Appendix A

Environmental and Regulatory Setting

Environmental and Regulatory Setting

Aesthetics

Environmental Setting

A viewshed is generally defined as an area that can be seen from a given vantage point and viewing direction. A viewshed is composed of foreground items (items closer to the viewer) that are seen in detail and background items (items at some distance from the viewer) that frame the view.

SCENIC VISTA

A scenic vista is generally defined as a view of undisturbed natural lands exhibiting a unique or unusual feature that comprises an important or dominant portion of the viewshed. Scenic vistas may also be represented by a particular distant view that provides visual relief from less attractive views of nearby features. Other designated federal and state lands, as well as local open space or recreational areas, may also offer scenic vistas if they represent a valued aesthetic view within the surrounding landscape.

Moreno Valley is located in Riverside County in an east-west oriented valley bordered by the Box Spring Mountain Range to the north, the Badlands Mountain Range, also known as San Timoteo Badlands, to the northeast, and the Bernasconi Hills with Lake Perris to the southeast. Moreno Valley connects to the San Jacinto Valley in the southeast between the Badlands Mountain Range and Bernasconi Hills. To the west, lower hill ranges including Sycamore Canyon are located between the cities of Riverside and Perris, and the Saddleback formation, which is part of the Santa Ana Mountain Range, lies further in the west beyond Lake Mathews. These topographic features provide numerous scenic vistas within Moreno Valley.

Scenic resources within Moreno Valley are identified in the General Plan as Box Springs Mountains and Reche Canyon area to the north, the Badlands to the east, and Mount Russel and Moreno Peak to the south (City of Moreno Valley 2026). The identified scenic resources are visible from State Route 60, Moreno Beach Drive, Gilman Springs Road, and other unidentified roadways.

VISUAL CHARACTER

The project site is located in an urbanized area that is primarily dominated by residential buildings and commercial development. The project site is currently vacant and undeveloped. Dominant on-site visual features include low lying vegetation, and dominant off-site visual features include residential structures, a project site under construction, and low lying vegetation surrounding the project site.

SCENIC HIGHWAYS

The project site is not within or adjacent to a designated state scenic highway, as identified by California Department of Transportation (Caltrans). The nearest designated state scenic highway is a portion of State Route 243, approximately 19 miles to the east of the project site, in Banning (Caltrans 2024). The nearest eligible state scenic highway is a portion of State Route 74 approximately 9 miles to the south of the project site, in Perris (Caltrans 2024).

LIGHT AND GLARE

The project is in an urban area of the city that is primarily developed with residential buildings and commercial uses. The project site contains no sources of artificial lighting; however, there are streetlights and exterior lighting associated with residential structures, as well as vehicle headlights on nearby major roadways such as Alessandro Boulevard, within the vicinity of the project site.

Regulatory Setting

STATE REGULATIONS

California Department of Transportation

The California Scenic Highway Program was created in 1963 to preserve and protect highway corridors in areas of outstanding natural beauty from changes that would diminish the aesthetic value of the adjacent lands. The California Department of Transportation (Caltrans) designates highways based on how much of the landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which views are compromised by development.

Caltrans manages the California Scenic Highway Program (CSHP), which is intended to preserve and protect scenic highway corridors from changes that would diminish the aesthetic value of lands adjacent to highways. state laws governing state scenic highways are found in Streets and Highways Code (SHC) Section 260 to Section 263. A highway may be designated as scenic based on certain criteria, including how much of the natural landscape can be seen by travelers, the landscape's scenic quality and the extent to which development intrudes on the traveler's enjoyment of the view. The CSHP's *Scenic Highway System List* identifies scenic highways that are either eligible for designation or have already been designated as such. Section 261 requires local government agencies to take the following actions to protect the scenic appearance of a scenic corridor:

- Regulate land use and density of development
- Provide detailed land and site planning
- Prohibit off-site outdoor advertising and control on-site outdoor advertising
- Pay careful attention to and control of earthmoving and landscaping
- Scrutinize the design and appearance of structures and equipment

Official designation requires a local jurisdiction to enact a scenario corridor protection program that protects and enhances scenic resources.

LOCAL REGULATIONS

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Land Use and Open Space & Resource Conservation Elements each identify goals, objectives, policies, and programs that will preserve the City's character and scenic resources while improving overall community design.

Land Use Element

Policy LCC.2-20 Encourage site designs that create an active street frontage and screen parking from the frontages of Alessandro, Sunnymead and Perris Boulevards.

Policy LCC.2-21 Orient residential uses to the street and discourage the use of walls and fences. Employ a variety of techniques to buffer residential uses on the corridors from traffic and noise, including setbacks, landscaping, stoops, and raised entries.

Policy LCC.3-12 Promote the preservation, maintenance, and improvement of property through code enforcement to mitigate or eliminate deterioration and blight conditions, and to help encourage new development and reinvestment.

Policy LCC.3-13 New and retrofitted fences and walls should incorporate landscape elements and changes in materials or texture to deter graffiti and add visual interest.

Open Space & Resource Conservation Element

Policy OSRC.2-5 Recognize the scenic value of views of hills surrounding Moreno Valley from Gilman Springs Road, Moreno Beach Drive, and SR 60 and encourage measures to preserve viewsheds, as possible. The view of Mystic Lake from Gilman Springs Road should also be considered.

Moreno Valley Municipal Code

On September 11, 2012, the City Council adopted Ordinance No. 851, which amended various sections of the Moreno Valley Municipal Code (MVMC), including Section 9.08.100, *Lighting*, to address citywide night lighting standards for residential and non-residential land uses.

For multi-family residential uses:

> All outdoor lighting associated with residential uses shall be fully shielded and directed away from adjacent residential properties. 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.
>
> All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass.
>
> The maximum wattage for residential lighting shall be one hundred (100) watts incandescent or equivalent light intensity and twenty-six (26) watts compact fluorescent or equivalent light intensity, except as allowed for parking lot lighting and recreational courts.
>
> Parking lot lighting for designated multiple-family residential parking areas shall meet the requirements included in subsection (C)(4) Off-Street Parking.

Agricultural and Forestry Resources

Environmental Setting

The project site is undeveloped and vacant. The surrounding area is a mix of vacant undeveloped land, existing and planned single-family and multi-family residential developments, large lot rural residences, and medical institutional uses. As part of the project, all existing vegetation would be removed and replaced with landscaping pursuant to the MVMC.

The MVMC includes an agricultural district; however, no land within city limits is designated as agriculture on the City's land use map. The project site is zoned as Downtown Center (DC) under the City's Zoning Code, which is not within an agricultural zone.

According to the California Department of Conservation's (DOC) Important Farmland Finder, the project site is in an area that consists of Farmlands of Local Importance, which are lands of importance to the local agricultural economy, as determined by the county's board of supervisors and a local advisory committee (DOC 2024).

Regulatory Setting

STATE REGULATIONS

Farmland Mapping and Monitoring Program

The California Department of Conservation (CDC), Division of Land Resource Protection, identifies Important Farmland throughout the state through its Farmland Mapping and Monitoring Program (FMMP). The FMMP is non-regulatory and was developed to inventory land and provide categorical definitions of important farmlands and consistent and impartial data to decision makers for use in assessing present status, reviewing trends, and planning for the future of California's agricultural land resources. The program does not necessarily reflect local General Plan actions, urban needs, changing economic conditions, proximity to market, and other factors, which may be taken into consideration when government considers agricultural land use policies.

The FMMP periodically prepares Important Farmland Maps, which are a hybrid of resource quality (soils)and land use information intended to document the suitability of land for agricultural production. The City of Moreno Valley includes land designated as Prime and Unique Farmlands, Farmland of Statewide and Local Importance, Grazing Land, Urban and Built-Up, and Other Land.

Prime Farmland. Prime Farmland has the most favorable combination of physical and chemical features, enabling it to sustain long-term production of agricultural crops. This land possesses the soil quality, growing season, and moisture supply needed to produce sustained high yields. In order to qualify for this classification, the land must have produced irrigated crops at some point during the two update cycles prior to Natural Resources Conservation Service (NRCS) mapping.

Farmland of Statewide Importance. Farmland of Statewide Importance is similar to Prime Farmland; however, it possesses greater slopes and/or less ability to store moisture. In order to qualify for this classification, the land must have produced irrigated crops at some point during the two update cycles prior to NRCS mapping.

Unique Farmland. Unique Farmland is of lesser quality soils used for the production of the State's leading agricultural crops. Unique Farmland includes areas that do not meet the criteria for Prime Farmland or Farmland of Statewide Importance but that have been used for the production of

specific high economic value crops during the two update cycles prior to the mapping date. It has the combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality and/or high yields of a specific crop when treated and managed according to current farming methods. This land is usually irrigated but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been farmed at some time during the four years prior to the mapping date.

Farmland of Local Importance. Farmland of Local Importance is important to the local agricultural economy, as determined by the County of Riverside (County) Board of Supervisors and a local advisory committee. The County defines Farmland of Local Importance as land with the same characteristics as Prime Farmland or Farmland of Statewide Importance with the exception of irrigation. The entire project site is designated as Farmland of Local Importance.

Grazing Land. Grazing Land is land on which the existing vegetation is suited to the grazing of livestock. The minimum mapping unit for Grazing Land is 40 acres.

Urban and Built-Up. Land Urban and Built-Up Land consists of land occupied by structures with a building density of at least 1 dwelling unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

Other Land. Other Land consists of land not included in any other mapping category. Common examples include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than 40 acres. Vacant and non-agricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

Water. Water consists of perennial water bodies with an extent of at least 40 acres.

California Land Conservation Act

The California Land Conservation Act of 1965, known as the Williamson Act (California Administrative Code Section 51200 et seq.), creates an arrangement whereby private landowners contract with local governments to voluntarily restrict land to agricultural or related open space uses. In return, restricted parcels are assessed for property tax purposes, at a rate consistent with their actual use, rather than potential market value. Local governments receive an annual subvention of forgone property tax revenues from the state. There is no land in the City under a Williamson Act Contract.

Air Quality

Environmental Setting

CLIMATE AND TOPOGRAPHY

The project site is located in the South Coast Air Basin (SCAB), which includes the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, as well as all of Orange County. The SCAB is on a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean on the southwest and high mountains forming the remainder of the perimeter (SCAQMD 1993). Air quality in this area is determined by such natural factors as topography, meteorology, and climate,

in addition to the presence of existing air pollution sources and ambient conditions. These factors along with applicable regulations are discussed below.

The SCAB is part of a semi-permanent high-pressure zone in the eastern Pacific. As a result, the climate is mild and tempered by cool sea breezes. This usually mild weather pattern is occasionally interrupted by periods of extreme heat, winter storms, and Santa Ana winds.[1] The annual average temperature throughout the 6,645-square-mile SCAB ranges from low 60 to high 80 degrees Fahrenheit (°F) with little variance. With more oceanic influence, coastal areas show less variability in annual minimum and maximum temperatures than inland areas.

Contrasting the steady pattern of temperature, rainfall is seasonally and annually highly variable. Almost all annual rainfall occurs between the months of November and April. Summer rainfall is reduced to widely scattered thundershowers near the coast, with slightly heavier activity in the east and over the mountains.

Although the SCAB has a semiarid climate, the air closer to the Earth's surface is typically moist because of the presence of a shallow marine layer. Except for occasional periods when dry, continental air is brought into the SCAB by offshore winds, the "ocean effect" is dominant. Periods of heavy fog are frequent and low clouds known as high fog are characteristic climatic features, especially along the coast. Annual average humidity is 70 percent at the coast and 57 percent in the eastern portions of the SCAB.

Wind patterns across the SCAB are characterized by westerly or southwesterly onshore winds during the day and easterly or northeasterly breezes at night. Wind speed is typically higher during the dry summer months than during the rainy winter. Between periods of wind, air stagnation could occur in both the morning and evening hours. Air stagnation is one of the critical determinants of air quality conditions on any given day. During winter and fall, surface high-pressure systems over the SCAB, combined with other meteorological conditions, result in very strong, downslope Santa Ana winds. These winds normally continue for a few days before predominant meteorological conditions are reestablished.

The mountain ranges to the east affect the diffusion of pollutants by inhibiting the eastward transport of pollutants. Air quality in the SCAB generally ranges from fair to poor and is similar to air quality in most of coastal Southern California. The entire region experiences heavy concentrations of air pollutants during prolonged periods of stable atmospheric conditions.

In addition to the characteristic wind patterns that affect the rate and orientation of horizontal pollutant transport, two distinct types of temperature inversions control the vertical depth through which air pollutants are mixed. These inversions are the marine inversion and the radiation inversion. The height of the base of the inversion at any given time is called the "mixing height." The combination of winds and inversions is a critical determinant leading to highly degraded air quality for the SCAB in the summer and generally good air quality in the winter.

AIR POLLUTANTS OF PRIMARY CONCERN

Primary criteria pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory, etc.) into the atmosphere. Primary criteria pollutants include carbon monoxide (CO), nitrogen dioxide (NO_2), particulate matter with 10 microns in diameter or less (PM_{10}), particulate matter with 2.5 microns or less ($PM_{2.5}$), sulfur dioxide (SO_2), and lead (Pb). Ozone (O_3) is considered

[1] The National Weather Service defines Santa Ana winds as "a weather condition in which strong, hot, dust-bearing winds descend to the Pacific Coast around Los Angeles from inland desert regions."

a secondary criteria pollutant because it is created by atmospheric chemical and photochemical reactions between reactive organic compounds (ROC) and nitrogen oxides (NO_X). These pollutants can have adverse impacts on human health at certain levels of exposure. The following subsections describe the characteristics, sources, and health and atmospheric effects of air pollutants.

Ozone

Ozone (O_3) is a highly oxidative unstable gas produced by a photochemical reaction (triggered by sunlight) between NO_X and ROC/volatile organic compounds (VOC).[2] ROC is composed of non-methane hydrocarbons (with specific exclusions), and NO_X is composed of different chemical combinations of nitrogen and oxygen, mainly nitric oxide and NO_2. NO_X is formed during the combustion of fuels, while ROC is formed during the combustion and evaporation of organic solvents. As a highly reactive molecule, O_3 readily combines with many different atmosphere components. Consequently, high O_3 levels tend to exist only while high ROC and NO_X levels are present to sustain the O_3 formation process. Once the precursors have been depleted, O_3 levels rapidly decline. Because these reactions occur on a regional rather than local scale, O_3 is considered a regional pollutant. In addition, because O_3 requires sunlight to form, it mainly occurs in concentrations considered serious between April and October. Groups most sensitive to O_3 include children, the elderly, people with respiratory disorders, and people who exercise strenuously outdoors. Depending on the level of exposure, O_3 can cause coughing and a sore or scratch throat; make it more difficult to breathe deeply and vigorously and cause pain when taking a deep breath; inflame and damage the airways; make the lungs more susceptible to infection; and aggravate lung diseases such as asthma, emphysema, and chronic bronchitis.

Carbon Monoxide

Carbon monoxide (CO) is a localized pollutant found in high concentrations near its source. The primary source of CO, a colorless, odorless, poisonous gas, is automobile traffic's incomplete combustion of petroleum fuels. Therefore, elevated concentrations are usually only found near areas of high traffic volumes. Other sources of CO include the incomplete combustion of petroleum fuels at power plants and fuel combustion from wood stoves and fireplaces throughout the year. When CO levels are elevated outdoors, they can be of particular concern for people with some types of heart disease. These people already have a reduced ability to get oxygenated blood to their hearts in situations where they need more oxygen than usual. As a result, they are especially vulnerable to the effects of CO when exercising or under increased stress. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain, also known as angina.

Nitrogen Dioxide

Nitrogen dioxide (NO_2) is a by-product of fuel combustion. The primary sources are motor vehicles and industrial boilers, and furnaces. The principal form of NO_X produced by combustion is nitric oxide (NO), but NO reacts rapidly to form NO_2, creating the mixture of NO and NO_2, commonly called NO_X. NO_2 is a reactive, oxidizing gas and an acute irritant capable of damaging cell linings in the respiratory tract. Breathing air with a high concentration of NO_2 can irritate airways in the human respiratory system. Such exposures over short periods can aggravate respiratory diseases

[2] California Air Resources Board (CARB) defines VOC and ROC similarly as, "any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate," with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROC and VOC are considered comparable in terms of mass emissions, and the term ROC is used in this report.

leading to respiratory symptoms (such as coughing, wheezing, or difficulty breathing), hospital admissions, and visits to emergency rooms. Longer exposures to elevated concentrations of NO_2 may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma, particularly children and the elderly, are generally at greater risk for the health effects of NO_2. NO_2 absorbs blue light and causes a reddish-brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of O_3/smog and acid rain.

Sulfur Dioxide

Sulfur dioxide (SO_2) is included in a group of highly reactive gases known as "oxides of sulfur." The largest sources of SO_2 emissions are from fossil fuel combustion at power plants (73 percent) and other industrial facilities (20 percent). Smaller sources of SO_2 emissions include industrial processes such as extracting metal from ore and burning fuels with a high sulfur content by locomotives, large ships, and off-road equipment. Short-term exposures to SO_2 can harm the human respiratory system and make breathing difficult. People with asthma, particularly children, are sensitive to these effects of SO_2.

Particulate Matter

Suspended atmospheric PM_{10} and $PM_{2.5}$ are comprised of finely divided solids and liquids such as dust, soot, aerosols, fumes, and mists. Both PM_{10} and $PM_{2.5}$ are emitted into the atmosphere as by-products of fuel combustion and wind erosion of soil and unpaved roads. The atmosphere, through chemical reactions, can form particulate matter. The characteristics, sources, and potential health effects of PM_{10} and $PM_{2.5}$ can be very different. PM_{10} is generally associated with dust mobilized by wind and vehicles. In contrast, $PM_{2.5}$ is generally associated with combustion processes and formation in the atmosphere as a secondary pollutant through chemical reactions. PM_{10} can cause increased respiratory disease, lung damage, cancer, premature death, reduced visibility, surface soiling. For $PM_{2.5}$, short-term exposures (up to 24-hours duration) have been associated with premature mortality, increased hospital admissions for heart or lung causes, acute and chronic bronchitis, asthma attacks, emergency room visits, respiratory symptoms, and restricted activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases.

Lead

Lead (Pb) is a metal found naturally in the environment, as well as in manufacturing products. The major sources of Pb emissions historically have been mobile and industrial. However, due to the USEPA 's regulatory efforts to remove lead from gasoline, atmospheric Pb concentrations have declined substantially over the past several decades. The most dramatic reductions in Pb emissions occurred before 1990 due to the removal of Pb from gasoline sold for most highway vehicles. Pb emissions were further reduced substantially between 1990 and 2008, with reductions occurring in the metals industries at least partly due to national emissions standards for hazardous air pollutants. As a result of phasing out leaded gasoline, metal processing is currently the primary source of Pb emissions. The highest Pb level in the air is generally found near Pb smelters. Other stationary sources include waste incinerators, utilities, and Pb-acid battery manufacturers. Pb can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems, and cardiovascular system depending on exposure. Pb exposure also affects the oxygen-carrying capacity of the blood. The Pb effects most likely encountered in current populations are neurological in children. Infants and young children are susceptible to Pb exposures, contributing to behavioral problems, learning deficits, and lowered IQ.

Toxic Air Contaminants

In addition to the criteria pollutants discussed above, toxic air contaminants (TAC) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or serious illness, or that may pose a present or potential hazard to human health. TACs include both organic and inorganic chemical substances that may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. One of the main sources of TACs in California is diesel engine exhaust that contains solid material known as diesel particulate matter (DPM). More than 90 percent of DPM is less than one micron in diameter (about 1/70th the diameter of a human hair) and thus is a subset of $PM_{2.5}$. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lungs. TACs are different than criteria pollutants because ambient air quality standards have not been established for TACs. TACs occurring at extremely low levels may still cause health effects and it is typically difficult to identify levels of exposure that do not produce adverse health effects. TAC impacts are described by carcinogenic risk and by chronic (i.e., long duration) and acute (i.e., severe but of short duration) adverse effects on human health. People exposed to TACs at sufficient concentrations and durations may have an increased chance of getting cancer or experiencing other serious health effects that can include damage to the immune system, as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory, and other health problems.

Current Air Quality

The SCAQMD operates a network of air quality monitoring stations throughout Los Angeles County. The monitoring stations aim to measure ambient concentrations of pollutants and determine whether ambient air quality meets State and Federal standards. The closest air quality monitoring station to the project site is the Perris Valley Station for 2021 for Ozone and PM_{10}. No measurements for the Perris Valley Station were available for 2022 or 2023 so the Lake Elsinore Area Station was used for data for 2022 and 2023 for all pollutants other than $PM_{2.5}$. The Metropolitan Riverside County 3 Monitoring Station was used for $PM_{2.5}$ measurements for 2021 through 2023.

Table 1 below indicates the number of days that each of the federal and State standards has been exceeded at monitoring stations near the project site in each of the last three years for which data is available. In the vicinity of the project site, the federal and State 8-hour ozone standards, State - hour ozone standards, and State PM_{10} standards were exceeded in 2021 through 2023. Federal $PM_{2.5}$ standards were exceeded in 2021 and 2023. No other exceedances were documented for 2021 through 2023. Information regarding SO_2 concentrations is not available from any of the monitoring stations.

Table 1 Annual Ambient Air Quality Data from Nearest Monitoring Stations

Pollutant	2021	2022	2023
Ozone (ppm), Worst 1-Hour[1,2]	0.117	0.121	0.120
Number of days above CAAQS (>0.09 ppm)	25	17	53
Number of days above NAAQS (>0.12 ppm)	0	-	-
Ozone (ppm), Worst 8-Hour Average[1]	0.094	0.091	0.103
Number of days above CAAQS (>0.070 ppm)	60	37	28

Number of days above NAAQS (>0.070 ppm)	55	37	31
Carbon Dioxide (ppm), worst 1-hour[2]	0.9	0.9	1.3
Number of days above CAAQS (35 ppm)	0	0	0
Number of days above NAAQS (20 ppm)	0	0	0
Carbon Dioxide (ppm), worst 8-hour[2]	0.8	0.6	0.7
Number of days above CAAQS (9 ppm)	0	0	0
Number of days above NAAQS (9 ppm)	0	0	0
Nitrogen Dioxide (ppm), Worst 1-Hour[2]	0.044	0.037	0.042
Number of days above CAAQS (>0.180 ppm)	0	0	0
Number of days above NAAQS (>0.100 ppm)	0	0	0
Particulate Matter <10 microns ($\mu g/m^3$), Worst 24 Hours[2]	89	91	186
Number of days above CAAQS (>50 $\mu g/m^3$)	4	1	5
Number of days above NAAQS (>150 $\mu g/m^3$)	0	0	1
Particulate Matter <2.5 microns ($\mu g/m^3$), Worst 24 Hours[3]	77.6	32.1	53.9
Number of days above NAAQS (>35 $\mu g/m^3$)	13	0	3

ppm = parts per million; $\mu g/m^3$ = micrograms per cubic meter; CAAQS = California Ambient Air Quality Standard; NAAQS = National Ambient Air Quality Standard

[1] Data sourced from the Perris Valley Monitoring Station.

[2] Data sourced from the Lake Elsinore Area Monitoring Station.

[3] Data sourced from the Metropolitan Riverside County 3 Monitoring Station.

Source: SCAQMD 2025

Sensitive Receptors

CARB and the Office of Environmental Health Hazard Assessment (OEHHA) have identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, infants (including in utero in the third trimester of pregnancy), and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis (CARB 2005, OEHHA 2015). Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved and are referred to as sensitive receptors. Examples of these sensitive receptors are residences, schools, hospitals, religious facilities, and daycare centers. The nearest sensitive receptor to the site are the residential land uses immediately to the west, directly north across Alessandro Blvd, and the Riverside University Heath System Medical Center approximately 500 feet southeast of the project site.

Regulatory Setting

The federal and state governments have been empowered by the Federal Clean Air Act (FCAA) and the California Clean Air Act (CCAA), respectively, to regulate airborne pollutant emissions and have established ambient air quality standards for the protection of public health. The U.S. Environmental Protection Agency (U.S. EPA) is the federal agency designated to administer air quality regulation, while the California Air Resources Board (CARB) is the state equivalent. Local control in air quality management is provided by CARB through county-level or regional (multi-county) air pollution control districts (APCDs). CARB establishes air quality standards and is responsible for control of

mobile emission sources, while the local APCDs are responsible for enforcing standards and regulating stationary sources. CARB has established 14 air basins statewide.

FEDERAL REGULATIONS

Federal Clean Air Act

The FCAA, passed in 1970 and last amended in 1990, is the basis for national air pollution control. The U.S. EPA is responsible for implementing most aspects of the FCAA, including setting National Ambient Air Quality Standards (NAAQS) for major air pollutants; setting hazardous air pollutants (HAPs) standards; approving state attainment plans; setting motor vehicle emission standards; issuing stationary source emission standards and permits; and establishing acid rain control measures, stratospheric ozone protection measures, and enforcement provisions. The 1990 FCAA amendments represent the latest in a series of federal efforts to regulate the protection of air quality in the United States. The FCAA allows states to adopt more stringent standards or to include other pollution species.

National Ambient Air Quality Standards

The FCAA requires the U.S. EPA to establish primary and secondary NAAQS for a number of criteria air pollutants. The air pollutants for which standards have been established are considered the most prevalent air pollutants that are known to be hazardous to human health. NAAQS have been established for the following pollutants: ozone (O_3), carbon monoxide (CO), sulfur dioxide (SO_2), particulate matter (PM_{10}), fine particulate matter ($PM_{2.5}$), and lead.

STATE REGULATIONS

California Clean Air Act

The CCAA, signed into law in 1988, requires all areas of the state to achieve and maintain the California Ambient Air Quality Standards (CAAQS) by the earliest practical date. CARB is the state air pollution control agency and is a part of the California Environmental Protection Agency (CalEPA). CARB is the agency responsible for coordination and oversight of state and local air pollution control programs in the state, and for implementing the requirements of the CCAA. CARB overseas local district compliance with state and federal laws, approves local air quality plans, submits the state Implementation Plans (SIPs) to U.S. EPA, monitors air quality, determines and updates area designations and maps, and sets emissions standards for new mobile sources, consumer products, small utility engines, off-road vehicles, and fuels.

California Ambient Air Quality Standards

The CCAA requires CARB to establish CAAQS. Similar to the NAAQS, CAAQS have been established for the following pollutants: O_3, CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, lead, vinyl chloride, hydrogen sulfide, sulfates, and visibility-reducing particulates. In most cases, the CAAQS are more stringent than the NAAQS. The CCAA requires that all local air districts in the state endeavor to achieve and maintain the CAAQS by the earliest practical date. The CCAA specifies that local air districts should focus particular attention on reducing the emissions from transportation and area-wide emission sources and provides districts with the authority to regulate indirect sources.

REGIONAL AND LOCAL REGULATIONS

South Coast Air Quality Management District

The SCAQMD is the air pollution control agency for Orange County and the urban portions of Los Angeles, Riverside, and San Bernardino Counties. The agency's primary responsibility is ensuring that the CAAQS and NAAQS are attained and maintained in the SCAB. The SCAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, and many other activities. All projects are subject to SCAQMD rules and regulations in effect at the time of construction.

The SCAQMD is also the lead agency in charge of developing the Air Quality Management Plan (AQMP), with input from the Southern California Association of Governments (SCAG) and CARB. The AQMP is a comprehensive plan that includes control strategies for stationary and area sources, as well as for on-road and off-road mobile sources. SCAG has the primary responsibility for providing future growth projections and the development and implementation of transportation control measures. CARB, in coordination with federal agencies, provides the control element for mobile sources.

Table 2 State and Federal Ambient Air Quality Standards

Pollutant/Precursor	Averaging Time	State Standards	National Standards
Ozone (O_3)[2,5,7]	8 Hour	0.070 ppm (137 µg/m^3)	0.070 ppm
	1 Hour	0.09 ppm (137 µg/m^3)	N/A
Carbon Monoxide (CO)	8 Hour	9.0 ppm (137 mg/m^3)	9 ppm (10 µg/m^3)
	1 Hour	20 ppm (23 mg/m^3)	35 ppm (40 µg/m^3)
Nitrogen Dioxide (NO_2)	1 Hour	0.18 ppm (339 mg/m^3)	0.10 ppm[11]
	Annual Arithmetic Mean	0.030 ppm (57 mg/m^3)	0.053 (100 mg/m^3)
Sulfur Dioxide (SO_2)[8]	24 Hour	0.04 ppm (105 mg/m^3)	0.14 ppm (365 mg/m^3)
	1 Hour	0.25 ppm (655 mg/m^3)	0.075 ppm (196 mg/m^3)
	Annual Arithmetic Mean	N/A	0.03 ppm (80 mg/m^3)
Particulate Matter (PM_{10})[1,3,6]	24 Hour	50 µg/m^3	150 µg/m^3
	Annual Arithmetic Mean	20 µg/m^3	N/A
Fine Particulate Matter ($PM_{2.5}$)[3,4,6,9]	24 Hour	N/A	35 µg/m^3
	Annual Arithmetic Mean	12 µg/m^3	12 µg/m^3
Sulfates (SO_{4-2})	24 Hour	25 µg/m^3	N/A

Lead PB)[10,11]	30-Day Average	1.5 µg/m^3	N/A
	Calendar	N/A	1.5 µg/m^3
	Rolling 3-Month Average	N/A	0.15 µg/m^3
Hydrogen Sulfide (H_2S)	1 Hour	0.03 µg/m^3	N/A
Vinyl Chloride (C_2H_3CI)	24 Hour	0.01 PPM (26 µg/m^3)	N/A

Notes: ppm = parts per million µg/m^3 = micrograms per cubic meter; mg/m^3 = milligrams per cubic meter; -= no information available.

1. California standards for O_3 carbon monoxide (except Lake Tahoe), sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - $PM_{2.5}$, and visibility reducing particles are values that are not to be exceeded. The standards for sulfates, Lake Tahoe carbon monoxide, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour or 24-hour average (i.e. all standards except for lead and the PM_{10} annual standard), then some measurements may be excluded. Measurements are excluded that CARB determines would occur less than once per year on the average. The Lake Tahoe carbon monoxide standard is 6.0 ppm, a level one-half the national standard and two-thirds the state standard.
2. National standards shown are the "primary standards" designed to protect public health. National standards other than for O3, particulates and those based on annual averages are not to be exceeded more than once a year. The 1-hour O3 standard is attained if, during the most recent three-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour O3 standard is attained when the 3-year average of the 4th highest daily concentrations is 0.070 ppm or less. The 24-hour PM10 standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 µg/m3. The 24-hour PM2.5 standard is attained when the 3-year average of 98th percentiles is less than 35 µg/m3.
3. Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM10 is met if the 3-year average falls below the standard at every site. The annual PM2.5 standard is met if the 3-year average of annual averages spatially-averaged across officially designed clusters of sites falls below the standard. NAAQS are set by the U.S. EPA at levels determined to be protective of public health with an adequate margin of safety.
4. On October 1, 2015, the national 8-hour O3 primary and secondary standards were lowered from 0.075 to 0.070 ppm. An area will meet the standard if the fourth-highest maximum daily 8-hour O3 concentration per year, averaged over three years, is equal to or less than 0.070 ppm. U.S. EPA will make recommendations on attainment designations by October 1, 2016, and issue final designations October 1, 2017. Nonattainment areas will have until 2020 to late 2037 to meet the health standard, with attainment dates varying based on the O3 level in the area.
5. The national 1-hour O3 standard was revoked by the U.S. EPA on June 15, 2005.
6. In June 2002, CARB established new annual standards for PM2.5 and PM10.
7. The 8-hour California O3 standard was approved by the CARB on April 28, 2005 and became effective on May 17, 2006.
8. On June 2, 2010, the U.S. EPA established a new 1-hour SO2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. The existing 0.030 ppm annual and 0.14 ppm 24-hour SO2 NAAQS however must continue to be used until one year following U.S. EPA initial designations of the new 1-hour SO2 NAAQS.
9. In December 2012, U.S. EPA strengthened the annual PM2.5 NAAQS from 15.0 to 12.0 µg/m3. In December 2014, the U.S. EPA issued final area designations for the 2012 primary annual PM2.5 NAAQS. Areas designated “unclassifiable/attainment” must continue to take steps to prevent their air quality from deteriorating to unhealthy levels. The effective date of this standard is April 15, 2015.
10. CARB has identified lead and vinyl chloride as ‘toxic air contaminants’ with no threshold level of exposure below which there are no adverse health effects determined.
11. National lead standards, rolling 3-month average: final rule signed October 15, 2008. Final designations effective December 31, 2011.

Source: South Coast Air Quality Management District, *Air Quality Management Plan,* 2016; California Air Resources Board, *Ambient Air Quality Standards,* May 6, 2016.

On October 1, 2015, the U.S. EPA strengthened the NAAQS for ground-level O_3. The 2022 AQMP, adopted by the SCAQMD Governing Board on December 2, 2022, was developed to address the requirements for meeting the 2015 8-hour O_3 standard. The 2022 AQMP builds upon measures already in place from previous AQMPs. It also includes a variety of additional strategies such as regulation, accelerated deployment of available cleaner technologies (e.g., zero emissions technologies, when cost-effective and feasible, and low NO_X technologies in other applications), best management practices, co-benefits from existing programs (e.g., climate and energy efficiency),

incentives, and other FCAA measures to achieve the 2015 8-hour ozone standard. The 2022 AQMP incorporates the latest scientific and technological information and planning assumptions, including the *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS) and updated emission inventory methodologies for various source categories.

The SCAQMD has published the *CEQA Air Quality Handbook* (approved by the SCAQMD Governing Board in 1993 and augmented with guidance for Local Significance Thresholds [LSTs] in 2008). The SCAQMD guidance helps local government agencies and consultants to develop environmental documents required by CEQA and provides identification of suggested thresholds of significance for criteria pollutants for both construction and operation (see discussion of thresholds below). With the help of the *CEQA Air Quality Handbook* and associated guidance, local land use planners and consultants are able to analyze and document how proposed and existing projects affect air quality in order to meet the requirements of the CEQA review process. The SCAQMD periodically provides supplemental guidance and updates to the handbook on their website.

SCAG is the regional planning agency for Riverside, Los Angeles, Orange, Ventura, San Bernardino, and Imperial counties and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. Under federal law, SCAG is designated as a Metropolitan Planning Organization and under state law as a Regional Transportation Planning Agency and a Council of Governments. The state and federal attainment status designations for the SCAB are summarized in **Table 3**. The SCAB is currently designated as a nonattainment area for O_3, PM_{10}, and $PM_{2.5}$ CAAQS, as well as the 8-hour O_3 and $PM_{2.5}$ NAAQS. The SCAB is designated as attainment or unclassified for the remaining CAAQS and NAAQS.

Table 3 South Coast Air Basin Attainment Status

Pollutant	State	Federal
Ozone (O_3) (1 Hour Standard)	Non-Attainment	Non-Attainment (Extreme)
Ozone (O_3) (8 Hour Standard)	Non-Attainment	Non-Attainment (Extreme)
Particulate Matter ($PM_{2.5}$) (24 Hour Standard)	-	Non-Attainment (Serious)
Particulate Matter ($PM_{2.5}$) (Annual Standard)	Non-Attainment	Non-Attainment (Moderate)
Particulate Matter (PM_{10}) (24 Hour Standard)	Non-Attainment	Attainment (Maintenance)
Particulate Matter (PM_{10}) (Annual Standard)	Non-Attainment	-
Carbon Monoxide (CO) (1 Hour Standard)	Attainment	Attainment (Maintenance)
Carbon Monoxide (CO) (8 Hour Standard)	Attainment	Attainment (Maintenance)
Nitrogen Dioxide (NO_2)	Attainment	Unclassifiable/Attainment

(1 Hour Standard)		
Nitrogen Dioxide (NO_2) (Annual Standard)	Attainment	Attainment (Maintenance)
Sulfur Dioxide (SO_2) (1 Hour Standard)	Attainment	Unclassifiable/Attainment
Sulfur Dioxide (SO_2) (24 Hour Standard)	Attainment	-
Lead (Pb) (30 Day Standard)	-	Unclassifiable/Attainment
Lead (Pb) (3 Month Standard)	Attainment	-
Sulfates (SO_4) (24 Hour Standard)	Attainment	-
Hydrogen Sulfide (H_2S) (1 Hour Standard)	Unclassified	-

Source: South Coast Air Quality Management District, *Air Quality Management Plan, 2022*; United States Environmental Protection Agency, Nonattainment Areas for Criteria Pollutants (Green Book), 2022.

The following is a list of applicable SCAQMD rules that are required of construction activities.

- **Rule 402 (Nuisance)** – This rule prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.
- **Rule 403 (Fugitive Dust)** – This rule requires fugitive dust sources to implement best available control measures for all sources, and all forms of visible particulate matter are prohibited from crossing any property line. This rule is intended to reduce PM_{10} emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. PM_{10} suppression techniques are summarized below.
  - A.) Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
  - B.) All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
  - C.) All material transported off site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
  - D.) The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.

E.) Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the work day to remove soil tracked onto the paved surface.

- **Rule 445 (Wood Burning)** –This rule prohibits permanently installed wood-burning devices into any new development. A wood-burning device means any fireplace, wood burning heater, or pellet-fueled wood heater, or any similarly enclosed, permanently installed, indoor or outdoor device burning any solid fuel for aesthetic or space-heating purposes, which has a heat input of less than one million British thermal units per hour.
- **Rule 1113 (Architectural Coatings)** – This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce reactive organic gases (ROG) emissions from the use of these coatings, primarily by placing limits on the ROG content of various coating categories.

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Environmental Justice Element identifies goals, objectives, policies, and programs that will relate to air quality.

Environmental Justice Element

Policy EJ.1-3 Require new development that would locate sensitive uses adjacent to sources of toxic air contaminants (TAC) to be designed to minimize any potential health risks, consistent with State law.

Policy EJ.1-6 Ensure that construction and grading activities minimize short-term impacts to air quality by employing appropriate mitigation measures and best practices.

Moreno Valley Municipal Code

The MVMC establishes the following air quality provisions relative to the project.

Section 9.10.050 – Air Quality. No operation or activity otherwise permitted under this title shall cause the emission of any smoke, fly ash, dust, fumes, vapors, gases or other forms of air pollution which exceeds the requirements of the SCAQMD or the requirements of any air quality plan or general plan air quality element adopted by the city.

Section 9.10.150 – Odors. No operation or activity shall be permitted which emits odorous gases or other odorous matter in such quantities as to be dangerous, injurious, noxious, or otherwise objectionable to a level that is detectable with or without the aid of instruments at or beyond the lot line of the property containing said operation or activity.

Biological Resources

Environmental Setting

The project site has historically been used for agricultural purposes and consists of disturbed habitat. The topography of the project site is relatively flat. Surrounding land uses include agricultural fields, vacant lots, land under construction, medical institution uses, and residential development. The project is located within the Western Riverside Multiple Species Habitat

Conservation Plan (MSCHP). The project site is not located within a MSCHP cell, cell group, or linkage area. No aquatic resources are found on the project site.

Regulatory Setting

FEDERAL REGULATIONS

Federal Endangered Species Act

The Federal Endangered Species Act of 1973 (FESA; 16 U.S.C. Section 1531 et seq.), as amended, provides for the listing of endangered and threatened species of plants and animals and the designation of critical habitat for these listed species. The FESA regulates the "taking" of any endangered fish or wildlife species, per Section 9 of the FESA. As development is proposed, the responsible agency or individual landowner is required to consult with the U.S. Fish and Wildlife Service (USFWS) to assess potential impacts on listed species (including plants) or the critical habitat of a listed species, pursuant to Section 7 and Section 10 of the FESA. The USFWS is required to determine the extent a project would impact a particular species. If USFWS determines that a project is likely to potentially impact a species, measures to avoid or reduce such impacts must be identified.

Following consultation and the issuance of a Biological Opinion, USFWS may issue an incidental take statement which allows for the take of a species if it is incidental to another authorized activity and will not adversely affect the existence of the species. Section 10 of the FESA provides for issuance of incidental take permits to non-federal parties in conjunction with the development of a habitat conservation plan. Section 7 of the FESA provides for permitting of projects where interagency cooperation is necessary to ensure that a federal action/decision does not jeopardize the existence of a listed species.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA; 16 U.S. Code [USC] Section 703 et seq.) is a federal statute that implements treaties with several countries on the conservation and protection of migratory birds. The number of bird species covered by the MBTA is extensive and is listed at 50 Code of Federal Regulations (CFR) 10.13. USFWS enforces the MBTA, which prohibits "by any means or in any manner, to pursue, hunt, take, capture, [or] kill" any migratory bird, or attempt such actions, except as permitted by regulation.

Clean Water Act

Pursuant to Section 404 of the Clean Water Act (CWA), the U.S. Army Corps of Engineers (USACE) is authorized to regulate any activity that would result in the discharge of dredged or fill material into waters of the U.S. (including wetlands), which includes those waters listed in 33 CFR 328.3 (as amended in the Federal Register [FR]) and further defined by the 2001 Solid Waste agency of Northern Cook County pursuant to Section 404 of the Clean Water Act of 1972 (CWA; 33 U.S.C. Section 1251 et seq.), the USACE is authorized to regulate any activity that would result in the discharge of dredged or fill material into waters of the U.S. (including wetlands), which include those waters listed in33 CFR 328.3 (51 FR 41217, November 13, 1986; 53 FR 20764, June 6, 1988) and further defined by the 2001 *Solid Waste Agency of Northern Cook County v. Army Corps of Engineers* (SWANCC;531 U.S. 159) decision and the 2006 *Rapanos v. United States* (547 U.S. 715) decision. The USACE, with oversight from the U.S. EPA, has the principal authority to issue CWA Section 404

permits. The USACE would require a Standard Individual Permit (SIP) for more than minimal impacts to waters of the U.S. as determined by the USACE. Projects with minimal individual and cumulative adverse effects on the environment may meet the conditions of an existing Nationwide Permit (NWP).

A Water Quality Certification or waiver pursuant to Section 401 of the CWA (33 U.S.C. Section 1341) is required for all Section 404 permitted actions. The RWQCB, a division of the State Water Resources Control Board (SWRCB), provides oversight of the Section 401 certification process in California. The RWQCB must certify "that there is a reasonable assurance that the activity will be conducted in a manner which will not violate water quality standards" (40 CFR 121.2(a)(3)). Water Quality Certifications must be based on the findings that a proposed discharge will comply with applicable water quality standards. The National Pollutant Discharge Elimination System (NPDES) is the permitting program for discharge of pollutants into surface waters of the U.S. under Section 402 of the CWA (33 U.S.C. Section 1342).

STATE REGULATIONS

California Environmental Quality Act

The California Environmental Quality Act (CEQA) was established in 1970 as California's counterpart to the National Environmental Policy Act (NEPA; 42 USC Section 4321 et seq.). This statute requires state and local agencies to identify significant environmental impacts related to their actions and to avoid or mitigate those impacts, where feasible.

A public agency must comply with CEQA when it undertakes an activity defined by CEQA as a "project. "A project is an activity undertaken by a public agency or a private activity that must receive some discretionary approval (meaning that the agency has the authority to deny the requested permit or approval) from a government agency that may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment.

California Endangered Species Act

The California Endangered Species Act of 1984 (CESA; California Fish and Game Code [CFGC] Section 2050 et seq.), in combination with the California Native Plant Protection Act of 1977 (CFGC Section 1900 et seq.), regulates the listing and take of plant and animal species designated as endangered, threatened, or rare within the state. California also lists species of special concern based on limited distribution; declining populations; diminishing habitat; or unusual scientific, recreational, or educational value. The California Department of Fish and Wildlife (CDFW) is responsible for assessing development projects for their potential to impact listed species and their habitats. State-listed special-status species are addressed through the issuance of a 2081 permit (Memorandum of Understanding).

In 1991, the California Natural Community Conservation Planning (NCCP) Act (CFGC Section 2800 et seq.) was approved and the NCCP Coastal Sage Scrub program was initiated in Southern California. The NCCP program was established "to provide for regional protection and perpetuation of natural wildlife diversity while allowing compatible land use and appropriate development and growth." The NCCP Act encourages preparation of plans that address habitat conservation and management on an ecosystem basis rather than one species or habitat at a time.

California Fish and Game Code Sections 1600-1602

Pursuant to Division 2, Chapter 6, Section 1602 of the CFGC, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel or bank of any river, stream, or lake that supports fish or wildlife. A Notification of Lake or Streambed Alteration must be submitted to CDFW for "any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake." CDFW has jurisdiction over riparian habitats associated with watercourses and wetland habitats supported by a river, lake, or stream. Jurisdictional waters are delineated by the outer edge of riparian vegetation (i.e., drip line) or at the top of the bank of streams or lakes, whichever is wider. CDFW jurisdiction does not extend to tidal areas or isolated resources. CDFW reviews the proposed actions and, if necessary, submits (to an applicant) a proposal that includes measures to protect affected fish and wildlife resources. The final proposal that is mutually agreed upon by CDFW and an applicant is the Lake or Streambed Alteration Agreement.

California Fish and Game Code Sections 3503, 3511, 3513, 3800, 4700, 5050, and 1515

Within California, fish, wildlife, and native plant resources are protected and managed by CDFW. The California Fish and Game Commission and/or CDFW are responsible for issuing permits for the take or possession of protected species. The following sections of the CFGC address protected species: Section 3511 (birds), Section 4700 (mammals), Section 5050 (reptiles and amphibians), and Section 5515 (fish). In addition, the protection of birds of prey is provided for in Sections 3503, 3513, and 3800 of the CFGC.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act) (California Water Code Section 13000 et seq.) provides for statewide wide coordination of water quality regulations. The SWRCB was established as the statewide authority and nine separate RWQCBs were developed to oversee water quality on a day-to-day basis. The SWRCB is the primary agency responsible for protecting water quality in California. As discussed above, the RWQCBs regulate discharges to surface waters under the CWA. In addition, the RWQCBs are responsible for administering the Porter-Cologne Act.

Pursuant to the Porter-Cologne Act, the state is given authority to regulate waters of the state, which are defined as any surface water or groundwater, including saline waters. As such, any person proposing to discharge waste into a water body that could affect its water quality must first file a Report of Waste Discharge if Section 404 of the CWA is not required for the activity. "Waste" is partially defined as any waste substance associated with human habitation, including fill material discharged into water bodies.

REGIONAL AND LOCAL REGULATIONS

Western Riverside Multiple Species Habitat Conservation Plan (MSHCP)

The MSHCP is a comprehensive habitat conservation/planning program for Western Riverside County. The intent of the MSHCP is to preserve native vegetation and meet the habitat needs of multiple species, rather than focusing preservation efforts on one species at a time. The MSHCP provides coverage (including take authorization for listed species) for special-status plant and animal species, as well as mitigation for impacts to special-status species and associated native habitats.

Through agreements with the USFWS and CDFW, the MSHCP designates 146 special-status animal and plant species as Covered Species, of which the majority have no project-specific survey/conservation requirements. The MSHCP provides mitigation for project-specific impacts to these species for projects that are compliant/consistent with MSHCP requirements, such that the impacts are reduced to below a level of significance pursuant to CEQA. MVMC Chapter 3.48 supports the implementation of the MSHCP through collection of Local Development Mitigation Fees (Ord. 981 Section 3.48, 2021).

The Covered Species that are not yet adequately conserved have additional requirements for these species to ultimately be considered "adequately conserved". A number of these species have survey requirements based on a project's occurrence within a designated MSHCP survey area and/or based on the presence of suitable habitat. These include Narrow Endemic Plant Species (MSHCP Volume I, Section 6.1.3), as identified by the NEPSSA; Criteria Area Plant Species (MSHCP Volume I, Section 6.3.2) identified by the CAPSSA; animal species (burrowing owl, mammals, amphibians, and invertebrates) identified by survey areas (MSHCP Volume I, Section 6.3.2); and species associated with riparian/riverine areas and vernal pool habitats, including least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), western yellow-billed cuckoo (*Coccyzus americanus*), and three species of fairy shrimp (MSHCP Volume I, Section 6.1.2). An additional 28 species (MSHCP Volume I, Table 9.3) not yet adequately conserved have species-specific objectives for the species to become adequately conserved. However, these species do not have project-specific survey requirements.

The goal of the MSHCP is to have a total Conservation Area in excess of 500,000 acres, including approximately 347,000 acres on existing Public/Quasi-Public (PQP) Lands, and approximately 153,000 acres of Additional Reserve Lands targeted within the MSHCP Criteria Area. The MSHCP is divided into 16 separate Area Plans, each with its own conservation goals and objectives. Within each Area Plan, the Criteria Area is divided into Subunits, and further divided into Criteria Cells and Cell Groups (a group of criteria cells). Each Cell Group and ungrouped, independent Cell has designated "criteria" for the purpose of targeting additional conservation lands for acquisition. Projects located within the Criteria Area are subject to the HANS process to determine if lands are targeted for inclusion in the MSHCP Reserve. In addition, all projects located within the Criteria Area are subject to the Joint Project Review process, where a project is reviewed by the Regional Conservation Authority to determine overall compliance/consistency with the biological requirements of the MSHCP.

Stephens' Kangaroo Rat Habitat Conservation Plan and Moreno Valley Municipal Code 8.60

The Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan (HCP) was completed in 1996 by the Riverside County Habitat Conservation Agency (RCHCA), the CDFW, and the USFWS (RCHCA 1996). The HCP was created as a region-wide plan for species permitting and conservation so that individual projects could receive ESA take authority for the species through the County, rather than individually. The HCP applies to areas within the MSHCP; however, the two plans act as separate entities. The HCP established 7 "core reserves," totaling more than 41,000 acres, within a planning area of 533,000 acres. The RCHCA is responsible for "completing" the reserves through the addition of land in fee simple or through the acquisition of easements. The HCP also calls for the addition of 2,500 acres of occupied SKR habitat into the reserves, for a total of 15,000 acres of occupied SKR habitat within core reserves.

MVMC Chapter 8.60 also provides a funding mechanism for establishing sufficient habitat areas which can be effectively protected and managed for SKR's survival and recovery. The site is subject

to a $500 per acre impact and mitigation fee as outlined in MVMC Section 8.60.070 (City Ord. 981 Section 8.6, 2021). The fee is applicable to all acres subject to development and includes acreage disturbed for off-site improvement areas.

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Open Space & Resource Conservation Element identifies goals, objectives, policies, and programs that will relate to biological resources.

Open Space & Resource Conservation Element

> **Policy OSRC.1-2** Support regional efforts to preserve, protect, and enhance environmentally sensitive areas, including hillsides, canyon areas, wildlife corridors, natural watercourses, and riparian areas in and adjacent to the planning area.
>
> **Policy OSRC.1-10** Ensure that adverse impacts on sensitive biological resources, sensitive natural communities, sensitive habitat, and wetlands are avoided or mitigated to the greatest extent feasible as development takes place.
>
> **Policy OSRC.1-11** Require all development, including roads, proposed adjacent to riparian and other biologically sensitive habitats to mitigate impacts to such areas.

Moreno Valley Municipal Code

Storm Water Management, Erosion, and Sediment Control, MVMC Chapters 8.10 and 8.21. Pursuant to the federal CWA and the Porter-Cologne Act, MVMC Chapter 8.10 prohibits illicit, pollutant, and non-stormwater discharges into the storm drain system (Ord. 981 Section 8.10, 2021). The Project is subject to MVMC Chapter 8.10's instructions to prevent storm water degradation from new development. First, a project's design must maintain the permeability of the land by installing porous features (i.e., landscaping and open space) near all driveways, parking stalls, and walkways and incorporating detention basins or infiltration pits into the project design. Retention structures, subsurface areas, cisterns, and similar structures must be used to encourage stormwater storage and slow release. Runoff must be directed from impermeable areas to approved porous green infrastructure (e.g., swales, berms, green strip filters, gravel beds, and rain gardens; Ord. 981 Section 8.10, 2021).

Storm water quality is further preserved in MVMC Chapter 8.21 which outlines erosion and sediment control requirements for active construction (Ord. 981 Section 8.21, 2021). Prior to ground disturbance, a project must possess an approved erosion control plan detailing all prospective measures to be implicated to protect adjacent or downstream properties from erosion, flooding, or mud and/or debris deposits. No grading is to take place between October 1 and May 31 and a project must adhere to the civil engineer's cessation of ground disturbance/development activities if an erosional threat is detected. Santa Ana RWQCB requires a NPDES permit (including the development of a stormwater pollution prevention plan [SWPPP]) for all ground disturbance greater than one acre (Ord. 981 Section 8.21, 2021).

Cultural Resources

Environmental Setting

The project site is situated in the Peninsular Ranges, one of the eleven major geomorphic provinces in California (California Geological Survey 2002). In general, the Peninsular Ranges consist of northwest-southeast trending mountain ranges and faults (Norris and Webb 1976). These mountains are generally comprised of Mesozoic to Cenozoic plutonic and extrusive igneous and Cretaceous marine sedimentary rocks. The Peninsular Ranges province also contains sedimentary basins such as the Los Angeles Basin which have accumulated thick sequences of Cenozoic marine and terrestrial sedimentary rocks. Specifically, the project site is located in Moreno Valley, which is part of the Perris Block, a geophysical block with low topographic relief which is bounded to the west by the Elsinore Fault Zone and to the east by the San Jacinto Fault Zone (Morton and Miller 2006).

The geology of the region around the project site was mapped by Morton and Miller (2006), who identified one geologic unit, Quaternary very old alluvial fan deposits, underlying the site. Quaternary very old alluvial fan deposits underlie the entire project site and consist of moderately to well-consolidated silt, sand, and gravel that is middle to early Pleistocene in age (Morton and Miller 2006).

The project site is situated within the traditional territory of four Native American groups anthropologists identified in the early twentieth century (Kroeber 1908). The historically identified territories occupied by the Cahuilla, Gabrieleño, Luiseño, and Serrano all exist within a 25-mile range of the project site.

Regulatory Setting

FEDERAL REGULATIONS

National Historic Preservation Act of 1966

The National Historic Preservation Act (NHPA) was passed in 1966 and is codified in Title 16, Section 470 et seq. of the USC. The goal of the NHPA is to ensure federal agencies act as responsible stewards of our nation's resources when their actions affect historic properties. Among the regulations of the NHPA, Section 106 requires federal agencies to consider the effects of their undertakings on historic properties and afford the Advisory Council on Historic Properties (ACHP) a reasonable opportunity to comment. The historic preservation review process mandated by Section 106 is outlined in regulations issued by ACHP. See Title 36 CFR Part 800, “Protection of Historic Properties.”

Section 106 applies when two thresholds are met: 1) there is a federal or federally licensed action, including grants, licenses and permits, and 2) that action has the potential to affect properties listed in or eligible for listing in the National Register of Historic Places (NRHP). Section 106 requires each federal agency to identify and assess the effects of its actions on historic resources. The responsible federal agency must consult with appropriate state and local officials, Indian Tribes, applicants for federal assistance and members of the public, and consider their views and concerns about historic preservation issues when making final project decisions. The agency should also plan to involve the public and identify any other potential consulting parties. If the agency determines that it has no undertaking or that its undertaking is a type of activity that has no potential to affect historic properties, the agency has no further Section 106 obligations.

Pursuant to Section 106, impacts to a cultural site or artifact must be declared "significant," "potentially significant" or "not significant." Under NHPA regulations, impacts to "significant" archeological sites must be mitigated for, while "not significant" archeological remains need not. A "potentially significant" determination is utilized when there is not enough information to make a conclusive ruling. NHPA mitigation would not be necessary for archeological sites avoided during development.

National Register of Historic Places

Developed in 1981, pursuant to Title 36 CFR Section 60, the NRHP provides an authoritative guide to be used by federal, state, and local governments, private groups and citizens to identify the nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment. It should be noted that the listing of a private property on the NRHP does not prohibit any actions which may otherwise be taken by the property owner with respect to the property. The listing of sites in California to the NRHP is initiated through an application submitted to the State Office of Historical Preservation (OHP). Applications deemed suitable for potential consideration are handled by the State Historic Preservation Officer (SHPO). All NRHP listings for sites in California are also automatically added to the CRHR by the state of California. The listing of a site on the NRHP does not generally result in any specific physical protection. Among other things, however, it does create an additional level of CEQA (and NEPA) review to be satisfied prior to the approval of any discretionary action occurring that might adversely affect the resource.

STATE REGULATIONS

California Register of Historic Resources

The state's OHP manages and oversees the CRHR, which is intended to serve as "an authoritative guide to the state's significant historical and archeological resources." As outlined in Public Resources Code (PRC) Section 5020 et seq., resources listed must meet one of four "significance criteria" related to events, people, construction/ artistic value, or information. Sites must also retain sufficient integrity to convey their significance. The CRHR includes a number of type resources, including: all properties listed in or determined formally eligible for listing in the NRHP; all California Historical Landmarks from #770 onward; specific California Historical Landmarks issued prior to #770 and certain California Points of Historical Interest, as deemed appropriate for listing by the California Historic Resources Commission; and any properties nominated per OHP regulations. California Historical Landmarks are intended to recognize resources of statewide significance. Points of Historical Interest recognize resources of local or countywide significance. Lastly, as mentioned above, all NRHP listings within California are automatically added to the CRHR. The listing of a site on a California state register does not generally result in any specific physical protection. Among other things, however, it does create an additional level of CEQA review to be satisfied prior to any discretionary action occurring that might adversely affect the resource.

California Code of Regulations

California Code of Regulations (CCR) Title 14 Section 1427 recognizes that "California's archaeological resources are endangered by urban development and population growth and by natural forces." Accordingly, the state legislature finds that "these resources need to be preserved in order to illuminate and increase public knowledge concerning the historic and prehistoric past of California." Lastly, it states that any person "not the owner thereof, who willfully injures, disfigures,

defaces or destroys any object or thing of archaeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor."

California Health and Safety Code (Sections 7050.05, 7051, and 7054)

California Health and Safety Code (HSC) Sections 7050.5, 7051, and 7054 collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the PRC), as well as the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, treatment of the remains prior to, during and after evaluation, and reburial procedures.

California Environmental Quality Act

The project is subject to compliance with CEQA, as amended. Compliance with CEQA statutes and guidelines requires both public and private projects with financing or approval from a public agency to assess the project's impact on cultural resources (PRC Sections 21082, 21083.2 and 21084 and CCR Section 10564.5). The first step in the process is to identify cultural resources that may be impacted by the project and then determine whether the resources are "historically significant" resources.

CEQA defines historically significant resources as "resources listed or eligible for listing in the California Register of Historical Resources (CRHR)" (PRC Section 5024.1). A cultural resource may be considered historically significant if the resource is 45 years old or older, possesses integrity of location, design, setting, materials, workmanship, feeling, and association, and meets any of the following criteria for listing on the CRHR:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. 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,
4. Has yielded, or may be likely to yield, information important in prehistory or history (PRC Section 5024.1).

Cultural resources are buildings, sites, humanly modified landscapes, traditional cultural properties, structures, or objects that may have historical, architectural, cultural, or scientific importance. CEQA states that if a project will have a significant impact on important cultural resources, deemed "historically significant," then project alternatives and mitigation measures must be considered.

LOCAL REGULATIONS

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Open Space & Resource Conservation Element identifies goals, objectives, policies, and programs that will relate to cultural resources.

Open Space & Resource Conservation Element

Policy OSRC.2-8 Require cultural resource assessments prior to the approval of development proposals on properties located in archaeologically sensitive areas.

Energy

Environmental Setting

UTILITY PROVIDER

Moreno Valley Electric Utility (MVU) provides electricity to the project site. MVU serves over 6,500 customers within its service area. MVU provides customer service, meter reading, billing, emergency response, and other services to new commercial and residential developments located within its service area.

Senate Bill 1078 (SB 1078) established the California Renewables Portfolio Standard (RPS) Program, which requires MVU and other statewide energy utility providers to achieve renewable energy goals by certain milestone dates. MVU's default power mix included 33 percent of its energy from renewable resources.

Regulatory Setting

STATE REGULATIONS

California's Energy Efficiency Standards for Residential and Non-Residential Buildings (Title 24)

Energy conservation standards for new residential and nonresidential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the California Energy Commission [CEC]) in June 1977 and are updated every three years (Title 24, Part 6, of the California Code of Regulations). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods.

The 2022 Title 24 standards became effective January 1, 2023, and will result in less energy use, thereby reducing air pollutant emissions associated with energy consumption across California. For example, the 2022 Title 24 standards will require efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, and strengthens ventilation standards.

On August 11, 2021, the CEC adopted the 2022 Energy Code. In December, it was approved by the California Building Standards Commission for inclusion into the California Building Standards Code. Among other updates like strengthened ventilation standards for gas cooking appliances, the 2022 Energy Code includes updated standards in three major areas:

- New electric heat pump requirements for residential uses, schools, offices, banks, libraries, retail, and grocery stores.
- The promotion of electric-ready requirements for new homes including the addition of circuitry for electric appliances, battery storage panels, and dedicated infrastructure to allow for the conversion from natural gas to electricity.
- The expansion of solar photovoltaic and battery storage standards to additional land uses including high-rise multifamily residences, hotels and motels, tenant spaces, offices,

(including medical offices and clinics), retail and grocery stores, restaurants, schools, and civic uses (including theaters auditoriums, and convention centers).

The California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, is a statewide mandatory construction code that was developed and adopted by the California Building Standards Commission and the California Department of Housing and Community Development. CALGreen standards require new residential and commercial buildings to comply with mandatory measures under five topical areas: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. CALGreen also provides voluntary measures (CALGreen Tier 1 and Tier 2) that local governments may adopt which encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code was adopted in 2022 and went into effect January 1, 2023. Projects whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code.

California Public Utilities Commission Energy Efficiency Strategic Plan

The California Public Utilities Commission (CPUC) prepared an Energy Efficiency Strategic Plan in 2011 with the goal of promoting energy efficiency and a reduction in greenhouse gases (GHGs). AB 1109, adopted in 2007, also serves as a framework for lighting efficiency. This bill requires the state Energy Resources Conservation and Development Commission to adopt minimum energy efficiency standards as a means to reduce average statewide electrical energy consumption by not less than 50 percent from the 2007 levels for indoor residential lighting and not less than 25 percent from the 2007 levels for indoor commercial and outdoor lighting by 2018. According to the Energy Efficiency Strategic Plan, lighting comprises approximately one-fourth of California's electricity use while non-residential sector exterior lighting (parking lot, area, walkway, and security lighting) usage comprises 1.4 percent of California's total electricity use, much of which occurs during limited occupancy periods.

Renewable Portfolio Standard

In 2002, California established its Renewable Portfolio Standard (RPS) program with the goal of increasing the annual percentage of renewable energy in the state's electricity mix by the equivalent of at least 1 percent of sales, with an aggregate total of 20 percent by 2017. The California Public Utilities Commission subsequently accelerated that goal to 2010 for retail sellers of electricity (Public Utilities Code Section 399.15(b)(1)). Then-Governor Schwarzenegger signed Executive Order S-14-08 in 2008, increasing the target to 33 percent renewable energy by 2020. In September 2009, then-Governor Schwarzenegger continued California's commitment to the RPS by signing Executive Order S-21- 09, which directs CARB under its Assembly Bill 32 (AB 32) authority to enact regulations to help the state meet its RPS goal of 33 percent renewable energy by 2020. In September 2010, the California Air Resources Board adopted its Renewable Electricity Standard regulations, which require all of the state's load-serving entities to meet this target. In October 2015, then-Governor Brown signed into legislation Senate Bill 350, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030. Signed in 2018, Senate Bill 100 (SB 100) revised the goal of the program to achieve the 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045. Under the bill, the state cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

LOCAL REGULATIONS

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Safety Element and Open Space & Resource Conservation Element each identify goals, objectives, policies, and programs that will relate to energy.

Safety Element

> **Policy S.3-6** Encourage the use of landscaping, building materials, and site design techniques that provide passive cooling and reduce energy demand. In particular, promote the use of voluntary measures identified in the California Green Building Code (Title 24, Part 11 of the California Code of Regulations) to minimize heat island effects, including hardscape and roof materials with beneficial solar reflectance and thermal emittance values and measures for exterior wall shading.

Open Space & Resource Conservation Element

> **Policy OSRC.3-1** Promote energy conservation throughout the community and encourage the use of renewable energy systems and technologies to supplement or replace traditional building energy systems.

Moreno Valley Climate Action Plan

The City of Moreno Valley adopted the 2040 General Plan and associated Climate Action Plan (CAP) on April 21, 2026. The CAP provides a framework of goals, policies, and implementation measures to reduce greenhouse gas (GHG) emissions, support climate resilience, and advance California's climate objectives. The CAP is designed to help the City achieve the State's targets of reducing GHG emissions to 40 percent below 1990 levels by 2030 and achieving carbon neutrality by 2045, and it provides CEQA streamlining benefits for projects that demonstrate consistency with the CAP.

Geology and Soils

Environmental Setting

SURFACE RUPTURE

The project site is located within the seismically active southern California region. Earthquakes resulting from fault movement can result in surface rupture along an active or potentially active fault. The state of California has identified faults that represent a hazard or surface rupture as Alquist-Priolo earthquake fault zones. According to the California Geological Survey (CGS), the project site is not located in an Alquist-Priolo Fault Zone (CGS 2024). There are no faults present on the project site, and the nearest fault to the project site is the Claremont Fault, located approximately four miles northeast of the site (CGS 2024).

GROUND SHAKING

Ground shaking is the effect of surface motion generated by an earthquake that results in the vast majority of damage during seismic events. Several factors control how ground motion interacts with structures, making the hazard of ground shaking difficult to predict. Seismic waves propagating

through the Earth's crust are responsible for the ground vibrations normally felt during an earthquake. Structures associated with the proposed project could be affected by ground shaking during a seismic event associated with the San Jacinto fault zone. Additionally, seismic events associated with the active San Andres Fault located approximately 14 miles northeast and the active Elsinore Fault located approximately 19 miles southwest of the project could also generate ground shaking within the project area.

LIQUEFACTION

Liquefaction is a seismic phenomenon in which loose, saturated, granular soils behave similarly to a fluid when subject to high-intensity ground shaking. Liquefaction occurs when three general conditions exist: (1) shallow groundwater; (2) low-density non-cohesive (granular) soils; and (3) high-intensity ground motion. Liquefaction is typified by a buildup of pore-water pressure in the affected soil layer to a point where a total loss of shear strength occurs, causing the soil to behave as a liquid. Studies indicate that saturated, loose to medium dense, near surface cohesionless soils exhibit the highest liquefaction potential, while dry, dense, cohesionless soils and cohesive soils exhibit low to negligible liquefaction potential. According to the CGS, the project site is not located in a liquefaction zone (CGS 2024).

LANDSLIDES

Landslides occur when masses of rock, earth, or debris move down a slope, including rock falls, deep failure of slopes, and shallow debris flows. Landslides are influenced by human activities such as grading and other construction activities, irrigation of slopes, mining activity, and by natural factors such as precipitation, geology/soil types, surface/subsurface flow of water, and topography. Frequently, they may be triggered by other hazards such as floods and earthquakes. According to the CGS, the project site is not located in an area subject to landslides caused by earthquakes, nor is it downslope from an area subject to seismically induced landslides (CGS 2024). The project site and surrounding area are relatively flat.

EXPANSIVE SOILS

Expansive soils are highly compressible, clay-based soils that tend to expand as they absorb water and shrink as water is drawn away. Two soil units, (Ramona sandy loam, 0-2 percent slopes and Ramona sandy loam, 2-5 percent slopes, eroded), occur on site. According to the Geotechnical Update prepared for the project, field explorations performed at the site indicated that onsite soils are generally very low in expansion potential.

PALEONTOLOGICAL RESOURCES

According to the paleontological record search letter prepared for the project by the Western Science Center in May 2024 (Appendix H), the project site is underlain by very old alluvial fan deposits from the early Pleistocene epoch. These geologic units are considered to be highly paleontologically sensitive.

Regulatory Setting

FEDERAL REGULATIONS

Alquist-Priolo Earthquake Fault Zoning Act of 1972

The Alquist-Priolo Earthquake Fault Zoning Act, Public Resources Code (PRC), Sections 2621–2630, regulates development and construction of buildings intended for human occupancy to avoid the hazard of surface fault rupture. The Alquist-Priolo Earthquake Fault Zoning Act categorizes faults as active, potentially active, and inactive. Historic and Holocene age faults are considered active, Late Quaternary and Quaternary age faults are considered potentially active, and pre-Quaternary age faults are considered inactive. These classifications are qualified by the conditions that a fault must be shown to be "sufficiently active" and "well defined" by detailed site-specific geologic explorations to determine whether building setbacks should be established.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act of 1990, PRC Sections 2690–2699, directs the California Department of Conservation, California Geological Survey (CGS) to delineate Seismic Hazard Zones. The purpose of the Seismic Hazards Mapping Act is to reduce the threat to public health and safety and to minimize the loss of life and property by identifying and mitigating seismic hazards. Cities, counties, and state agencies are directed to use seismic hazard zone maps developed by CGS in their land-use planning and permitting processes. The act requires that site-specific geotechnical investigations be performed prior to permitting most urban development projects within seismic hazard zones.

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) established the National Earthquake Hazards Reduction Program (Program) which is coordinated through the Federal Emergency Management Agency, the United States Geological Survey (USGS), the National Science Foundation, and the National Institute of Standards and Technology. The purpose of the Program is to establish measures for earthquake hazards reduction and promote the adoption of earthquake hazards reduction measures by federal, state, and local governments; national standards and model code organizations; architects and engineers; building owners; and others with a role in planning and constructing buildings, structures, and lifelines through (1) grants, contracts, cooperative agreements, and technical assistance; (2) development of standards, guidelines, and voluntary consensus codes for earthquake hazards reduction for buildings, structures, and lifelines; and (3) development and maintenance of a repository of information, including technical data, on seismic risk and hazards reduction. The Program is intended to improve the understanding of earthquakes and their effects on communities, buildings, structures, and lifelines through interdisciplinary research that involves engineering, natural sciences, and social, economic, and decisions sciences.

Clean Water Act Section 402

Section 402 of the Clean Water Act authorizes the State Water Resources Control Board (SWRCB), a department of the CalEPA, to issue National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the "General Construction Permit." Construction activities can comply with and be covered under the General Construction Permit provided they:

- Develop and implement a Storm Water Pollution Prevention Plan SWPPP which specifies Best Management Practices (BMPs) that will prevent all construction pollutants from contacting storm water and with the intent of keeping all products of erosion from moving off-site into receiving waters;
- Eliminate or reduce non-storm water discharges to storm sewer systems and other waters of the nation; and
- Perform inspections of all BMPs.

The SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the construction site discharges directly to a water body listed on the 303(d) list for sediment. Increased compliance tasks under the adopted 2009 Construction General Permit include project risk evaluation, effluent monitoring, receiving water monitoring, electronic data submission of the SWPPP and all other permit registration documents, and a Rain Event Action Plan (REAP), which must be designed to protect all exposed portions of a project site within 48 hours prior to any likely precipitation event. The SWPPP would also include an Erosion Control Plan that would identify specific measures to control on-site and off-site erosion from the time ground disturbing activities are initiated through completion of grading. The Erosion Control Plan would be included with the Project's Grading Plan and would be subject to approval by the City Engineer.

STATE REGULATIONS

California Building Standards Code

The California Building Code (CBC) is another name for the body of regulations known as the CCR, Title 24, Part 2, which is a portion of the California Building Standards Code and establishes minimum requirements for a building's structural strength and stability to safeguard the public health, safety, and general welfare. Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. Under State law, all building standards must be centralized in Title 24 or they are not enforceable.

California Health and Safety Code

Section 19100 et seq. of the California Health and Safety Code establishes the state's regulations for earthquake protection. This section of the code requires structural designs to be capable of resisting likely stresses produced by phenomena such as strong winds and earthquakes.

Public Resources Code Section 5097.5

Requirements for paleontological resource management are included in PRC Division 5, Chapter 1.7, Section 5097.5, and Division 20, Chapter 3, Section 30244, which state:

> *No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.*

These statutes prohibit the removal, without permission, of any paleontological site or feature from lands under the jurisdiction of the state or any city, county, district, authority, or public corporation,

or any agency thereof. Consequently, local agencies are required to comply with PRC Section 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others. Public Resources Code Section 5097.5 also establishes the removal of paleontological resources as a misdemeanor and requires reasonable mitigation of adverse impacts to paleontological resources from developments on public (state, county, city, and district) lands.

California Public Resource Code 5097.5

2020 California Public Resources Code Division 5 – Parks and Monuments Chapter 1.7 – Archaeological, Paleontological, and Historical Sites Section 5097.5 states:

> *A person shall not knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.*

LOCAL REGULATIONS

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Open Space & Resource Conservation Element and Safety Element each identify goals, objectives, policies, and programs that will relate to geology and soils.

Open Space & Resource Conservation Element

> **Policy OSRC.1-7** Require that grading plans include appropriate and feasible measures to minimize erosion, sedimentation, wind erosion and fugitive dust. Particularly in hillside areas, new roadways and trails should follow natural contours to minimize grading.

Safety Element

> **Policy S.1-4** Structures intended for human occupancy shall be designed and constructed to retain their structural integrity when subjected to seismic activity, in accordance with the California Building Code.

Moreno Valley Municipal Code

The MVMC Title 8, Chapter 8.21, includes requirements that address potential geological hazards associated with new development. MVMC Section 8.21.050 (Grading Permit Requirements) specifies that a geotechnical report is required for all grading projects unless otherwise waived by the City Engineer. Recommendations included in the reports and approved by the City Engineer are incorporated into the grading plans and specifications. A preliminary soil report, preliminary engineering geology report and/or seismicity report may be required depending on site-specific conditions. The required reports must provide specific recommendations to facilitate a safe and stable development.

Chapter 7.05 of the MVMC states that objects of paleontological value may be designated as a 'landmark' through an official review process. Owners of landmarks have a duty to "maintain and keep in good repair the exterior of such landmark and premises."

Local Hazard Mitigation Plan

The City of Moreno Valley Local Hazard Mitigation Plan (LHMP) identifies hazards, estimates the probability of future occurrences, and sets goals to mitigate potential risks to reduce or eliminate long- term natural or man-made hazard risks to human life and property for the City and its residents. The goals of the LHMP are to: (1) Protect life, property, and the environment; (2) Provide public awareness; (3) Protect the continuity of government; and (4) Improve emergency management, preparedness, collaboration and outreach. The LHMP identifies local faults that may generate earthquakes and identifies potential vulnerabilities within the City that could be adversely affected by seismic events. The LHMP also identifies a mitigation strategy for reducing losses associated with seismic events.

Greenhouse Gas Emissions

Environmental Setting

Gases that trap heat in the atmosphere are known as greenhouse gas or GHGs. GHGs allow sunlight to enter the atmosphere but trap a portion of the outward-bound infrared radiation that warms the air. The process is similar to the effect greenhouses have in raising the internal temperature of the structure. Both natural processes and human activities emit GHGs. The accumulation of GHGs in the atmosphere regulates the Earth's temperature, but emissions from human activities (such as fossil fuel-based electricity production and the use of motor vehicles) have elevated the concentration of GHGs in the atmosphere. Scientists agree that this accumulation of GHGs has contributed to an increase in the temperature of the Earth's atmosphere and to global climate change. Global climate change is a change in the average weather on Earth that can be measured by wind patterns, storms, precipitation, and temperature. Although there is disagreement as to the rate of global climate change and the extent of the impacts attributable to human activities, most scientists agree there is a direct link between increased emissions of GHGs and long-term global temperature increases.

The gases widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO2), methane (CH4), nitrous oxides (N2O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF6). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere, and natural processes, such as oceanic evaporation, largely determine its atmospheric concentrations.

GHGs are emitted by natural processes and human activities. Of these gases, CO2 and CH4 are emitted in the greatest quantities from human activities. Emissions of CO2 are usually by-products of fossil fuel combustion, and CH4 results from off-gassing associated with agricultural practices and landfills. Human-made GHGs, many of which have greater heat-absorption potential than CO2, include fluorinated gases and SF6.

Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO2) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as "carbon dioxide equivalent" (CO2e), which is the amount of GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane has a GWP of 30, meaning its global

warming effect is 30 times greater than CO2 on a molecule per molecule basis (Intergovernmental Panel on Climate Change [IPCC] 2021).[3]

Regulatory Setting

BACKGROUND AND REGULATORY SETTING

Certain gases in the earth's atmosphere classified as GHGs, play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space. A portion of the radiation is absorbed by the earth's surface and a smaller portion of this radiation is reflected back toward space. This absorbed radiation is then emitted from the earth as low-frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. Because the earth has a much lower temperature than the sun, it emits lower-frequency radiation. Most solar radiation passes through GHGs; however, infrared radiation is absorbed by these gases. As a result, radiation that otherwise would have escaped back into space is instead "trapped," resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on earth.

The primary GHGs contributing to the greenhouse effect are carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). Fluorinated gases also make up a small fraction of the GHGs that contribute to climate change. Examples of fluorinated gases include chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF_6), and nitrogen trifluoride (NF_3); however, it is noted that these gases are not associated with typical land use development. Human-caused emissions of GHGs exceeding natural ambient concentrations are believed to be responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the Earth's climate, known as global climate change or global warming.

GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants (TACs), which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one to several thousand years). GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe. Although the exact lifetime of a GHG molecule is dependent on multiple variables and cannot be pinpointed, more CO_2 is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, or other forms of carbon sequestration. Of the total annual human-caused CO_2 emissions, approximately 55 percent is sequestered through ocean and land uptakes every year, averaged over the last 50 years, whereas the remaining 45 percent of human-caused CO_2 emissions remains stored in the atmosphere. The information below describes the primary GHGs attributed to global climate change, including their physical properties:

Carbon Dioxide (CO2). CO_2 is a colorless, odorless gas that is emitted naturally and through human activities. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood. The largest source of CO_2 emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, and industrial facilities. The atmospheric lifetime of CO_2 is variable because it is readily exchanged in the

[3] The Intergovernmental Panel on Climate Change's (2021) *Sixth Assessment Report* determined that methane has a GWP of 30. However, the 2017 Climate Change Scoping Plan published by the California Air Resources Board uses a GWP of 25 for methane, consistent with the Intergovernmental Panel on Climate Change's (2007) *Fourth Assessment Report*. Therefore, this analysis utilizes the GWPs from the Fourth Assessment Report.

atmosphere. CO_2 is the most widely emitted GHG and is the reference gas (Global Warming Potential of 1) for determining Global Warming Potentials for other GHGs.

Nitrous Oxide (N_2O). N_2O is largely attributable to agricultural practices and soil management. Primary human-related sources of N_2O include agricultural soil management, sewage treatment, combustion of fossil fuels, and adipic and nitric acid production. N_2O is produced from biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N_2O is approximately 120 years. The Global Warming Potential of N_2O is 298.

Methane (CH_4). CH_4, a highly potent GHG, primarily results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Methane is the major component of natural gas, about 87 percent by volume. Human-related sources include fossil fuel production, animal husbandry, rice cultivation, biomass burning, and waste management. Natural sources of CH_4 include wetlands, gas hydrates, termites, oceans, freshwater bodies, non-wetland soils, and wildfires. The atmospheric lifetime of CH_4 is about 12 years and the Global Warming Potential is 25.

Hydrofluorocarbons (HFCs). HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is increasing, as the continued phase out of CFCs and HCFCs gains momentum. The 100-year Global Warming Potential of HFCs range from 124 for HFC- 152 to 14,800 for HFC-23.

Perfluorocarbons (PFCs). PFCs have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Global Warming Potentials range from 6,500 to 9,200.

Chlorofluorocarbons (CFCs). CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. The Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987. Global Warming Potentials for CFCs range from 3,800 to 14,400.

Sulfur Hexafluoride (SF_6). SF_6 is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas. The Global Warming Potential of SF_6 is 23,900.

Hydrochlorofluoro- carbons (HCFCs). HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, HCFCs are subject to a consumption cap and gradual phase out. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The 100-year Global Warming Potentials of HCFCs range from 90 for HCFC-123 to 1,800 for HCFC-142b.

Nitrogen Trifluoride (NF_3). NF_3 was added to Health and Safety Code section 38505(g)(7) as a GHG of concern. This gas is used in electronics manufacture for semiconductors and liquid crystal displays. It has a high global warming potential of 17,200

FEDERAL REGULATIONS

To date, national standards have not been established for nationwide GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level. Various efforts have been promulgated at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects.

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 (December 2007), among other key measures, requires the following, which would aid in the reduction of national GHG emissions:

- The Energy Independence and Security Act of 2007 (December 2007), among other key measures, requires the following, which would aid in the reduction of national GHG emissions:
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.
- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

U.S. Environmental Protection Agency Endangerment Finding

The U.S. EPA authority to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. U.S. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing FCAA and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the U.S. EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing FCAA and the U.S. EPA's assessment of the scientific evidence that form the basis for the U.S. EPA's regulatory actions.

Federal Vehicle Standards

In response to the U.S. Supreme Court ruling discussed above, Executive Order 13432 was issued in 2007 directing the U.S. EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011, and in 2010, the U.S. EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016.

In 2010, an Executive Memorandum was issued directing the Department of Transportation, Department of Energy, U.S. EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, the U.S. EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017– 2025 light-duty vehicles. The proposed standards projected to

achieve 163 grams per mile of CO_2 in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency.

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the U.S. EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO_2 emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the U.S. EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baselines.

In August 2016, the U.S. EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program applies to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards lower CO_2 emissions by approximately 1.1 billion metric tons and reduce oil consumption by up to two billion barrels over the lifetime of the vehicles sold under the program.

On September 27, 2019, the U.S. EPA and the NHTSA published the "Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program." (84 Fed. Reg. 51,310 (Sept. 27, 2019.) The SAFE Rule (Part One) revoked California's authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. On March 31, 2020, the U.S. EPA and NHTSA finalized rulemaking for SAFE Part Two sets CO_2 emissions standards and corporate average fuel economy (CAFE) standards for passenger vehicles and light duty trucks, covering model years 2021-2026. The current U.S. EPA administration repealed SAFE Rule Part One, effective January 28, 2022 and is reconsidering Part Two. In December 2021, the U.S. EPA finalized federal GHG emissions standards for passenger cars and light trucks for Model Years 2023 through 2026. These standards are the strongest vehicle emissions standards ever established for the light-duty vehicle sector and are based on sound science and grounded in a rigorous assessment of current and future technologies. The updated standards will result in avoiding more than three billion tons of GHG emissions through 2050.

STATE REGULATIONS

California Air Resources Board

CARB is responsible for the coordination and oversight of state and local air pollution control programs in California. Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness about climate change and its potential for severe long-term adverse environmental, social, and economic effects. California is a significant emitter of CO_2 equivalents (CO_2e) in the world and produced 369 gross million metric tons (MMT) of CO_2e in 2020.[5] The transportation sector is the state's largest emitter of GHGs, followed by industrial operations such as manufacturing and oil and gas extraction.

The state of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation, such as the landmark Assembly Bill (AB) 32, *California Global Warming Solutions Act of 2006*, was specifically enacted to address GHG emissions.

Other legislation, such as Title 24 building efficiency standards and Title 20 appliance energy standards, were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the legislation's major provisions.

Assembly Bill 32 (California Global Warming Solutions Act of 2006)

AB 32 instructs the CARB to develop and enforce regulations for the reporting and verifying of statewide GHG emissions. AB 32 also directed CARB to set a GHG emissions limit based on 1990 levels, to be achieved by 2020. It set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.

California Air Resources Board Scoping Plan

CARB adopted the Scoping Plan to achieve the AB 32 goals. The Scoping Plan establishes an overall framework for the measures that would be adopted to reduce California's GHG emissions. CARB determined that achieving the 1990 emissions level would require a reduction of GHG emissions of approximately 29 percent below what would otherwise occur in 2020 in the absence of new laws and regulations (referred to as "business-as-usual") The Scoping Plan evaluates opportunities for sector- specific reductions, integrates early actions and additional GHG reduction measures by both CARB and the state's Climate Action Team, identifies additional measures to be pursued as regulations, and outlines the adopted role of a cap-and-trade program.

In 2012, CARB released revised estimates of the expected 2020 emissions reductions. The revised analysis relied on emissions projections updated in light of current economic forecasts that accounted for the economic downturn since 2008, reduction measures already approved and put in place relating to future fuel and energy demand, and other factors. This update reduced the projected 2020 emissions from 596 $MMTCO_2e$ to 545 $MMTCO_2e$. The reduction in forecasted 2020 emissions means that the revised business- as-usual reduction necessary to achieve AB 32's goal of reaching 1990 levels by 2020 is now 21.7 percent, down from 29 percent. CARB also provided a lower 2020 inventory forecast that incorporated state-led GHG emissions reduction measures already in place. When this lower forecast is considered, the necessary reduction from business-as-usual needed to achieve the goals of AB 32 is approximately 16 percent.

CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan summarizes the most recent science related to climate change, including anticipated impacts to California and the levels of GHG emissions reductions necessary to likely avoid risking irreparable damage. It identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32. By 2016, California had reduced GHG emissions below 1990 levels, achieving AB 32's 2020 goal four years ahead of schedule.

In 2016, the Legislature passed Senate Bill (SB) 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation, AB 197, which provides additional direction for developing the Scoping Plan. On December 14, 2017 CARB adopted a second update to the Scoping Plan[8]. The 2017 Scoping Plan details how the state will reduce GHG emissions to meet the 2030 target set by Executive Order B-30-15 and codified by SB 32. Other objectives listed in the 2017 Scoping Plan are to provide direct GHG emissions reductions; support climate investment in disadvantaged communities; and support the Clean Power Plan and other Federal actions.

The 2022 Scoping Plan's goals are to achieve carbon neutrality and reduce GHG emissions by 85 percent below 1990 levels and by 2045, as directed by AB 1279. The 2022 Scoping Plan sets one of the most aggressive approaches to reach carbon neutrality in the world. The actions and outcomes in the Scoping Plan will achieve significant reductions in fossil fuel combustion by deploying clean technologies and fuels, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands to reduce emissions and sequester carbon, and the capture and storage of carbon.

Senate Bill 32 (California Global Warming Solutions Act of 2006: Emissions Limit)

Signed into law in September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B- 30-15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030. CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions.

SB 375 (The Sustainable Communities and Climate Protection Act of 2008)

Signed into law on September 30, 2008, SB 375 provides a process to coordinate land use planning, regional transportation plans, and funding priorities to help California meet AB 32's GHG reduction goals established. SB 375 requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

AB 1493 (Pavley Regulations and Fuel Efficiency Standards)

AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the U.S. EPA's denial of an implementation waiver. The U.S. EPA subsequently granted the requested waiver in 2009, which was upheld by the by the U.S. District Court for the District of Columbia in 2011. The regulations establish one set of emission standards for passenger vehicle and light duty truck model years 2009–2016 and a second set of emissions standards for model years 2017 to 2025. By 2025, when all rules will be fully implemented, new passenger vehicles are anticipated to emit 34 percent fewer CO_2e emissions and 75 percent fewer smog-forming emissions.

SB 1368 (Emission Performance Standards)

SB 1368, which is AB 32's companion bill, directs the CPUC to adopt a performance standard for GHG emissions for the future power purchases of California utilities. SB 1368 limits carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant. The new law 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. The CPUC adopted the regulations required by SB 1368 on August 29, 2007. The regulations implementing SB 1368 establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, for 1,100 pounds of CO_2 per megawatt-hour.

SB 1078, SB 107, and SBX1-2 (Renewable Electricity Standards)

SB 1078 (2002) required California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 (2006) changed the due date to 2010 instead of 2017. On November 17, 2008, Governor Arnold Schwarzenegger signed Executive Order S-14-08, which established an RPS target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Executive Order S-21-09 also directed CARB to adopt a regulation by July 31, 2010, requiring the state's load serving entities to meet a 33 percent renewable energy target by 2020. CARB approved the Renewable Electricity Standard on September 23, 2010 by Resolution 10-23. SBX1-2 (2011) codified the 33 percent by 2020 goal.

SB 350 (Clean Energy and Pollution Act of 2015)

Signed into law on October 7, 2015, SB 350 implements Executive Order B-30-15's goal. The SB 350 objectives are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 25 percent by 2027) and to double the energy efficiency savings in electricity and natural gas end uses of retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

AB 398 (Market-Based Compliance Mechanisms)

Signed on July 25, 2017, AB 398 extended the duration of the Cap-and-Trade program from 2020 to 2030. AB 398 required CARB to update the Scoping Plan and for all GHG rules and regulations adopted by the state. It also designated CARB as the statewide regulatory body responsible for ensuring that California meets its statewide carbon pollution reduction targets, while retaining local air districts' responsibility and authority to curb toxic air contaminants and criteria pollutants from local sources that severely impact public health. AB 398 also decreased free carbon allowances over 40 percent by 2030 and prioritized Cap-and-Trade spending to various programs including reducing diesel emissions in impacted communities.

SB 150 (Regional Transportation Plans)

Signed on October 10, 2017, SB 150 aligns local and regional GHG reduction targets with state targets (i.e., 40 percent below their 1990 levels by 2030). SB 150 creates a process to include communities in discussions on how to monitor their regions' progress on meeting these goals. The bill also requires the CARB to regularly report on that progress, as well as on the successes and the challenges regions experience associated with achieving their targets. SB 150 provides for accounting of climate change efforts and GHG reductions and identify effective reduction strategies.

SB 100 (California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases)

Signed into law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Assembly Bill 1346 (Air Pollution: Small Off-Road Engines)

Signed into law in October 2021, Assembly Bill 1346 (AB 1346) requires CARB, to adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines, consistent with federal law, by July 1, 2022. The bill

requires CARB to identify and, to the extent feasible, make available funding for commercial rebates or similar incentive funding as part of any updates to existing applicable funding program guidelines to local air pollution control districts and air quality management districts to implement to support the transition to zero-emission small off-road equipment operations.

Assembly Bill 1279 (The California Climate Crisis Act)

Assembly Bill 1279 (AB 1279) establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045; to maintain net negative GHG emissions thereafter; and to ensure that by 2045 statewide anthropogenic GHG emissions are reduced at least 85 percent below 1990 levels. The bill requires CARB to ensure that Scoping Plan updates identify and recommend measures to achieve carbon neutrality, and to identify and implement policies and strategies that enable CO_2 removal solutions and carbon capture, utilization, and storage technologies.

Senate Bill 1020 (100 Percent Clean Electric Grid)

Signed on September 16, 2022, Senate Bill 1020 (SB 1020) provides additional goals for the path to the 2045 goal of 100 percent clean electricity retail sales. It creates a target of 90 percent clean electricity retail sales by 2035 and 95 percent clean electricity retail sales by 2040.

Sentae Bill 905 (Carbon Sequestration Program)

Signed on September 16, 2022, Senate Bill 905 (SB 905) establishes regulatory framework and policies that involve carbon removal, carbon capture, utilization, and sequestration. It also prohibits the injecting of concentrated carbon dioxide fluid into a Class II injection well for the purpose of enhanced oil recovery.

Assembly Bill 1757 (Nature-Based Solutions)

Signed on September 16, 2022, Assembly Bill 1757 (AB 1757) requires state agencies to develop a range of targets for natural carbon sequestration and nature-based climate solutions that reduce GHG emissions to meet the 2030, 2038, and 2045 goals which would be integrated into a scoping plan addressing natural and working lands.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs using executive orders. Although not regulatory, they set the tone for the state and guide the actions of state agencies.

Executive Order S-3-05. Executive Order S-3-05 was issued on June 1, 2005, which established the following GHG emissions reduction targets:

- By 2010, reduce GHG emissions to 2000 levels
- By 2020, reduce GHG emissions to 1990 levels
- By 2050, reduce GHG emissions to 80 percent below 1990 levels

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order S-01-07. Issued on January 18, 2007, Executive Order S 01-07 mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. The executive order established a Low Carbon Fuel Standard (LCFS)

and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, CARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. CARB adopted the LCFS on April 23, 2009.

Executive Order S-13-08. Issued on November 14, 2008, Executive Order S-13-08 facilitated the California Natural Resources Agency development of the 2009 California Climate Adaptation Strategy. Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order S-14-08. Issued on November 17, 2008, Executive Order S-14-08 expands the state's Renewable Energy Standard to 33 percent renewable power by 2020. Additionally, Executive Order S-21- 09 (signed on September 15, 2009) directs CARB to adopt regulations requiring 33 percent of electricity sold in the state come from renewable energy by 2020. CARB adopted the Renewable Electricity Standard on September 23, 2010, which requires 33 percent renewable energy by 2020 for most publicly owned electricity retailers.

Executive Order S-21-09. Issued on July 17, 2009, Executive Order S-21-09 directs CARB to adopt regulations to increase California's RPS to 33 percent by 2020. This builds upon SB 1078 (2002), which established the California RPS program, requiring 20 percent renewable energy by 2017, and SB 107 (2006), which advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II.

Executive Order B-30-15. Issued on April 29, 2015, Executive Order B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of $MMTCO_2e$. The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by Executive Order S-3-05. The executive order also requires the state's climate adaptation plan to be updated every three years and for the state to continue its climate change research program, among other provisions. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

Executive Order B-55-18. Issued on September 10, 2018, Executive Order B-55-18 establishes a goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHG emissions. The executive order requires CARB to work with relevant state agencies to develop a framework for implementing this goal. It also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. The executive order also requires state agencies to develop sequestration targets in the Natural and Working Lands Climate Change Implementation Plan.

Executive Order N-79-20. Signed in September 2020, Executive Order N-79-20 establishes as a goal that where feasible, all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035. The executive order sets a similar goal requiring that all medium and heavy-duty vehicles will be zero-emission by 2045 where feasible. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment "requiring increasing volumes" of new ZEVs "towards the target of 100 percent." The executive order directs the California Environmental Protection Agency, the California Geologic Energy Management Division (CalGEM), and the California Natural Resources Agency to transition and repurpose oil production facilities with a goal toward meeting carbon neutrality by 2045.

Executive Order N-79-20 builds upon the CARB Advanced Clean Trucks regulation, which was adopted by CARB in July 2020.

California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

Title 20 Appliance Efficiency Regulations. The appliance efficiency CCR Title 20, Sections 1601-1608) include standards for new appliances. Twenty-three categories of appliances are included in the scope of these regulations. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

Title 24 Building Energy Efficiency Standards. California's Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6) was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The CEC adopted the 2022 Energy Code on August 11, 2021, which was subsequently approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The 2022 Title 24 standards will result in less energy use, thereby reducing air pollutant emissions associated with energy consumption across California. For example, the 2022 Title 24 standards will require efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, and strengthens ventilation standards.

Title 24 California Green Building Standards Code. The California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics. Updates to the 2019 CALGreen Code took effect on January 1, 2023 (2022 CALGreen). The 2022 CALGreen standards has improved upon the 2019 standards for new construction of, and additions and alterations to, residential and nonresidential buildings.

REGIONAL REGULATIONS

South Coast Air Quality Management District Thresholds

The SCAQMD formed a GHG CEQA Significance Threshold Working Group to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. This working group was formed to assist SCAQMD's efforts to develop a GHG significance threshold and is composed of a wide variety of stakeholders including the state Office of Planning and Research, CARB, the Attorney General's Office, a variety of city and county planning departments in the SCAB, various utilities such as sanitation and power companies throughout the SCAB, industry groups, and environmental and professional organizations. The Working Group has proposed a tiered approach to evaluating GHG emissions for development projects where SCAQMD is not the lead agency,

wherein projects are evaluated sequentially through a series of "tiers" to determine whether the project is likely to result in a potentially significant impact due to GHG emissions.

With the tiered approach, a project is compared against the requirements of each tier sequentially and would not result in a significant impact if it complies with any tier. Tier 1 excludes projects that are specifically exempt from SB 97 from resulting in a significant impact. Tier 2 excludes projects that are consistent with a GHG reduction plan that has a certified final CEQA document and complies with AB 32 GHG reduction goals. Tier 3 excludes projects with annual emissions lower than a screening threshold. The SCAQMD has adopted a threshold of 10,000 $MTCO_2e$ per year for industrial projects and a 3,000 $MTCO_2e$ threshold was proposed for non-industrial projects but has not been adopted. The SCAQMD concluded that projects with emissions less than the screening threshold would not result in a significant cumulative impact.

Tier 4 consists of three decision tree options. Under the Tier 4 first option, SCAQMD initially outlined that a project would be excluded if design features and/or mitigation measures resulted in emissions 30 percent lower than business as usual emissions. However, the Working Group did not provide a recommendation for this approach. The Working Group folded the Tier 4 second option into the third option. Under the Tier 4 third option, a project would be excluded if it was below an efficiency-based threshold of 4.8 $MTCO_2e$ per service population per year. Tier 5 would exclude projects that implement offsite mitigation (GHG reduction projects) or purchase offsets to reduce GHG emission impacts to less than the proposed screening level.

Tier 3 Screening Thresholds. When the tiered approach is applied to a proposed project, and the project is found not to comply with Tier 1 or Tier 2, the project's emissions are compared against a screening threshold, as described above, for Tier 3. The screening threshold formally adopted by SCAQMD is an "interim" screening threshold for stationary source industrial projects where the SCAQMD is the lead agency under CEQA. The threshold was termed "interim" because, at the time, SCAQMD anticipated that CARB would be adopting a statewide significance threshold that would inform and provide guidance to SCAQMD in its adoption of a final threshold. However, no statewide threshold was ever adopted, and the interim threshold remains in effect.

For projects for which SCAQMD is not a lead agency, no screening thresholds have been formally adopted. However, the SCAQMD Working Group has recommended a threshold of 10,000 $MTCO_2e$/year for industrial projects and 3,000 $MTCO_2e$/year for residential and commercial projects. SCAQMD determined that these thresholds would "capture" 90 percent of GHG emissions from these sectors, "capture" meaning that 90 percent of total emissions from all new projects would be subject to some type of CEQA analysis (i.e., found potentially significant).

Southern California Association of Governments

SCAG's Connect SoCal (2024-2050 RTP/SCS) provides the long-range vision of the SCAG region. The RTP/SCS expands land use and transportation strategies established from previous cycles to increase mobility options and achieve a more sustainable growth pattern.[1] The RTP/SCS contains plans and projections for the region's future, from 2024 through the horizon year of 2050. Like other RTP/SCS publications, the Connect SoCal RTP/SCS provides a policy framework for preparing local plans and handling issues of regional significance, such as land use and housing, open space and biological habitats, water, energy, air quality, solid waste, transportation, security and emergency preparedness, economy, and education. Specifically, the plan also strives to achieve broader regional objectives, such as the preservation of natural lands, improvement of public health, increased roadway safety, support for the region's vital goods movement industries and more efficient use of resources. The RTP/SCS advances regional planning by incorporating an integrated

approach between SCAG, state and local governments, transportation commissions, resources agencies and conservation groups, the private sector, and the general public.

LOCAL REGULATIONS

Moreno Valley Climate Action Plan

The City of Moreno Valley adopted the 2040 General Plan and associated CAP on April 21, 2026. The CAP provides a framework of goals, policies, and implementation measures to reduce GHG emissions, support climate resilience, and advance California's climate objectives. The CAP is designed to help the City achieve the State's targets of reducing GHG emissions to 40 percent below 1990 levels by 2030 and achieving carbon neutrality by 2045, and it provides CEQA streamlining benefits for projects that demonstrate consistency with the CAP.

Hazards and Hazardous Materials

Environmental Setting

The project site is undeveloped and vacant. No hazardous materials exist on the project site.

HAZARDOUS MATERIALS SITES

The Hazardous Waste and Substances Sites (Cortese) List is a planning document that provides information about the location of hazardous materials release sites in the state. Government Code Section 56952.5 requires the CalEPA to develop, at least annually, an updated Cortese List. The California Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List that is contained in their Envirostor database.

The other main source of information for sites in the Cortese List is the SWRCB Geotracker Database . “Geotracker” is the State Water Board’s Internet-accessible database system used by the state board, regional boards, and local agencies to track and archive compliance data from authorized or unauthorized discharges of waste to land, or unauthorized releases of hazardous substances from underground storage tanks.

The project site is not listed in the SWRCB GeoTracker database, the DTSC EnviroStor database, or other Cortese List data resources available via the CalEPA (DTSC 2025a; DTSC 2025b; SWRCB 2025). No adjacent properties or nearby properties within 0.25 mile of the project site are listed in these databases.

AIRPORT HAZARDS

The project site is not located within two miles of a public airport within an airport land use plan. The nearest airports to the project site are March Air Reserve Base located approximately 3.08 miles southwest of the project site, and the Riverside Municipal Airport, located approximately 13.97 miles away from the project site. The project site is located outside of the March Air Reserve Base Airport Influence Area Boundary.

PHASE I ENVIRONMENTAL SITE ASSESSMENT

A Phase I Environmental Site Assessment (ESA) was prepared for the project by HEI Corporation (HEI) in May 2024 (HEI 2024; Appendix I). As of the date of the Phase I ESA, the project site was

vacant with weedy groundcover. The Phase I ESA did not identify evidence of recognized environmental conditions in connection with the project site.

Regulatory Setting

FEDERAL REGULATIONS

Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act

The federal Toxic Substances Control Act of 1976 and Resource Conservation and Recovery Act (RCRA) established a program administered by the U.S. EPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. The Toxic Substances Control Act addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint. RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the "cradle to grave" system of regulating hazardous wastes.

Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law (U.S. Code Title 42, Chapter 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites; provides for liability of persons responsible for releases of hazardous waste at these sites; and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enables the revision of the National Contingency Plan (NCP). The NCP (Title 40, CFR, Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

Comprehensive Environmental Response, Compensation, and Liability Information System and the National Priorities List

The U.S. EPA also maintains the Comprehensive Environmental Response Compensation (CERCLIS) and Liability Information System list. This list contains sites that are either proposed to be or on the National Priorities List (NPL), as well as sites that are in the screening and assessment phase for possible inclusion on the NPL. The NPL is a list of the worst hazardous waste sites that have been identified by Superfund. There are no NPL sites on the project site.

Emergency Planning and Community Right-to-Know Act

The federal Emergency Planning and Community Right-To-Know Act (EPCRA) was enacted to inform communities and residents of chemical hazards in their area. Businesses are required to report the locations and quantities of chemicals stored on-site to both state and local agencies. EPCRA requires the U.S. EPA to maintain and publish a digital database list of toxic chemical releases and other waste
management activities reported by certain industry groups and federal facilities. This database,

known as the Toxic Release Inventory, gives the community more power to hold companies accountable for their chemical management.

Hazardous Materials Transportation Act

The U.S. Department of Transportation (DOT) receives authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act, as amended and codified (49 U.S.C. 5101 et seq.). The DOT is the primary regulatory authority for the interstate transport of hazardous materials and establishes regulations for safe handling procedures (i.e., packaging, marking, labeling and routing).

In California, Section 31303 of the California Vehicle Code states that any hazardous material being moved from one location to another must use the route with the least travel time. This, in practice, means major roads and highways, although secondary roads are permitted to be used for local delivery. These policies are enforced by both the California Highway Patrol and the California Department of Transportation (Caltrans).

Clean Water Act/Spill Prevention, Control and Countermeasure (SPCC) Rule

The CWA (33 U.S.C. Section 1251 et seq., formerly the federal Water Pollution Control Act of 1972), was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface water. Those discharges are regulated by the National Pollutant Discharge Elimination System (NPDES) permit process (CWA Section 402). In California, NPDES permitting authority is delegated to, and administered by, the nine Regional Water Quality Control Boards (RWQCBs). The project site is within the jurisdiction of the Santa Ana RWQCB.

Section 402 of the Clean Water Act authorizes the SWRCB to issue NPDES General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the “General Construction Permit.”

Construction activities can comply with and be covered under the General Construction Permit provided that they:

- Develop and implement a SWPPP which specifies BMPs that will prevent all construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving off-site into receiving waters
- Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the nation; and
- Perform inspections of all BMPs.

NPDES regulations are administered by the RWQCB. Projects that disturb one or more acres are required to obtain NPDES coverage under the Construction General Permits.

Occupational Safety and Health Administration

Congress passed the Occupational and Safety Health Act 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. To establish standards for workplace health and safety, OSHA also created the National Institute for Occupational Safety and

Health as the research institution for OSHA. The Administration is a division of the U.S. Department of Labor that oversees the administration of OSHA and enforces standards in all states. OSHA standards are listed in Title 29 CFR Part 1910.

OSHA's Hazardous Waste Operations and Emergency Response Standard applies to five groups of employers and their employees. This includes any employees who are exposed or potentially exposed to hazardous substances (including hazardous waste) and who are engaged in clean-up operations; corrective actions; voluntary clean-up operations; operations involving hazardous wastes at treatment, storage, and disposal facilities; and emergency response operations.

STATE REGULATIONS

California Environmental Protection Agency

CalEPA has jurisdiction over hazardous materials and wastes at the state level. The DTSC is the department of CalEPA responsible for implementing and enforcing California's own hazardous waste laws, which are known collectively as the Hazardous Waste Control Law. DTSC regulates hazardous waste in California primarily under the authority of the federal and the California Health and Safety Code (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Although similar to RCRA, the California Hazardous Waste Control Law and its associated regulations define hazardous waste more broadly and regulate a larger number of chemicals. Hazardous wastes regulated by California but not by the U.S. EPA are called "non-RCRA hazardous wastes." Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Government Code Section 65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, Department of Health Services lists of contaminated drinking water wells, sites listed by the SWRCB as having underground storage tank leaks and have had a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

Enforcement of directives from DTSC is handled at the local level, in this case the Riverside County DEH. The RWQCB also has the authority to implement regulations regarding the management of soil and groundwater investigation. The Santa Ana RWQCB is the lead regulatory agency for the project site.

California Fire Code

California Code of Regulations, Title 24, also known as the California Building Standards Code, contains the California Fire Code (CFC), included as Title 24, Part 9. The CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) required the administrative consolidation of six hazardous materials and waste programs (Program Elements) under one agency, a Certified Unified Program Agency (CUPA). The Program Elements consolidated under the Unified Program are Hazardous Waste Generator and On-site Hazardous Waste Treatment Programs ("Tiered Permitting"); Aboveground Petroleum Storage Tank SPCC; Hazardous Materials Release Response Plans and Inventory Program (a.k.a. Hazardous Materials Disclosure or "Community-Right-To-Know"); California Accidental Release Prevention

Program (Cal ARP); Underground Storage Tank (UST) Program; and Uniform Fire Code Plans and Inventory Requirements.

The Unified Program is intended to provide relief to businesses complying with the overlapping and sometimes conflicting requirements of formerly independently managed programs. The Unified Program is implemented at the local government level by CUPAs. Most CUPAs have been established as a function of a local environmental health or fire department. Some CUPAs have contractual agreements with another local agency, a participating agency, which implements one or more Program Elements in coordination with the CUPA. The project site is in Riverside County. The CUPA designated for Riverside County is the Hazardous Materials Division of the Riverside County Department of Environmental Health (RCDEH).

Department of Toxic Substance Control

The DTSC is a department of CalEPA and is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA and the California Health and Safety Code (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Government Code Section 65962.5 (commonly referred to as the Cortese List) includes DTSC- listed hazardous waste facilities and sites; Department of Health Services lists of contaminated drinking water wells; sites listed by the SWRCB as having UST leaks and have had a discharge of hazardous wastes or materials into the water or groundwater; and lists from local regulatory agencies of sites that have had a known migration of hazardous wastes and/or materials.

The DTSC publishes guidelines which are intended to regulate the presence of toxic materials while minimizing risks to sensitive human receptors. These publications and policies include the Toxicity Criteria Selection for Risk Assessments, Screening Levels, and Remediation Goals; Preliminary Endangerment Assessment Guidance Manual (PEA Guidance Manual); and Human Health Risk Assessment Note 3 – DTSC-Modified Screening Levels (DTSC-SLs). Adherence to the regulations within these guidelines ensures the continued protection of human receptors from potential hazards and risks.

California Occupational Safety and Health Administration

The California Occupational Safety and Health Administration (Cal/OSHA) is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA standards are generally more stringent than Federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR Sections 337-340). The regulations specify requirements for employee training, availability of safety equipment, accident- prevention programs, and hazardous substance exposure warnings.

In addition, Cal/OSHA regulates medical/infectious waste, including management of sharps, requirements for containers that hold or store medical/infectious waste, labeling of medical/infectious waste bags/containers, and employee training.

Division of Oil, Gas and Geothermal Resources Map

To evaluate the presence of oil or gas wells on site and in the immediate site vicinity, maps available online at CalGEM (https://maps.conservation.ca.gov/doggr/wellfinder/#/) were reviewed. No oil wells are located on the project site.

According to the National Pipeline Mapping System (NPMS) on-line mapping system, there are no gas or oil pipelines on the project site. The pipeline nearest to the site is an active natural gas transmission pipeline, owned by Southern California Gas Company, and runs east-west along the southern border of the site, along Brodiaea Avenue.

Radon

Radon is a colorless, odorless, naturally occurring, radioactive, inert, gaseous element formed by radioactive decay of radium (Ra) atoms. The U.S. EPA has prepared a map to assist national, state, and local organizations to target their resources and to implement radon-resistant building codes. Radon sampling was not conducted as part of the Phase I ESA. Review of the U.S. EPA Map of Radon Zones places the Site in Zone 2. Zone 2 has a moderate potential for radon levels between 2.0 and 4.0 picocuries per liter (pCi/L). A zip-code based compilation of California Indoor Radon Levels, published by the California Department of Health Services (DHS) and last updated in February 2016, indicates that out of 13 tests, conducted at properties within the same zip code as the project site (92553), none resulted in radon concentrations in excess of 4 pCi/L. Radon is not considered to be a significant environmental concern for the project site.

Certified Unified Program Agency

A CUPA is an agency of a county or city that administers several state programs regulating hazardous materials and hazardous wastes. RCDEH is the CUPA for all unincorporated areas and incorporated cities and towns. RCDEH administers the following programs:

- Hazardous Materials Release Response Plans and Inventory Program
- California Accidental Release Prevention Program, a combination of federal and state programs for the prevention of accidental release of regulated toxics and flammable substances
- Underground Storage Tanks Program
- Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs Program

Hazardous Materials Management Plan (HMMP) and Hazardous Material Inventory Statement (HMIS) in California Fire Code Program.

REGIONAL AND LOCAL REGULATIONS

Riverside County Fire Department Strategic Plan – 2009-2029

The County has developed a strategic fire plan that details the department's goals and strategies for proactively coordinating fire facility, service and County equipment needs for 2009-2029. It incorporates CalFire's management plan for several sub-zones within the County. The plan is aimed at ensuring that existing and future development maintain adequate service levels throughout the County.

Riverside County Household Hazardous Waste Element

Riverside County's Household Hazardous Waste Program is administered through the County Department of Waste Resources. The Program participation includes working with the California Department of Resources Recycling and Recovery (CalRecycle) office. The Program's goals include education, places for disposal, monitoring of regulation requirements, and significant reductions in the disposal of household hazardous waste in solid waste landfills.

Riverside County Fire Department

Riverside County's Household Hazardous Waste Program is administered through the County Department of Waste Resources. The Program participation includes working with the CalRecycle office. The Program's goals include education, places for disposal, monitoring of regulation requirements, and significant reductions in the disposal of household hazardous waste in solid waste landfills.

South Coast Air Quality Management District

The SCAQMD is the air pollution control agency for Orange County and the urban portions of San Bernardino, Los Angeles, and Riverside counties. The agency's primary responsibility is ensuring that state and federal ambient air quality standards are attained and maintained in the SCAB. The SCAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, and many other activities. All projects are subject to SCAQMD rules and regulations in effect at the time of construction.

The following is a list of SCAQMD rules that are required of construction activities associated with the project:

Rule 403 (Fugitive Dust) – This rule requires fugitive dust sources to implement best available control measures for all sources, and all forms of visible particulate matter are prohibited from crossing any property line. This rule is intended to reduce PM_{10} emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. PM_{10} suppression techniques are summarized below.

a) Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
b) All on-site roads are paved as soon as feasible, watered regularly, or chemically stabilized.
c) All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
d) The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.

Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down following the workday to remove soil form pavement.

Rule 1166 – This rule sets requirements to control the emission of volatile organic compounds (VOC) from excavating, grading, handling and treating VOC-contaminated soil as a result of leakage from storage or transfer operations, accidental spillage, or other deposition.

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Safety Element identifies goals, objectives, policies, and programs that will relate to hazards and hazardous materials.

Safety Element

> **Policy S.1-15** Avoid, where feasible, locating new development in areas subject to high wildfire risk. If avoidance is not feasible, condition such new development on implementation of measures to reduce risks associated with that development.
>
> **Policy S.1-23** Continue to require remediation of hazardous material releases from previous land uses as part of any redevelopment activities.
>
> **Policy S.1-25** Consistent with State regulations, require proper storage and disposal of hazardous materials to reduce the likelihood of leakage, explosions, or fire, and to properly contain potential spills from leaving the site.

Hydrology and Water Quality

Environmental Setting

The project site is within the Santa Ana RWQCB. The Santa Ana RWQCB Basin Plan establishes water quality standards for ground and surface waters on and near the project site. The project site is within the San Jacinto Valley Watershed and San Jacinto Groundwater Basin. According to FEMA, the project site is not within a 100-year flood zone (FEMA 2008). The project site is generally flat and does not include any water features.

Regulatory Setting

FEDERAL REGULATIONS

Clean Water Act

The CWA, as amended by the Water Quality Act of 1987, is the major federal legislation governing water quality. The objective of the CWA is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." Important applicable sections of the CWA are as follows:

- Section 301 prohibits the discharge of any pollutant by any person, except as in compliance with Sections 302, 306, 307, 318, 402, and 404 of the CWA. Sections 303 and 304 provide for water quality standards, criteria, and guidelines.
- Section 401 requires an applicant for any federal permit that proposes an activity which may result in a discharge to "waters of the United States" to obtain certification from the state that the discharge will comply with other provisions of the CWA. The Regional Water Quality Control Board (RWQCB) provides certification.
- Section 402 establishes the National Pollution Discharge Elimination System (NPDES) a permitting system for the discharge of any pollutant (except for dredge or fill material) into

waters of the United States. This permit program is administered by the RWQCB and is discussed later in this section.

- Section 404 establishes a permit program for the discharge of dredge or fill material into waters of the United States. This permit program is administered by the USACE.

STATE REGULATIONS

California Porter-Cologne Water Quality Control Act

California's Porter-Cologne Water Quality Control Act (California Water Code Section 13000, et seq.) provides the basis for water quality regulation within California. The Porter-Cologne Water Quality Control Act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or otherwise) to land or surface waters that may impair a beneficial use of surface or groundwater of the state. Waste discharge requirements (WDR) resulting from the report are issued by the RWQCB, as discussed below. In practice, these requirements are typically integrated within the National Pollutant Discharge Elimination System (NPDES) permitting process. The SWRCB carries out its water quality protection authority through the adoption of specific water quality control plans (Basin Plans). These plans establish water quality standards for particular bodies of water. California water quality standards are composed of three parts: the designation of beneficial uses of water, water quality objectives to protect those uses, and implementation programs designed to achieve and maintain compliance with the water quality objectives.

Clean Water Act Section 402

Section 402 of the Clean Water Act authorizes the SWRCB, a department of the CalEPA, to issue NPDES General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the "General Construction Permit." Construction activities can comply with and be covered under the General Construction Permit provided they:

- Develop and implement a SWPPP which specifies BMPs that will prevent all construction pollutants from contacting storm water and with the intent of keeping all products of erosion from moving off-site into receiving waters;
- Eliminate or reduce non-storm water discharges to storm sewer systems and other waters of the nation; and
- Perform inspections of all BMPs.

The SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the construction site discharges directly to a water body listed on the 303(d) list for sediment. Increased compliance tasks under the adopted 2009 Construction General Permit include project risk evaluation, effluent monitoring, receiving water monitoring, electronic data submission of the SWPPP and all other permit registration documents, and a Rain Event Action Plan, which must be designed to protect all exposed portions of a project site within 48 hours prior to any likely precipitation event. The SWPPP would also include an Erosion Control Plan that would identify specific measures to control on-site and off-site erosion from the time ground disturbing activities are initiated through completion of grading. The Erosion Control Plan would be included with the project's Grading Plan and would be subject to approval by the City Engineer.

REGIONAL REGULATIONS

Santa Ana Regional Water Quality Control Board

The Santa Ana RWQCB regulates state water quality standards in the City of Moreno Valley. Beneficial uses and water quality objectives for surface water and groundwater resources in the area are established in the water quality control plans of each RWQCB and mandated by the State Porter-Cologne Act and CWA. The RWQCB also implements the CWA Section 303(d) total maximum daily load (TMDL) process, which consists of identifying candidate water bodies where water quality is impaired by the presence of pollutants. The TMDL process is implemented to determine the assimilative capacity of the water body for the pollutants of concern and to establish equitable allocation of the allowable pollutant loading within the watershed. CWA Section 401 requires an applicant pursuing a federal permit to conduct any activity that may result in a discharge of a pollutant to obtain a water quality certification (or waiver) from the applicable RWQCB.

The RWQCB primarily implements basin plan policies through issuing waste discharge requirements for waste discharges to land and water. The RWQCB is also responsible for administering the NPDES permit program, which is designed to manage and monitor point and non-point source pollution. NPDES stormwater permits for general construction activity are required for projects that disturb more than one acre of land. Municipal NPDES stormwater permits are required for urban areas with populations greater than 100,000. In addition, projects that involve the California Department of Transportation (Caltrans) are required to comply with the Caltrans statewide NPDES permit and associated Stormwater Management Plan (SEMP). Caltrans implements the SEMP in coordination with the RWQCB.

Riverside County Flood Control and Water Conservation District

The Riverside County Flood Control and Water Conservation District (RCFCWCD) is the regional flood management authority for the western part of Riverside County, including the City. The purpose of the RCFCWCD is to identify flood hazards and problems, regulate floodplains and development, regulate drainage and development, construct and maintain flood control structures and facilities, and complete County watercourse and drainage planning. The RCFCWCD is funded through a share of property taxes in addition to other funding sources. As a special district, the RCFCWCD's jurisdiction extends over the western 40 percent of Riverside County.

Eastern Municipal Water District Urban Water Management Plan

The Eastern Municipal Water District (EMWD) Urban Water Management Plan (UWMP) provides an overview of the EMWD's long-term water supplies and demands and reports on the EMWD's progress towards meeting the water use efficiency targets. The plan includes demand management measures that the EMWD has agreed to implement to achieve water supply savings.

LOCAL REGULATIONS

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Open Space & Resource Conservation Element and Safety Element each identify goals, objectives, policies, and programs that will relate to hydrology and water quality.

Open Space & Resource Conservation Element

Policy OSRC.1-7 Require that grading plans include appropriate and feasible measures to minimize erosion, sedimentation, wind erosion and fugitive dust. Particularly in hillside areas, new roadways and trails should follow natural contours to minimize grading.

Policy OSRC.1-21 Facilitate groundwater recharge in Moreno Valley by encouraging development projects to use Low Impact Development (LID) practices such as bioretention, porous paving, and rainwater harvesting systems, and by encouraging private property owners to design or retrofit landscaped or impervious areas to better capture storm water runoff.

Policy OSRC.3-6 Encourage new development to incorporate as many water-wise practices as feasible in their design and construction.

Safety Element

Policy S.1-8 Permit development in the 100-year floodplain which represents an acceptable use of the land in relation to the hazards involved and the costs of providing flood control facilities. Locate critical facilities, such as hospitals, fire stations, police stations, public administration buildings, and schools outside of flood hazard areas.

Policy S.1-9 Encourage project designs that minimize drainage concentrations, minimize impervious coverage, utilize pervious paving materials, utilize low impact development (LID) strategies, and utilize best management practices (BMPs) to reduce stormwater runoff and minimize increases in downstream runoff resulting from new development.

Policy S.1-10 Through development agreements and compliance with adopted master drainage plans and existing regulations, require that new development provide necessary storm drainage improvements and ensure that upstream stormwater generators fully address stormwater needs on their property.

Master Drainage Plans

Master Drainage Plans (MDPs), as administered by the RCFCWCD, identify a conceptual network of drainage facilities needed to properly convey water at a regional level throughout portions of the City. There are four MDPs, managed by the RCFCWCD, that cover the majority of the City and its Sphere of Influence. The MDPs address regional level facilities in Moreno Valley and provide a network of drainage facilities which, when implemented, will provide proper water conveyance to the community as development continues. The fully implemented MDPs should, in conjunction with ultimate street improvements for the area contain the 100-year frequency flows. The MDPs identify preferred facility alignments, sizing, and right-of-way required for the future construction of MDP facilities to protect existing and future development. The MDPs are intended to be used as a guide for future developments and that such developments be required to conform to the MDPs.

Local Hazard Mitigation Plan

The LHMP is designed to identify the City's hazards, estimate the probability of future occurrences, and set goals to mitigate potential risks to reduce or eliminate long-term natural or made-made hazard risks to life and property. The LHMP identifies specific hazards related to flooding and erosion that could result in damage to life and/or property. The LHMP also establishes hazard priority and identifies mitigation strategies for reducing losses associated with these hazards.

Moreno Valley Municipal Code

Title 8 of the MVMC contains regulations that address hydrology and water quality. Chapter 8.10 *Stormwater/Urban Runoff Management and Discharge Controls*, contains requirements that address reducing pollutants in storm water discharges to protect and enhance the water quality of local watercourses. In addition to requiring a NPDES permit, MVMC Section 8.10.050 specifies that new development and significant redevelopment control stormwater runoff so as to prevent any deterioration of water quality through the identification of BMPs

Chapter 8.12, *Floodplain Ordinance*, provides regulations to minimize public and private losses due to flood conditions. Projects located within special flood hazard areas as identified by FEMA are required to obtain development permits. Construction within the special flood hazards areas is required to use standards of constructions set forth in Municipal Code Section 8.12.170.

Chapter 8.21, *Grading Regulations*, notes that all projects that require a grading plan must also submit an erosion control plan. Pursuant to Municipal Code Section 8.21.160(B), erosion control plans are required to include details of protective measures, including desiltation basins or other temporary drainage or control measures or both, as may be necessary to protect adjoining public or private property from damage by erosion, flooding, or mud and/or debris deposits which may originate from the site or result from the grading operations.

MVMC Section 8.21.160(E) requires the containment of all sediment stating that runoff from disturbed areas is required to be detained or filtered by berms, swales, ditches, filter strips or other means as necessary to prevent the escape of sediment from the site.

Land Use and Planning

Environmental Setting

The project site is vacant and undeveloped, and the surrounding area is developed with residential uses and vacant land. The project site has a General Plan and zoning designation of Residential 30 (R30)(City of Moreno Valley 2025b). The surrounding land uses include single-family homes to the north, vacant undeveloped land to the south, vacant undeveloped land, single-family homes, and the Valley Christian Church and Academy to the east, and multi-family residential development under construction to the west.

Regulatory Setting

STATE REGULATIONS

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, Sections 65000 to 66499.58. Under state 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.

California Codes

The California Codes are 29 legal codes enacted by the California state legislature, which together form the general statutory law of California. Unlike the U.S. Code or other state legal codes, they have never been consolidated into a single unified code. The official Codes are maintained by the California Legislative Counsel for the Legislature. California Government Code Section 539091(d) states “Building ordinances of a county or city shall not apply to the location or construction of facilities for the production, generation, storage, treatment, or transmission of water, wastewater, or electrical energy by a local agency.”

Section 539091(e) states “Zoning ordinances of a county or city shall not apply to the location or construction of facilities for the production, generation, storage, treatment, or transmission of water, or for the production or generation of electrical energy, facilities that are subject to Section 12808.5 of the Public Utilities Code, or electrical substations in an electrical transmission system that receives electricity at less than 100,000 volts. Zoning ordinances of a county or city shall apply to the location or construction of facilities for the storage or transmission of electrical energy by a local agency, if the zoning ordinances make provision for those facilities.”

REGIONAL REGULATIONS SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

SCAG is a council of governments representing Riverside, Los Angeles, Orange, San Bernardino, Ventura, and Imperial counties. SCAG is the federally recognized Metropolitan Planning Organization (MPO) for this region. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the

environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the Southern California region's MPO, SCAG cooperates with the South Coast Air Quality Management District, the California Department of Transportation, and other agencies in preparing regional planning documents. SCAG has developed the Regional Comprehensive Plan, the Regional Housing Needs Assessment, and the RTP/SCS.

2024-2050 Regional Transportation Plan/Sustainable Community Strategies

SCAG's Connect SoCal (2024-2050 RTP/SCS) provides the long-range vision of the SCAG region. The RTP/SCS expands land use and transportation strategies established from previous cycles to increase mobility options and achieve a more sustainable growth pattern.[1] The RTP/SCS contains plans and projections for the region's future, from 2024 through the horizon year of 2050. Like other RTP/SCS publications, the Connect SoCal RTP/SCS provides a policy framework for preparing local plans and handling issues of regional significance, such as land use and housing, open space and biological habitats, water, energy, air quality, solid waste, transportation, security and emergency preparedness, economy, and education. Specifically, the plan also strives to achieve broader regional objectives, such as the preservation of natural lands, improvement of public health, increased roadway safety, support for the region's vital goods movement industries and more efficient use of resources. The RTP/SCS advances regional planning by incorporating an integrated approach between SCAG, state and local governments, transportation commissions, resources agencies and conservation groups, the private sector, and the general public.

Western Riverside County Multiple Species Habitat Conservation Plan

The Western Riverside County MSHCP is a long-term regional conservation plan established to protect sensitive species and habitats in western Riverside County. The MSHCP plan area provides a regional vision for balanced growth by complying with federal and state endangered species laws.

LOCAL REGULATIONS

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Land Use Element identifies goals, objectives, policies, and programs that will relate to land use and planning.

Land Use Element

> **Policy LCC.1-6** Promote infill development along Alessandro, Sunnymead, and Perris Boulevards to create mixed use corridors with a range of housing types at mid-tohigh densities along their lengths and activity nodes at key intersections with retail/commercial uses to serve the daily needs of local residents.
>
> **Policy LCC.1-7** Support the continued buildout of residential areas as needed to meet the community's housing needs.
>
> **Policy LCC.1-11** Require that new development be compatible with the standards for land uses, density and intensity specified in the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (March ALUC Plan).

Policy LCC.2-2 Require that proposed projects in the Downtown Center prepare an area plan demonstrating consistency with the principles outlined in Table LCC-2 and the illustrative development program shown in Table LCC-3 prior to approval. Development on smaller parcels may satisfy this requirement with a site plan.

Policy LCC.2-9 Support the vitality of commercial and retail development downtown with significant new housing in and adjacent to the Downtown Center.

Policy LCC.2-20 Encourage site designs that create an active street frontage and screen parking from the frontages of Alessandro, Sunnymead and Perris Boulevards.

Policy LCC.2-21 Orient residential uses to the street and discourage the use of walls and fences. Employ a variety of techniques to buffer residential uses on the corridors from traffic and noise, including setbacks, landscaping, stoops, and raised entries.

Policy LCC.2-27 Where possible, require that adjacent uses share driveways in order to limit the number of curb cuts along Alessandro Boulevard, Sunnymead Boulevard, Nason Street, and Perris Boulevard.

Policy LCC.3-2 Use development standards to ensure smooth transitions for areas that border one another so that neighborhoods and districts maintain their unique qualities while being compatible with one another.

Policy LCC.3-12 Promote the preservation, maintenance, and improvement of property through code enforcement to mitigate or eliminate deterioration and blight conditions, and to help encourage new development and reinvestment.

Policy LCC.3-13 New and retrofitted fences and walls should incorporate landscape elements and changes in materials or texture to deter graffiti and add visual interest.

Policy LCC.3-14 Within individual residential projects, a variety of floor plans and elevations should be offered.

Policy LCC.3-16 Design large-scale small lot single family and multiple family residential projects to group dwellings around individual open space and/or recreational features.

Policy LCC.3-18 Design internal roadways so that direct access is available to all structures visible from a particular parking area entrance in order to eliminate unnecessary vehicle travel, and to improve emergency response.

Policy LCC.4-2 *Promote the development of a greater variety of housing types, including single-family homes on small lots, accessory dwelling units, townhomes, lofts, live-work spaces, and senior and student housing to meet the needs of future demographics and changing family sizes.* ***Moreno Valley Municipal Code***

The MVMC Title 9: Planning and Zoning addresses standards for orderly land use and resource planning to achieve sustainable growth. It addresses the City's guidelines and requirements for developments for each zoning type. Development standards ensure that new uses and development will contribute to and be harmonious with existing and potential development in the surrounding area, as well as further the goals, objectives, policies, and implementation programs of the General Plan (MVMC Section 9.08.010).

Section 9.03.020(L) of the MVMC states "The primary purpose of the R30 district is to provide a broadened range of housing types in an urban setting than is typically found within other areas of the city. This district is intended as an area for development of multifamily residential dwelling units

at a maximum allowable density of 30 DUs per net acre in accordance with the provisions outlined herein."

Mineral Resources

Environmental Setting

There are no active mineral resource extraction facilities within Moreno Valley, including the project site. The General Plan identified the Jack Rabbit Canyon Quarry, located approximately 7.6 miles southeast of the project site, as the only active sand and gravel quarry within Moreno Valley; however, this facility has permanently closed since adoption of the General Plan. Regulatory Setting

STATE REGULATIONS SURFACE MINING AND RECLAMATION ACT

The Surface Mining and Reclamation Act (SMARA) of 1975 established policies for the conservation, development, and reclamation of mineral lands. It also contained specific provisions for the California Geological Survey to classify the regional significance of mineral resources through the use of Mineral Resource Zones (MRZs). The objective of these zones is to identify the significance of mineral deposits and ensure that the mineral potential of land is recognized and considered by the local government decision-makers before they make land use decisions that could preclude mining. The highest priority areas are those within the state that are subject to urban expansion or other irreversible land sues that would preclude mineral extraction. The following provides a description of the four different MRZs:

- MRZ-1: Designates areas where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- MRZ-2: Designates areas underlain by mineral deposits where geologic data indicates that significant measured or indicated mineral resources are present.
- MRZ-3: Designates areas that contain known mineral deposits, the significance of which cannot be evaluated from available data.
- MRZ-4: Designates areas where available information is inadequate for assignment to an MRZ zone.

Noise

Environmental Setting

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. The City of Moreno Valley 2006 General Plan identifies schools, hospitals, churches, and residential (single- and multi-family) uses as sensitive uses within the City (City of Moreno Valley 2006).

Sensitive receptors in the vicinity of the project site include single-family residences to the north across from Alessandro Boulevard; single-family residences, the Valley Christian Academy, and Country Squires Mobile Estates mobile home park to the east; the Riverside University Health System Medical Center to the southeast; the Villa Annette Apartments to the south; and multifamily residential buildings currently under construction on the adjacent parcel of land to the west.

The most prominent source of noise in the project site vicinity is vehicular traffic on nearby roadways (primarily Alessandro Boulevard, Darwin Drive, and Lasselle Street). The City of Moreno

Valley General Plan (GP) Safety Element (City of Moreno Valley 2006) presents roadway noise contours throughout the City. These contours were referenced to establish the noise environment at the project site in terms of CNEL. Based on the buildout noise contours shown in Figure 6-2 of the Safety Element, noise levels at the project site range between 60 and 65 dBA CNEL.

Regulatory Setting

FEDERAL REGULATIONS

Federal Transit Administration Transit Noise and Vibration Impact Assessment Manual

The Federal Transit Administration (FTA) provides reasonable criteria for assessing construction noise and vibration impacts based on the potential for adverse community reaction in the *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018). The *Transit Noise and Vibration Impact Assessment Manual* specifies a daytime noise threshold of 80 dBA L_{eq} for an 8-hour period at residential land uses and a vibration threshold of 0.2 in/sec PPV at which potential minor architectural damage may occur to structures of typical construction.

STATE REGULATIONS

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 each county and city to adopt a General Plan that includes a Noise Element prepared per 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. CEQA requires all known environmental effects of a project to be analyzed, including environmental noise impacts.

2022 California Building Code

The California Building Code is Title 24 of the California Code of Regulations. The 2022 California Building Code Part 2, Volume 1, Chapter 12, Section 1206.4, *Allowable interior noise levels*, requires that interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric is evaluated as either the L_{dn} or the CNEL, consistent with the noise element of the local general plan.

LOCAL REGULATIONS

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Noise Element identifies goals, objectives, policies, and programs that will relate to noise.

Noise Element

> **Policy PPS.1-1** Protect occupants of existing and new buildings from exposure to excessive noise, particularly adjacent to freeways, major roadways, the railroad, and within areas of aircraft overflight.
>
> **Policy PPS.1-3** Apply the community noise compatibility standards (Table N-1) to all new development and major redevelopment projects outside the noise and safety compatibility zones established in the March Air Reserve Base/Inland Port Airport Land Use Compatibility

(ALUC) Plan in order to protect against the adverse effects of noise exposure. Projects within the noise and safety compatibility zones are subject to the standards contained in the ALUC Plan.

Policy PPS.1-5 Noise impacts should be controlled at the noise source where feasible, as opposed to at receptor end with measures to buffer, dampen, or actively cancel noise sources. Site design, building orientation, building design, hours of operation, and other techniques, for new developments deemed to be noise generators shall be used to control noise sources.

Policy PPS.1-6 Require noise buffering, dampening, or active cancellation, on rooftop or other outdoor mechanical equipment located near residences, parks, and other noise sensitive land uses.

Policy PPS.1-7 Developers shall reduce the noise impacts on new development through appropriate means (e.g. double-paned or soundproof windows, setbacks, berming, and screening). Noise attenuation methods should avoid the use of visible sound walls where possible.

Policy PPS.2-3 Limit the potential noise impacts of construction activities on surrounding land uses through noise regulations in the Municipal Code that address allowed days and hours of construction, types of work, construction equipment, and sound attenuation devices.

City of Moreno Valley Municipal Code

Chapter 11.80 of the MVMC sets forth the City's noise standards for the purposes of securing and promoting the public health, safety, welfare, and quality of life of the City and its inhabitants. Section 11.008.030 specifies that "[n]o person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any non-impulsive sound which exceeds the limits set forth for the source land use category in [Table 4] when measured at a distance of 200 feet or more from the real property line of the source of the sound, if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property" (City of Moreno Valley 2024).

Table 4 Maximum Sound Levels (in dBA) for Source Land Uses

Residential		Commercial	
Daytime[1]	Nighttime[2]	Daytime[1]	Nighttime[2]
60	55	65	60

[1] Daytime hours are between 8:00 a.m. and 10:00 p.m. on the same day.

[2] Nighttime hours are between 10:01 p.m. and 7:59 a.m. the following day.

Source: City of Moreno Valley Municipal Code, Section 11.80.030, Table 11.80.030-2.

In addition, Section 11.80.030 contains regulations regarding construction and demolition activities, prohibiting "the 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" (City of Moreno Valley 2024).

Chapter 9.10 of the MVMC specifies performance standards for proposed development projects that may impact surrounding land uses. Section 9.10.170 states that "[n]o vibration shall be permitted which can be felt at or beyond the property line" (City of Moreno Valley 2024).

Population and Housing

Environmental Setting

According to the California Department of Finance (DOF), the City of Moreno Valley has an estimated population of 207,146 with an average household size of 3.61 persons (DOF 2024).

Regulatory Setting

STATE REGULATIONS

California Housing Element Law

The Housing Element is one of the seven General Plan Elements that are mandated by California (California Government Code Sections 65580 to 65589.8). California law requires that the Housing Element provide, "an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing" (Government Code Section 65580).

State law requires that each city and county identify and analyze existing and forecasted housing needs within its jurisdiction and prepare goals, policies, and programs to further the development, improvement, and preservation of housing for all economic segments of the community, commensurate with local housing needs.

REGIONAL AND LOCAL REGULATIONS

Southern California Association of Governments

SCAG is a council of governments representing Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties. SCAG is the federally recognized Metropolitan Planning Organization (MPO) for the Southern California region. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and State law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As Southern California region's MPO, SCAG cooperates with the South Coast Air Quality Management District (SCAQMD), California Department of Transportation, and other agencies in preparing regional planning documents. SCAG has developed the Regional Comprehensive Plan, the Regional Housing Needs Assessment, and the 2024-2050 Regional Transportation Plan/Sustainability Communities Strategy (2024-2050 RTP/SCS).

On April 4, 2024, the SCAG Regional Council adopted the 2024-2050 RTP/SCS, also known as Connect SoCal, which presents a long-term transportation vision through the year 2050 for the six-county plan area that consists of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. The 2024-2050 RTP/SCS contains baseline socioeconomic projections that are used as the basis for SCAG's transportation planning, and the provision of services by other regional agencies. SCAG's overarching strategy for achieving its goals is integrating land use and

transportation. SCAG policies are directed towards the development of regional land use patterns that contribute to reductions in vehicle miles traveled and improvements to the transportation system.

Regional Housing Needs Assessment

The Regional Housing Needs Assessment (RHNA) is an assessment process performed periodically as part of the General Plan Housing Element updates at the local level. The RHNA process begins with the California Department of Housing and Community Development's (HCD) projection of future statewide housing growth need, and the apportionment of this need of regional councils of governments throughout the state. SCAG is the agency responsible for developing an allocation methodology for the region's assigned share of statewide need to cities and counties by income level.

This "fair share" allocation concept seeks to ensure that each jurisdiction accepts responsibility for the housing needs of its resident population, as well as the jurisdiction's projected share of regional housing growth across all income categories. Regional growth needs are defined as the number of units that would have to be added in each jurisdiction to accommodate the forecasted number of households, as well as the number of units that need to be added to compensate for anticipated demolitions and changes to achieve an ideal vacancy rate. SCAG defines a "household" as an occupied dwelling unit.

The current 6th RHNA cycle covers the planning period from 2021-2029. The housing construction need is determined for four broad household income categories: very low (households making less than 50% of area median income), low (50 to 80% of area median income), moderate (80 to 120% of area median income), and above moderate (more than 120% of area median income). The intent of the future needs allocation by income groups is to relieve the undue concentrations of very low-income and low-income households in a single jurisdiction and to help allocate resources in a fair and equitable manner.

Public Services

Environmental Setting

FIRE AND EMERGENCY SERVICES

The Moreno Valley Fire Department (MVFD) provides fire and emergency medical services to the project site. MVFD is part of the California Department of Forestry and Fire Protection (CALFIRE)/ Riverside County Fire Department's regional, integrated, cooperative fire protection organization. MVFD is the primary response agency for fires, emergency medical service, hazardous materials incidents, traffic accidents, terrorist acts, catastrophic weather events, and technical rescues for the City. MVFD also provides a full range of fire prevention services including public education, code enforcement, plan check and inspection services for new and existing construction, and fire investigation. The department also provides fire apparatus support to other jurisdictions through a master mutual aid agreement to assist in handling emergency calls for service. In return, the same jurisdictions are obligated to provide resources to the City. Additionally, the City's Office of Emergency Management is located within the MVFD in order to provide coordinated responses to natural and human-made disasters. The closest MVFD station to the project site is Station No. 99: Morrison Park. This station is located at 13400 Morrison Street, approximately 0.5-mile northeast of the project site. Station No. 99 contains one Type 1 engine.

POLICE AND LAW ENFORCEMENT

The Moreno Valley Police Department (MVPD) provides law enforcement services to the project site. Law enforcement services are contracted from the County of Riverside Sheriff's Department. Since the City's incorporation in 1984, the City has maintained an annual contract with the County of Riverside Sheriff's Department for police protection and crime prevention services. MVPD provides a full range of protection and prevention services such as communications, evidence collection, analysis and preservation, training, administration, and records keeping.

The MVPD receives approximately 400 to 450 calls per day. MVPD prioritizes and assigns calls by urgency. Priority 1 calls are the highest urgency and include emergency calls which require immediate response, when vehicular pursuit is in process, or when there is a reason to believe that an immediate threat to life exists. Priority 2 calls include injured persons, robberies in progress, bomb threats, car jackings, rape and stolen vehicles. Priority 3 calls include assault, prowlers, disturbances, tampering with vehicles, and burglary alarms. The MVPD has a response target of six minutes or less for Priority 1 calls, 15 minutes or less for Priority 2 calls, and 35 minutes or less for Priority 3 calls. MVPD operates out of the Moreno Valley Station at City Hall, located at 22850 Calle San Juan De Los Lagos, approximately 3.0 miles west of the project site.

SCHOOLS

The Moreno Valley Unified School District (MVUSD) provides school services to the City, including limited portions of the City of Riverside and unincorporated regions of Riverside County. MVUSD serves approximately 32,000 students in Kindergarten through 12th grade across 40 existing school sites. The Project would be served by Hendrick Ranch Elementary, La Jolla Elementary, Landmark Middle, and Vista Del Lago High School.

- Hedrick Ranch Elementary (grades Transitional Kindergarten [TK]-5) is located at 25570 Brodiaea Avenue, approximately 0.75-mile west of the project site.
- La Jolla Elementary School (grades Transitional Kindergarten [TK]-5) is located at 14745 Willowgrove Place, approximately 1.13 miles southeast of the project site.
- Landmark Middle School (grades 6-8) is located at 15261 Legendary Drive, approximately 1.5-miles southeast of the project site.
- Vista Del Lago High School (grades 9-12) is located at 15150 Lasselle Street, approximately one-mile southwest of the project site.

LIBRARIES

The City of Moreno Valley Libraries Services Department provides library services and programs to the project site. The department operates three branches, with the main branch serving the project site. The main library branch is located at 25480 Alessandro Boulevard, approximately 0.85-mile west of the project site.

Regulatory Setting

STATE REGULATIONS

2022 California Fire Code

The 2022 California Fire Code (CCR Title 24 Part 9) sets forth requirements including those for building materials and methods pertaining to fire safety and life safety, fire protection systems in

buildings, emergency access to building, and handling and storage of hazardous materials. The Fire Code also is intended to aid firefighters and other emergency responders during their operations. The code is updated every 3 years and was last updated in 2019, and adopted in 2020. The 2022 Fire Code was published on July 1, 2022, effective January 1, 2023. The City has adopted the California Fire Code as Title 8, Chapter 8.36 of the MVMC, including appendices addressing fire-flow requirements for buildings.

Assembly Bill 2926: Facilities Act of 1986

To assist in providing school facilities to serve students generated by new development, Assembly Bill (AB) 2926 was enacted in 1986 and authorizes a levy of impact fees on new residential, commercial, and industrial development. The bill was expanded and revised in 1987 through the passage of AB 1600, which added Section 66000 et seq. to the Government Code. Under this statute, payment of school impact fees by developers serves as CEQA mitigation to satisfy the impact of development on school facilities.

Senate Bill 50

Senate Bill (SB) 50 (1998), which is funded by Proposition 1A, limits the power of cities and counties to require mitigation of developers as a condition of approving new development and provides instead for a standardized fee. SB 50 generally provides for a 50/50 state and local school facilities match. SB 50 also provides for three levels of statutory impact fees. The application level depends on whether state funding is available; whether the school district is eligible for state funding; and whether the school district meets certain additional criteria involving bonding capacity, year-round schools, and the percentage of moveable classrooms in use. California Education Code 17620 establishes the authority of any school district to levy a fee, charge, dedication, or other requirements against any development within the school district for the purposes of funding the construction of school facilities, as long as the district can show justification for the fees.

LOCAL REGULATIONS

Moreno Valley Fire Department Strategic Plan

The MVFD adopted a strategic plan in 2011 to clearly define the mission and goals of the department. The strategic plan contains other essential information for the development of the Fire Department including a fire facilities master plan, fire station location methodology, and key points for continued growth for the planning period of 2012-2022. The document is reviewed biennially to ensure the goals are being met.

Moreno Valley Unified School District Measure M

Measure M was a ballot measure that was approved in November 2014 that provided $398 million in bond funding for MVUSD facilities construction and maintenance. Measure M funds projects proposed and undertaken pursuant to a prior bond measure, Measure A, which was approved in 2004 to repair and update MVUSD schools.

Moreno Valley Municipal Code

MVMC Chapter 3.38 contains residential development impact fees. The MVMC requires payment of impact fees for residential developments in the amounts adopted by City Council by Resolution. There are separate development fees for fire facilities (Chapter 3.38.060), police facilities (Chapter

3.38.070), and library facilities and materials (Chapter 3.38.100). Fees collected pursuant to Chapter 3.38 are deposited into a separate fund and used only for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, improvements related to the fire, police, or library facilities respectively.

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Parks and Public Services Element identifies goals, objectives, policies, and programs that will relate to public services.

Parks and Public Services Element

> **Policy PPS.1-2** Require that proponents of new development projects contribute to the acquisition and development of adequate parks and recreational facilities within the community, either through the dedication of park land and construction of facilities, or the payment of in-lieu fees.
>
> **Policy PPS.1-3** Locate new parks in the generalized locations shown on Map PPS-1 , prioritizing underserved neighborhoods so that all residents have easy access to a park from their home. New parks should be located outside of the 65dB CNEL noise contour (see Map N-3) and be accessible by transit.
>
> **Policy PPS.3-6** Continue to require that new development make a fair share funding contribution to ensure the provision of adequate police and fire services.
>
> **Policy PPS.3-8** Apply Crime Prevention through Environmental Design principles in the design of new development and encourage the provision of adequate public lighting; windows overlooking streets or parking lots; and paths to increase pedestrian activity within private development projects and public facilities in order to enhance public safety and reduce calls for service.

Recreation

Environmental Setting

The City of Moreno Valley owns and operates 40 parks, trails, and facilities, totaling approximately 541 acres of parkland (Moreno Valley 2025a). The closest public park to the project site is Woodland Park located approximately 0.5-mile southwest of the project site. The approximately 9.1-acre neighborhood park offers four basketball courts, a pickleball court, picnic tables, a playground, and four tennis courts.

Regulatory Setting

STATE REGULATIONS

1975 Quimby Act (California Government Code Section 66477)

The 1975 Quimby Act (California Government Code Section 66477) authorizes cities and counties to adopt ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. Revenues generated through the Quimby Act cannot be used for

operation and maintenance of park facilities. A 1982 amendment (AB 1600) requires agencies to clearly show a reasonable relationship between the public need for the recreation facility or parkland and the type of development project upon which the fee is imposed. Cities with a high ratio of park space to inhabitants can set a standard of up to 5 acres per 1,000 persons for new development. Cities with a lower ratio can only require the provision of up to 3 acres of park space per 1,000 persons. The calculation of a city's park space to population ratio is based on a comparison of the population count of the last federal census to the amount of city-owned parkland.

LOCAL REGULATIONS

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Park and Public Services Element identifies goals, objectives, policies, and programs that will relate to recreation.

Parks and Public Services Element

> **Policy PPS.1-2** Require that proponents of new development projects contribute to the acquisition and development of adequate parks and recreational facilities within the community, either through the dedication of park land and construction of facilities, or the payment of in-lieu fees.
>
> **Policy PPS.1-3** Locate new parks in the generalized locations shown on Map PPS-1 , prioritizing underserved neighborhoods so that all residents have easy access to a park from their home. New parks should be located outside of the 65dB CNEL noise contour (see Map N-3) and be accessible by transit.

Moreno Valley Parks, Recreation, and Open Space Comprehensive Master Plan

The Parks, Recreation and Open Space Comprehensive Master Plan is Moreno Valley's primary implementing tool for park planning by bridging the City's General Plan and Capital Improvement Program. The Master Plan provides a detailed inventory of the City's existing parks and recreational facilities and future needs, as well as guidelines for the development of future facilities and potential funding sources. Moreno Valley's parkland dedication ordinance operates under the umbrella of California's 1975 Quimby Act, which allows cities to require that new development dedicate land or pay fees to help ensure sufficient parkland to meet the established standard of three acres per thousand residents. Additionally, the City can explore other strategies to encourage the provision of parks and recreational facilities, such as public-private partnerships or impact bonds, which shift financial burden and risk from local government to a new investor, who provides up-front capital for a project. In these arrangements, performance metrics or outcomes are agreed up front, and when they are achieved the investor received repayment with interest.

Moreno Valley Municipal Code

MVMC Title 3, Revenue and Finance, Chapter 3.40, *Dedication of Land for Park Facilities and Payment of In-Lieu Fees*, implements the provisions of the Quimby Act, which authorizes a city to require the dedication of land for park and recreation facilities, or a payment in-lieu to and as a

condition of the approval of a tentative tract map, tentative parcel map for residential subdivisions, or a custom home approval.

Transportation

Environmental Setting

Regional access to the project site would be provided I-215, which is approximately 4.8 miles east of the project site, and SR-60 located approximately 1.71 miles north of the project site. Local access to the project site would be provided via Darwin Drive and Brodiaea Avenue. In addition, regional mass transit service is provided by Riverside Transit Agency.

Regulatory Setting

FEDERAL REGULATIONS

Federal rules and regulations govern many facets of the City's transportation system, including transportation planning and programming; funding; and design, construction, and operation of facilities. The City complies with all applicable rules and regulations of the Federal Highway Administration, the Urban Mass Transit Administration, the Federal Railroad Administration, the Federal Aviation Administration, and other federal agencies. In addition, the City coordinates with federal resource agencies where appropriate in the environmental clearance process for transportation facilities.

STATE REGULATIONS

Assembly Bill 1358 – Complete Streets

In 2008, the state passed the California Complete Streets Act (Assembly Bill [AB] 1358), requiring circulation elements to include a "Complete Streets" approach that balances the needs of all users of the street. Complete Streets are streets designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities. The precise definition of a Complete Street can vary depending on the context and primary roadway users, but there are some common elements found in successful Complete Streets policies. These policies consider the needs of all users of the street in the planning, design, construction, operation, and maintenance of transportation networks. This framework allows policymakers to shift the goals, priorities, and vision of local transportation planning efforts by emphasizing a diversity of modes and users.

Assembly Bill 32 – Global Warming Solutions Act

The California Global Warming Solutions Act of 2006 (AB 32) was signed into law in September. The Act instructed CARB to develop and enforce regulations for the reporting and verifying of statewide GHG emissions. It directed CARB to set a GHG emission limit based on 1990 levels to be achieved by 2020 and set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner. In December 2008, CARB adopted a Scoping Plan to achieve the goals of AB 32. AB 32 was followed by Senate Bill (SB) 32 in 2016, which expanded this goal for statewide GHG emissions to be 40 percent below 1990 levels by 2030 (SB 32). The scoping plan has a range of GHG reduction actions, which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms (e.g., cap-and-trade system), and an AB 32 program implementation regulation to fund

the program. CARB recognizes cities as "essential partners" in reducing GHGs. As such, CARB has developed a local government toolkit with guidance for GHG reduction strategies, such as improving transit, developing bicycle/pedestrian infrastructure, and increasing city fleet vehicle efficiency, among other strategies. CARB's 2017 Scoping Plan builds upon the successful framework established by the Scoping Plan, while identifying new, technologically feasible, and cost-effective strategies to ensure that California meets its GHG reduction targets in a way that promotes and rewards innovation, continues to foster economic growth, and delivers improvements to the environment and public health, including in disadvantaged communities. The 2017 Scoping Plan includes goals and measures that specifically reduce GHG emissions from the transportation sector. These goals and measures focus on using vehicle miles traveled (VMT) as the metric for determining transportation impacts on the environment; encouraging development practices that reduce VMT; enhancing mass transit systems, shared-use mobility, and bicycle and pedestrian networks; and reducing fossil fuels for transportation use, in favor of fuels and energy technology that emits less GHG emissions.

Senate Bill 375 – Sustainable Communities and Climate Protection Act

The Sustainable Communities and Climate Protection Act (SB 375) provides incentives for cities and developers to bring housing and jobs closer together and to improve public transit. The goal is to reduce the number and length of automobile commuting trips, helping to meet the statewide targets for reducing GHG emissions set by AB 32. SB 375 requires each Metropolitan Planning Organization to add a broader vision for growth to its transportation plan through development of an SCS. The SCS must identify a plan to meet the region's transportation, housing, economic, and environmental needs in a way that enables the area to lower GHG emissions. The SCS should integrate transportation, land use, and housing policies to plan for achievement of the emissions target for each region. The SCAG 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) was adopted in April 2024.

Senate Bill 743 – Amending CEQA with Respect to Evaluating Transportation Impacts

SB 743 was signed into law on September 27, 2013, and seeks to balance the needs of congestion management, infill development, public health, GHG reductions, and other goals. The Office of Planning and Research released the *Technical Advisory on Evaluating Transportation Impacts in CEQA* in December 2018. WRCOG released the *WRCOG SB 743 Implementation Pathway* in March 2019, a guiding document for VMT analysis methodology, thresholds, and mitigation strategies for transportation impact evaluation for WRCOG agencies such as Moreno Valley. For CEQA, SB 743 eliminated measures such as auto delay, level of service (LOS), and other vehicle-based measures of capacity in many parts of California. Instead, other measurements such as VMT, are now used to measure impacts.

State Transportation Improvement Program

The State Transportation Improvement Program (STIP) is a multi-year capital improvement program for transportation projects on and off the state highway system, funded with revenues from the transportation investment fund and other funding sources. STIP programming generally occurs every two years. The programming cycle begins with the release of a proposed fund estimate in July of odd numbered years, followed by California Transportation Commission (CTC) adoption of the fund estimate in August (odd years). The fund estimate serves to identify the amount of new funds available for the programming of transportation projects. Once the fund estimate is adopted, the Caltrans and the regional planning agencies prepare transportation improvement plans for

submittal to the CTC by December 15th (odd years). Caltrans prepares the Interregional Transportation Improvement Program (ITIP) and regional agencies prepare the Regional Transportation Improvement Plans (RTIPs). Public hearings are held in January (even years) in both northern and southern California. The STIP is adopted by the CTC by April (even years).

Technical Advisory on Evaluating Transportation Impact in CEQA

The Governor's Office of Planning and Research (OPR) released the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory) in December 2018. The Technical Advisory aids in the transition from LOS to VMT methodology for transportation impact analysis under CEQA. The advisory contains technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures.

California Department of Transportation

Caltrans owns and operates the state highway system, which includes the freeways and state routes within California. In the City of Moreno Valley, Caltrans maintains I-215 and SR-60. Caltrans recognizes that VMT is the most appropriate primary measure of transportation impacts for capacity increasing transportation projects on the state highway system. The Caltrans' *Transportation Impact Study Guide* (May 20, 2020) provides guidance on the evaluation of traffic impacts to local land use projects. The document outlines when a project is presumed to have a less-than-significant impact and may be "screened" out of requiring a VMT analysis. Otherwise, a VMT analysis would be required and compared against thresholds of significance adopted by the lead agency.

REGIONAL REGULATIONS

Regional Western Riverside Council of Governments Transportation Uniform Mitigation Fee

WRCOG's Transportation Uniform Mitigation Fee (TUMF) Program is a regional fee program designed to provide transportation and transit infrastructure that mitigates the impact of new growth in western Riverside County. WRCOG administers the program in partnership with its member agencies. Each member agency elects to participate in the TUMF Program through adoption of an ordinance and membership in WRCOG. In an effort to create additional efficiencies in the TUMF Program, WRCOG pursued a revision in the TUMF process to give member agencies the option to shift responsibility of calculation and collection of TUMF from the member agency to WRCOG.

Southern California Association of Governments Regional Transportation Plan and Sustainable Communities Strategy

In April 2024, SCAG adopted the 2024-2050 RTP/SCS (Connect SoCal), which places a greater emphasis on sustainability and integrated planning. The 2024-2050 RTP/SCS vision encompasses a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The 2024-2050 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to comply with SB 375, improve public health, and meet the NAAQS. This long-range plan, required by California and the federal government, is updated by SCAG every four years as demographic, economic, and policy circumstances change. The 2024-2050 RTP/SCS is a living, evolving blueprint for the region's future. Applicable goals are

identified below; the project's consistency with these RTP/SCS goals are addressed in Section XI, *Land Use and Planning*, of the IS-MND.

Goal 1: Encourage regional economic prosperity and global competitiveness.

Goal 2: Improve mobility, accessibility, reliability, and travel safety for people and goods.

Goal 3: Enhance the preservation, security, and resilience of the regional transportation system.

Goal 4: Increase person and goods movement and travel choices within the transportation system.

Goal 5: Reduce greenhouse gas emissions and improve air quality.

Goal 6: Support healthy and equitable communities.

Goal 7: Adapt to a changing climate and support an integrated regional development pattern and transportation network.

Goal 8: Leverage new transportation technologies and data-driven solutions that result in more efficient travel.

Goal 9: Encourage development of diverse housing types in areas that are supported by multiple transportation options.

Goal 10: Promote conservation of natural and agricultural lands and restoration of critical habitat.

LOCAL REGULATIONS

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Circulation Element identifies goals, objectives, policies, and programs that will relate to transportation.

Circulation Element

Policy C.2-7 Plan access and circulation of each development project to accommodate vehicles (including emergency vehicles and trash trucks), pedestrians, and bicycles.

Policy C.2-8 For developments fronting both sides of a street, require that streets be constructed to full width. Where new developments front only one side of a street, require that streets be constructed to half width plus an additional 12-foot lane for opposing traffic, whenever possible. Additional width may be needed for medians or left and/or right turn lanes.

Policy C.3-4 Require development projects to complete traffic impact studies that conduct vehicle miles traveled analysis and level of service assessment as appropriate per traffic impact study guidelines.

Policy C.3-6 Require new developments to participate in Transportation Uniform Mitigation Fee Program (TUMF), the Development Impact Fee Program (DIF) and any other applicable transportation fee programs and benefit assessment districts.

Tribal Cultural Resources

Environmental Setting

The project site is situated in Moreno Valley at an elevation ranging from approximately 1,560 to 1,580 above mean sea level and is approximately five miles west-southwest and five miles east-southeast of the San Timoteo Badlands and Box Springs Mountain Ranges, respectively. The project site is situated within the traditional territory of four Native American groups anthropologists identified in the early twentieth century (e.g., Kroeber 1908). The historically identified territories occupied by the Cahuilla, Gabrieleño, Luiseño, and Serrano all exist within a 25-mile range of the project site. Post-Contact history for the state of California is generally divided into three periods: the Spanish Period (1769 to 1822), Mexican Period (1822 to 1848), and American Period (1848 to present). Although Spanish, Russian, and British explorers visited the area for brief periods between 1529 and 1769, the Spanish Period in California begins with the establishment in 1769 of a settlement at San Diego and the founding of Mission San Diego de Alcalá, the first of 21 missions constructed between 1769 and 1823. Independence from Spain in 1821 marks the beginning of the Mexican Period, and the signing of the Treaty of Guadalupe Hidalgo in 1848, ending the Mexican-American War, signals the beginning of the American Period when California became a territory of the United States.

Regulatory Setting

FEDERAL REGULATIONS

National Historic Preservation Act of 1966

Enacted in 1966 and amended in 2000, the NHPA declared a national policy of historic preservation and instituted a multifaceted program, administered by the Secretary of the Interior, to encourage the achievement of preservation goals at the federal, state, and local levels. The NHPA authorized the expansion and maintenance of the NRHP, established the position of State Historic Preservation Officer (SHPO) and provided for the designation of state review boards, set up a mechanism to certify local governments to carry out the purposes of the NHPA, assisted Native American tribes to preserve their cultural heritage and created the ACHP.

American Indian Religious Freedom Act, Title 42, United States Code, Section 1996

The American Indian Religious Freedom Act protects Native American religious practices, ethnic heritage sites, and land uses. It requires each executive branch agency with statutory or administrative responsibility for the management of federal lands, to the extent practicable, permitted by law, and not clearly inconsistent with essential agency functions, to accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoid adversely affecting the physical integrity of such sacred sites.

Native American Graves Protection and Reparation Act (NAGPRA) (1990), Title 25, United States Code

The Native American Graves Protection and Repatriation Act 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. Passed in 1990, this federal law

provides a process for museums and federal agencies to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants and culturally affiliated Indian tribes.

STATE REGULATIONS

California Environmental Quality Act

California public agencies must consider the effects of their actions on both "historical resources" and "unique archaeological resources." Pursuant to PRC Section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." Section 21083.2 additionally requires agencies to determine whether proposed projects would have effects on "unique archaeological resources." Please refer to Section X, *Cultural Resources*, of this IS-MND.

Assembly Bill 52

AB 52 was approved by California Governor Edmund Gerry "Jerry" Brown, Jr. on September 25, 2014. AB 52 amended California PRC Section 5097.94, and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 applies specifically to projects for which a Notice of Preparation (NOP) or a Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration (MND) was filed on or after July 1, 2015. The primary intent of AB 52 is to include California Native American Tribes early in the environmental review process and to establish a new category of resources related to Native Americans that require consideration under the CEQA. PRC 21074 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. On July 30, 2016, the California Natural Resources Agency adopted the final text for tribal cultural resources (TCRs) update to Appendix G of the CEQA Guidelines, which was approved by the Office of Administrative Law on September 27, 2016.The Public Resources Code 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" (PRC Section 21084.2.) To help determine whether a project may have such an effect, the PRC 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 (PRC Section 21080.3.1). PRC Section 21080.3.1 requires that within 14 days of a lead agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the lead agency provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the project (as defined in PRC Section 21073) and who have requested in writing to be informed by the lead agency (PRC Section 21080.3.1(b)). Tribes interested in consultation must respond in writing within 30 days from receipt of the lead agency's formal notification and the lead agency must begin consultation within 30 days of receiving the tribe's request for consultation (PRC Sections 21080.3.1(d) and 21080.3.1(e)).

PRC Section 21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of TCRs; the significance of the project's

impacts on the TCRs; project alternatives or appropriate measures for preservation; and mitigation measures. Consultation is considered concluded when either: (1) the parties agree to the measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) a party, acting in good faith and after reasonable effort, concludes that a mutual agreement cannot be reached (PRC Section 21080.3.2(b)). PRC Section 21082.3(c)(1) states that any information, including, but not limited to, the location, description, and use of the TCRs, that is submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public without the prior consent of the tribe that provided the information. If the lead agency publishes any information submitted by a California Native American tribe during the consultation or environmental review process, that information shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.

Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act (California Repatriation Act), enacted in 2001, requires all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate tribes.

Native American Historic Resource Protection Act; Archaeological, Paleontological, and Historical Sites; Native American Historical, Cultural, and Sacred Sites (*PRC Sections 5097-5097.994)*

PRC Section 5097 specifies the procedures to be followed in the event of the unexpected discovery of Native American human remains on non-federal public lands. PRC Section 5097.9 states that no public agency or private party on public property shall "interfere with the free expression or exercise of Native American Religion." The Code further states:

> No such agency or party [shall] cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine…except on a clear and convincing showing that the public interest and necessity so require.

California Government Code Section 6254 and 6254.10

Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission." Section 6254.10 specifically exempts from disclosure requests for "records that relate to archaeological site information and reports, maintained by, or in the possession of the Department of Parks and Recreation, the State Historical Resources Commission, the state Lands Commission, the Native American Heritage Commission, another state agency, or a local agency, including the records that the agency obtains through a consultation process between a Native American tribe and a state or local agency."

California Health and Safety Code

California law protects Native American burials, skeletal remains, and associated grave goods, of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place

other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the county coroner has examined the remains (Section 7050.5b). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours Section 7050.5c). The NAHC will notify the Most Likely Descendant. With the permission of the landowner, the Most Likely Descendant may inspect the site of discovery. The inspection must be completed within 24 hours of notification of the Most Likely Descendant by the NAHC. The Most Likely Descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains, and items associated with Native Americans.

Utilities and Service Systems

Environmental Setting

Water Service

EMWD provides water service to the project site. EMWD imports water from MWD) that it uses to provide water supply to the city. The imported water received from MWD is treated at two treatment plants: Henry J. Mills in Riverside and Robert A. Skinner in Winchester. At Mills, State Water Project (SWP water is treated, while at Skinner a combination of SWP water and Colorado River Aqueduct (CRA) water is treated. Untreated water supplied by MWD is treated by EMWD at a microfiltration plant in Perris. An additional microfiltration plant is located in Hemet, which provides untreated MWD water directly to a number of agricultural and wholesale customers. EMWD is increasing the use of recycled water, through expansion and maximization of the four regional water reclamation facilities.

Wastewater Service

The project site is served by the EMWD's local wastewater collection system. EMWD system includes 1,534 miles of gravity sewer, 53 lift stations, and 4 operational regional water reclamation facilities (RWRFs), with interconnections between local collection systems serving each treatment plant. The four RWRFs have a combined capacity of 86,300 AFY (or 77.04 million gallons per day).

Stormwater

The Riverside County Flood Control District and Water Conservation District (RCFC&WCD) is responsible for maintenance of Moreno Valley's stormwater drainage system. While RCFC&WCD oversees all aspects of flood protection, they collaborate with local agencies on project development and implementation. RCFC&WCD has prepared four master drainage plans (MDPs) (Sunnymead Area, West End, Perris Valley, and Moreno), that identify the range of public and private improvements required to contain the 100-year frequency storm water flows, alleviating flooding once implemented. Additionally, RCFC&WCD has developed three area drainage plans (ADPs) that establish the fee required within each specific area to support the required improvements. The Moreno, Sunnymead, and West End MDPs have been adopted by the City.

Electric Power

MVU provides electricity to the project site. MVU serves over 6,500 customers within its service area. MVU provides customer service, meter reading, billing, emergency response, and other services to new commercial and residential developments located within its service area.

Natural Gas

Southern California Gas Company (SoCalGas) provides the city with natural gas service. SoCalGas' service territory encompasses approximately 20,000 square miles and more than 500 communities.

Solid Waste

The City provides trash, recycling, and special waste handling services to the project site through a contract with Waste Management. The majority of solid waste generated within the city is disposed of at Badlands Sanitary Landfill, located north of SR-60 and west of I-10 off Ironwood Avenue. Two other landfills within the county of Riverside, El Sobrante Landfill and Lamb Canyon Landfill, have the capacity to serve the city.

Regulatory Setting

FEDERAL REGULATIONS

Clean Water Act

Pursuant to Section 404 of the Clean Water Act (33 USC Section 1251 et seq.; CWA), the USACE is authorized to regulate any activity that would result in the discharge of dredged or fill material into waters of the U.S. (including wetlands), which include those waters listed in 33 CFR 328.3 (as amended at 80 FR 37104, June 29, 2015). The USACE, with oversight from the U.S. EPA, has the principal authority to issue CWA Section 404 permits. The USACE would require a standard individual permit for more than minimal impacts to waters of the U.S. as determined by the USACE. Projects with minimal individual and cumulative adverse effects on the environment may meet the conditions of an existing nationwide permit. A water quality certification or waiver pursuant to CWA Section 401 is required for all CWA Section 404 permitted actions. The RWQCB, a division of the SWRCB, provides oversight of the CWA Section 401 certification process in California. The RWQCB is required to provide "certification that there is reasonable assurance that an activity that may result in the discharge to waters of the U.S. will not violate water quality standards." Water Quality Certification must be based on the finding that proposed discharge will comply with applicable water quality standards. The NPDES is the permitting program for discharge of pollutants into surface waters of the U.S. under CWA Section 402.

STATE REGULATIONS

Safe Drinking Water Act

California enacted Safe Drinking Water Act (SDWA) (HSC Sections 116350– 116405) with the DHS granted primary enforcement= responsibility. Title 22 of the CCR (Division 4, Chapter 15, "Domestic Water Quality and Monitoring Regulations") established DHS authority and provides drinking water quality and monitoring requirements, which are equal to or more stringent than federal standards.

Recycled Water Regulations

Regulation of recycled water is vested by state law in the SWRCB and the California Department of Public Health Services (DPH). DPH is responsible for the regulations concerning the use of recycled water. Title 17 (California Water Code [CWC] Section 13500–13556) regulates the protection of the potable water supply through the control of cross-connections with potential contaminants, including recycled water. The established water quality standards and treatment reliability criteria

for recycled water are codified in CWC Title 22. The requirements of Title 22, as revised in 1978, 1990 and 2001, establish the quality and/or treatment processes required for a recycled effluent to be used for a non-potable application. In addition to recycled water uses and treatment requirements, Title 22 addresses sampling and analysis requirements at the treatment plant, preparation of an engineering report prior to production or use of recycled water, general treatment design requirements, reliability requirements, and alternative methods of treatment.

Urban Water Management Planning Act

The Urban Water Management Planning Act (UWMP Act) (CWC, Division 6, Part 2.6, Section 10610 et. seq.) was enacted in 1983. The UWMP Act applies to municipal water suppliers, such as the EMWD, because it provides water service directly to more than 3,000 connections. The UWMP Act requires these suppliers to update their UWMP every five years to demonstrate an appropriate level of reliability in supplying anticipated short-term and long-term water demands during normal, dry, and multiple dry years.

State Water Resources Control Board

The SWRCB is the state agency focused on providing and ensuring clean sustainable water for all residents. This agency works alongside other federal programs like the CWA to regulate water sources and uses. The SWRCB regulates water consumption for irrigation and drinking, as well as water discharges from construction, municipal uses, stormwater, and other sources.

Porter-Cologne Water Quality Act

The Porter-Cologne Water Quality Act (CWC Section 13000 et seq.) is the basic water quality control law for California. Under this act, the SWRCB has primary responsibility for coordination and control of water quality. In California, the U.S. EPA has delegated authority to issue NPDES permits to the SWRCB. The state is divided into nine regions related to water quality and quantity characteristics. The SWRCB, through its nine RWQCBs, carries out the regulation, protection, and administration of water quality in each region. Each RWQCB is required to adopt a WQMP or Basin Plan that recognizes and reflects the regional differences in existing water quality, the beneficial uses of the region's ground and surface water, and local water quality conditions and problems.

Title 24 Energy Efficiency Standards

California's *Energy Efficiency Standards for Residential and Non-residential Buildings* was established in 1978, in response to a mandate to reduce the state's energy consumption. These standards are promulgated under CCR Title 24 Part 6 and are commonly referred to as "Title 24." The Title 24 standards are periodically updated to reflect new or improved energy efficiency technologies and methods. The most recent Title 24 standards were updated effective October 2005, with subsequent revisions and amendments. A new development project is required to incorporate the most recent Title 24 standards in effect at the time the building permit application is submitted.

Executive Order B-37-16

Signed on May 9, 2016, Executive Order B-37-16 established a new water 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.

Assembly Bill 1668 and Senate Bill 606

Assembly Bill 1668 (AB 1668) and Senate Bill 606 (SB 606) builds on former Governor Brown's ongoing efforts to make water conservation a way of life in California and create a new foundation for long-term improvements in water conservation and drought planning. SB 606 and AB 1668 establish guidelines for efficient water use and a framework for the implementation and oversight of the new standards, which must be in place by 2022. The two bills strengthen the state's water resiliency in the face of future droughts with provisions that include:

- Establishing water use objectives and long-term standards for efficient water use that apply to urban retail water suppliers; comprised of indoor residential water use, outdoor residential water use, commercial, industrial, and institutional (CII) irrigation with dedicated meters, water loss, and other unique local uses.
- Providing incentives for water suppliers to recycle water.
- Identifying small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability and provide recommendations for drought planning.
- Requiring both urban and agricultural water suppliers to set annual water budgets and prepare for drought.

Assembly Bill 341

Assembly Bill 341 (AB 341), approved in October 2011, is intended to reduce GHG emissions by diverting commercial solid waste to recycling efforts and to expand the opportunity for additional recycling services and recycling manufacturing facilities in the state. It is the policy goal of the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020. This law requires California commercial businesses and public entities, that generate four or more cubic yards of commercial solid waste per week or is a multi-family residential dwelling with five or more units, to arrange for recycling services. Each local jurisdiction is required to inform businesses about the recycling requirement and to keep track of the level of recycling within the business community. In addition, each jurisdiction is required to report to CalRecycle, the state agency that oversees recycling and solid waste, on progress in the business community.

Senate Bill 610

Under Senate Bill 610 (SB 610), water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in CWC Section 10912 [a]) subject to the CEQA Guidelines.

Assembly Bill 939 – California Integrated Waste Management Act

Assembly Bill 939 (AB 939), known as the California Integrated Waste Management Act of 1989, required all California cities and counties to divert 50 percent of the waste generated within their boundaries by 2000. The act requires each California city and county to prepare, adopt, and submit to CalRecycle, a Source Reduction and Recycling Element (SRRE) that demonstrates how the jurisdiction will meet the California Integrated Waste Management Act's mandated diversion goals. Each jurisdiction's SRRE must include specific components, as defined in PRC Sections 41003 and

41303. Additionally, the SRRE must include a program for the management of solid waste generated in the jurisdiction consistent with the following hierarchy: (1) source reduction, (2) recycling and composting, (3) environmentally safe transformation; and (4) land disposal.

Assembly Bill 1826

Assembly Bill 1826 (AB 1826) (2014) requires businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate on a weekly basis. Additionally, AB 1826 requires that, after January 1, 2016, all local jurisdictions implement an organic waste recycling program to divert organic waste generated by businesses, including multi-family residential dwellings with five or more units. Organic waste includes food waste, green waste, landscape and pruning waste, non-hazardous wood waste, and food-soiled paper waste that is mixed in with food waste. This law phases in the mandatory recycling of commercial organics over time. Because the minimum threshold of organic waste generation by businesses will be decreased over time (e.g., in 2016, affected businesses were those generating eight cubic yards or more of organic waste per week; in 2019, affected businesses will be those generating four or more cubic yards of organic waste per week), an increasing proportion of the commercial sector will be required to comply. AB 1826 is part of California's efforts intended to achieve its recycling and GHG emissions reduction goals. Reducing the amount of organic materials sent to landfills and increasing the production of compost and mulch are part of the AB 32 Scoping Plan.

Senate Bill 1383

Senate Bill 1383 (SB 1383) (2016) requires a 50 percent reduction in disposal of organic waste from the 2014 level by 2020, and a 75 percent reduction by 2025. The law grants CalRecycle, the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025. Food waste alone accounts for approximately 17 percent to 18 percent of total landfill disposal. Increasing food waste prevention, encouraging edible food rescue, and expanding the composting and in-vessel digestion of organic waste throughout the state will help reduce methane emissions from organic waste disposed in California's landfills. Additionally, compost has numerous benefits including water conservation, improved soil health, and carbon sequestration.

REGIONAL AND LOCAL REGULATIONS

Eastern Municipal Water District Urban Water Management Plan

EMWD's 2020 UWMP (July 2021), was prepared pursuant to CWC Division 6, Part 2.55, Section 10608 (Sustainable Water Use and Demand Reduction) and CWC Division 6, Part 2.6, Sections 10610-10657 (Urban Water Management Planning). The UWMP describes future water demands and future availability of the water supply sources used by EMWD.

Municipal Separate Storm Sewer Systems Permit/National Pollutant Discharge Elimination System Permit

The federal Water Pollution Control Act prohibits the discharge of any pollutant to navigable waters (waters of the U.S.) from a point source unless the discharge is authorized by an NPDES permit. In 2002, the Santa Ana RWQCB issued an NPDES Storm Water Permit and Waste Discharge Requirements under the CWA and the Porter-Cologne Act for discharges of stormwater runoff,

snowmelt runoff, surface runoff and drainage within the Santa Ana River watershed in San Bernardino and Riverside counties. Moreno Valley is within the jurisdiction of the Santa Ana RWQCB and is subject to the waste discharge requirements of the Municipal Separate Storm Sewer System (MS4) Permit for San Bernardino and Riverside counties and the proposed permit for Riverside County. The County and cities within the County are co-permittees under the MS4 permit and have legal authority to enforce the terms of the permit in their jurisdictions.

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Open Space & Resource Conservation Element, Parks & Public Services Element, and Safety Element each identify goals, objectives, policies, and programs that will relate to utilities and service systems.

Open Space & Resource Conservation Element

Policy OSCR. 3-6 Encourage new development to incorporate as many water-wise practices as feasible in their design and construction.

Policy OSCR. 3-7 Conserve water through the provision of water-efficient infrastructure, drought tolerant plantings, and greywater usage to support public parks and landscaped areas.

Policy OSCR. 3-8 Conserve water through the planting and maintenance of trees, which will provide for the capture of precipitation and runoff to recharge groundwater, in addition to providing shading for other landscaping to reduce irrigation requirements. Ensure that any 'community greening' projects utilize water-efficient landscape.

Parks & Public Services Element

Policy PPS.4-3 Prior to the approval of any new development application, continue to require "will serve" letters from utility providers demonstrating that adequate water and septic or sewer service capacity exists or will be available to serve the proposed development in a timely manner.

Policy PPS.4-4 Whenever possible, project proponents should ensure that public water, sewer, drainage and other backbone facilities needed for a project phase are constructed prior to or concurrent with initial development within that phase. It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.

Safety Element

Policy S.1-7 Design, construct and maintain street and storm drain flood control systems to accommodate 10-year and 100-year storm flows respectively, employing "green infrastructure" techniques as feasible and appropriate. The storm drain system shall conform to Riverside County Flood Control and Water Conservation District master drainage plans and the requirements of the Federal Emergency Management Agency.

Policy S.1-9 Encourage project designs that minimize drainage concentrations, minimize impervious coverage, utilize pervious paving materials, utilize low impact development (LID) strategies, and utilize best management practices (BMPs) to reduce stormwater runoff and minimize increases in downstream runoff resulting from new development.

Policy S.1-10 Through development agreements and compliance with adopted master drainage plans and existing regulations, require that new development provide necessary storm drainage improvements and ensure that upstream stormwater generators fully address stormwater needs on their property.

Moreno Valley Municipal Code

Water

The MVMC Ordinance 9.17.150 provides landscape development requirements and standards to create aesthetic and water conserving landscape areas in compliance with the California Model Water Efficiency Ordinance.

Stormwater

The MVMC provides standards to protect and enhance the water quality of watercourses, water bodies, groundwater, and wetlands in a manner pursuant to and consistent with the CWA, the Porter-Cologne Water Quality Control Act and the conditions of any NPDES permit issued to the city (Ord. 827 Section 2.1, 2011). New development or redevelopment projects are required to control stormwater runoff to prevent deterioration of water quality and the City engineer shall identify the BMPs that may be implemented to prevent deterioration.

Solid Waste

MVMC Ordinance 6.02.050 provides standards for the provision of solid waste (refuse) and recyclable material storage areas in compliance with state law (California Solid Waste Reuse and Recycling Access Act, PRC Sections 42900 through 42911). Additionally, the City's Building Code requires development projects to complete and submit a Waste Management and Recycling Plan for approval prior to issuance of building permits. The Waste Management and Recycling Plan would identify the project type and estimate the amount of materials to be recycled during construction. The project would also be required to complete a Diversion Report for review by the City's Building Department to demonstrate that the project recycled a minimum of 50 percent of its construction waste.

Electricity, Natural Gas, and Telecommunications

The project's electricity demand would be served by Moreno Valley Electric Utility. The project's natural gas demand would be serviced by SoCalGas. Telecommunications service is provided by various private internet providers.

Wildfire

Environmental Setting

Threat from wildfire hazards is determined based on a number of factors, including fuel loading (vegetation); topography; climatic conditions, such as wind, humidity, and temperature; and the proximity of structures and urban development to fire hazards. Wildland fire hazards are most pronounced in wildland-urban interface areas, or where urban development is located close to open space areas where vegetation can serve as fuel. Generally, the periods of greatest risk for wildland fire are the late summer and early fall when vegetation is at its driest. Human activity, including residential and agricultural burning, campfires, and the use of fireworks can all trigger fires. Natural causes such as lightning strikes may also start fires.

CALFIRE has developed two datasets for fire threat and hazard mapping. The first mapping dataset consists of Fire Hazard Severity Zones (FHSZs), which were developed for community planning and real estate disclosure purposes, and are meant to help limit wildfire damage to structures through planning, prevention, and the application of risk reduction measures. The mapped areas, or "zones," are based on factors such as fuel (e.g., flammable vegetation), slope, and fire weather. There are three zones, based on increasing fire hazard: moderate, high, and very high. The project site is not located within a FHSZ or State Responsibility Area (SRA) (CALFIRE 2024). The nearest VHFHSZ is located approximately 2.4 miles southeast of the project site.

Regulatory Setting

FEDERAL REGULATIONS

Disaster Mitigation Act

The Disaster Mitigation Act of 2000 requires that a state mitigation plan, as a condition of disaster assistance, add incentives for increased coordination and integration of mitigation activities at the state level through the establishment of requirements for two different levels of state plans: "Standard" and "Enhanced." The Disaster Mitigation Act also established a new requirement for local mitigation plans.

STATE REGULATIONS

California Fire Code

The 2022 California Fire Code (CCR Title 24, Part 9) establishes regulations to safeguard against the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The Fire Code also establishes requirements intended to provide safety for and assistance to firefighters and emergency responders during emergency operations. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout California. The Fire Code includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas. The City has adopted the California Fire Code as Title 8, Chapter 8.36 in the MVMC, including appendices addressing fire-flow requirements for buildings.

LOCAL REGULATIONS

Local Hazard Mitigation Plan

The City's LHMP (2017) is designed to identify the city's hazards, including threat of wildfire, especially for those portions of the city which are mapped within high fire hazard areas. The LHMP includes strategies for the minimization of damage from wildfires including the identification of high fire risk areas. The LHMP also contains the City's evacuation plan including the identification of evacuation centers and evacuation maps.

Emergency Operations Plan

The City's Emergency Operations Plan (2009) identifies wildfire as a potential risk to life and property. The plan identifies areas of concern and provides a threat assessment and develops an approach to combatting wildfire, alerting and warning, shelter and mass care, donation management, volunteer management, evacuation, damage assessment, as well as preventive measures.

Moreno Valley Fire Department Strategic Plan 2012-2022

The MVFD Strategic Plan 2012-2022 outlines goals and strategies directed at fire operations, fire prevention, and the Office of Emergency Management (OEM) to assist in the provision of fire protection services. Goals for the protection against wildfire include the following:

- Fire Operations
    - Financial management and accountability
    - Goal 2: Arrive on scene within 5 minutes of dispatch 90% of the time
    - Goal 3: Reduce the risk of fire to residents through prevention campaigns
    - Maintain a strong partnership with Riverside County Fire Department
    - Ensure fire administration staffing is sufficient for the needs of the MVFD
- Fire Prevention
    - Goal 1: Fiscal sustainability
    - Goal 2: Ensure all business and commercial occupancies receive annual fire and life safety inspections
    - Goal 3: Perform hazard abatement inspections bi-annually
    - Goal 4: Provide efficient plan review
    - Goal 5: Evaluate management structure and career advancement within the Bureau
- OEM
    - Goal 1: Provide training to employees, businesses, and citizens
    - Goal 2: Incorporate federal and state legal mandates and standards into City emergency management strategies
    - Goal 3: Continually improve emergency operations center functions and capabilities based on a comprehensive assessment
    - Goal 4: Manage FEMA and state disaster recovery projects to ensure timely completion of required documentation

- Goal 5: Maintain effective coordination and partnerships with local, regional, and state agencies

The Fire Facilities and Equipment Master Plan is part of the MVFD Strategic Plan. The MVFD participates in the City's Capital Improvement Project (CIP) budget each fiscal year. This budget identifies the fire facilities that are to be constructed in the next five fiscal years as well as future fire station locations and CIP needs. The Strategic Plan anticipates the need for twelve or thirteen fire stations, with a possible fourteenth fire station as an in-fill fire station to service projected population through 2022. In addition to building new facilities, the MVFD will need personnel and fire apparatus.

Moreno Valley Wildfire Mitigation Plan

Moreno Valley Utility (MVU) has prepared and continually updates a Wildfire Mitigation Plan. The primary goal for the Wildfire Mitigation Plan is to describe the city's programs, practices, and measures that effectively reduce the probability that the city's electric supply system could be the origin or contributing source for the ignition of a wildfire. MVU's entire electric supply system is located underground in conduit and vaults. Historically, undergrounded electric lines have not been associated with catastrophic wildfires. The undergrounding of electric lines serves as an effective mitigation measure to reduce the potential of power-line ignited wildfires. Based on a review of local conditions and historical fires, MVU has determined that its electrical lines and equipment do not pose a significant risk of catastrophic wildfire.

Despite this low risk, MVU takes appropriate actions to help its region prevent and respond to the increasing risk of devastating wildfires. In its role as a public agency, MVU closely coordinates with other local safety and emergency officials to help protect against fires and respond to emergencies. In its role as a utility, MVU follows all applicable design, construction, operation, and maintenance requirements that reduce safety risks associated with its system.

City of Moreno Valley General Plan

The 2040 Moreno Valley General Plan was adopted in April 2026. The General Plan is the City's blueprint for how and where Moreno Valley will grow over the next 20 years. The General Plan Safety Element identifies goals, objectives, policies, and programs that will relate to wildfire.

Safety Element

> **Policy S.1-15** Avoid, where feasible, locating new development in areas subject to high wildfire risk. If avoidance is not feasible, condition such new development on implementation of measures to reduce risks associated with that development.

Moreno Valley Municipal Code

Title 3 of the MVMC contains an assortment of fees and taxes collected by the City. Chapters 3.38 and 3.42 establish residential and commercial/industrial development impact fees, respectively. Specifically, Section 3.38.060 requires the payment of impact fees for residential development projects and Section 3.42.060 requires the payment of impact fees for commercial and industrial projects for the purpose of acquiring, designing, constructing, improving, providing and maintaining, to the extent permitted by law, fire services facilities provided for in the City's General Plan and its adopted CIP. Title 8 of the MVMC contains a number of regulations that address fire protection. Chapter 8.36, *California Fire Code*, codifies the City's adoption of the California Fire Code. MVMC

Section 8.36.050 addresses requirements for Wildland-Urban Interface Areas in the planning area and refers to the mapping of VHFHSZs in addition to providing fuel modification requirements for new construction. Specifically, any new buildings in areas containing combustible vegetation are required to prepare preliminary fuel modification plans concurrent with the submittal for approval of any tentative map.