXXX/YYYY AM/PM Peak Hour Traffic Volumes

Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-13

Existing plus Project Peak Hour Intersection Traffic Volumes – Warehouse Distribution/Logistics

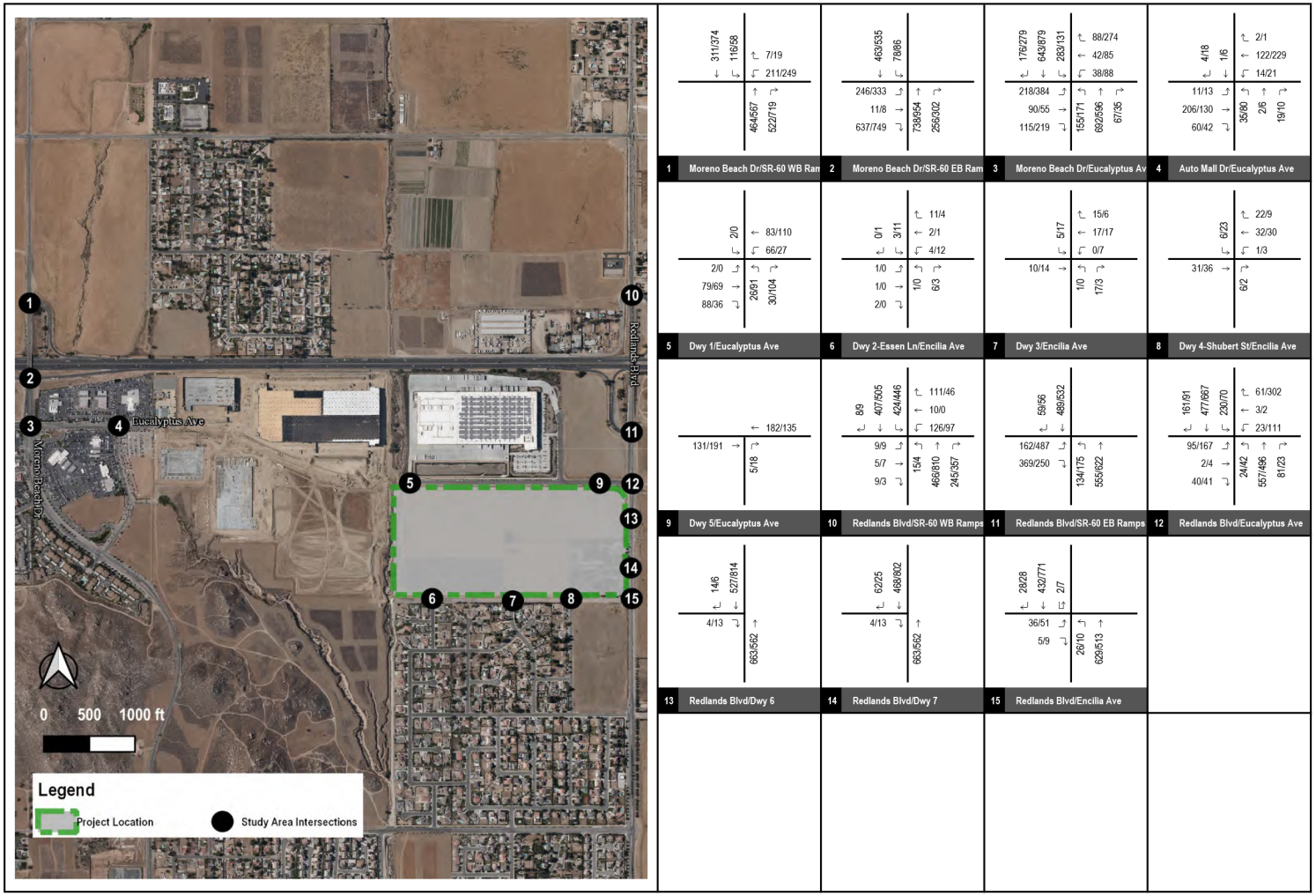


Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-14

Existing plus Project Peak Hour Intersection Traffic Volumes – Fulfillment/E-Commerce



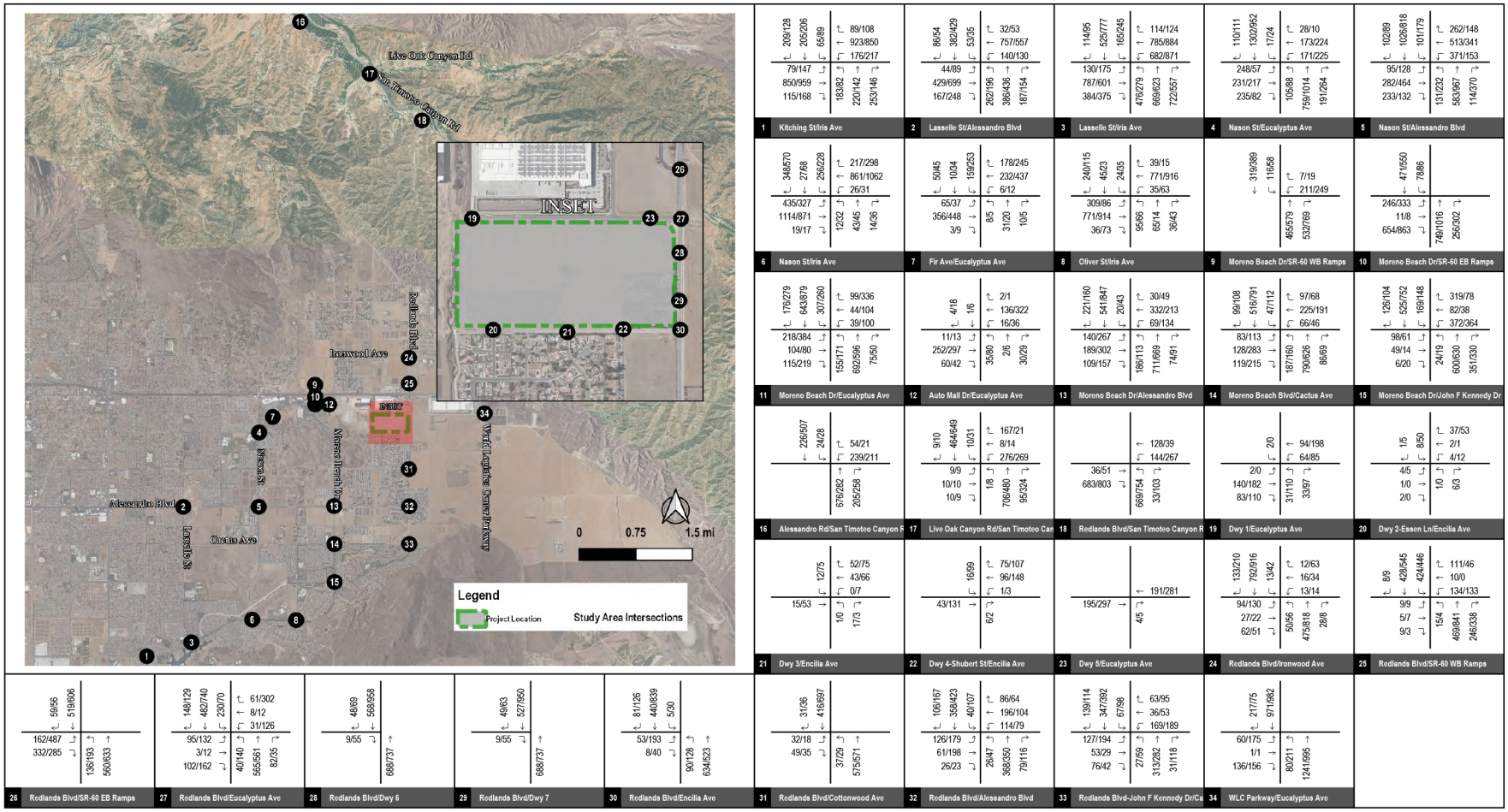
XXXX/YYYY AM/PM Peak Hour Traffic Volumes

Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-15

Opening Year (2024) Peak Hour Intersection Traffic Volumes – Warehouse Distribution/Logistics

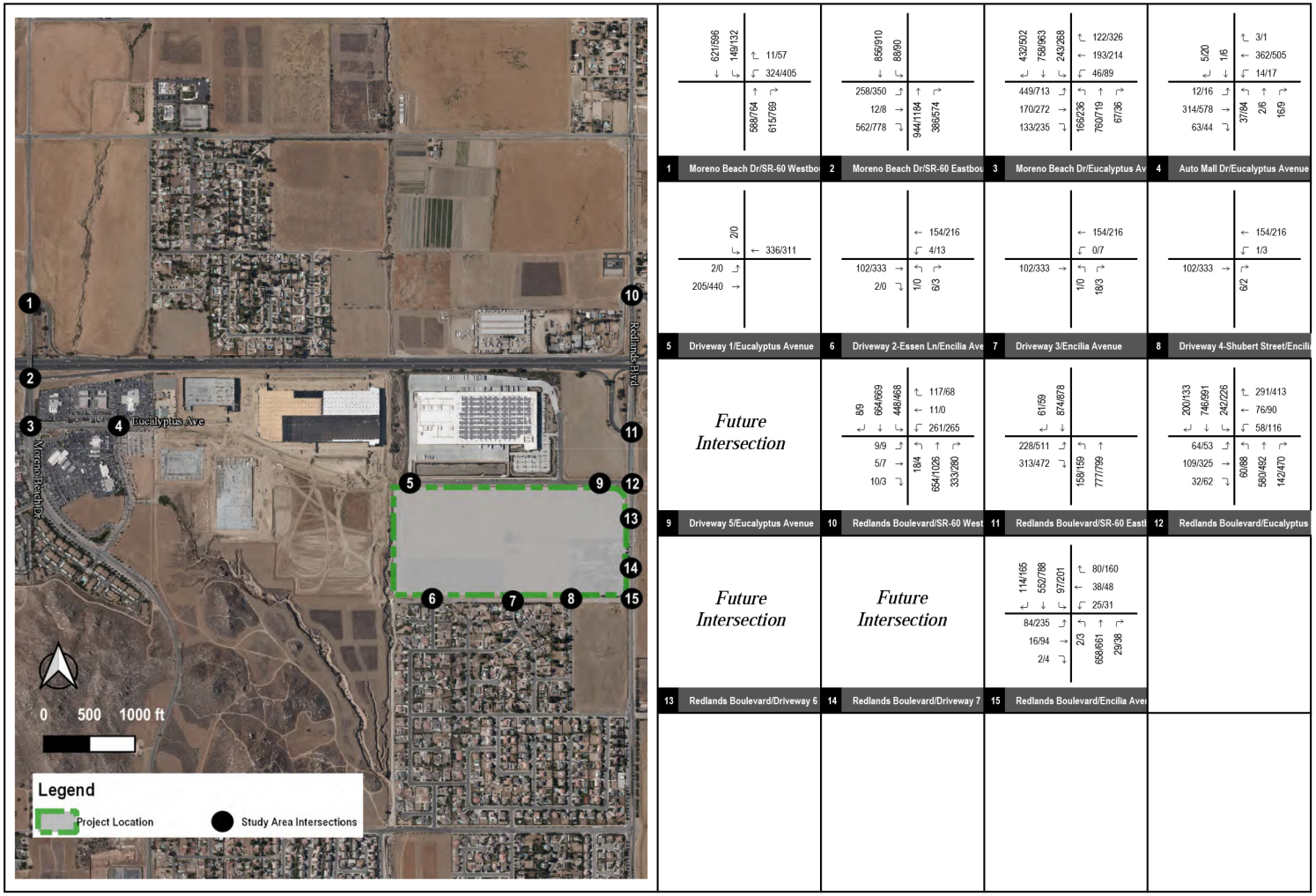


Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-16

Opening Year (2024) Peak Hour Intersection Traffic Volumes – Fulfillment/E-Commerce



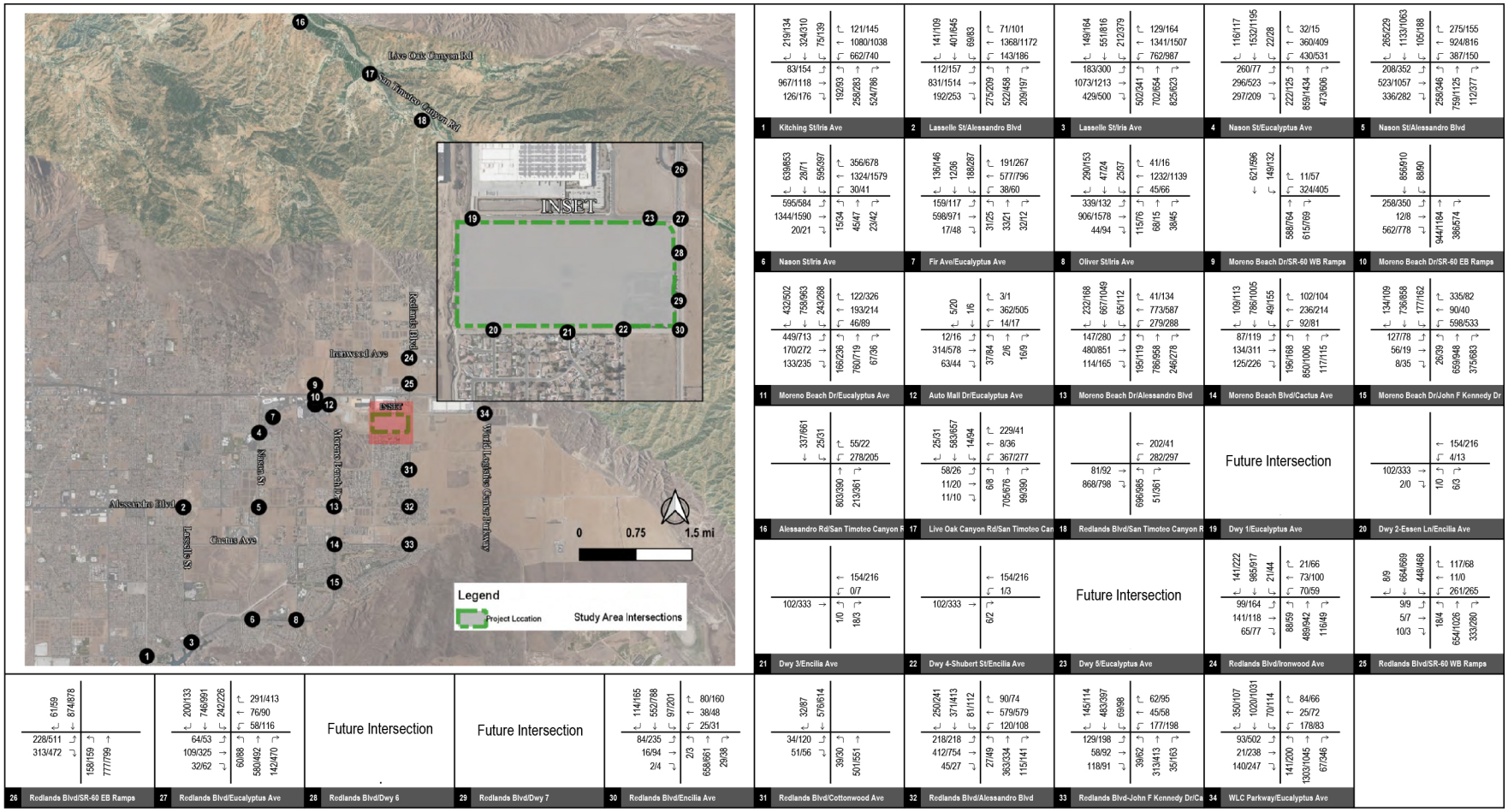
XXXX/YYYY AM/PM Peak Hour Traffic Volumes

Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-17

General Plan Build-Out (2040) Peak Hour Intersection Traffic Volumes – Warehouse Distribution/Logistics



Source(s): translutions, inc. (11-05-2020)

Not to Scale

Figure 4.12-18

General Plan Build-Out (2040) Peak Hour Intersection Traffic Volumes – Fulfillment/E-Commerce

4.13 Tribal Cultural Resources

This analysis is based on a site-specific cultural resource assessment report titled "Moreno Valley Trade Center Project Cultural Resources Assessment Report" (dated November 2019). The report was prepared by Rincon Consultants, Inc., (hereinafter "Rincon") and is included as *Technical Appendix D* to this EIR.

All references used in this Subsection are included in EIR Section 7.0, *References*. Confidential information has been redacted from *Technical Appendix D* for purposes of public review. In addition, much of the written and oral communication between Native American tribes, the City of Moreno Valley, and Rincon is considered confidential in respect to places that have traditional tribal cultural significance (California Government Code Section 65352.4), and although relied upon in part to inform the preparation of this EIR Subsection, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (California Code Regulations Section 15120(d)).

4.13.1 Existing Conditions

Refer to Subsection 4.4, *Cultural Resources*, for a description of the prehistoric period cultural setting for the Inland Empire region and the Moreno Valley area.

A. Prehistoric Resources

1. Project Site Conditions

Rincon conducted an intensive pedestrian survey of the Project site on October 2 and 4, 2019. The pedestrian survey consisted of a series of transects spaced at approximately 15-meter intervals to examine all exposed ground surfaces. Ground disturbances such as burrows and drainages also were visually inspected for evidence of buried cultural materials. No prehistoric resource sites or isolates were identified on the Project site during the pedestrian survey (Rincon, 2019a, pp. 27, 36).

Rincon also conducted an archaeological records search through the Eastern Information Center (EIC) at University of California, Riverside (UCR). The records search provided information regarding previous archaeological studies in the Project area and any previously recorded prehistoric sites within a one-mile radius of the Project site. The results of this records search indicate 15 prehistoric sites – predominantly bedrock milling features – and two (2) isolates were recorded within a one-mile radius of the site, and no prehistoric artifacts have been previously recorded on the Project site (Rincon, 2019a, pp. 20-21).

4.13.2 Applicable Regulatory Requirements

The following is a brief description of the State environmental laws and related regulations governing the protection of tribal cultural resources.

A. State Regulations

1. Traditional Tribal Cultural Places Act (Senate Bill 18, "SB 18")

Senate Bill 18 (SB 18) requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places ("cultural places") through local land use

planning. SB 18 also requires the Governor's Office of Planning and Research (OPR) to include in the General Plan Guidelines advice to local governments for how to conduct these consultations (OPR, 2005).

The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level land use decisions are made by a local government.

SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code § 65300 et seq.) and specific plans (defined in Government Code § 65450 *et seq.*). Although SB 18 does not specifically mention consultation or notice requirements for adoption or amendment of specific plans, existing state planning law requires local governments to use the same processes for adoption and amendment of specific plans as for general plans (see Government Code § 65453). Therefore, where SB 18 requires consultation and/or notice for a general plan adoption or amendment, the requirement extends also to a specific plan adoption or amendment.

2. Assembly Bill 52 (AB 52)

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. The legislature added new requirements regarding tribal cultural resources in Assembly Bill 52 (AB 52). By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources (OPR, 2017a). By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process.

The Public Resources Code now establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project (Pub. Resources Code, § 21080.3.1.).

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code § 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources.

Section 21074 of the Public Resources Code defines "tribal cultural resources." In brief, in order to be considered a "tribal cultural resource," a resource must be either:

(1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or

(2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource.

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe. (OPR, 2017a)

3. State Health and Safety Code

California Health and Safety Code (HSC) § 7050.5(b) requires that excavation and disturbance activities must cease "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery…" until the coroner can determine regarding the circumstances, manner, and cause of any death. The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. § 7051 specifies that the removal of human remains from "internment or a place of storage while awaiting internment" with the intent to sell them or to dissect them with "malice or wantonness" is a public offense punishable by imprisonment in a state prison. Lastly, HSC §§ 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that "all California Indian human remains and cultural items are to be treated with dignity and respect." It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims.

4.13.3 Basis for Determining Significance

The Project would result in a significant impact to tribal cultural resources if the Project or any Project-related component would:

a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code 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:

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).

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth is 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.

The above-listed thresholds are derived directly from Appendix G to the CEQA Guidelines and address the typical, adverse effects related to tribal cultural resources that could result from development projects.

4.13.4 Impact Analysis

The proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*, would result in identical ground-disturbing impacts. Thus, the analysis provided on the following pages addresses the potential impacts to tribal cultural resources that would result from implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses.

Threshold a:	***Would the Project 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:*** ***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*** ***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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.***

No prehistoric resource sites, features, places, or landscapes were identified on the Project site that are either listed or eligible for listing in the California Register of Historic Places. To be eligible for the Register, (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4852), a resource must include the following:

(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

(B) Is associated with the lives of persons important in our past;

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

(D) Has yielded, or may be likely to yield, information important in prehistory or history.

No resources were identified on the Project site that meet any of the four criteria listed above to be eligible for the California Register and no prehistoric resource sites or isolates were found on the Project site (Rincon, 2019a, pp. 20, 25-26, 31-32, 35). Furthermore, no substantial evidence was presented to or found by the City of Moreno Valley that led to the identification of any resources on the Project site that in the City's discretion had the potential to be considered a tribal cultural resource.

As part of the SB 18/AB 52 consultation process required by State law, the City of Moreno Valley sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project area. The City consulted with each tribe that requested consultation and consultation was closed on April 21, 2021. During the course of the tribal consultation process, no Native American tribe provided the City with substantial evidence indicating that tribal cultural resources, as defined in Public Resources Code section 21074, are present on the Project site or have been found previously on the Project site. Notwithstanding, due to the Project site's location in an area where multiple Native American tribes are known to have a cultural affiliation, there is the possibility that prehistoric archaeological resources, including tribal cultural resources, could be encountered during ground-disturbing construction activities – although this is considered unlikely due to the pervasive, historic and on-going disturbances that have occurred on the Project site. Were a tribal cultural resource, as defined in Public Resources Code Section 21074, to be found on the Project site during construction – and not protected – a significant impact would occur. Mitigation is required.

4.13.5 Cumulative Impact Analysis

The Project site is located within a Native American traditional use area that stretches across western Riverside County, as well as parts of San Bernardino County. Other development projects within this traditional use area would have a similar potential as the Project to adversely affect tribal cultural resources. Thus, implementation of the Project has the potential to result in a cumulatively considerable impact to tribal cultural resources for which mitigation is required.

4.13.6 Significance of Impacts Before Mitigation

Threshold a: Significant Direct and Cumulatively-Considerable Impact. The Project site does not contain any recorded, significant tribal cultural resource sites; therefore, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources. Nonetheless, Project construction activities have the potential to unearth and adversely impact tribal cultural resources that may be buried or masked at the Project site.

4.13.7 Mitigation

Mitigation Measures (MMs) 4.4-1 through 4.4-6 shall apply.

4.13.8 Significance of Impacts After Mitigation

Threshold a: Less-than-Significant with Mitigation Incorporated. Implementation of MMs 4.4-1 through 4.4-6 would ensure the proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development. With implementation of the required mitigation, the Project's potential impact to significant tribal cultural resources would be reduced to less-than-significant.

4.14 Utilities & Service Systems

This Subsection addresses the topics of water service and supply, wastewater collection and treatment, stormwater drainage facilities, dry utilities, and solid waste collection and disposal. The information contained herein is based on information contained in the Project's Water Supply Assessment prepared by Eastern Municipal Water District (EMWD) and publicly available information provided by local service providers and State oversight agencies. The Water Supply Assessment is provided as *Technical Appendix M* to this EIR. A complete list of references can be found in EIR Section 7.0, *References*.

4.14.1 Existing Conditions

A. Water Service

Domestic water service is provided to the Project area by the Eastern Municipal Water District (EWMD). EMWD's water service area is approximately 555 square miles, which encompasses a majority of the eastern portion of the Santa Ana River Basin. (EMWD, 2016a, p. xii) Under existing conditions, domestic water mains are installed beneath Eucalyptus Avenue and Redlands Boulevard and a reclaimed water line is installed beneath Eucalyptus Avenue; however, the existing land used on the Project site receive water from on-site water wells and are not connected to the municipal water system.

B. Wastewater Service

Wastewater in the Project area is conveyed via sewer lines to the Moreno Valley Regional Water Reclamation Facility. The Moreno Valley Regional Water Reclamation Facility has a treatment capacity of 16 million gallons of wastewater per day; but, under existing conditions, only treats, on average, 10.6 million gallons per day. The excess treatment capacity for the Moreno Valley Regional Water Reclamation Facility is 5.4 million gallons per day. (EMWD, 2016b) Under existing conditions, sewer lines are installed within Redlands Boulevard, Encelia Avenue, and adjacent to the western Project site boundary, but the Project site is not connected to the municipal sewer conveyance network. Wastewater generated on the Project site is treated and disposed via on-site septic systems.

C. Stormwater Conveyance Facilities

Existing storm drains are installed within portions of the Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue street segments abutting the Project site. The Quincy Channel, an earthen drainage channel abuts the western Project site boundary; the Quincy Channel receives runoff via a culvert beneath Eucalyptus Avenue. Two man-made, earthen ditches are located on-site – one on the south side of Eucalyptus Avenue and one on the west side of Redlands Boulevard – that collect runoff from the abutting street. Under existing conditions, runoff flows across the site as surface sheet flow. The Project site drains to the south toward Encelia Avenue, and then travels from west to east to Redlands Boulevard and ultimately discharges to an existing channel adjacent to Redlands Boulevard.

D. Dry Utilities

Under existing conditions, the Project site contains above ground power lines along the east side of Redlands Boulevard. Existing fiber and copper facilities are located beneath Redlands Boulevard, Eucalyptus Avenue, and Encelia Avenue, which would provide telecommunications services to the Project.

E. Solid Waste Collection and Disposal

Solid waste collection and disposal services are provided to the Project area by the City of Moreno Valley through private contact with Waste Management, Inc. Solid waste collected in the City of Moreno Valley is disposed at the El Sobrante Landfill, the Badlands Sanitary Landfill, and/or the Lamb Canyon Sanitary Landfill. Under existing conditions, the Project site generates minimal solid waste (associated with the existing on-site residences and commercial nursery operations).

The El Sobrante Landfill is located east of I-15 and Temescal Canyon Road and to the south of the City of Corona at 10919 Dawson Canyon Road. In March 2020, the El Sobrante Landfill received approximately 272,429 tons of solid waste (which correlates to approximately 10,478 tons per day). The El Sobrante Landfill is permitted to receive 16,054 tons of solid waste per day and is estimated to reach capacity, at the earliest time, in the year 2051. Future landfill expansion opportunities exist at this site. (CalRecycle, El Sobtrante Landfill, 2019a; RCDWR, 2020a)

The Badlands Sanitary Landfill is located north of SR-60 and south of San Timoteo Canyon Road at 31125 Ironwood Avenue. In March 2020, the Badlands Sanitary Landfill received approximately 66,300 tons of solid waste (which correlates to approximately 2,550 tons per day). The Badlands Sanitary Landfill is permitted to receive 4,800 tons of solid waste per day and is estimated to reach capacity no sooner than 2022. Future landfill expansion opportunities exist at this site. (CalRecycle, Badlands Landfill, 2019a; RCDWR, 2020c)

The Lamb Canyon Sanitary Landfill is located west of SR-79, northeast of Gilman Springs Road, and south of I-10 at 16411 Lamb Canyon Road. In March 2020, the Lamb Canyon Sanitary Landfill received approximately 46,420 tons of solid waste (which correlates to approximately 1,785 tons per day). The Lamb Canyon Sanitary Landfill is permitted to receive 5,500 tons of solid waste per day and is estimated to reach capacity, at the earliest time, in 2029. Future landfill expansion opportunities exist at this site. (CalRecycle, Lamb Canyon Landfill, 2019a; RCDWR, 2020d)

4.14.2 Regulatory Setting

The following is a brief description of the federal, State, and local environmental laws, regulations, and plans related to utilities and service systems.

A. State Plans, Policies, and Regulations

1. Water Conservation in Landscaping Act

The Water Conservation in Landscaping Act was established to ensure adequate water supplies are available for future uses. To promote the conservation and efficient use of water, the Act requires local agencies to adopt a water efficient landscape ordinance. When such an ordinance had not been adopted, a finding as to

why (based on the climatic, geologic, or topographical conditions) such an ordinance is not necessary, must be adopted. In the absence of such an ordinance or findings, the policies and requirements contained in the "model" ordinance drafted by the State of California shall apply within the affected jurisdiction.

2. Urban Water Management Planning Act

The Urban Water Management Planning Act (UWMP Act) was proposed and adopted to ensure that water planning is conducted at the local level, as the State of California recognized that two water agencies in the same region could have very different impacts from a drought. The UWMP Act requires water agencies to develop UWMPs over a 20-year planning horizon, and further required UWMPs to be updated every five years. UWMPs are exempt from compliance with CEQA (DWR, 2016, p. 1-2).

The UWMPs provide a framework for long term water planning and inform the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for existing and future demands. This part of the California Water Code (CWC) requires urban water suppliers to report, describe, and evaluate:

- Water deliveries and uses;
- Water supply sources;
- Efficient water uses;
- Demand management measures; and
- Water shortage contingency planning. (DWR, 2016, p. 1-3)

The UWMP Act has been modified over the years in response to the State's water shortages, droughts, and other factors. A significant amendment was made in 2009, after the drought of 2007-2009 and as a result of the governor's call for a statewide 20 percent reduction in urban water use by the year 2020. This was the Water Conservation Act of 2009, also known as SB X7-7. This Act required agencies to establish water use targets for 2015 and 2020 that would result in statewide savings of 20 percent by 2020. Beginning in 2016, retail water suppliers are required to comply with the water conservation requirements in SB X7-7 in order to be eligible for State water grants or loans. Retail water agencies are required to set targets and track progress toward decreasing daily per capita urban water use in their service area, which will assist the State in meeting its 20 percent reduction goal by 2020. (DWR, 2016, p. 1-2)

3. California Senate Bill 610

The California Water Code (Water Code) Sections 10910 through 10915 were amended by the enactment of SB 610 in 2002. SB 610 requires an assessment of whether available water supplies are sufficient to serve the demand generated by a proposed project, as well as the reasonably foreseeable cumulative demand in the region over the next 20 years under average normal year, single dry year, and multiple dry year conditions. Under SB 610, water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in Water Code 10912 [a]) subject to CEQA (DWR, 2003). For the purposes of SB 610, "project" means any of the following:

- A proposed residential development of more than 500 dwelling units.
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.
- A proposed hotel or motel, or both, having more than 500 rooms.
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.
- A mixed-use project that includes one or more of the projects specified in this subdivision.
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project. (DWR, 2003)

Because the Project proposes more than 650,000 square feet of floor area for an industrial land use, the Project meets the definition of a "project" pursuant to SB 610. A Water Supply Assessment is required for the Project and is included as *Technical Appendix M*.

In *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, the California Supreme Court articulated the following principles for analysis of future water suppliers for projects subject to CEQA:

- To meet CEQA's informational purposes, the EIR must present sufficient facts to decision makers to evaluate the pros and cons of supplying the necessary amount of water to the project.
- CEQA analysis for large, multiphase projects must assume that all phases of the project will eventually be built and the EIR must analyze, to the extent reasonably possible, the impacts of providing water to the entire project. Tiering cannot be used to defer water supply analysis until future phases of the project are built. CEQA analysis cannot rely on "paper water." The EIR must discuss why the identified water should reasonably be expected to be available. Future water supplies must be likely, rather than speculative. When there is some uncertainty regarding availability of future water supply, an EIR should acknowledge the degree of uncertainty, include a discussion of possible alternative sources, and identify the environmental impacts of such alternative sources. Where a full discussion still leaves some uncertainly about the long-term water supply's availability, mitigation measures for curtailing future development in the event that intended sources become unavailable may become a part of the EIR's approach.
- The EIR does not need to show that water supplies are definitely assured because such a degree of certainty would be "unworkable, as it would require water planning to far outpace land use planning." The requisite degree of certainty of a project's water supply varies with the stage of project approval. CEQA does not require large projects, at the early planning phase, to provide high degree of assurances of certainty regarding long-term future water supplies.

- The EIR analysis may rely on existing urban water management plans, as long as the project's new demand was included in the water management plan's future demand accounting.
- The ultimate question under CEQA is not whether an EIR establishes a likely source of water, but whether it adequately addresses the reasonably foreseeable impacts of supplying water to the project.

4. Executive Order B-37-16

Signed on May 9, 2016, EO B-37-16 established a new water use efficiency framework for California. The order bolstered the state's drought resilience and preparedness by establishing longer-term water conservation measures that include permanent monthly water use reporting, new urban water use targets, reducing system leaks and eliminating clearly wasteful practices, strengthening urban drought contingency plans, and improving agricultural water management and drought plans. (SWRCB, 2018)

5. Executive Order B-40-17

Signed on April 7, 2017, EO B-40-17 ended the drought state of emergency in all California counties except Fresno, Kings, Tulare, and Tuolumne, where emergency drinking water projects will continue to help address diminished groundwater supplies. It maintains water reporting requirements and prohibitions on wasteful practices. The order was built on actions taken in Executive Order B-37-16, which remains in effect. In a related action, state agencies, including the Department of Water Resources (DWR), released a plan to continue making water conservation a way of life. (SWRCB, 2018)

6. California Solid Waste Integrated Waste Management Act (AB 939, 1989)

The Integrated Waste Management Act (IWMA) established an integrated waste management hierarchy to guide the California Integrated Waste Management Board (CIWMB) and local agencies in implementation, in order of priority: (1) source reduction, (2) recycling and composting, and (3) environmentally safe transformation and land disposal (it should be noted that the CIWMB no longer exists, and its duties have been assumed by CalRecycle). As part of the IWMA, the CIWMB was given a purpose to mandate the reduction of disposed waste. (CalRecycle, 2018a) The IWMA also required:

- The establishment of a task force to coordinate the development of city Source Reduction and Recycling Elements (SRREs) and a countywide siting element. (CalRecycle, 2018a)
- Each city, by July 1, 1991, to prepare, adopt and submit a SRRE to the county which includes the following components: waste characterization; source reduction; recycling; composting; solid waste facility capacity; education and public information; funding; special waste (asbestos, sewage sludge, etc.); and household hazardous waste. (CalRecycle, 2018a)
- Each county, by January 1, 1991, to prepare a SRRE for its unincorporated area, with the same components described above, and a countywide siting element, specifying areas for transformation or disposal sites to provide capacity for solid waste generated in the jurisdiction which cannot be reduced or recycled for a 15-year period. (CalRecycle, 2018a)

- Each county to prepare, adopt, and submit to the Board an Integrated Waste Management Plan (IWMP), which includes all of the elements described above. (CalRecycle, 2018a)
- Each city or county plan to include an implementation schedule which shows: diversion of 25 percent of all solid waste from landfill or transformation facilities by January 1, 1995 through source reduction, recycling, and composting activities; and, diversion of 50 percent of all solid waste by January 1, 2000 through source reduction, recycling, and composting activities. (CalRecycle, 2018a)
- The CIWMB to review the implementation of each SRRE at least once every two years. (CalRecycle, 2018a)
- The IWMA required the CIWMB, in conjunction with an inspection conducted by a Lead Enforcement Agency (LEA), to conduct at least one inspection per year of each solid waste facility in the state. (CalRecycle, 2018a)

Additionally, the IWMA established a comprehensive statewide system of permitting, inspections, enforcement, and maintenance for solid waste facilities. (CalRecycle, 2018a)

7. Waste Reuse and Recycling Act (AB 1327)

The Waste Reuse and Recycling Act (WRRA) required the CIWMB to approve a model ordinance for adoption by any local government for the transfer, receipt, storage, and loading of recyclable materials in development projects by March 1, 1993. The WRRA also required local agencies to adopt a local ordinance by September 1, 1993 or allow the model ordinance to take effect. The WRRA requires all development projects that are commercial, industrial, institutional, or marina in nature and where solid waste is collected and loaded, to provide an adequate area for collecting and loading recyclable materials over the lifetime of the project. The area is required to be provided before building permits are issued. (CalRecycle, 2018b)

8. Mandatory Commercial Recycling Program (AB 341)

Assembly Bill (AB) 341 (Chapter 476, Statutes of 2011 [Chesbro, AB 341]) directed CalRecycle to develop and adopt regulations for mandatory commercial recycling. CalRecycle initiated formal rulemaking with a 45-day comment period beginning Oct. 28, 2011. The final regulation was approved by the Office of Administrative Law on May 7, 2012. AB-341 was designed to help meet California's recycling goal of 75% by the year 2020. AB 341 requires all commercial businesses and public entities that generate 4 cubic yards or more of waste per week to have a recycling program in place. In addition, multi-family apartments with five or more units are also required to form a recycling program. (CalRecycle, 2020)

9. 2019 California Green Building Standards Code (CalGreen, Part 11 of Title 24, California Code of Regulations)

The most recent edition of CalGreen became effective January 1, 2020, and is applicable to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout the State of California (including residential structures and elementary schools). CalGreen Section 5.408.3 requires that 100 percent of trees, stumps, rocks, and associated vegetation and soils resulting from

land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on-site until the storage site is developed. (CBSC, 2020)

B. Local Plans, Policies, and Regulations

1. EMWD Urban Water Management Plan

The *2015 UWMP* acts as the urban water management plan (UWMP) for the EMWD, is herein incorporated by reference, and is available for public review at 2270 Trumble Road, Perris, CA 92570. The *UWMP* includes a water system analysis, identifies improvements to correct existing deficiencies and serve projected future growth, and presents the estimated costs and phasing of the recommended improvements. As concluded in the *UWMP*, EMWD anticipates that it will be able to meet projected demand for water within its service boundaries until at least the year 2040 in all types of climate situations, including normal, dry, and multiple consecutive dry weather years (EMWD, 2016a, Tables 7-4 through 7-9).

A Water Shortage Contingency Plan is included in the *UWMP*, which EMWD is to implement in cases of future water deficiencies caused by limitations on supply or the EMWD's delivery system. At the time of long- or short-term drought conditions, or other emergencies, EMWD would inform their customers of the need to conserve water and impose penalties for non-compliance with mandatory water use reductions. Compliance with mandatory water use reductions would ensure that EMWD has the ability to meet present and projected demand within its service area during dry years. (EMWD, 2016a, p. 8-1)

2. Moreno Master Drainage Plan

The Project site is located within the RCFCWCD's Moreno Master Drainage Plan (MDP). The Moreno MDP was prepared by the Riverside County Flood Control and Water Conservation District (RCFCWCD), to identify master-planned drainage and flood control facilities that are needed in the Project area to safely convey the peak runoff of a 100-year frequency storm. (RCFCWCD, 2015) Per the Moreno MDP, drainage flows from the Project site are planned to outlet to the Line "F-2" storm drain, located beneath Redlands Boulevard, which ties into an existing earthen channel Line "F," located approximately 1.4 miles south of the Project site (RCFCWCD, 2015; Thienes, 2019a).

3. Riverside County Integrated Waste Management Plan

The Countywide Integrated Waste Management Plan (CIWMP) was prepared in accordance with the California Integrated Waste Management Act of 1989, Chapter 1095 (AB 939). The CIWMP establishes a County-wide plan to reduce the volume and toxicity of solid waste that is landfilled and incinerated in the County and meet the minimum diversion goals of AB 939 (i.e., 25% diversion of solid waste by 1995 and a 50% diversion of the solid waste by 2000). (RCDWR, 2020)

4. City of Moreno Valley Construction Waste Ordinance

Chapter 8.80, *Recycling and Diversion of Construction and Demolition Waste*, of the Moreno Valley Municipal Code requires at least 50% of waste tonnage from construction, demolition, and remodeling debris be diverted from the landfill. In addition, development projects are required to implement a construction site

management plan to divert cardboard, wood, pallets, and other recyclable materials from the site. (Moreno Valley, 2018)

4.14.3 Basis for Determining Significance

The Project would result in a significant impact associated with utilities and service systems if the Project or any Project-related component would:

a. *Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause 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;*

c. *Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;*

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; and*

e. *Comply with federal, State, and local management and reduction statutes and regulations related to solid waste.*

The above-listed thresholds are referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act* and address the typical, adverse effects that a development project could have on public utilities and service systems.

4.14.4 Impact Analysis

The proposed warehouse distribution/logistics facility and the conceptual fulfillment/e-commerce facility site plans described in EIR Section 3.0, *Project Description*, are expected to require similar utility improvements, consume similar amounts of water, and generate similar volumes of wastewater and solid waste. Accordingly, the analysis provided on the following pages addresses the potential construction- and operational-related impacts to utilities and service systems that would result from implementation of the Project for either warehouse distribution/logistics or fulfillment/e-commerce uses.

Threshold a:	***Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?***

A. Water and Water Treatment Facilities

No existing water lines would be relocated or upsized as part of the proposed Project. The Project does include the construction of a new water line segment that would connect the proposed building to an existing 24-inch-

diameter water main beneath Eucalyptus Avenue. The construction of the proposed water service improvements has the potential to cause environmental effects associated with short-term air pollutant emissions, noise, and traffic movement disruptions and are an inherent part of the Project's construction process. All water utility construction work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the State of California Department of Transportation Construction Manual, dated July 2017, published by Caltrans (Caltrans, 2017). Environmental impacts associated with the construction of the proposed water line to serve the Project are evaluated throughout this EIR. Where significant impacts are identified, feasible and enforceable mitigation measures are imposed on the Project to reduce impacts to the maximum practical effect. There are no significant environmental impacts specifically related to installation of the proposed water line.

While the Project would result in an incremental increase in demand for water treatment services, the Project water demand, which is further discussed under the response to Threshold "b" in this Subsection, would not result in or require new or expanded water treatment facilities beyond those facilities already planned as part of EMWD's *2015 UWMP*.

B. Wastewater and Wastewater Treatment Facilities

The Project would involve the construction of an on-site network of sewer pipes that would connect to an existing 12-inch sewer line beneath Encelia Avenue. The Project would not result in the relocation or expansion of any existing sewer lines. The Project would not require or result in the relocation or construction of new or expanded wastewater treatment facilities. The construction of the proposed wastewater service improvements has the potential to cause environmental effects associated with short-term air pollutant emissions, noise, and traffic movement disruptions and are an inherent part of the Project's construction process. All wastewater utility construction work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the State of California Department of Transportation Construction Manual, dated July 2017, published by Caltrans (Caltrans, 2017). Environmental impacts associated with the construction of the proposed wastewater line to serve the Project are evaluated throughout this EIR. Where significant impacts are identified, feasible and enforceable mitigation measures are imposed on the Project to reduce impacts to the maximum practical effect. There are no significant environmental impacts specifically related to installation of the proposed wastewater line.

While the Project would result in an incremental increase in demand for wastewater treatment services, the Project wastewater treatment demand, which is further discussed under the response to Threshold "c" in this Subsection, would not result in or require new or expanded wastewater treatment facilities.

C. Stormwater Drainage Facilities

The Project also would involve the construction of an on-site stormwater drain system, including catch basins and underground storm drain pipes to capture and convey storm water runoff from across the Project site to a proposed water quality/detention basin located along the southern boundary of the Project site. The system is designed to collect, treat, and temporarily detain on-site stormwater runoff before discharging treated flows off-site. Specifically, "first flush" flows (i.e., typically the first ¾-inch of initial surface runoff after a rainstorm, which contains the highest proportion of waterborne pollution) would be diverted to the water

quality/detention basin for treatment. During peak storm events, the basin also would temporarily detain stormwater runoff on-site and would control the release of stormwater flows from the Project site. From the water quality/detention basin, stormwater runoff flows would be discharged to a proposed private underground storm drain line that is proposed to extend off-site, extending from the southeastern corner of the Project site to the proposed extension of the public storm drain system beneath Redlands Boulevard. The proposed public storm drain beneath Redlands Boulevard would be upsized in accordance with the Moreno MDP to replace the smaller existing storm drain beneath Redlands Boulevard in order to accommodate upstream runoff as well as runoff from the detention basin. The proposed storm drain beneath Redlands would extend to Dracaea and would connect to an existing storm drain. These improvements beneath Redlands Boulevard and south of Encelia Avenue would be consistent with the Moreno MDP.

The construction of the proposed storm drain improvements has the potential to cause environmental effects associated with short-term air pollutant emissions, noise, and traffic movement disruptions and are an inherent part of the Project's construction process. All stormwater utility construction work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the State of California Department of Transportation Construction Manual, dated July 2017, published by Caltrans (Caltrans, 2017). Environmental impacts associated with the construction of the proposed and upsized storm drain lines and off-site roadside channel to serve the Project are evaluated throughout this EIR. Where significant impacts are identified, feasible and enforceable mitigation measures are imposed on the Project to reduce impacts to the maximum practical effect. There are no significant environmental impacts specifically related to installation of the proposed and upsized storm drain lines beneath Redlands Boulevard and the proposed off-site roadside channel south of Encelia Avenue.

D. Dry Utilities (Electrical Power, Natural Gas, and Telecommunications)

The Project would involve utility connections to provide electric power and telecommunications services to the site. In addition, existing above ground power lines located along the Project site's frontage with Redlands Boulevard would be undergrounded as part of Project construction. The Project Applicant does not anticipate the need to provide natural gas service to the Project site (although Project natural gas usage was assumed in the air quality, energy, and greenhouse gas analyses presented in this EIR as a conservative measure). The construction of the proposed dry utility improvements has the potential to cause environmental effects associated with short-term air pollutant emissions, noise, and traffic movement disruptions and are an inherent part of the Project's construction process. All dry utility construction work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the State of California Department of Transportation Construction Manual, dated July 2017, published by Caltrans (Caltrans, 2017). Environmental impacts associated with the construction of proposed dry utility improvements to serve the Project are evaluated throughout this EIR. Where significant impacts are identified, feasible and enforceable mitigation measures are imposed on the Project to reduce impacts to the maximum practical effect. There are no significant environmental impacts specifically related to installation of proposed dry utility improvements.

E. Conclusion

In summary, the installation of the utility and service system infrastructure improvements proposed by the Project Applicant would result in physical environmental impacts inherent in the Project's construction process; however, these impacts have already been included in the analyses of construction-related effects presented throughout this EIR. In instances where the Project's construction phase would result in specific, significant impacts, feasible mitigation measures are provided. The construction of infrastructure necessary to serve the proposed Project would not result in any significant physical effects on the environment that are not already identified and disclosed elsewhere in this this EIR. Accordingly, impacts would be less than significant and additional mitigation measures beyond those identified throughout other subsections of this EIR would not be required.

Threshold b: ***Would sufficient water supplies be available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?***

As previously stated, the EMWD would provide potable water service to the Project. Present and future water supplies available to the EMWD to provide water service to the Project include imported water purchased from Metropolitan Water District (MWD), local potable groundwater, local desalinated groundwater, and recycled water (EMWD, 2020, p. 5).

A Water Supply Assessment was prepared to assess the Project's effect on the EMWD's ability to provide adequate water service to its customers during normal, dry, and multiple dry years. The Water Supply Assessment, which is provided as *Technical Appendix M* to this EIR, was prepared in accordance with SB 610 and SB 221. According to the WSA, the estimated annual water demand for the Project is 186.7 acre-feet (AF), which is greater than the 28.0 AF planned for the site by the *2015 UWMP*. The rate of demand growth in EMWD's service area has occurred at a lower rate than the projections used in the *2015 UWMP*, which forecast retail potable/raw water demands to reach 93,400 AF by calendar year 2020. Retail potable/raw water deliveries (including temporary construction meters but excluding system losses) in 2019 totaled approximately 71,140 AF, well below the demands projected for 2020. Because local growth demands have not kept up with the *2015 UWMP* projected deliveries, EMWD is able to meet the Project water demand without the need for offsets or the acquisition of additional water supplies. Additionally, EMWD calculates that it will have sufficient water supplies to meet all water existing demands for the Project in addition to its existing and projected future responsibilities through the planning horizon year (2040) during all climate scenarios, including normal year, single dry year, and multiple dry years. (EMWD, 2020, pp. 19-22)

Based on the foregoing, EMWD has adequate existing water entitlements and resources to serve the Project. Implementation of the Project would not cause EMWD to be unable to meet the demands of existing and future service obligations during normal, dry, and multiple dry years. The Project's impact to water supply would be less than significant.

Threshold c:	***Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?***

Wastewater generated by the Project would be treated at the Moreno Valley Regional Water Reclamation Facility. Under existing conditions, the Moreno Valley Regional Water Reclamation Facility has an excess treatment capacity of approximately 5.4 million gallons per day, while Project operations are conservatively estimated to generate approximately 123,250 gallons of wastewater per day (1,700 gpd per acre × 72.5 net acres = 123,250 gpd) (EMWD, 2016b; EMWD, 2006, Table 1). Implementation of the Project would utilize approximately 2.3% of the excess daily treatment capacity at the Moreno Valley Regional Water Reclamation Facility. Accordingly, the Moreno Valley Regional Water Reclamation Facility has sufficient excess capacity to treat wastewater generated by the Project in addition to existing commitments. Implementation of the Project would not create the need for any new or expanded wastewater facility. Because there is adequate capacity at existing treatment facilities to serve Project demands, impacts would be less than significant and mitigation is not required.

Threshold d:	***Would the Project 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?***

The Project would be required to comply with mandatory waste reduction requirements of the California Integrated Waste Management Act (AB 939), the California Solid Waste Reuse and Recycling Act of 1991 (Cal Pub Res. Code Section 42911), and the Chapter 8.80, *Recycling and Diversion of Construction and Demolition Waste*, of the City of Moreno Valley Municipal Code. Notwithstanding, construction and operation of the Project would result in the generation of solid waste requiring disposal at a landfill.

A. Construction Impact Analysis

Approximately 3,630 s.f. of on-site structures would be demolished during Project construction, which would produce waste requiring disposal. Using a residential structure demolition waste generation factor of 50 pounds per square foot (EPA, 2009, Table A-3), demolition of the existing structures on-site would generate approximately 90.8 tons of debris requiring disposal ([3,630 s.f. × 50 lbs/s.f.] ÷ 2,000 lbs/ton = 90.8 tons). AB 939 and Chapter 8.80 of the City of Moreno Valley Municipal Code requires that a minimum of 50% of all solid waste be diverted from landfills (by recycling, reusing, and other waste reduction strategies); therefore, the Project is estimated to generate approximately 45.4 tons of demolition waste requiring landfilling.

Waste also would be generated by the Project construction process, primarily comprising discarded materials and packaging. Based on a proposed building area of 1,328,853 s.f. and a construction waste generation factor of 4.34 pounds per square foot (EPA, 2009, p. 10), approximately 2,891 tons of waste would be generated over the course of Project construction ([1,328,853 s.f. × 4.34 lbs/sq. ft] ÷ 2,000 lbs/ton = 2,884 tons). AB 939 and Chapter 8.80 of the City of Moreno Valley Municipal Code requires that a minimum of 50% of all solid waste be diverted from landfills (by recycling, reusing, and other waste reduction strategies) consistent with the State's solid waste reduction goals; therefore, the Project is estimated to generate approximately 1,442 tons of construction waste.

The Project's combined demolition and construction activities would generate approximately 1,487.4 tons of solid waste requiring disposal at a landfill. The Project's building construction would occur over a period of approximately 410 working days, which corresponds to approximately 3.6 tons of construction waste being generated per day of construction activity.

Non-recyclable demolition debris and construction waste generated by the Project would be disposed at the El Sobrante Landfill, Badlands Sanitary Landfill, and/or the Lamb Canyon Sanitary Landfill. The volume of solid waste generated during Project construction (3.6 tons per day) would neither exceed State or local disposal standards nor exceed the local infrastructure capacity to handle the waste disposal. As described in Subsection 4.14.1E, the El Sobrante Landfill, Badlands Sanitary Landfill, and Lamb Canyon Sanitary Landfill each receive well below their maximum permitted daily disposal volume; thus, the relatively minimal demolition and construction waste generated during Project construction is not anticipated to cause these landfills to exceed their maximum permitted daily disposal volume. Furthermore, the El Sobrante Landfill, the Badlands Sanitary Landfill, and the Lamb Canyon Sanitary Landfill are not expected to reach their total maximum permitted disposal capacities during the Project's construction period. The El Sobrante Landfill, the Badlands Sanitary Landfill, and the Lamb Canyon Sanitary Landfill would have sufficient daily capacity to accept solid waste generated by the Project's construction phase; therefore, impacts to landfill capacity associated with near-term Project construction activities would be less than significant.

B. Operational Impact Analysis

Based on a daily waste generation factor of 1.42 pounds of waste per 100 square feet of industrial/warehouse building area (CalRecycle, 2019b), long-term operation of the Project would generate approximately 9.4 tons of solid waste per day ([1,328,853 sq. ft. × 1.42 lbs/ 100 sq. ft] ÷ 2,000 lbs/ton = 9.4 tons). A minimum of 50% of all solid waste would be required to be recycled pursuant to AB 939, consistent with the State's solid waste reduction goals; therefore, Project operation would generate approximately 4.7 tons per day of solid waste requiring disposal at a landfill.

Non-recyclable waste generated by Project operations would be disposed at the El Sobrante Landfill, Badlands Sanitary Landfill, and/or the Lamb Canyon Sanitary Landfill. The long-term generation of this volume of solid waste is not in excess of State or local disposal standards, or in excess of the local infrastructure capacity to handle the waste disposal. As described above, the El Sobrante Landfill, Badlands Sanitary Landfill, and/or the Lamb Canyon Sanitary Landfill each receive well below their maximum permitted daily disposal volume; thus, waste generated by the Project's operation is not anticipated to cause any of these landfills to exceed their maximum permitted daily disposal volume. Because the Project would generate a relatively small amount of solid waste per day as compared to the permitted daily capacities at receiving landfills, impacts to regional landfill facilities during the Project's long-term operational activities would be less than significant.

Threshold e:	***Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

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.

In order to assist the City of Moreno Valley in achieving the mandated goals of the Integrated Waste Management Act, the Project's building occupant(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 Section 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) Further, 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.

4.14.5 Cumulative Impact Analysis

The Project would require the installation of water, sewer, stormwater, electric power, and telecommunications facilities to provide utility service to the Project site. Cumulative effects associated with the Project's proposed water, sewer, stormwater drainage, and utility connections have been evaluated throughout this EIR, and where necessary mitigation measures have been identified to reduce impacts by the maximum feasible extent. There are no components of the Project's water, sewer, stormwater drainage, or utility connections that would result in cumulatively-considerable impacts not already evaluated by this EIR. Accordingly, Project impacts due to new or expanded water, wastewater treatment, stormwater drainage, and utility connections would be less-than-cumulatively considerable.

The analysis in the Project's WSA (*Technical Appendix M*), which is based on the EMWD's *2015 UWMP*, demonstrates that with implementation of the Project and other cumulative developments, the EMWD would have adequate water supplies during normal, dry, and multiple dry years. Therefore, cumulatively-considerable impacts due to water supply would be less than significant.

Under long-term, cumulative conditions, EMWD anticipates future increases in the demand for wastewater treatment services as the population within their service area grows. As discussed within the response to Threshold "c," the Project would not directly result in the need for expanded wastewater treatment facilities, the Moreno Valley Regional Water Reclamation Facility has sufficient existing capacity to handle wastewater generated by the Project. The Project's incremental contribution to wastewater generation may contribute to an ultimate need to expand the Moreno Valley Regional Water Reclamation Facility (which is planned for an ultimate expansion to 41 million gallons of treatment capacity per day, an approximate 150 percent expansion

of existing treatment capabilities) and/or the construction of additional wastewater treatment facilities. Any proposed changes to capacity of the EMWD or any facility maintained by EMWD are reviewed throughout the year by EMWD. For all new development within the EMWD service area, connection and service fees are allocated to assist in the financing of any future collection and disposal facilities and any future new/modified sewer treatment plant facilities. Cumulative development would not exceed the capacity of the wastewater treatment system because the Moreno Valley Regional Water Reclamation Facility would be expanded in the future as growth occurs. Therefore, the Project's cumulative impacts to wastewater treatment facilities are evaluated as less than significant.

Solid waste generated by construction and operation of the Project would represent nominal proportions of the daily disposal capacities at the El Sobrante Landfill, the Badlands Sanitary Landfill, and/or the Lamb Canyon Sanitary Landfill. Each of these landfills has a sufficient daily capacity to handle solid waste generated by the Project and other cumulative developments both during construction and long-term operation. The Project's incremental contribution to solid waste generation may contribute to an ultimate need for expanding the solid waste disposal facilities that would serve the Project and/or the construction of additional solid waste disposal facilities. Moreover, it is possible that as other developments in the region are proposed, construction of new solid waste disposal facilities to serve those developments could occur, and such facilities may or may not receive solid waste generated by the Project. The City's waste hauler would use a variety of County landfills in the area. With planned expansion activities of landfills in the Project vicinity (including the El Sobrante Landfill, the Badlands Sanitary Landfill, and the Lamb Canyon Sanitary Landfill), sufficient landfill capacity would exist to accommodate future disposal needs through at least 2051, 2022, and 2029, respectively. Therefore, cumulative development would not create demands for solid waste services that would exceed the capabilities of the County's waste management system. Therefore, the Project's cumulative impacts to solid waste disposal facilities are evaluated as less than significant.

Each individual development project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Coordination with the utility providers would allow for the provision of utility services to development projects without interrupting or degrading services to existing customers. The Project and other development projects are subject to connection and service fees to offset increased demand and assist in facility expansion and service improvements (at the time of need). Because the comprehensive utility and service planning and coordination activities described above would ensure that new development projects do not disrupt or degrade the provision of utility services, cumulatively considerable impacts to utilities and service systems would not occur.

4.14.6 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The physical environmental effects associated with installing the Project's water, wastewater, stormwater drainage, and electric power infrastructure is evaluated throughout this EIR and no adverse impacts specific to the provision utilities services have been identified.

Threshold b: Less-than-Significant Impact. EMWD is expected to have sufficient water supplies to service the Project. The Project would not exceed the EMWD's available supply of water during normal years, single-dry years, or multiple-dry years.

Threshold c: Less-than-Significant Impact. EMWD would provide wastewater treatment services to the Project site via the Moreno Valley Regional Water Reclamation Facility, which would have adequate capacity to service the Project and no new or expanded facilities would be needed.

Threshold d: Less-than-Significant Impact. There is adequate capacity available at the El Sobrante Landfill, Badlands Sanitary Landfill, and Lamb Canyon Sanitary Landfill to accept the Project's solid waste during both construction and long-term operation. The Project would not generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure to handle the waste.

Threshold e: Less-than-Significant Impact. The Project would comply with all applicable federal, State, and local statutes and regulations related to the management and reduction of solid waste and pertaining to waste disposal, reduction, and recycling.

4.14.7 Mitigation

Impacts would be less than significant; therefore, mitigation is not required.

5.0 OTHER CEQA CONSIDERATIONS

5.1 SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED

The CEQA Guidelines require that an EIR disclose the significant environmental effects of a project which cannot be avoided if the proposed project is implemented (CEQA Guidelines Section 15126(b)). As described in detail in Section 4.0, *Environmental Analysis*, of this EIR, the proposed Project is anticipated to result in impacts to the environment that cannot be reduced to below a level of significance after the consideration of Project design features, compliance with applicable federal, State and local regulations, and the application of the feasible mitigation measures identified in this EIR. The significant impacts that cannot be mitigated to a level below thresholds of significance consist of the following:

- Aesthetics: Implementation of the Project would mostly or completely block views of Reche Canyon and the Badlands (and the San Bernardino Mountains beyond) from the segment of Encelia Avenue that abuts the Project site on the south (west of Shubert Street). Also, implementation of the Project would mostly or completely block scenic views of Mount Russell and its foothills from the segment of Eucalyptus Avenue that abuts the Project site. This would be a significant and unavoidable direct impact.

- Air Quality (Air Quality Management Plan Conflict): The Project would emit air pollutants (NO_X) that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB. Because the Project requires a General Plan Amendment, it also would exceed the growth projections contained in SCAQMD's *2016 AQMP*. As such, the Project would conflict with and could obstruct implementation of the *AQMP*. Project impacts due to a conflict with the SCAQMD *2016 AQMP* would be significant and unavoidable on both a direct and cumulatively-considerable basis.

- Air Quality (Criteria Pollutant Emissions): After the application of Project design features, mandatory regulatory requirements, and feasible mitigation measures, Project-related NO_X emissions during long-term operation of the Project would remain above the applicable SCAQMD regional thresholds. Accordingly, Project-related emissions would not meet SCAQMD air quality standards and contribute to the non-attainment of ozone standards in the SCAB. Therefore, Project operational-related impacts due to NO_X emissions would be significant and unavoidable on a direct and cumulatively-considerable basis.

- Greenhouse Gas Emissions (GHG Emissions Generation): Project-related GHG emissions would exceed the applicable SCAQMD significance threshold for GHG emissions and would result in a cumulatively-considerable impact to the environment.

5.2 Significant Irreversible Environmental Changes Which Would be Caused by the Project Should it be Implemented

The CEQA Guidelines require EIRs to address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented (CEQA Guidelines Section 15126.2(c)). An environmental change would fall into this category if: a) the project would involve a large commitment of non-renewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environmental accidents; or d) the proposed consumption of resources are not justified (e.g., the project results in the wasteful use of energy).

Determining whether the Project may result in significant irreversible environmental changes requires a determination of whether key non-renewable resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. Natural resources, in the form of construction materials and energy resources, would be used in the construction of the proposed Project. The consumption of these natural resources would represent an irreversible change to the environment. However, development of the Project site for either a warehouse distribution/logistics use or e-commerce/fulfillment use would have no measurable adverse effect on the availability of such resources, including resources that may be non-renewable (e.g., construction aggregates, fossil fuels). Additionally, the Project is required by law to comply with the California Green Building Standards Code (CALGreen), which will minimize the Project's demand for energy, including energy produced from non-renewable sources. A more detailed discussion of Project energy consumption is provided in EIR Subsection 4.5, *Energy*.

Implementation of the Project would commit the Project site to one large light industrial building. The potential warehouse distribution/logistics and e-commerce/fulfillment land uses for the Project are compatible with the existing industrial land uses that are located north and northwest of the Project site and the planned industrial land uses that are located east of the Project site (i.e., World Logistics Center). Although the proposed light industrial building could be perceived to be incompatible with the existing residential land uses that abut the Project site on the south, the Project would not result in any significant and unavoidable local/localized physical impacts to these receptors under either of its potential uses. Although the Project would result in unavoidable physical impacts to air quality and greenhouse gas emissions, these effects are significant due to their effect on the region, not their local impacts to receptors located near the Project site. Accordingly, the Project and its environmental effects would not compel or commit surrounding properties to land uses other than those that are existing today or those that are planned by the City of Moreno Valley General Plan. For this reason, the Project would not result in a significant, irreversible change to nearby, off-site properties.

EIR Subsection 4.8, *Hazards and Hazardous Materials*, provides an analysis of the potential for hazardous materials to be transported to/from the Project site and/or used on the Project site during construction and operation. As concluded in Subsection 4.8, mandatory compliance with federal, State, and local regulations related to hazardous materials handling, storage, and use by all Project construction contractors (near term) and occupants (long-term) would ensure that any hazardous materials used on-site would be safely and

appropriately handled to preclude any irreversible damage to the environment that could result if hazardous materials were released from the site.

As discussed in detail under EIR Subsection 4.5, *Energy*, use of the Project for warehouse distribution/logistics or e-commerce/fulfillement would not result in a wasteful, inefficient, or unnecessary consumption of energy. Accordingly, the Project would not result in a significant, irreversible change to the environment related to energy use.

5.3 GROWTH-INDUCING IMPACTS OF THE PROJECT

CEQA requires a discussion of the ways in which the proposed Project could be growth inducing. The CEQA Guidelines identify a project as growth inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment (CEQA Guidelines Section 15126.2(d)). New employees and new residential populations represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area.

A project could indirectly induce growth at the local level by increasing the demand for additional goods and services associated with an increase in population or employment and thus reducing or removing the barriers to growth. This typically occurs in suburban or rural environs where population growth results in increased demand for service and commodity markets responding to the new population of residents or employees.

According to regional population projections included in SCAG's *Connect SoCal*, the City of Moreno Valley's population is projected to grow by 61,100 residents between 2016 and 2040 (approximately 1.2% annual growth). Over this same time period, employment in the City is expected to add 29,400 new jobs (approximately 3.5% annual job growth) (SCAG, 2020c, Table 14). Economic growth would likely take place as a result of the Project's operation as either a warehouse distribution/logistics use or an e-commerce/fulfillment use. The Project's employees (short-term construction and long-term operational) would purchase goods and services in the region, but any secondary increase in employment associated with meeting these goods and services demands is expected to be accommodated by existing goods and service providers and, based on the amount of existing and planned future commercial and retail services available in areas near the Project site, would be highly unlikely to result in any unanticipated, adverse physical impacts to the environment. In addition, the Project would create jobs, approximately 1,000 under the warehouse distribution/logistics option and 2,000 under the e-commerce/fulfillment option, a majority of which would likely be filled by residents of the housing units either already built or planned for development within the City of Moreno Valley and nearby incorporated and unincorporated areas. Accordingly, because it is anticipated that most of the Project's future employees would already be living in the City of Moreno Valley or the larger Inland Empire area, the Project's introduction of employment opportunities on the Project site would not induce substantial growth in the area.

Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. Typically, growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in applicable master plans, land use plans, or in projections made by regional planning agencies such as SCAG. Significant growth impacts

also could occur if a project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies. In general, growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way.

The area surrounding the Project site consists of industrial warehouses to the north and northwest, undeveloped parcels of land to the west, undeveloped parcels of land to the east that are within the approved World Logistics Center Specific Plan and are planned for industrial use, and a residential community to the south. Development of the Project site is not expected to place short-term development pressure on abutting properties because these areas, with the exception of the area to the west of the Project site (which is separated from the Project site by an earthen drainage channel), are already built-out, have approvals for future development, or have proposals for future development under review by the City of Moreno Valley. Although it is possible the area to the west of the Project site could be developed with residential uses (consistent with its designation), it would be speculative to suggest that such development would be in response to the Project.

Based on the foregoing analysis, the Project would not result in substantial, adverse growth-inducing impacts.

5.4 Effects Found not to be Significant During the EIR Scoping Process

CEQA Guidelines Section 15128 requires that an EIR *"...contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR."* The Project's Initial Study and the Notice of Preparation for this EIR, both of which are included in *Technical Appendix* A to this EIR, determined that implementation of the Project for either a warehouse distribution/logistics or e-commerce/fulfillment use would clearly have no potential to result in significant impacts under six (6) environmental issue areas: agriculture and forest resources, mineral resources, population and housing, public services, recreation, and wildfire. Therefore, these issue areas were not required to be analyzed in detail in EIR Section 4.0, *Environmental Analysis*. A brief analysis of the Project's impacts to agriculture and forest resources, mineral resources, population and housing, public services, recreation, and wildfire is presented below. The thresholds of significance used to evaluate the Project's potential impacts under each issue area were referenced in the *City of Moreno Valley Rules and Procedures for the Implementation of the California Environmental Quality Act*.

5.4.1 Agriculture and Forestry Resources

Threshold a:	***Would the Project 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?***

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.

Threshold b:	***Would the Project conflict with existing zoning for agricultural use, or Williamson Act contract?***

Under existing conditions, the Project site is zoned for "Residential Agriculture 2 (RA2) District" and "Primary Animal Keeping Overlay (PAKO)." Pursuant to the Moreno Valley Municipal Code, RA2 is categorized as a "Residential District." According to Section 9.03.020(E) 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." The City of Moreno Valley considers the RA2 district to be a residential zone, first and foremost, where limited animal keeping and the growing of crops are permitted but considered ancillary (or secondary) to the primary purpose of the zone to be used for residential development. Accordingly, the Project would not conflict with existing zoning for agricultural use.

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, 2006b, p. 5.8-6). As such, no impact would occur.

Based on the foregoing analysis, implementation of the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract.

Threshold c:	***Would the Project conflict with existing zoning for, or cause cause rezoning of, forest land (as defined by 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))?***

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 result in the rezoning of any such lands. As such, no impact would occur.

Threshold d:	***Would the Project result in the loss of forest land or conversion of forest land to non-forest use?***

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.

Threshold e:	***Would the Project involve other changes to the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?***

"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 in the response the Threshold "a," the Project would not result in the conversion of Farmland to non-agricultural use.

As discussed in the responses to Threshold "c" and Threshold "d," the Project would not convert forest land to non-forest use.

5.4.2 Mineral Resources

Threshold a:	***Would the Project result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?***
Threshold b:	***Would the Project 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?***

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, 2006b, p. 5.14-2) Accordingly, no impact would occur.

5.4.3 Population and Housing

Threshold a:	***Would the Project 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)?***

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 2,026,281 persons with approximately 1,724,301 people employed and an unemployment rate of approximately 14.9% (approximately 301,980 persons) (USBLS, 2020). Accordingly, the Project region already contains an ample supply of potential employees under existing conditions and the Project's labor demand – estimated to be 1,000 under the warehouse distribution/logistics option and 2,000 under the e-commerce/fulfillment option – 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.

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) 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.

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.

Threshold b: ***Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

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.

5.4.4 Public Services

Threshold a: ***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:***

i) Fire protection?

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. 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.

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 California and Moreno Valley building codes. Based on its size and scale, the proposed building would likely feature ESFR (Early Suppression, Fast 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.

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.

Threshold a: ***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:***

ii) Police protection?

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.

Threshold a: ***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:***

iii) Schools?

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.

Threshold a: ***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:***

iv) Parks?

As discussed under Subsection 5.4.5 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.

Threshold a: ***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:***

v) Other public facilities?

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.

5.4.5 RECREATION

Threshold 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?***

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.

Threshold b:	***Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?***

The Project does not include the construction of any new off-site recreation facilities and the Project would not expand any existing off-site recreational facilities. Therefore, environmental effects related to the construction or expansion of off-site recreational facilities would not occur. The Project does include the construction of an on-site pedestrian trail abutting Redlands Boulevard. Environmental impacts associated with the construction of the proposed on-site trail segment are evaluated throughout this EIR. Where significant impacts are identified, feasible and enforceable mitigation measures are imposed on the Project to reduce impacts to the maximum practical effect. There are no significant environmental impacts specifically related to construction of the on-site trail segment.

5.4.6 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:

Threshold a:	***Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?***
Threshold b:	***Due to slope, prevailing winds, and other factors, would the Project exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?***
Threshold c:	***Would the Project require 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?***
Threshold d:	***Would the Project 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?***

The Project site is not located in or near state responsibility areas or on or near 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 and no impact would occur.

6.0 ALTERNATIVES

Pursuant to CEQA Guidelines Section 15126.6(a):

> *An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selection of a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.*

As discussed in Section 4.0 of this EIR, the Project would result in significant adverse environmental effects under three (3) environmental issue areas that cannot be mitigated to below a level of significance after the implementation of Project design features, mandatory regulatory requirements, and feasible mitigation measures. The unavoidable significant impacts are:

- Aesthetics: Implementation of the Project would mostly or completely block views of Reche Canyon and the Badlands (and the San Bernardino Mountains beyond) from the segment of Encelia Avenue that abuts the Project site on the south (west of Shubert Street). Also, implementation of the Project would mostly or completely block scenic views of Mount Russell and its foothills from the segment of Eucalyptus Avenue that abuts the Project site. This would be a significant and unavoidable direct impact.
- Air Quality (Air Quality Management Plan Conflict): The Project would emit air pollutants (NO_X) that would contribute to a delay in the attainment of federal and State ozone standards in the SCAB. Because the Project requires a General Plan Amendment, it also would exceed the growth projections contained in SCAQMD's *2016 AQMP*. As such, the Project would conflict with and could obstruct implementation of the *AQMP*. Project impacts due to a conflict with the SCAQMD *2016 AQMP* would be significant and unavoidable on both a direct and cumulative basis.
- Air Quality (Criteria Pollutant Emissions): After the application of Project design features, mandatory regulatory requirements, and feasible mitigation measures, Project-related NO_X emissions during long-term operation of the Project would remain above the applicable SCAQMD regional thresholds. Accordingly, Project-related emissions would not meet SCAQMD air quality standards and contribute to the non-attainment of ozone standards in the SCAB. Therefore, Project operational-related impacts due to NO_X emissions would be significant and unavoidable on a direct and cumulative basis.

- Greenhouse Gas Emissions (GHG Emissions Generation): Project-related GHG emissions would exceed the applicable SCAQMD significance threshold for GHG emissions and would result in a cumulative impact.

6.1 ALTERNATIVES UNDER CONSIDERATION

CEQA Guidelines Section 15126.6(e) requires that an EIR include an alternative that describes what would reasonably be expected to occur on the Project site in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services (i.e., "No Project" Alternative). For projects that include a revision to an existing land use plan, the "No Project" Alternative may be the continuation of the existing land use plan into the future. For projects other than a land use plan (for example, a development project on an identifiable property), the "No Project" Alternative is considered to be a circumstance under which the project does not proceed (CEQA Guidelines Section 15126(e)(3)(A-B). Because the Project includes both a land use plan amendment (and change of zone) and a site-specific development proposal, this EIR includes two "No Project" Alternative analyses: (1) The scenario where the Project does not proceed and the Project Site remains in its existing condition is evaluated as the "No Development Alternative," and (2) The potential scenario where the Project Site is used in accordance with the City's existing land use plan (the City of Moreno Valley General Plan) is evaluated as the "No Project Alternative."

In compliance with CEQA Guidelines Section 15126.6(a), an EIR must describe "a range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project." The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location of the project, which would avoid or substantially lessen significant effects of the project, even if "these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (CEQA Guidelines Section 15126.6(b)).

The following alternatives are analyzed in this Section:

6.1.1 NO DEVELOPMENT ALTERNATIVE

The No Development Alternative considers no development on the Project site beyond what occurs on the site under existing conditions. Under this Alternative, the approximately 8.5-acre commercial plant nursery (Adam Hall's Plant Nursery) with associated structures (i.e., an office building and shade and storage structures), three residential buildings with associated accessory buildings and uses would remain on the southeast corner of the Project site for the foreseeable future. The remaining portions of the Project site would also remain undeveloped and would be subject to routine maintenance (i.e., discing) for weed abatement. This Alternative was used to compare the environmental effects of the Project with an alternative that would leave the Project site in its existing state.

6.1.2 NO PROJECT ALTERNATIVE

The No Project Alternative considers redevelopment of the Project site in accordance with the site's existing land use designation, "Residential: Max 2 du/ac (R2)" and the site's existing zoning designation, "Residential

Agriculture, 2 du/ac (RA2)," which allows up to 2.0 dwelling units per net acre. Under this Alternative, the Project site would be developed as a master-planned residential community with 145 single-family dwelling units on minimum 20,000 s.f. lots. The extent of physical ground disturbance is expected to be the same as would occur under the proposed Project. This Alternative was used to compare the environmental effects of the Project against a development proposal that conforms to the land use standards and development regulations prescribed by City of Moreno Valley General Plan and Municipal Code under the Project site's existing land use and zoning designations.

6.1.3 Reduced Building Area Alternative

The Reduced Building Area Alternative considers a proposal where the Project site would be redeveloped with two separate uses: a light industrial building and an outdoor industrial storage area. Under this Alternative, a 965,000 s.f. light industrial building would be developed on the eastern portion of the Project site and a 20-acre outdoor industrial storage area would be developed on the western portion of the Project site. This alternative was used to evaluate a scenario that would reduce the total building area on the Project site relative to the Project but still allow productive industrial use of the entire Project site.

6.2 Alternatives Considered and Rejected

An EIR is required to identify any alternatives that were considered by the Lead Agency but were rejected as infeasible. Among the factors described by CEQA Guidelines Section 15126.6 in determining whether to exclude alternatives from detailed consideration in the EIR are: a) failure to meet most of the basic project objectives, b) infeasibility, or c) inability to avoid significant environmental impacts. With respect to the feasibility of potential alternatives to the Project, CEQA Guidelines Section 15126.6(f)(1) notes:

> *"Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries…and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site…"*

In determining an appropriate range of alternatives to be evaluated in this EIR, a number of possible alternatives were initially considered and, for a variety of reasons, rejected. Alternatives were rejected because either: 1) they could not accomplish the basic objectives of the Project, 2) they would not have resulted in a reduction of significant adverse environmental impacts, or 3) they were considered infeasible to construct or operate. A summary of the alternatives that were considered but rejected are described below.

6.2.1 Alternative Sites

CEQA does not require that an analysis of alternative sites be included in an EIR. However, if the surrounding circumstances make it reasonable to consider an alternative site, then an alternative sites analysis should be considered and analyzed in the EIR. In making the decision to include or exclude an analysis of an alternative site, the "key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR" (CEQA Guidelines Section 15126.6(f)(2)).

Historic activities on the Project site have resulted in pervasive, ongoing disturbance over the last 80+ years. The Project site does not contain any natural/native habitat and the Project site contains an active plant nursery (Adam Hall's Plant Nursery) with associated structures (i.e., an office building, shade and storage structures), three occupied residential buildings with associated garages and storage sheds and one swimming pool/hot tub. Based on review of aerial photography and the City of Moreno Valley General Plan Land Use Map, there are no other properties available for purchase by the Project Applicant in the City of Moreno Valley with similar accessibility to the regional goods movement system (see discussion in paragraph below), that are large enough to support the proposed Project, and that have fewer developmental and environmental constraints than the Project site evaluated in this EIR.

Furthermore, development of the Project in an alternative location would likely result in similar environmental impacts as would occur with implementation of the Project at its proposed location because the Project's significant and unavoidable impacts are related to vehicles traveling to/from the Project site (and not related to the presence of sensitive resources on the Project site or its location near sensitive receptors). Vehicle-related impacts are a direct reflection of the Project's expected operational characteristics as either a warehouse distribution/logistics or e-commerce/fulfillment facility, regardless of the property where the Project is located. In fact, if an alternative site were selected for the Project that was located farther from major arterial roads that are designated truck routes, like Eucalyptus Avenue for example, or regional freeways like SR-60, than the Project site, the severity of the Project's air quality impacts related to tailpipe emissions (and potentially transportation impacts) would increase as miles traveled for vehicles going to/from the Project would increase.

In light of the foregoing reasons, a more detailed analysis of alternative sites is not warranted.

6.3 ALTERNATIVE ANALYSIS

The discussion on the following pages compares the environmental impacts expected from each alternative considered by the Lead Agency relative to the impacts of the Project. A conclusion is provided for each topic as to whether the alternative results in one of the following: (1) reduction of elimination of the Project's impact, (2) a greater impact than would occur under the Project, (3) the same impact as the Project, or (4) a new impact in addition to the Project's impacts. Table 6-1 at the end of this section compares the impacts of the alternatives against those of the Project and identifies the ability of the alternative to meet the basic objectives of the Project. As previously listed in EIR Section 3.0, the Project's basic objectives are:

A. To expand economic development, facilitate job creation, and increase the tax base for the City of Moreno Valley by establishing new industrial development adjacent to established and planned industrial areas.

B. To attract employment-generating businesses to the City of Moreno Valley to reduce the need for members of the local workforce to commute outside the area for employment, thereby improving the jobs-housing balance in the City.

C. To develop a Class A speculative light industrial building in Moreno Valley that is designed to meet contemporary industry standards and be economically competitive with similar industrial buildings in the local area and region.

D. To attract businesses that can expedite the delivery of essential goods to consumers and businesses in Moreno Valley and beyond the City boundary.

E. To develop a project that has architectural design and operational characteristics that complement other existing and planned buildings in the immediate vicinity and minimize conflicts with other nearby land uses.

F. To develop a light industrial building in close proximity to designated truck routes and the State highway system to avoid or shorten truck-trip lengths on other roadways.

G. To develop a property that has access to available infrastructure, including roads and utilities.

6.3.1 No Development Alternative

The No Development Alternative allows decision-makers to compare the environmental impacts of approving the Project to the environmental impacts that would occur if the property were left in its existing conditions for the foreseeable future. Under existing conditions, the Project site is entirely disturbed by historic land uses/activities but is mostly undeveloped, with the exception of an active plant nursery (Adam Hall's Plant Nursery) with associated structures (i.e., an office building, shade and storage structures), three residential buildings with associated garages and storage sheds and one swimming pool/hot tub. All three of these residential buildings are occupied under existing conditions. Ornamental landscaping surrounds the three (3) residences on the Project site and the remaining undeveloped area consists of ruderal/weedy vegetation. Refer to the description of the Project site's existing physical conditions in Section 2.0 of this EIR.

A. Aesthetics

The Project site does not contain any unique aesthetic resources, nor does it serve as a prominent scenic vista. Under the No Development Alternative, the visual character and quality of the Project site would be maintained in its existing condition. No new structures, landscaping, or lighting would be introduced on the Project site. The No Development Alternative would not have the potential to conflict with the character or quality of existing and planned development surrounding the Project site and would not create a new source of substantial light or glare that would impact nighttime views in the area. The aesthetic impact of leaving the Project site in its existing condition would be less than significant as compared to the Project's aesthetics impact.

B. Air Quality

The Project site currently contains a plant nursery that generates nominal amounts of air pollution associated with typical business operations (i.e., tailpipe emissions from vendor deliveries and customers traveling to and from the Project site). The Project site also contains three existing residences that produce nominal amounts of air pollution associated with routine residential activities. The No Development Alternative would leave the Project site in its existing condition and would retain these uses (and nominal amounts of air pollution). Notwithstanding, the No Development Alternative would avoid the Project's significant and unavoidable impact related to operational NO_X emissions.

C. Biological Resources

The No Development Alternative would leave the Project site in its existing condition, which includes periodic disturbances related to the plant nursery, three occupied residential structures, weed abatement activities, and other routine, on-site maintenance activities. No grading would occur under this Alternative and there would be no potential impacts to special status plants, animals, or sensitive vegetation communities on the Project site. Although there are mitigation identified in EIR Subsection 4.3 that would reduce the Project's direct, indirect, and cumulatively considerable impacts to biological resources to below a level of significance, implementation of the No Development Alternative would avoid impacts to biological resource associated with the Project and would require no mitigation.

D. Cultural Resources

The No Development Alternative would leave the Project site in its existing condition, which includes periodic ground disturbances related to the plant nursery, three occupied residential structures, weed abatement activities, and other routine, on-site maintenance activities. The No Development Alternative would leave the Project site in its existing condition; no grading would occur under this Alternative and there would be no potential impacts to subsurface archeological resources that may exist beneath the ground surface. Therefore, selection of this Alternative would avoid all site disturbances on the Project site and the Project's less-than-significant impacts to cultural resources would not occur.

E. Energy

Under the No Development Alternative, the existing plant nursery would continue to operate and the three residential structures would continue to be occupied; therefore, there would be nominal demand for near-term and long-term electricity and fuel use on the site. Selection of this alternative would reduce the Project site's near- and long-term energy use that would otherwise result in the Project was developed.

F. Geology and Soils

The No Development Alternative would leave the Project site in its existing condition, which include periodic ground disturbances related to the plant nursery, three occupied residential structures, weed abatement activities, and other routine, on-site maintenance activities. These activities all have the potential to result in water and/or wind erosion of exposed soils that would not occur with the Project. The Project site would remain unoccupied under the No Development Alternative with the exception of the existing plant nursery and the three residential structures; accordingly, there would be no potential for this Alternative to expose people or structures to safety risks associated with geologic hazards.

G. Greenhouse Gas Emissions

Under the No Development Alternative, no development would occur on the Project site. The plant nursery and the three residential structures on-site would continue to be occupied. Therefore, with the exception of ongoing nominal GHG emissions associated with activities at plant nursery and the three residential structures, there would be no new sources of near-term or long-term GHG emissions under the No Development Alternative. Selection of this alternative would avoid all of the Project's near- and long-term effects associated with GHG emissions.

H. Hazards and Hazardous Materials

Because no development would occur under the No Development Alternative, no new hazards would be introduced to the Project site. Routine weed abatement activities would continue to occur on the Project site to remove dry/dead vegetation that has the potential to pose a fire hazard, as required by the City of Moreno Valley. Selection of this Alternative would reduce the Project's less-than-significant impacts related to hazards and hazardous materials.

I. Hydrology and Water Quality

No changes to existing hydrology and drainage conditions would occur under the No Development Alternative. No stormwater drainage improvements would be constructed on or adjacent to the Project site and rainfall would be discharged from the Project site as sheet flow, as occurs under existing conditions. Under this alternative, the stormwater leaving the Project site would not be treated to minimize waterborne pollutants and would continue to contain sediment and other potential pollutants, as occurs under existing conditions. However, the No Development Alternative would generate fewer water pollutants due to the reduction in the intensity of development on-site. The No Development Alternative would result in a neutral impact to hydrology. In contrast to the Project, under this Alternative, impacts would remain less than significant.

J. Land Use and Planning

The No Development Alternative would not result in any new development that would indirectly result in environmental impacts due to a conflict with an existing land use plan. Accordingly, selection of this alternative would result in no impacts to land use and planning.

K. Noise

Under the No Development Alternative, no new sources of noise would be introduced on the Project site. With the exception of noise resulting from the plant nursery, three occupied residential structures, and routine site maintenance activities (e.g., discing), the No Development Alternative would not produce on-site noise. Additionally, because the Project site would not be developed and no new traffic trips would be generated, the No Development Alternative would not contribute to an incremental increase in area-wide traffic noise levels. Accordingly, in contrast to the Project, selection of this Alternative would result in less-than-significant impacts to noise.

L. Transportation

The No Development Alternative would not generate any new daily traffic. Accordingly, this alternative would avoid all of the Project's impacts to transportation.

M. Tribal Cultural Resources

The No Development Alternative would leave the Project site in its existing condition, which includes periodic ground disturbances related to the plant nursery, three occupied residential structures, weed abatement activities and other routine, on-site maintenance activities. The No Project Alternative would leave the Project site in its existing condition. No grading would occur under this Alternative and there would be no potential impacts to subsurface tribal cultural resources that may exist beneath the ground surface. Therefore, selection

of this Alternative would avoid all site disturbances on the Project site and the Project's less-than-significant impacts to tribal cultural resources would not occur.

N. Utilities and Service Systems

No new domestic water, sewer, or stormwater drainage facilities would be needed for the No Development Alternative, and there would be no demand for domestic water or wastewater treatment services. Also, this Alternative would not demand solid waste collection and disposal services. Neither the Project nor the No Development Alternative would result in significant or cumulatively-considerable impacts to utilities and service systems. Nonetheless, selection of this Alternative would avoid all of the Project's demand placed on utilities and service systems.

O. Conclusion

Implementation of the No Development Alternative would result in no physical environmental impacts to the Project site beyond those that have historically occurred on the Project site. All significant effects of the Project would be avoided by the selection of this Alternative.

The No Development Alternative would fail to meet all of the Project's objectives.

6.3.2 No Project Alternative

The No Project Alternative would develop the Project site as a master-planned residential community with 145 single-family dwelling units on minimum 20,000 s.f. lots. The No Project Alternative would be consistent with the Project site's General Plan Land Use designation of "Residential: Max 2 du/ac (R2)" and the City's Zoning designation of Residential Agriculture 2 (RA2) District, which allows single-family residential on the Project site up to a maximum density of 2.0 dwelling units per net acre. This Alternative would not require a General Plan Amendment or Change of Zone (both of which are required for the Project).

A. Aesthetics

Compared to the Project, impacts would be reduced under the No Project Alternative. The No Project Alternative would construct residences on the Project site as compared to the industrial-type structures and improvements proposed by the Project. The No Project Alternative would be visually compatible with the existing residential land uses located south of the Project site. The No Project Alternative would not result in a significant adverse effect related to visual character or quality.

B. Air Quality

The No Project Alternative would result in construction activities across the entire Project site, similar to the Project. Accordingly, construction-related air quality effects during demolition, site preparation, and grading would be similar to the Project. However, the No Project Alternative is expected to result in the construction of less building area than the Project and also would result in reduced paving activities as compared to the Project. This Alternative is expected to result in reduced air pollutant emissions during construction relative to the Project due to the reduced building area and the types of buildings (i.e., residential) that would be

constructed; thus, compared to the Project, air quality impacts would be reduced under the No Project Alternative.

Because the No Project Alternative would develop the Project site with land uses that are not expected to generate or attract as much traffic as the Project (and would avoid all of the Project's heavy-duty truck traffic), this Alternative is expected to reduce criteria pollutant emissions during operations relative to the Project. This Alternative is expected to reduce – and, possibly, avoid – the Project's significant and unavoidable impact during operations related to NO_X emissions. This Alternative also would eliminate the Project's less-than-significant contribution to local excess carcinogenic and non-carcinogenic health risk hazards due to the elimination of operational heavy-duty truck traffic that emits diesel particulate matter.

Like the Project, the No Project Alternative would generate odors during short-term construction activities (e.g., diesel equipment exhaust, architectural coatings, asphalt) and long-term operation (e.g., diesel exhaust). However, and similar to the Project, these odors would occur intermittently, be of short-term duration, and would not be substantial. Long-term operation of this Alternative would not create objectionable odors affecting a substantial number of people and impacts would be less than significant with compliance with mandatory regulatory requirements.

C. Biological Resources

The No Project Alternative would develop the entire Project site and would result in identical impacts to biological resources as the Project. The No Project Alternative would require similar mitigation as the Project and, after mitigation, both the No Project Alternative and the Project would result in less-than-significant impacts to biological resources.

D. Cultural Resources

The No Project Alternative would develop the entire Project site and would result in identical impacts to cultural resources as the Project. The No Project Alternative would require similar mitigation as the Project and, after mitigation, both the No Project Alternative and the Project would result in less-than-significant impacts to cultural resources.

E. Energy

Because the No Project Alternative would result in less building area being developed on the Project site and would reduce the intensity of site operations, the No Project Alternative is expected to require less energy to construct and operate than the Project and, therefore, result in a reduction of energy usage as compared to the Project. Additionally, because the No Project Alternative would generate fewer daily vehicle trips than the Project, this Alternative would result in a lower demand for transportation energy resources than the Project. Notwithstanding, like the Project, the No Project Alternative would result in a less-than-significant impact.

F. Geology and Soils

This Alternative would disturb the same physical area as the Project and would, therefore, have the same potential for soil erosion during the construction phase as the Project. Soil erosion impacts would be less than

significant under both the Project and this alternative due to mandatory compliance with federal, State, and local water quality standards. The No Project Alternative would be required to comply with the same mandatory regulatory requirements as the Project to preclude substantial hazards associated with seismic ground shaking. The No Project Alternative would result in a similar, less-than-significant impact to geology and soils as the Project.

G. Greenhouse Gas Emissions

Because the No Project Alternative would result in less building area than the Project, the No Project Alternative is expected to require less energy to construct and operate than the Project and, therefore, result in a reduction of non-mobile source GHG emissions as compared to the Project. Additionally, the No Project Alternative would generate fewer VMT than the Project and would reduce the amount of mobile source GHG emissions. The No Project Alternative would reduce the Project's significant and unavoidable GHG emissions; however, because the SCAQMD significance threshold for residential uses is substantially lower (3,000 $MTCO_2e$) than for industrial uses (10,000 $MTCO_2e$), and the No Project Alternative would develop the Project site with residential uses that would generate GHG emissions primarily from vehicles (and no feasible mitigation exists to mitigate these impacts), impacts would likely remain significant and unavoidable.

H. Hazards and Hazardous Materials

Neither implementation of the No Project Alternative nor the Project would result in a significant impact related to hazards or hazardous materials. Land uses that would occur on-site under the No Project Alternative would have a lesser potential to handle and store hazardous materials than the Project. With mandatory regulatory compliance, both the No Project Alternative and the Project would pose a less-than-significant hazard to the public or the environment related to the use, handling, storage, and/or transport of hazardous materials. Impacts from the No Project Alternative would be reduced compared to the Project.

I. Hydrology and Water Quality

Neither the Project nor the No Project Alternative would result in substantial alterations to the drainage pattern of the Project site or would result in substantial erosion effects. Accordingly, implementation of the Project and the No Project Alternative would both result in less-than-significant impacts to existing drainage patterns.

During construction, potential hydrology and water quality effects on the Project site would be similar under both the No Project Alternative and the Project due to this Alternative and the Project both disturbing the same physical area. Like the Project, the No Project Alternative would be required to implement a Stormwater Pollution Prevention Plan (SWPPP) to ensure that stormwater runoff during construction does not contain substantial pollutant concentrations. Both the Project and the No Project Alternative would result in similar, and less-than-significant, construction impacts to hydrology and water quality.

In the long-term, potential hydrology and water quality effects on the Project site would be similar under both the No Project Alternative and the Project. The Project would likely generate more pollutants on-site than the No Project Alternative due to the greater impervious surface coverage and increased number of vehicles that would occur with implementation of the Project; however, both the No Project Alternative and the Project would be required to implement a drainage plan and a WQMP. Similar to the Project, the No Project

Alternative would be required to implement a drainage plan to ensure that stormwater runoff is conveyed to local and regional stormwater drainage facilities with adequate capacity to handle runoff flows from the Project site. Additionally, similar to the Project, the No Project Alternative would be required to implement a long-term WQMP to ensure that stormwater runoff leaving the site does not contain substantial pollutant concentrations. The Project and the No Project Alternative would result similar operational hydrology and water quality impacts. Impacts under the No Project Alternative and the Project would be less than significant.

J. Land Use and Planning

The No Project Alternative would develop the Project site in accordance with the City of Moreno Valley General Plan. As such, there would be no conflicts with applicable land use plans, policies, or regulations resulting in significant environmental effects. Comparatively, the Project proposes a General Plan Amendment to address consistency between the proposed land uses and the General Plan and other plans, polices, and regulations that rely on General Plan buildout projections. Both the No Project Alternative and the Project would result in less-than-significant land use and planning impacts.

K. Noise

Noise associated with this Alternative would occur during short-term construction activities and under long-term operation. Under both the construction and operational scenarios, the No Project Alternative is expected to reduce the Project's less-than-significant noise impacts due to the decrease in the intensity of construction activities. The No Project Alternative would develop the Project site with residential uses which generate less noise and less traffic than the industrial uses proposed by the Project. Thus, the No Project Alternative would result in decreased operational noise due to the residential on-site operational activities and decrease in the amount of traffic traveling to and from the Project site.

L. Transportation

The No Project Alternative is not anticipated to result in a net increase in VMT per capita in the City of Moreno Valley and, accordingly, would result in less-than-significant transportation impacts (which is the same conclusion drawn for the Project).

M. Tribal Cultural Resources

The No Project Alternative would develop the entire Project site and would result in identical impacts to tribal cultural resources as the Project. The No Project Alternative would require similar mitigation as the Project and, after mitigation, both the No Project Alternative and the Project would result in less-than-significant impacts to tribal cultural resources.

N. Utilities and Service Systems

Like the proposed Project, the No Project Alternative would result in a demand for public utility and service systems and would result in the construction of domestic water, sewer, and stormwater drainage improvements. The No Project Alternative would result in a demand for domestic water, waste water treatment services, and solid waste collection and disposal services that is higher than what occurs at the Project site under existing

conditions; but this alternative's overall demand would be less than the Project's demand for the same services. Impacts would be less than significant.

O. Conclusion

The No Project Alternative would reduce and likely avoid the Project's significant and unavoidable impacts to air quality and minimize the Project's significant and unavoidable GHG emission impacts, however, GHG emission impacts would remain significant and unavoidable. The No Project Alternative would reduce the Project's less-than-significant impacts to aesthetics, energy, hazards and hazardous materials, noise, transportation (other intersections and road segments), and utilities and service systems. All other impacts from the No Project Alternative would be similar to the Project.

The No Project Alternative would not meet any of the Project's objectives.

6.3.3 Reduced Building Area Alternative

The Reduced Building Area Alternative considers a proposal where the Project site would be redeveloped with two separate uses: a light industrial building and an outdoor industrial storage area. Under this Alternative, approximately 52 acres on the eastern portion of the Project site – with frontages along Eucalyptus Avenue, Redlands Boulevard, and Encelia Avenue – would be developed with an approximately 965,000 s.f. light industrial building (including related site improvements such as truck loading/unloading areas and parking, passenger vehicle parking, landscaping, signage, and public utility connections). The light industrial building would be used warehouse distribution/logistics or fulfillment/e-commerce land uses, similar to the Project. This alternative also provides for approximately 20 acres on the western portion of the Project site – with frontages along Eucalyptus Avenue and Encelia Avenue and abutting the Quincy Channel – to be used as a paved outdoor storage area with landscaping and screen walls abutting Eucalyptus Avenue and Encelia Avenue to hide the storage area from public view. The outdoor storage area would be used for heavy truck (truck-tractor) or trailer parking. This Alternative was selected by the Lead Agency to evaluate a scenario that would reduce the total building area on the Project site relative to the Project but still allow productive industrial use of the entire Project site.

A. Aesthetics

Under Reduced Building Area Alternative, the eastern portion of the Project site would look similar to the Project, just at a reduced scale while the western portion of the site would be used for outdoor industrial storage. The outdoor industrial storage area would feature tall (approx. 10-14 feet tall) solid screen walls and dense landscaping abutting Eucalyptus Avenue and Encelia Avenue. Although the tall screen wall for the outdoor storage area would contrast with the existing visual environment along Encelia Avenue to a greater degree than the Project, this alternative would not be incompatible with the surrounding area or visually offensive. Overall, the Reduced Building Area Alternative's effect on aesthetics would be comparable the Project and would remain significant.

B. Air Quality

Under this Alternative, the overall duration of construction would be reduced as compared to the Project, due to the reduction of approximately 364,000 s.f. of building area (although the reduction on building area under the Reduced Building Area Alternative would be partially offset by this alternative's requirement for substantially more paving). As such, the total amount of air pollutant emissions generated during the construction phase would be reduced under this Alternative as compared to the Project. However, the peak daily intensity of construction activities at the Project site would be similar under both this Alternative and the Project because both would: 1) disturb the same physical area; 2) utilize the same types of construction equipment; and 3) require the same types of construction activities. Therefore, the total daily emissions during the construction phase would be less than significant and similar to the Project.

Because the Reduced Building Area Alternative would result in less building floor area than the Project, this Alternative is expected to require less energy to operate than the Project and, therefore, would result in a reduction of non-mobile source air quality emissions as compared to the Project. The Reduced Building Area Alternative would generate a similar amount of mobile source air pollutant emissions as the Project from heavy truck traffic due to comparable total daily traffic, but it would reduce mobile source air quality emissions from passenger vehicles due to a reduction in employees on-site. In total, the Reduced Building Area Alternative would slightly reduce the Project's operational regional air quality emissions; however, impacts would be significant and unavoidable (as is the case with the Project).

Because heavy truck trip traffic would be similar between the Reduced Building Area Alternative and the Project, the Reduced Building Area Alternative would result in similar – and less than significant – carcinogenic and non-carcinogenic health risk hazards as the Project (due to a similar amount of diesel particulate matter emissions).

Like the Project, the Reduced Building Area Alternative would generate odors during short-term construction activities (e.g., diesel equipment exhaust, architectural coatings, asphalt) and long-term operation (e.g., diesel exhaust). However, and similar to the Project, these odors would occur intermittently, be of short-term duration, and would not be substantial. Long-term operation of this Alternative would not create objectionable odors affecting a substantial number of people and impacts would be less than significant with compliance with mandatory regulatory requirements.

C. Biological Resources

The Reduced Building Area Alternative would develop the entire Project site and would result in identical impacts to biological resources as the Project. The Reduced Building Area Alternative would require similar mitigation as the Project and, after mitigation, both the Reduced Building Area Alternative and the Project would result in less-than-significant impacts to biological resources.

D. Cultural Resources

The Reduced Building Area Alternative would develop the entire Project site and would result in identical impacts to cultural resources as the Project. The Reduced Building Area Alternative would require similar

mitigation as the Project and, after mitigation, both the Reduced Building Area Alternative and the Project would result in less-than-significant impacts to cultural resources.

E. Energy

Because the Reduced Building Area Alternative would result in less building floor area than the Project, the Reduced Building Area Alternative is expected to require less energy to construct and operate than the Project and, therefore, would result in a reduction of energy usage as compared to the Project. Additionally, the Reduced Building Area Alternative would generate fewer daily passenger vehicle trips than the Project and would reduce transportation energy demands. The Reduced Building Area Alternative would result in a less-than-significant impact, which is the same conclusion drawn for the Project.

F. Geology and Soils

This alternative would disturb the same physical area as the Project and would, therefore, have the same potential for soil erosion during the construction phase as the Project. Soil erosion impacts would be less than significant under both the Project and this Alternative due to mandatory compliance with federal, State, and local water quality standards. The Reduced Building Area Alternative would be required to comply with the same mandatory regulatory requirements as the Project to preclude substantial hazards associated with seismic ground shaking and geologic hazards. The Reduced Building Area Alternative would result in a similar, less-than-significant impact to geology and soils as the Project.

G. Greenhouse Gas Emissions

Because the Reduced Building Area Alternative would result in less building floor area than the Project, the Reduced Building Area Alternative is expected to require less energy to construct and operate than the Project and, therefore, would result in a reduction of non-mobile source GHG emissions as compared to the Project. Additionally, the Reduced Building Area Alternative would result in an incremental reduction in mobile source GHG emissions due to a reduction daily passenger vehicle traffic. In total, the Reduced Building Area Alternative would slightly reduce the Project's GHG emissions; however, impacts would be significant and unavoidable (as is the case with the Project).

H. Hazards and Hazardous Materials

Neither implementation of the Reduced Building Area Alternative nor the Project would result in a significant impact related to hazards or hazardous materials. Land uses that would occur on-site under the Reduced Building Area Alternative would have a similar potential to handle and store hazardous materials than the Project. With mandatory regulatory compliance, both the Reduced Building Area Alternative and the Project would pose a less-than-significant hazard to the public or the environment related to the use, handling, storage, and/or transport of hazardous materials.

I. Hydrology and Water Quality

Neither the Project nor the Reduced Building Area Alternative would result in substantial alterations to the drainage pattern of the site or would result in substantial erosion effects. Accordingly, implementation of the

Project and the Reduced Building Area Alternative would both result in less-than-significant impacts to existing drainage patterns.

During construction, potential hydrology and water quality effects on the Project site would be similar under both the Reduced Building Area Alternative and the Project due to this alternative and the Project both disturbing the same physical area. Like the Project, the Reduced Building Area Alternative would be required to implement a SWPPP to ensure that stormwater runoff during construction does not contain substantial pollutant concentrations. Both the Project and the Reduced Building Area Alternative would result in less-than-significant construction impacts to hydrology and water quality.

In the long-term, potential hydrology and water quality effects on the Project site would be similar under both the Reduced Building Area Alternative and the Project due to this alternative and the Project both providing a similar amount of non-pervious surfaces. Like the Project, the Reduced Building Area Alternative would be required to implement a drainage plan to ensure that stormwater runoff is conveyed to local and regional stormwater drainage facilities with adequate capacity to handle runoff flows from the Project site. Additionally, like the Project, the Reduced Building Area Alternative would be required to implement a long-term WQMP to ensure that stormwater runoff leaving the Project site does not contain substantial pollutant concentrations. Both the Project and the Reduced Building Area Alternative would result in less-than-significant operational impacts to hydrology and water quality.

J. Land Use and Planning

Both this Alternative and the Project would require a General Plan Amendment and a Change of Zone to develop the Project site with industrial land uses. The Reduced Building Area Alternative would result in identical – and less than significant – land use and planning impacts when compared to the Project.

K. Noise

Noise associated with this Alternative would occur during short-term construction activities and under long-term operation. The types of daily construction activities conducted on the Project site would be similar (and less than significant) under both the Reduced Building Area Alternative and the Project, although the length of construction activities would be slightly decreased under this alternative as less building floor area would be constructed on-site. Therefore, it is anticipated that the total duration of noise impacts during the building construction phase would be slightly decreased under this alternative as compared to the Project and impacts would be less than significant. Under long-term operational conditions, noise impacts from operations on the Project site (i.e., stationary noise) would be similar (and less than significant) relative to the Project due to relatively similar operational practices (i.e., cargo loading/unloading activities) and similar daily heavy truck traffic volumes.

L. Transportation

The Reduced Building Area Alternative is not anticipated to result in a net increase in VMT per employee in the City of Moreno Valley and, accordingly, would result in less-than-significant transportation impacts (which is the same conclusion drawn for the Project).

M. Tribal Cultural Resources

The Reduced Building Area Alternative would develop the entire Project site and would result in identical impacts to tribal cultural resources as the Project. The Reduced Building Area Alternative would require similar mitigation as the Project and, after mitigation, both the Reduced Building Area Alternative and the Project would result in less-than-significant impacts to tribal cultural resources.

N. Utilities and Service Systems

Due to a reduced building area, the Reduced Building Area Alternative is expected to have a reduced demand for utilities and services systems, including water, sewer, storm water drainage service/facilities, and solid waste collection and disposal, as compared to the Project. However, as with the Project, the Reduced Building Area Alternative is expected to result in a less-than-significant impact to utilities and services systems.

O. Conclusion

The Reduced Building Area Alternative would reduce – but not avoid – the Project's significant and unavoidable air quality and GHG emission impacts. The Reduced Building Alternative would reduce the Project's less-than-significant impacts to energy and utilities and service systems. All other impacts from the Reduced Building Alternative would be similar to the Project.

The Reduced Building Area Alternative would not meet Project Objective "E" due to the incompatibility of an outdoor industrial storage yard abutting existing residential land uses and would meet Project Objectives "A" and "B" less effectively than the Project due to the reduction in building area on-site. The Reduced Building Area Alternative would meet all of the Project's other objectives.

6.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives shall identify an environmentally superior alternative among the alternatives evaluated in the EIR. In general, the environmentally superior alternative as defined by CEQA should minimize adverse impacts to the Project site and its surrounding environment.

As shown in Table 6-1, both the No Development Alternative and No Project Alternative would avoid or reduce all of the Project's significant environmental impacts and, therefore, can be considered environmentally superior to the Project. Both the No Development Alternative and No Project Alternative are considered to be a "no project" alternative as defined by CEQA Guidelines Section 15126.6(e)(3). If a "no project" alternative is identified as the environmentally superior alternative then the EIR shall also identify an environmentally superior alternative among the other alternatives (see CEQA Guidelines Section 15126.6(e)(2). Thus, the Reduced Building Area Alternative, as described in Subsection 6.3.3, is identified as the environmentally superior alternative, because the Reduced Building Area Alternative would result in the greatest reduction of environmental impacts among the remaining alternatives as summarized in Table 6-1.

Table 6-1 Alternatives to the Project – Comparison of Environmental Impacts

Environmental Topic	Project Significance of Impacts After Mitigation	No Development Alternative	No Project Alternative	Reduced Building Area Alternative
Aesthetics	Significant Impact	Reduced	Reduced	Similar
Air Quality	Significant and Unavoidable	Reduced	Reduced	Reduced
Biological Resources	Less-than-Significant Impact	Increased	Similar	Similar
Cultural Resources	Less-than-Significant Impact	Increased	Similar	Similar
Energy	Less-than-Significant Impact	Reduced	Reduced	Reduced
Geology and Soils	Less-than-Significant Impact	Increased	Similar	Similar
Greenhouse Gas Emissions	Significant and Unavoidable	Reduced	Reduced	Reduced
Hazards and Hazardous Materials	Less-than-Significant Impact	Reduced	Reduced	Similar
Hydrology and Water Quality	Less-than-Significant Impact	Increased	Similar	Similar
Land Use and Planning	Less-than-Significant Impact	Reduced	Similar	Similar
Noise	Less-than-Significant Impact	Reduced	Reduced	Similar
Transportation	Less-than-Significant Impact	Reduced	Similar	Similar
Tribal Cultural Resources	Less-than-Significant Impact	Increased	Similar	Similar
Utilities and Service Systems	Less-than-Significant Impact	Reduced	Reduced	Reduced
Ability to Meet Project Objectives				
Objective A: To expand economic development, facilitate job creation, and increase the tax base for the City of Moreno Valley by establishing new industrial development adjacent to established and planned industrial areas.		No	No	Yes, but less effectively than the Project
Objective B: To attract employment-generating businesses to the City of Moreno Valley to reduce the need for members of the local workforce to commute outside the area for employment, thereby improving the jobs-housing balance in the City.		No	No	Yes, but less effectively than the Project
Objective C: To develop a Class A speculative light industrial building in Moreno Valley that is designed to meet contemporary industry standards and be economically competitive with similar industrial buildings in the local area and region.		No	No	Yes

Ability to Meet Project Objectives			
Objective C: To develop a Class A speculative light industrial building in Moreno Valley that is designed to meet contemporary industry standards and be economically competitive with similar industrial buildings in the local area and region.	No	No	Yes
Objective D: To attract businesses that can expedite the delivery of essential goods to consumers and businesses in Moreno Valley and beyond the City boundary.	No	No	Yes
Objective E: To develop a project that has architectural design and operational characteristics that complement other existing and planned buildings in the immediate vicinity and minimize conflicts with other nearby land uses.	No	No	No
Objective F: To develop a light industrial building in close proximity to designated truck routes and the State highway system to avoid or shorten truck-trip lengths on other roadways	No	No	Yes
Objective G: To develop a property that has access to available infrastructure, including roads and utilities	No	Yes	Yes

7.0 REFERENCES

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7.1.1 CITY OF MORENO VALLEY COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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7.2 DOCUMENTS INCORPORATED BY REFERENCE IN THIS EIR

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7.4 DOCUMENTS APPENDED TO THIS EIR

The following reports, studies, and supporting documentation were used in preparing the Moreno Valley Trade Center EIR and are bound separately as Technical Appendices. A copy of the Technical Appendices is available for review at the City of Moreno Valley Community Development Department, Planning Division at 14177 Frederick Street, Moreno Valley, CA 92553.

Appendix A: Initial Study for Moreno Valley Trade Center, Notice of Preparation, and Written Comments

Appendix B1: Urban Crossroads, 2020. *Moreno Valley Trade Center Warehouse Air Quality Impact*. October 9, 2020.

Appendix B2: Urban Crossroads, 2020. *Moreno Valley Trade Center E-Commerce Air Quality Impact.* October 9, 2020.

Appendix B3: Urban Crossroads, 2020. *Moreno Valley Trade Center Warehouse Mobile Source Health Risk Assessment*. October 9, 2020.

Appendix B4: Urban Crossroads, 2020. *Moreno Valley Trade Center E-Commerce Mobile Source Health Risk Assessment*. January 7, 2021.

Appendix B5 Urban Crossroads, 2020. *Moreno Valley Trade Center (Warehouse Scenario) Air Quality, Greenhouse Gas, & Health Risk Assessment Evaluation*. October 9, 2020.

Appendix B6 Urban Crossroads, 2020. *Moreno Valley Trade Center (E-Commerce Scenario) Air Quality, Greenhouse Gas, & Health Risk Assessment Evaluation*. October 9, 2020.

Appendix C1: Glen Lukos Associates, 2020. *Biological Technical Report for Moreno Valley Trade Center Property*. June 2020.

Appendix C2: Glen Lukos Associates, 2020. *Jurisdictional Delineation of the Moreno Valley Trade Center Project, an Approximate 73-Acre Property Located in the City of Moreno Valley, Riverside County, California*. June 23, 2020.

Appendix C3: Glen Lukos Associates, 2020. *Determination of Biologically Equivalent or Superior Preservation (DBESP) Analysis for Impacts to MSHCP Riparian/Riverine Areas Moreno Valley Trade Center Project*. July 8, 2020.

Appendix D: Rincon Consultants, 2019. *Moreno Valley Trade Center Project Cultural Resources Assessment Report*. November 2019.

Appendix E1: Urban Crossroads, 2020. *Moreno Valley Trade Center Warehouse Energy Analysis*. January 7, 2021.

Appendix E2: Urban Crossroads, 2020. *Moreno Valley Trade Center E-Commerce Energy Analysis*. January 7, 2021.

Appendix F: Southern California Geotechnical, 2019. *Geotechnical Investigation Proposed Commercial/Industrial Building SWC Eucalyptus Avenue and Redlands Boulevard Moreno Valley, California for Hillwood*. November 4, 2019.

Appendix G: Rincon Consultants, 2019. *Paleontological Resource Assessment for the Moreno Valley Trade Center Project, City of Moreno Valley, Riverside County, California*. November 12, 2019.

Appendix H1: Urban Crossroads, 2020. *Moreno Valley Trade Center Warehouse Greenhouse Gas Analysis*. January 7, 2021.

Appendix H2: Urban Crossroads, 2020. *Moreno Valley Trade Center E-Commerce Greenhouse Gas Analysis*. January 7, 2021.

Appendix I: LOR Geotechnical Group, Inc., 2019. *Phase I Environmental Site Assessment APNs 488-340-002 Through -012, Southwest Corner of Redlands Boulevard and Eucalyptus Avenue, Moreno Valley, California*. March 1, 2019.

Appendix J1: Thienes Engineering, 2019. *Preliminary Hydrology Calculations for Moreno Valley Trade Center*. October 28, 2019 (revised March 17, 2021).

Appendix J2: Thienes Engineering, 2019. *Project Specific Preliminary Water Quality Management Plan (P-WQMP) for PEN-0193/LWQ19-0035 Moreno Valley Trade Center*. November 7, 2019.

Appendix J3: Thienes Engineering, 2020. *Preliminary Hydrology Calculations for Moreno Valley Trade Center, Option 2 E-Commerce/Fulfillment Center Site Plan*. January 24, 2020 (revised March 24, 2021).

Appendix J4: Thienes Engineering, 2020. *Project Specific Preliminary Water Quality Management Plan (P-WQMP) for Moreno Valley Trade Center, Option 2 E-Commerce/Fulfillment Center Site Plan*. March 16, 2020.

Appendix J5: Thienes Engineering, 2021. Supplemental Hydrology Memo for Moreno Valley Trade Center.

Appendix K1: Urban Crossroads, 2020. *Moreno Valley Trade Center Warehouse Noise Impact Analysis*. January 10, 2021.

Appendix K2: Urban Crossroads, 2020. *Moreno Valley Trade Center E-Commerce Noise Impact Analysis*. January 10, 2021.

Appendix L1: Translutions, 2020. *Moreno Valley Trade Center Traffic Impact Analysis Warehouse Scenario*. November 5, 2020.

Appendix L2: Translutions, 2020. *Moreno Valley Trade Center Traffic Impact Analysis E-Commerce Scenario*. November 5, 2020.

Appendix L3: Translutions, 2020. *Moreno Valley Trade Center Trip Generation Comparison (Warehouse Scenario)*. January 4, 2021.

Appendix L4: Translutions, 2020. *Moreno Valley Trade Center Trip Generation Comparison (E-Commerce Scenario)*. January 4, 2021.

Appendix M: Eastern Municipal Water District, 2020. *Water Supply Assessment Report Moreno Valley Trade Center*. April 8, 2020.