



City of Moreno Valley Initial Study Preparation Guide

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Prepared by City of Moreno Valley
Community Development Department

Prepared with Assistance From:
RECON Environmental, Inc.
McKenna Lanier Group, Inc.

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Introduction

This document should be used as a companion document to the City of Moreno Valley (City) Rules and Procedures for Implementation of the California Environmental Quality Act adopted by the City Council. It is essential that the person preparing the Initial Study understands the California Environmental Quality Act (CEQA) and how it pertains to preparing Initial Studies. This document provides a reference to and is intended to provide guidance for implementation of the following documents:

- City of Moreno Valley Rules and Procedures for Implementation of the California Environmental Quality Act;
- Public Resources Code (PRC) 21000 Sections 21000–21189 (CEQA Statutes); and
- California Code of Regulation (CCR), Title 14, Division 6, Chapter 3, Sections 15000–15387 (CEQA Guidelines).

1.0 General Guidance

Pursuant to CEQA, an Initial Study Checklist (or Initial Study), is a preliminary analysis prepared by the lead agency to determine whether an Environmental Impact Report (EIR) or a Negative Declaration (ND) must be prepared or to identify the significant environmental effects to be analyzed in an EIR (CEQA Guidelines §15365).

1.1 Purpose of the Initial Study

The Initial Study serves as a tool to identify and select the appropriate environmental document. It can also be used as a means to remove or reduce potentially significant impacts to enable the project to qualify for a Mitigated Negative Declaration (MND). For ND/MNDs, the Initial Study provides the required documentation of the factual basis for the finding in an ND/MND that a project would not have a significant effect on the environment. Lastly, through a scoping process, the Initial Study can be used as a tool to determine what environmental factors need to be studied in greater detail under an EIR and which environmental factors need no further review.

Appendices G and H of the CEQA Guidelines provide sample Initial Study Checklists that may be used for environmental analysis. However, these forms are only suggested, and the lead agency may create their own format for the Initial Study Checklist.

1.2 Contents of an Initial Study (Guidelines §15063(d))

An Initial Study shall contain in brief form:

- A description of the project including the location of the project;
- An identification of the environmental setting;

- An identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained in enough detail to indicate that there is evidence to support the entries. The brief explanation may be either through a narrative or a reference to another information source such as an attached map, photographs, or an earlier EIR or ND. A reference to another document should include, where appropriate, a citation to the page or pages where the information is found.
- A discussion of the ways to mitigate the significant effects identified, if any;
- An examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls; and
- The name of the person or persons who prepared or participated in the Initial Study.

1.3 Baseline and Environmental Setting

The impacts of the project shall be evaluated by comparing expected environmental conditions after project implementation to conditions at a point in time, referred to as the baseline. The changes in environmental conditions between those two scenarios represent the environmental impacts of the proposed project. The description of the environmental conditions in the project study area under baseline conditions is referred to as the environmental setting (Association of Environmental Professionals [AEP] 2016a).

1.4 Project Description

CEQA Guidelines §15378(a) defines a project as the whole of an action, which has a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment (AEP 2016b).

The term “project” refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term “project” does not mean each separate governmental approval (CEQA Guidelines §15378(c)).

Piecemealing

Piecemealing or segmenting means dividing a project into two or more pieces and evaluating each piece in a separate environmental document, rather than evaluating the whole of the project in one environmental document. This is explicitly forbidden by CEQA, because dividing a project into a number of pieces would allow a lead agency to minimize the apparent environmental impacts of a project by evaluating individual pieces separately, each of which may have a less than significant impact on the environment, but when considered together may result in a significant impact. Segmenting a project may also hinder developing comprehensive mitigation strategies (AEP 2016b).

Importance of the Project Description

As detailed in the AEP Topic Paper regarding project descriptions (AEP 2016b), a project description should contain enough information to ensure that the impact analysis contains a meaningful assessment of the project's impacts. For example, if a new roadway is proposed, the project description must also provide details of the proposed alignment and width so that a detailed analysis of the effects on biological and cultural resources can be completed. Or, if an expansion of a wastewater treatment plant is proposed, the treatment process and proposed capacity of the plant must be disclosed so that the analysis can assess whether the operation of the plant would meet water quality standards.

The project description is the foundation upon which an environmental analysis is constructed. An impact analysis should "tell a story" about how the actions comprising the proposed project will or will not lead to impacts, and why those impacts are either significant or less than significant. The project description should include the project objectives and demonstrate how the proposed project meets the project objectives.

The impact analysis then flows from the detailed description of project features contained in the project description, combined with other sources of information and scientific analysis. If sufficient information is not provided in the project description about the actions and activities that would occur under the proposed project, the first part of the impact analysis story may be misleading or incomplete, and the reader will not be able to understand the chain of logic and fact that links the project description to the impact conclusions. Further, without a complete and stable project description, the team preparing the impact analyses within the environmental document may not have the information necessary to determine what impacts the proposed project may have, or the intensity of those impacts (AEP 2016b).

Contents of the Project Description (CEQA Guidelines §15124)

The contents of a project description for an ND or MND are not explicitly called out in the CEQA Guidelines; however, guidance for the preparation of EIR project descriptions provides applicable guidance. The CEQA Portal Topic Paper – Project Description (AEP 2016b) provides examples of the types of information to be provided in a project description:

- The project sponsor or applicant.
- The location of the proposed project (including regional and site-specific graphics).
- A timeline for completing the project, including when construction of the proposed project is expected to be initiated, how long will it take to complete construction, and when project operations, occupancy, or use would begin.
- Project objectives.
- A summary of the types of uses the proposed project will include.

- A quantitative measure of the intensity of each use (e.g., square footage of commercial space, number of single-family housing units, width and linear feet of new roadway, and amount of water to be diverted).
- Improvements to public infrastructure and services required for the proposed project, including off-site improvements.
- Information regarding how the proposed project would be constructed and operated. This would also include discussion of any contemplated off-site grading, location of the staging area for construction, and any other potential land disturbance.
- Reasonably foreseeable future project phases or related projects.
- Information on the kinds of measures proposed to avoid or minimize environmental impacts (sometimes called environmental commitments).
- Information on any additional environmental clearances, consultations, or permits that will be required for the project.
- A list of agencies that will use the environmental document for their CEQA compliance (including permitting agencies).
- Information on who the proposed project is intended to serve (if appropriate).
- Graphics showing what the proposed project will look like (plan view and elevations, if appropriate).
- If construction and/or operation is to occur in phases, provide an expected schedule of the phases and detail as to what portions of the project will happen in each phase. Describe any temporary or permanent relocations required, if applicable.
- More detailed information about construction may be needed for certain technical analyses, such as:
 - What kinds of equipment will be involved in constructing the proposed project?
 - What is the maximum number of construction workers expected to be on-site at the height of construction, and how long will that last?
 - How many people will be expected to work at the project site at full implementation?
 - If cut and fill are not able to be balanced on-site, what is the amount of material needing to be hauled on- or off-site, and the location of the source or destination of these materials?

- What Best Management Practices will be used to minimize pollutant flows during storm water events?
- Where will construction waste be hauled to?
- Where will equipment and materials storage (staging) areas be located?
- How storm water flows will be handled on-site (for hydrology and water quality analysis).
- How stream crossings will be created or altered (for biology and hydrology).
- Details about internal traffic flow (for traffic).
- Number of parking spaces provided (for traffic).
- Activities associated with the decommissioning or demolition of the proposed project, if it is anticipated to have a limited lifespan (e.g., a reclamation plan for a proposed mining operation).

To the extent that some of this information is not available, the CEQA document should contain any assumptions made regarding details of the project construction and operation needed to complete the analyses.

1.5 Thresholds of Significance (CEQA Guidelines §15064.7)

A threshold for an environmental impact is that point at which the lead agency defines as the level of effect above which the impact is significant and below which the impact is considered less than significant. Lead agencies are responsible for defining thresholds applicable to projects under their jurisdiction. While the City has not adopted thresholds of significance, there are some thresholds or standards established by the Initial Study questions themselves, others established by expert agencies, and those established by regulatory agencies. The specifics of these thresholds as they apply to the City are discussed under the appropriate environmental factor or question in Section 2.

It is important to understand that when using a threshold, the preparer should briefly explain how compliance with the threshold means that the project's impacts are less than significant. Compliance with an adopted threshold does not relieve a lead agency of the obligation to consider substantial evidence indicating that the project's environmental effects may still be significant.

More information on thresholds can be found in the CEQA Portal Topic Paper – Thresholds of Significance at https://ceqaportal.org/topic_papers.cfm.

1.6 Determining the Significance of the Environmental Effects Caused by a Project

CEQA Guidelines §15064 sets the stage for determining environmental impacts. Some key points from this section of the CEQA Guidelines are discussed below.

Significant Effect

A significant effect is a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the activity including land, air, water, minerals, biology, ambient noise, and objects of historic or aesthetic significance, to name a few. Social or economic changes related to a physical change in the environment may also be considered in determining whether the physical change is significant. As noted in the CEQA Guidelines, a solid definition of a “significant effect” is not always possible because the significance of an activity may vary with the setting (CEQA Guidelines §15382).

The lead agency’s decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the whole of the record of the lead agency. The CEQA Guidelines state that: “If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment but the lead agency determines that revisions in the project plans or proposals made by, or agreed to by, the applicant would avoid the effects or mitigate the impact to a point where clearly no significant effect on the environment would occur and there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment then a mitigated negative declaration shall be prepared” (Guidelines §15064).

“If the lead agency determines there is no substantial evidence that the project may have a significant effect on the environment, the lead agency shall prepare a negative declaration” (CEQA Guidelines §15064; *Friends of B Street v. City of Hayward* (1980) 106 Cal. App. 3d 988).

If there is disagreement among expert opinion supported by facts over the significance of an effect on the environment, the lead agency shall treat the impact as significant and shall prepare an EIR.

The *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502 (December 24, 2018) case, also known as the Friant Ranch Decision, has the potential for implications on environmental analysis. Although the discussion concerns an EIR, it would impact all environmental analysis (NDs and MNDs). Ascent Environmental released a CEQA Practice Paper entitled *Practical Implications of the Friant Ranch Decision for Air Quality and Other EIR Analyses* (Ascent Environmental 2019). The paper reminds CEQA practitioners “that the evaluation of significant effects under CEQA must be understandable to the public, which not only involves providing support by substantial evidence, but also interpreting and explaining the meaning of the impact to the affected

public, including the analytical route to the impact conclusion and its nature and magnitude (i.e., telling the story behind the impact)” (Ascent Environmental 2019).

Direct Impacts (CEQA Guidelines §15358)

Direct or primary impacts are those immediately related to the project (i.e., the project will require grading that will destroy habitat). In evaluating the significance of the environmental effect of a project, the preparer shall consider direct physical changes in the environment, which may be caused by the project.

When a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant.

An example would be a big box home improvement store whose approval in a downtown area will cause smaller electric, plumbing, lumber stores to close causing blight in the downtown.

Indirect Impacts

Indirect or secondary impacts are those that are reasonably foreseeable and are related more to the impact consequences than to the project itself (i.e., the destruction of non-native grassland will indirectly affect raptors due to a reduction on foraging habitat). In evaluating the significance of the environmental effect of a project, the preparer shall consider reasonably foreseeable indirect physical changes in the environment, which may be caused by the project.

Cumulative Impacts

Cumulative impacts are two or more individual effects which, when considered together, are considerable or which compound or increase other environmental effects (CEQA Guidelines §15355). Cumulatively considerable impacts are those additional or incremental effects of an individual project that when analyzed in connection with the effects of past, current, and foreseeable projects is significant.

When relying on a plan, regulation, or program, the lead agency should explain how implementing the particular requirements in the plan, regulation, or program ensure that the project’s incremental contribution to the cumulative effect is not cumulatively considerable.

1.7 Mitigation Measures

A mitigation measure is an action to be taken to reduce or avoid a significant impact resulting from a proposed project. The solution must have a “nexus” to the project, be

“roughly proportional” to the project and cannot be recommended or required where there is no impact or a less than significant impact (Nollan v. California Coastal Commission, 483 U.S. 825 [1987] and Dolan v. City of Tigard, 512 U.S. 374). The measures shall be fully enforceable through the project conditions, or any other legally binding instruments (i.e., development agreements).

If there is more than one mitigation measure that could equally reduce the impact to less than significant, the Initial Study response shall include disclosure of all of the potential measures along with the basis or reasoning why the lead agency selected the measure that is to be applied. If the measure itself could cause one or more significant effects in addition to the project’s impacts, the response in the Initial Study must include the effects of the mitigation measure, but the detail needed to describe the effects does not have to be the same as that for the effects of the project.

Mitigation measures should not include processes or requirements of Federal, State, or City laws (i.e., the requirement for a grading permit is not mitigation). However, if the processes or requirements help to mitigate the project’s impacts, then this should be stated in the response to the checklist question as to how it is ensured that those requirements would be implemented, in addition to how those processes or requirements would reduce the impacts.

There are times when the City may have a policy (not a Code requirement) that is added to certain types of projects as a condition. If this policy is required to reduce the project’s impact to less than significant, and the applicant could request to have the condition removed from the project through the hearing process, then it is a good idea to make this policy a mitigation measure so all are aware that it is needed to reduce the impacts of the project. For example, if a project relies on implementation of a specific General Plan policy to ensure impacts would be less than significant, the City may require that policy language to be added as a mitigation measure to ensure it is implemented.

Required Contents of a Mitigation Measure

Mitigation measures must include the five Ws (Why, What, Where, Who, and When) and the one H (How).

Why: what is the objective of the mitigation measure? (i.e., to compensate for the loss of oak trees on the site).

What and Where: include specific actions or types of actions and locations, if applicable. Mitigation should include a clear performance standard and must be verifiable (i.e., replace two 36-inch box oak trees for every one tree lost and show how the required tree quantity is met on the landscape plan. The developer is responsible for ensuring the newly planted oak trees take hold and do not die for the next two years. If the trees die, they must be replanted).

Who: the responsible party for carrying out the mitigation measure (i.e., the developer will ensure that the Landscape Architect knows this requirement and that the trees do not die for the next two years).

When: the timing under which the mitigation measure is to be completed (i.e., prior to building permit issuance).

How: a description of the project significance after implementation of the mitigation measure (i.e., this mitigation measure reduces the project's impacts to the loss of oak trees to less than significant as the two to one ratio for replacement will ensure that the oak tree population is restored).

The mitigation measure must be:

- Linked to an impact;
- Measurable and enforceable;
- Within the jurisdiction of the lead agency;
- Feasible;
- Monitored by the lead agency; and
- Measurable.

Mitigation measures cannot defer the identification of measures to sometime in the future. However, a mitigation measure may be developed after project approval, when it is not practical or feasible to include the details of the needed actions during the environmental review process. The lead agency must commit to the mitigation, adopt specific performance standards the measure will achieve, and identify the potential actions that can feasibly achieve the performance standards that will be analyzed and potentially incorporated in the measure.

The lead agency cannot reduce the project's proposed number of housing units as mitigation or even as an alternative if other feasible mitigation or alternatives would provide a similar level of mitigation without reducing the number of housing units (CEQA Statute §21159.26).

2.0 Initial Study Form

2.1 How to Fill In the First Few Pages

Cover – Self-explanatory.

Table of Contents – Right-click on the Table of Contents to update.

Project Case Number – Include all cases being processed for the project and any other approval required for the project (i.e., City approval to sell City land, etc.).

Project Title – The title will be used on all CEQA documents, including notices.

Public Comment Period – Enter the 20-day or 30-day review period (longer for an EIR).

Lead Agency – The City is the decision-making body and is, therefore, the Lead Agency.

Documents Posted At – This would be the City's web address where the Initial Study and the Technical Studies (Appendices to the Initial Study) will be posted.

Prepared By – This will be the Project Planner from the City or a consulting firm that prepared the Initial Study.

Project Sponsor – The project sponsors are typically the applicant and the landowner.

Project Location – This will be the site address if available, information on the location (i.e., SEC of two streets, etc.), the City, County, and State, perhaps a reference to an aerial map, the U.S. Geological Service (USGS) locational information, and the Tax Assessor Parcel Number.

Example:

Approximately 116 feet east of the corner of XX Street and ABC Street on the north side of ABC Street, in the City of Moreno Valley, Riverside County, California, as shown in Figure A – Aerial Map. The Project site is located in Section 32 of Township 4 South, Range 1 West, Lakeview 7.5 Quadrangle U.S. Geological Survey (USGS), San Bernardino Base and Meridian (SBBM) and is comprised of Tax Assessor Parcel Numbers (APN) 432-270-012.

General Plan Designation – The preparer will enter the baseline or current General Plan designation with a description of the designation from the General Plan.

Example:

Residential: R2 - maximum two dwelling units per acre

The description of the purpose of each General Plan designation is found in Section 9.2.2 Community Development Element Objectives and Policies..

Specific Plan Name and Designation – The preparer will enter the baseline or current Specific Plan Designation with a description of the designation from the Specific Plan.

Example:

SP 204 – The Village Plan

VR – Village Residential

The Village Residential zone is a mixed density zone which addresses the wide ranges of parcel sizes and lot configurations in this area of the Village. It encourages higher densities than typical in suburban areas in order to support the Village commercial areas. It recognizes the wide range of housing types which have evolved over time in the area and the existing mix of housing types.

Existing Zoning – The preparer will enter the baseline or current zoning with a description of the designation from the Planning and Zoning Code.

Example:

Residential 1 District (R1) - The primary purpose of the R1 district is to provide for and protect the rural and agricultural atmosphere, including the keeping of animals, that have historically characterized these areas. This district is intended as an area for development of low density, large lot, single-family residential dwelling units at a maximum density of one dwelling unit per net acre.

Surrounding Land Uses and Setting – Use the table in the Initial Study Template to describe the neighboring properties current development, General Plan designation, and Zoning designation. It would also be useful to reference an aerial figure in the document.

Description of the Site and Project – Refer to Section 1.3, Baseline and Environmental Setting and Section 1.4, Project Description, above, for guidance.

Tribal Consultation Information – This section should describe the results of tribal consultation.

Sample Response:

*Consultation under Assembly Bill (AB) 52 commenced on February 13, 2010. The 30-day response period ended on March 15, 2019. The only tribe wishing to consult was the Soboba Band of Luiseño Indians. While the project will impact no known cultural, tribal resources, the standard mitigation measures **MM CR-1** through **MM CR-3**, have been applied to the project pursuant to the consultation. For more information, see the AB 52 Log for this project in Appendix 1 of this Initial Study.*

The Technical Advisories on Senate Bill (SB) 18 and AB 52 prepared by the Office of Planning and Research (OPR) suggest the creation of a log that documents how many

times the tribes were contacted. The log can include information on the consultation process as long as no confidential information is provided in the log, and incorporated by reference.

Other Public Agencies whose Approval Is Required – This list would include any agency which must provide a permit for the project. Examples would include South Coast Air Quality Management District, Riverside County Environmental Health, Eastern Municipal Water District, and the California Department of Alcoholic Beverage Control.

Other Technical Studies Referenced – This should be a list of all technical studies prepared for the environmental review. These studies should become appendices to the Initial Study.

Acronyms and Abbreviations – The CEQA Guidelines §15140 states “EIRs [Negative Declarations] shall be written in plain language and may use appropriate graphics so that the decision makers and the public can rapidly understand the documents.” For this reason, a list of standard acronyms and abbreviations must be provided. The words must be spelled out, and the acronym identified the first time it is used in the body of the document.

Environmental Factors Potentially Affected – The preparer would mark any environmental factor that has a potentially significant impact that cannot be mitigated. It should be noted that if an environmental factor has a potentially significant impact that cannot be mitigated, the project would require an EIR. The preparer would use the Initial Study to determine the areas that need to be addressed in the EIR and may use the Initial Study to narrow the number of topics that require detailed analysis in the future EIR or focused EIR.

Determination – This section summarizes the environmental evaluation and will be signed by the Project Planner.

Evaluation of Environmental Impacts – This section provides general guidance on how to approach the upcoming checklist portion of the environmental review.

2.2 The Checklist

A number of resources are available to assist with preparation of the Initial Study form and should be consulted and referenced where appropriate. Specific reference documents that should be consulted are summarized below and addressed more specifically under each issue topic heading below.

Specific Plans

The City has 10 active specific plans ([City of Moreno Valley Specific Plans](#)). If the project is located within any of these specific plans, review for pertinent information related to mineral resources should be incorporated into the required analysis.

General Plan EIR

The City’s General Plan EIR provides an analysis of potential environmental impacts associated with build-out of planned development throughout the City. Useful issue-

specific analysis may be contained in the General Plan EIR that can be used to support initial study findings.

I. AESTHETICS

The following are resources that should be reviewed when preparing this section of the checklist.

General Plan

The City's General Plan covers Community Design under Chapter 2 – Community Development Element, Section 2.3 – Community Design, and Chapter 7 – Conservation Element, Section 7.8 – Scenic Resources. The objectives and policies associated with aesthetics include the following and should be reviewed in terms of the impacts the project may have on achieving these objectives and policies, where applicable.

Objective 2.10 and the associated policies ensure that new developments, including new buildings, walls, and landscaping, are visually attractive.

- Policy 2.10.2 calls for objectionable views to be screened from view.
- Policy 2.10.7 discourages lighting that causes excessive light and glare on adjacent properties.
- Objective 7.7 and the associated policies are designed to foster visually attractive development.
- Policy 7.7.1 discourages development along prominent ridgelines.
- Policies 7.7.2 and 7.7.6 minimize the visual impact of overhead utility lines and wireless communication facilities.
- Policy 7.7.3 calls for reasonable controls to reduce the impact of signs on visual quality.
- Policies 7.7.4 and 7.7.5 require development along designated scenic roadways to be visually attractive and to allow for views of the surrounding mountains and Mystic Lake.

Municipal Code

The Municipal Code contains design guidelines that regulate the aesthetic quality of new development with respect to structures, signs, walls, landscaping, and other improvements. Existing regulations also require night lighting for non-residential developments to be shielded where appropriate to reduce the intensity of light that spills on neighboring properties ([Title 9 Planning and Zoning](#)).

If the project includes a landmark or structure of merit, or in a preservation district or a neighborhood conservation area, then Title 7 – Cultural Preservation of the Municipal Code should be reviewed ([Title 7 Cultural Preservation](#)).

If heritage trees are located onsite as defined by Section 9.17.030 G – Heritage Trees, these trees must be preserved ([Chapter 9.17 Landscape and Water Efficiency Requirements](#)).

Chapter 14.40 – Tree Care of the Municipal Code establishes provisions for tree planting trees within the City ([Title 14 Streets and Sidewalks](#)).

Additional landscaping requirements can be found in Municipal Code Chapter 6.04.040 C – Declaration of Nuisances ([Chapter 6.04 Abatement of Public Nuisances](#)) and Chapter 9.17 – Landscape and Water Efficiency Requirements ([Chapter 9.17 Landscape and Water Efficiency Requirements](#)).

The Questions

- a) Would the project have a substantial adverse effect on a scenic vista?

Review the documents above concerning scenic vistas.

- b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

At this time, there are no State Scenic Highways in Moreno Valley as defined by the California Department of Transportation (DOT). However, Gilman Springs Road, Moreno Beach Drive, and State Route 60 (SR-60) are designated as local scenic roads in the City's General Plan and should be addressed in this section if the project would be visible from these roadways.

The Reche Canyon/Badlands Area Plan of Riverside County's General Plan contains several County-Designated or County-Eligible scenic roadways including San Timoteo Canyon Road, Redlands Boulevard, Gilman Springs Road, and SR-60 ([Reche Canyon/Badlands Area Plan](#)). If a project is within the viewshed of these roads, these potential viewsheds should be considered and discussed.

- c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Review the documents above concerning visual character and public views.

- d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Review the documents above concerning light and glare. A portion of the City is located within the Mount Palomar Nighttime Lighting Area requiring special lighting requirements to protect the nighttime sky.

The City may wish to require a Light and Glare Study as part of the project when parking lot lights and/or taller buildings are adjacent to residential uses.

II. AGRICULTURE & FOREST RESOURCES

The following are resources that should be reviewed when preparing this section of the checklist.

General Plan

The City's General Plan covers Agricultural Resources under Chapter 7 – Conservation Element, Section 7.7 – Agricultural Resources. The City's General Plan policies support agriculture as an interim use; however, no land in the planning area is designated for agricultural preservation. To allow for the interim use of land for agricultural uses, the City identifies crops as an allowable use for all of its zoning categories. The proposed General Plan Parks, Recreation, and Open Space Element contains the following objective:

- Objective 4.1: Retain agricultural open space as long as agricultural activities can be economically conducted, and are desired by agricultural interests (with some agriculture retained in long-term use), and provide for an orderly transition of agricultural lands to other urban and rural uses.

To support this objective, the City identifies policies to encourage grazing and crop production as a compatible part of a rural residential atmosphere (City of Moreno Valley 2006).

Municipal Code

Article 9 – Planning and Zoning of the Municipal Code contains information on zones where agricultural uses are permitted ([Title 9 Planning and Zoning](#)).

The Questions

- a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

To determine if the project site is Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, refer to the Farmland Mapping and Monitoring Program website ([California Important Farmland Finder](#)) and enter the subject site into the mapping program to determine the Farmland Mapping designation for the site.

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) ([LESA Model](#)) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

- b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Determine if the subject site zoning permits agricultural uses. If it does, consider whether the site is being encroached upon by development which would preclude the site from having a viable agricultural use. Also, refer to the information provided in response a) above.

No land within the planning area is currently under a Williamson Act contract.

- c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in [PRC §12220\(g\)](#)), timberland (as defined by [PRC §4526](#)), or timberland zoned Timberland Production (as defined by [PRC §51104\(g\)](#))?

Example response: Generally, in southern California, including Riverside County and the City of Moreno Valley, climate and topography limit the types and locations of forest lands and their potential for commercial or industrial timber utilization. Accordingly, there is no existing or currently proposed zoning of forest land, timberland, or Timberland Production Zones within the City. Also, figures released by the State of California indicate that no “California forest land” ownership, either public or private, is mapped for Riverside County including the City. Therefore, the Project would not conflict with the existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production and the Project will have **no impact**, directly, indirectly, or cumulatively to forest land.

- d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

Example response: There is no commercial forestry or timber production industry within the City other than Christmas tree farms or nursery stock production (that is, cultivated, rather than wild-harvested). Therefore, the Project would not result in the loss of forest land or the conversion of forest land to non-forest use and the Project will have **no impact**, directly, indirectly or cumulatively to the loss of forest land or conversion of forest land to a non-forest use.

- e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in the conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Example response: The Project is consistent with the General Plan for the site and area, which is currently developing, and as discussed above will have a **less than significant impact**, directly, indirectly, or cumulatively to the conversion of Farmland to another use.

As noted above, there is no commercial forestry or timber production industry within the City. Therefore, the Project would not result in the loss of forest land or the conversion of forest land to non-forest use, and the Project will have **no impact**, directly, indirectly or cumulatively.

III. AIR QUALITY

Analyzing air quality impacts typically requires modeling using the most recent versions of the South Coast Air Quality Management District's (SCAQMD) California Emissions Estimator Model® (CalEEMod) and in some cases the California Air Resources Board's (CARB) Emission FACtor (EMFAC) BURDEN model. The City generally requires an air quality analysis for most projects except smaller projects that would clearly not generate construction or operational emissions that exceed SCAQMD thresholds. Typically, vehicle trips are the largest source of project operational emissions; thus, the following screening levels have been identified to define projects that would not likely exceed SCAQMD thresholds for operational emissions.

- 50 single-family residential units
- 35,000 square feet of office space
- 11,000 square feet of retail space
- 6,300 square feet of supermarket space
- Industrial projects - All industrial projects would require further analysis/modeling due to the variability in potential emissions, or information could be provided to demonstrate there would be no point source emissions and trip generation would be equivalent or less than the amount generated by 50 single-family units.

In some cases, an air quality analysis may be required for projects smaller than the above screening levels based on site-specific information such as a project with operational point source emissions located in proximity to sensitive receivers or proposed sensitive receivers being located in proximity to existing land uses with a source of air emissions. Additionally, certain smaller projects that require special equipment or uses that would have substantial air emissions would require an air quality analysis.

Regarding construction emissions, the above screening criteria may also be used except certain smaller projects could require an air quality analysis in certain circumstances, such as where a major demolition is required in addition to project construction or where project construction would be located in proximity to a sensitive receiver. Absent an air quality report, the initial study will still be required to substantiate all conclusions with supporting facts. Guidance documents from the SCAQMD should be reviewed in determining the potential for significant air quality impacts. Resources are available on the SCAQMD webpage ([Air Quality Analysis Handbook](#)).

General Plan

The City's General Plan covers Air Quality under Chapter 6 – Safety Element, Section 6.6 – Air Quality. The City's General Plan objectives and policies associated with air quality include the following and should be reviewed in terms of the impacts the project may have on achieving these objectives and policies.

- Circulation Element Objectives 5.3, 5.4, 5.8, and 5.9 and related policies and Programs 5-4, 5-5, 5-6, and 5-9 through 5-16 serve to control vehicular emissions by limiting the number of vehicle miles traveled, enhancing circulation and relieving traffic congestion. They encourage walking, bicycling, mass transit, transportation demand management, intelligent transportation systems, and road improvements that allow for the efficient movement of vehicles.
- Each of the land use alternatives as well as Safety Element Objective 6.6 and related policies promote land use patterns that reduce trip distances and thereby reduce air pollution. The plan locates commercial sites and parks close to residential areas (particularly higher density areas) and provides adequate areas for job-generating land uses. Safety Element Objective 6.7 and related policies support regional air quality strategies, park-and-ride facilities, and express bus service. Policy 6.7.4 requires heavy industrial sites to be separated from residential areas and sensitive receptors.
- Objective 7.5 and related policies concerning energy conservation would also reduce air emissions. Policy 7.5.5 encourages solar power and other forms of renewable energy. Policy 7.5.3 calls for the placement of commercial, industrial, and multiple-family uses in areas of high transit potential. Policy 7.7.3 calls for reasonable controls to reduce the impact of signs on visual quality.

Municipal Code

The Municipal Code covers air quality in various sections:

- Section 9.05.050 – [Good Neighbor Guidelines for Warehouse Distribution Facilities](#)
- Section 9.10.050 – [Air Quality](#)
- Section 9.10.150 – [Odors](#)
- Chapter 12.50.040 – [Limitations on Engine Idling](#)

Sierra Club v. County of Fresno (2018) 6 Cal.5th 502 (AKA Friant Ranch) – December 24, 2018

The above-noted case, also known as the Friant Ranch Decision, has the potential implications on environmental analysis. Although the discussion concerns an EIR, it would impact all environmental analysis (NDs and MNDs). The California Supreme Court found that the EIR's analysis of the Project's air quality impacts was inadequate because it failed to adequately explain how the air pollutants generated by the Project would affect public health. The Court found that the air quality analysis lacked sufficient detail to enable readers to understand the nature and magnitude of impacts fully. (Best, Best & Krieger 2019). The guidance paper, Practical Implications of the Friant Ranch Decision for Air

Quality and Other EIR Analyses (Ascent Environmental 2019), reminds CEQA practitioners to:

- Describe the Rationale Behind Thresholds;
- Connect Significant Air Quality Impacts to Health Consequences;
- Consider the Common Modeling Tools, Their Strengths, and Their Weaknesses.

Air quality analysis must explain how air pollutants generated by the Project would affect public health. If a clear conclusion or link cannot be made, the document must explain why and be supported by substantial evidence.

The Questions

- a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

The applicable Air Quality Management Plan (AQMP) is SCAQMD's 2016 AQMP. The Air Quality and Greenhouse Gas (GHG) Study should address the project's consistency with the AQMP, and that analysis is included in this response.

- b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Although it is not necessary to list all Air Quality Monitoring District (AQMD) applicable rules in the response, to avoid comments from AQMD, it is best to discuss the most applicable rules and how they will help reduce the project's impacts on air quality to less than significant. Here are a few rules to consider:

- Rule 201 – Permit to Construct;
- Rule 203 – Permit to Operate;
- Rule 402 – Particular Matter Concentration;
- Rule 403 – Dust Control;
- Rule 461 – Gasoline Transfer and Dispensing;
- Rule 1113 – Architectural Coatings; and
- Idling Diesel Vehicle Trucks.

The SCAQMD also establishes some thresholds for air quality within the South Coast Air Basin. The Air Quality Study should compare the project's emissions against these thresholds. The Air Quality Study should provide the basis for this response.

- c) Would the project expose sensitive receptors to substantial pollutant concentrations?

This information should be taken from the Air Quality Study. The text and tables should be copied to this response.

Special procedures apply to certain school projects, as well as certain projects near schools, which may emit hazardous air emissions near schools. If the project involves the construction or alteration of a facility that might reasonably be anticipated to emit hazardous air emissions, or that would handle an extremely hazardous substance or a mixture containing extremely hazardous substances in a quantity equal to or greater than the State threshold quantity specified in subdivision (j) of Section 25532 of the Health and Safety Code, that could impose a health or safety hazard to persons who would attend or would be employed at the school, then the lead agency must consult with the school district and special notifications requirements are necessary (CEQA Guidelines §15064.4).

Health and Safety Code §25532(j)

(j) "Regulated substance" means any substance that is either of the following:

- (1) A regulated substance listed in [Section 68.130 of Title 40 of the Code of Federal Regulations](#) pursuant to paragraph (3) of subsection (r) of Section 112 of the Clean Air Act ([42 U.S. Code Sec. 7412\(r\)\(3\)](#)).
- (2)(A) An extremely hazardous substance listed in Appendix A of [Part 355](#) of Subchapter J of Chapter I of Title 40 of the Code of Federal Regulations that is any of the following:
 - (i) A gas at standard temperature and pressure.
 - (ii) A liquid with a vapor pressure at standard temperature and pressure equal to or greater than 10 millimeters mercury.
 - (iii) A solid that is one of the following:
 - (I) In solution or in molten form.
 - (II) In powder form with a particle size less than 100 microns.
 - (III) Reactive with a National Fire Protection Association rating of 2, 3, or 4.
 - (iv) A substance that the office determines may pose a regulated substances accident risk pursuant to subclause (II) of clause (i) of subparagraph (B) or pursuant to Section 25543.3.
- (B)(i) On or before June 30, 1997, the office shall, in consultation with the Office of Environmental Health Hazard Assessment, determine which of the extremely hazardous substances listed in Appendix A of Part 355 (commencing with [Part 355](#)) of Subchapter J of Chapter I of Title 40 of the Code of Federal Regulations do either of the following:
 - (I) Meet one or more of the criteria specified in clauses (i), (ii), or (iii) of subparagraph (A).

- (II) May pose a regulated substances accident risk, in consideration of the factors specified in [Health and Safety Code Section 25543.1 subdivision \(g\)](#), and, therefore, should remain on the list of regulated substances until completion of the review conducted pursuant to [Health and Safety Code Section 25543.3 subdivision \(a\)](#).
- (ii) The office shall adopt, by regulation, a list of the extremely hazardous substances identified pursuant to clause (i). Extremely hazardous substances placed on the list are regulated substances for the purposes of this article. Until the list is adopted, the administering agency shall determine which extremely hazardous substances should remain on the list of regulated substances pursuant to the standards specified in clause (i).
- d) Would the project result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

The Air Quality Study should provide the basis for this response.

IV. BIOLOGICAL RESOURCES

This section of the Initial Study analyzes the impacts to biological resources. Adverse impacts can occur either directly, through the destruction of the biological resource to indirectly, by degrading the necessary habitat for the biological resource.

For major project reviews for new development of previously undeveloped land, a Biological Study should be requested unless it is determined by the Planning Official that there is no potential for impacts to biological resources. The Biological Study should include consistency with the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) in addition to covering such topics including but not limited to:

- The Federal Endangered Species Act
- The Migratory Bird Treaty Act
- Section 404 of the Federal Clean Water Act
- The California Endangered Species Act
- The Native Plant Protection Act
- Section 1600 of the State Fish and Wildlife Code
- The Natural Community Conservation Planning Program
- The Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP)

General Plan

The City's General Plan covers biological resources under Chapter 7 – Conservation Element, Section 7.1 – Biological Resources. The City's General Plan objectives and

policies associated with biological resources include the following and should be reviewed in terms of the impacts the project may have on achieving these objectives and policies.

- Conservation Element Objective 7.1 and related policies address biological resources.

Municipal Code

Applicable Municipal Code sections include:

- Chapter 8.60 – [Threatened and Endangered Species](#)
- Section 9.17.030G (Heritage Trees) – [Landscape and Irrigation Design Standards](#)
- Title 3 – Revenue and Finance addresses the collection of the MSHCP and SKRHCP fees.

The Questions

- a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?

This information should be taken from the Biological Study.

- b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS?

This information should be taken from the Biological Study.

- c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

This information should be taken from the Biological Study.

- d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

This information should be taken from the Biological Study.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

This information should be taken from the Biological Study. The Biological Study should address the City's Heritage Tree requirements.

- f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved local, regional, or state habitat conservation plan?

This information should be taken from the Biological Study.

V. CULTURAL RESOURCES

This section of the Initial Study analyzes the impacts to cultural and historic resources. Adverse impacts can occur either directly, through the destruction of a historic building or indirectly, by degrading the aesthetic qualities of a historic district. If the project is not exempt from CEQA and is vacant, a Cultural Study should be required. Even if the site has been routinely disced for years, there is still the need for a cultural assessment. Many experts believe that discing has the effect of bringing possible cultural resources to the surface. In light of AB 52 and SB 18 consultations, many tribes are requesting a cultural resource inventory as part of the consultation process. The Cultural Resources Assessment or Study should be used to prepare the responses to these questions, and it should be cited in the Sources section of the document. Information regarding the locations of potential cultural resources should not be shared with the public and should be contained within a confidential appendix pursuant to Government Code Section 6254.10.

General Plan

The City's General Plan covers cultural and historical resources under Chapter 7 – Conservation Element, Section 7.2 – Cultural and Historical Resources. The City's General Plan objectives and policies associated with cultural and historical resources include the following and should be reviewed in terms of the impacts the project may have on achieving these objectives and policies.

- Objective 7.6 and the associated policies and Program 7-6 are designed to ensure that cultural resources are identified and that impacts to cultural resources are avoided or reduced in ways that are consistent with their intrinsic value.

Municipal Code

The Municipal Code covers cultural and historical resources in Title 7 – Cultural Preservation ([Title 7 Cultural Preservation](#)).

The Questions

- a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?

CEQA Guidelines §15064.5 can be found in Appendix A of this document and at this location: [Preliminary Review of Projects and Conduct of Initial Study](#).

Use the information from the Cultural Study to answer this question.

- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

To determine if a project will have a substantial adverse change on an archaeological resource, it must first be determined if the archaeological resource is a historical resource pursuant to CEQA Guidelines §15064.5. If it is a historical resource, then the CEQA Guidelines §§15064.5 and 15126.4 and the CEQA Statutes §§21084.1 and 21083.2 shall apply.

If the archaeological site does not meet the criteria for a historic resource but meets the definition of a unique archaeological resource in the CEQA Statutes §21083.2, then it shall be treated pursuant CEQA Statutes §21083.2.

If an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment.

Use the information from the Cultural Study to answer this question.

- c) Would the project disturb any human remains, including those interred outside of formally dedicated cemeteries?

The analysis should include the requirements of CEQA Guidelines §15064.5 regarding human remains.

It is noted, that although the following possible mitigation measure is a law and must be complied with, most tribes want to see it as a mitigation measure.

MM CR-1: In the event of the discovery of human remains, the developer shall contact the County coroner immediately. If human remains of Native American origin are discovered during ground-disturbing activities, the developer shall comply with the State relating to the disposition of Native American burials that fall within the jurisdiction of the Native American Heritage Commission (NAHC; PRC §5097). According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that excavation is stopped near discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the California Native American Heritage Commission, [insert name of applicable tribe, e.g., Morongo Band of Mission Indians and the Soboba Band of Luiseño Indians] shall be notified, and appropriate measures provided by State law shall be implemented to determine the most likely living descendant(s). Disposition of the remains shall be overseen by the most likely living descendants to determine the most appropriate means of treating the human remains and any associated grave artifacts.

VI. ENERGY

This section of the Initial Study analyzes impacts related to the project's energy consumption. When GHG and/or Air Quality modeling is prepared, energy consumption data can typically be extrapolated from the modeling for those reports. Additionally,

energy consumption data can be extrapolated from trip generation data taken from a traffic report. This data can be used to provide a focused analysis of energy consumption associated with the proposed project within the initial study. This analysis could be general and should correlate with air quality, GHG emissions, transportation, and utility analysis. This information can be provided directly in the body of the initial study or provided in a stand-alone energy report.

General Plan

The City's General Plan covers energy resources under Chapter 7 – Conservation Element, Section 7.6 – Energy Resources. The City's General Plan objectives and policies associated with energy resources include the following and should be reviewed in terms of the impacts the project may have on achieving these objectives and policies.

- The objectives of the Circulation Element reduce traffic congestion and promote energy-efficient modes of transportation.
- Objective 6.6 and related policies are related to automotive trip reduction.
- Objective 7.3 and related policies are related to minimizing the consumption of water.
- Objective 7.5 and related policies concern energy conservation. In particular, Policy 7.5.5 encourages solar power and other forms of renewable energy.

Municipal Code

The Municipal Code covers energy resources in [Title 8 – Building and Construction](#). The City requires buildings to comply with the State's Title 24 – Building Energy Efficiency Program and the California Green Building Standards (CalGreen). Also, the City has adopted [Chapter 8.40 – Small Residential Rooftop Solar Energy System Review Process](#), [Chapter 8.42 – Electric Vehicle Charging Station Review Process](#), and [Chapter 8.80 – Recycling and Diversion of Construction and Demolition Waste](#).

The Questions

- a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Energy conservation aspects of the project that are being incorporated (double pane windows, solar, etc.) can be referenced here in addition to any CalGreen requirements or Leadership in Energy and Environmental Design (LEED) standards that would be met.

- b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Refer to any applicable City policies and/or Statewide energy plans. The response should evaluate project consistency with the City's Energy Efficiency and Climate

Action Strategy adopted in October 2012. Specifically, the following policies should be evaluated for consistency:

- R2-T2: Employment Based Trip Reductions
- R2-E1: New Construction Residential Energy Efficiency Requirements
- R2-E2: New Construction Residential Renewable Energy
- R2-E5: New Construction Commercial Energy Efficiency Requirements
- R2-E6: New Construction Commercial/Industrial Renewable Energy

VII. GEOLOGY & SOILS

The documents that should be reviewed before preparing this section of the checklist include the City's General Plan, the General Plan EIR, Chapter 8.21 – Grading Regulations, and Article 9 – Planning and Zoning of the Municipal Code, and any appropriate Specific Plan.

General Plan

The City's General Plan covers Geologic Hazards under Chapter 6 – Safety Element, Section 6.5 – Geologic Hazards and Soils under Chapter 7 – Conservation Element, Section 7.4 – Soils. The proposed Moreno Valley General Plan Safety Element Objective 6.1 is to “minimize the potential for loss of life and protect residents, workers, and visitors to the City from physical injury and property damage due to seismic ground shaking and secondary effects.” Based on this objective, the element provides the following policy statements applicable to this section:

- Policy 6.1.1: Reduce fault rupture hazards to a level of acceptable risk through the identification and recognition of potentially hazardous conditions and areas as they relate to the San Jacinto fault zone and the high and very high liquefaction hazard zones. Require geologic studies and mitigation for fault rupture hazards in accordance with the Alquist-Priolo Special Study Zones Act. Additionally, future geotechnical studies shall contain calculations for seismic settlement on all alluvial sites identified as having high or very high liquefaction potential. Should the calculations show potential for liquefaction, appropriate mitigation shall be identified and implemented.
- Policy 6.1.2: Require all new developments, existing critical and essential facilities and structures to comply with the most recent Uniform Building Code seismic design standards.

Municipal Code

[Chapter 8.21 – Grading Regulations](#) of the Municipal Code contains information related to erosion control expansive soils, and identifies requirements related to these issues.

Local Hazard Mitigation Plan

The City has a Local Hazard Mitigation (LHMP) adopted October 4, 2011, and amended in 2017 ([Moreno Valley LHMP](#)). Chapters related to earthquakes and landslides may have

useful information needed to respond to the questions in the Geology and Soils Section of the Initial Study.

The Questions

- a) Would the project directly, indirectly, or cumulatively, cause potential substantial adverse effects, including the risk of loss, injury or death involving:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

A Soils and/or Geotechnical Report (when appropriate) should be used to support the response to this question.

The State Mining and Geology Board has prepared [Guidelines for Evaluating and Mitigating Seismic Hazards in California](#).

- ii) Strong seismic ground shaking?

A Soils and/or Geotechnical Report (when appropriate) should be used to support the response to this question

- iii) Seismic-related ground failure, including liquefaction?

A Soils and/or Geotechnical Report (when appropriate) should be used to support the response to this question.

- iv) Landslides?

A Soils and/or Geotechnical Report (when appropriate) should be used to support the response to this question

- b) Would the project result in substantial soil erosion or the loss of topsoil?

The information can be found in the Soils or Geotechnical Report.

- c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

The information can be found in the Soils or Geotechnical Report.

- d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?

The information can be found in the Soils or Geotechnical Report.

- e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The information can be found in the Soils or Geotechnical Report. Also, if the project is required to connect to the sewer, then this question is not applicable.

- f) Would the project directly, indirectly, or cumulatively, destroy a unique paleontological resource or site or unique geologic feature?

The City's General Plan EIR Figure 5.10-3 – Paleontological Resource Sensitive Areas shows most of the City as having a Low Potential with the portions of the planning area to the east in a High Potential or Undetermined Potential area for finding paleontological resources. The initial study should identify the site's underlying geological formation and its potential to contain paleontological resources. If the project includes grading at a depth that could disturb the underlying geologic formation and is located in an area with a high or undetermined potential for paleontological resources, the analysis should generally identify a potentially significant impact and require paleontological monitoring as a mitigation measure.

VIII. GREENHOUSE GAS EMISSIONS

The City is required to analyze the GHG emissions of projects consistent with CEQA Guidelines §15064.4. A good-faith effort to describe, calculate, or estimate the amount of GHG emissions resulting from a project should be completed.

In performing analysis of GHG emissions, the City as lead agency, shall have the discretion to determine, in the context of a particular project, whether to (1) quantify GHG emissions resulting from a project; and/or (2) rely on a qualitative analysis for performance-based standards. For information on the factors in determining significance for GHG impacts, see CEQA Guidelines §15064.4

Analyzing the project's GHG impacts normally requires modeling to generate an estimate of GHG emissions. Possible models include CalEEMod and in some cases, the EMFAC BURDEN model. Typically, vehicle trips are the largest source of project operational emissions; thus, the following screening levels adapted from CAPCOA guidance (CAPCOA 2008) has been identified to define projects that would not likely exceed an estimated 900 metric ton per year of GHG emissions:

- 50 single-family residential units
- 35,000 square feet of office space
- 11,000 square feet of retail space
- 6,300 square feet of supermarket space

- Industrial projects - All industrial projects would require further analysis/modeling due to the variability in potential emissions, or information could be provided to demonstrate the project would clearly generate less than 900 metric tons of GHG emissions per year.

As vehicle trips are typically the largest source of project emissions, this method would capture a majority of discretionary projects, without placing the burden of technical analysis on smaller projects that would not contribute a substantially to GHG emissions. However, in some cases, a GHG analysis may be required for projects smaller than the above-screening levels based on project-specific information available indicating that the project could generate more than 900 metric tons of GHG emissions per year.

Western Riverside County Association of Governments (WRCOG) Sub-Regional Climate Action Plan (CAP)

While the City has not adopted this CAP as it pertains to the City, the plan provides useful information pertinent to this section of the Initial Study.

CAPCOA's Guidance

CAPCOA has produced a number of useful guidance documents. Quantifying Greenhouse Gas Mitigation Measures (CAPCOA 2010) provides many GHG impact reducing sample mitigation measures that may be useful in responding to the Initial Study questions. CEQA & Climate Change Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (CAPCOA 2008) identifies a number of potential methods that lead agencies may consider when evaluating a project's potential impacts related to GHG emissions. One threshold suggested is a 900 metric ton GHG emission threshold which was estimated to equate to projects equal to or smaller than 50 residential units or 30,000 square feet of commercial space and was estimated to capture 90 percent or more of likely future discretionary applications.

The Questions

- a) Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

The response should be taken from the GHG Study.

- b) Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases?

The response should evaluate project consistency with the City's Energy Efficiency and Climate Action Strategy adopted in October 2012. Specifically, the following policies should be evaluated for consistency:

- R2-T2: Employment Based Trip Reductions
- R2-E1: New Construction Residential Energy Efficiency Requirements
- R2-E2: New Construction Residential Renewable Energy
- R2-E5: New Construction Commercial Energy Efficiency Requirements,

- R2-E6: New Construction Commercial/Industrial Renewable Energy

IX. HAZARDS & HAZARDOUS MATERIALS

Hazardous sites are sites where hazardous materials have spilled or leached into the ground or where current uses are either hazardous or use hazardous materials. It should be noted that all projects use some type of hazardous materials (i.e., household cleaners, pesticides, etc.). This section also addresses hazards related to airports. Some of this information may be found in a Phase I Environmental Site Assessment document, if available. If there is a reason to believe the site may have been subject to a hazardous condition, a Phase I Environmental Site Assessment should be requested.

General Plan

The City's General Plan covers Hazards & Hazardous Materials under Chapter 6 – Safety Element, Section 6.9 – Hazardous Materials, Section 6.10 – Air Crash Hazards, and Section 6.2.8 – Wildland Urban Interface.

- Objective 6.10 and associated policies strive to protect life and property from the potential short-term and long-term deleterious effects of the transportation of hazardous materials throughout the City.
- Objectives 6.13 through 6.16 and their associated policies promote wildland and urban fire prevention.
- Policy 6.16.3 ensures that adequate emergency ingress and egress is provided for each development.
- Policy 6.16.4 calls for land use limitations within air crash hazard areas in accordance with the AICUZ program.
- Program 6-7 requires the City to establish regulations for the development along the urban-wildland interface.

Municipal Code

The following chapters and sections of the Municipal Code are related to hazards and hazardous materials.

- Section 8.36.050 – Requirements for Wildland-Urban Interface Areas
- Section 8.36.060 – Hazardous Materials
- Chapter 9.10.070 – Fire and Explosive Hazards
- Chapter 9.10.090 – Radioactive Wastes

MARB/MIP Airport Land Use Compatibility Plan

It is noted that the General Plan was adopted prior to the Riverside County Airport Land Use Commission (ALUC) adopting the March Air Reserve Base (MARB)/March Inland Port (MIP) Airport Land Use Compatibility Plan (ALUCP) on November 13, 2014 ([MARB/MIP ALUCP](#)). Since the General Plan has not been amended to adopt the

MARB/MIP ALUCP, all projects that are in the airport compatibility area (Zones A through E) are required to be reviewed by the ALUC staff and may require review by Airport Land Use Commission, even if they are compatible with the ALUCP. ALUC staff prepares a report with conditions, and these conditions would become project conditions or mitigation measures, as appropriate.

Local Hazard Mitigation Plan

The City has an adopted Local Hazard Mitigation Plan (LHMP), adopted October 4, 2011, and amended 2017 ([LHMP](#)).

The following chapters may have additional information needed to respond to the questions in the Hazards & Hazardous Materials section of the Initial Study.

- Chapter 5 – Wildland and Urban Fires
Figure 5-2 – Moreno Valley High Fire Area Map 2016
- Chapter 12 – Dam Failure/Inundation
Figure 12-2 Moreno Valley Evacuation Routes Map 2015
- Chapter 13 – Pipeline
Figure 13-1 – Moreno Valley Pipeline Map 2016
- Chapter 14 – Transportation
Figure 14-1.1 – Moreno Valley Air Crash Hazard Area Map 2016
- Chapter 16 – Hazardous Materials Accident
Moreno Valley Hazardous Materials Site Locations Map 2016

Emergency Operations Plan

The City adopted the Emergency Operations Plan in March 2009 that may contain useful information needed to respond to the initial study question relating to emergency response plans ([Emergency Response Plans](#)).

The Questions

- a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Review the materials provided by the applicant on the Environmental Information Form and prepare the response.

- b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Review the materials provided by the applicant on the Environmental Information Form and prepare the response.

It should be noted that a jet fuel pipeline runs through the western part of the City from the City of Colton to the northwest corner of Moreno Valley and south to MARB.

- c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

If a project is not located within one-quarter mile of an existing or proposed school, no impact would result. If a school is in proximity to the project, indicate how the distance to the nearest school.

Special procedures apply to certain school projects, as well as certain projects near schools which may emit hazardous air emissions near schools. CEQA Guideline §15064.4 states, "If the project involves the construction or alteration of a facility that might reasonably be anticipated to emit hazardous air emissions, or that would handle an extremely hazardous substance or a mixture containing extremely hazardous substances in a quantity equal to or greater than the State threshold quantity specified in subdivision (j) of Section 25532 of the Health and Safety Code, that could impose a health or safety hazard to persons who would attend or would be employed at the school, then the lead agency must consult with the school district and special notifications requirements are necessary."

[Health and Safety Code §25532\(j\)](#) can be found in Appendix A.

- d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The required Environmental Information Form submitted with the project application requires that the applicant identify if the site is on the list of hazardous materials sites. If the applicant does not have a Phase I Environmental Assessment prepared for the project site then a review of the following websites will be needed:

- EPA Superfund Sites
- [Toxics Release Inventory \(TRI\) Program](#)
- [DTCS – ENVIROSTOR](#)

If the project site is identified as containing hazardous materials and/or where known hazardous materials contamination may have existed, soils testing may be required to identify the extent of contamination and provide adequate information to respond to this question.

It is also recommended to have soil testing when the property had been used in the past for agriculture or related activities involving pesticides, herbicides,

agricultural chemical, organic waste (i.e., cows, chickens, etc.) or where other uses may have caused a release of hazardous substances into the soil such as former auto repair shops or similar uses.

[Government Code §65962.5](#) can be found in Appendix A of this document.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

If the project is located within the compatibility zones of the MARB/MIP ALUCP, then the project will need to be reviewed by the ALUC before answering this question. The conditions of the ALUC are either applied as mitigation measures or conditions of approval, at City staff discretion.

- f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

See the emergency response plan in the LHMP.

- g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

This section should address whether the project is in an urban-wildland interface area, consistency with City codes such as Municipal Code Section 8.36.050 Requirements for Wildland-Urban Interface Areas, and may refer to Section XX – Wildfire of this Initial Study, as applicable.

X. HYDROLOGY & WATER QUALITY

This section of the Initial Study covers hydrology (i.e., drainage and flooding) and water quality. The applicant should provide a Drainage Study/Hydrology Study in addition to a Preliminary Water Quality Management Plan (PWQMP) at the time of project submittal. These documents will be used to answer the questions.

General Plan

The City's General Plan covers Hydrology under Chapter 7 – Conservation Element, Section 7.5 – Water Resources and Water Quality under Chapter 6 – Safety Element, Section 6.7 – Water Quality.

- General Plan Conservation Element, Objectives 7.1 and 7.2 and their associated policies are included in the General Plan to limit potential water quality impacts to surface water and groundwater resources.
- General Plan Policy 7.2.2 requires all projects to comply with the discharge permit requirements of the Regional Water Quality Control Board.

- General Plan Safety Element, Objective 6.2, and its associated policies seek to reduce the potential for flooding.

Municipal Code

The following chapters and sections of the Municipal Code are related to hydrology and water quality.

- Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
Section 9.10.080 – Liquid and Solid Waste
- Chapter 8.12 – Flood Damage Prevention
- Chapter 8.21 – Grading Regulations

Local Hazard Mitigation Plan

The City has an [LHMP](#), adopted October 4, 2011, and amended in 2017 that may contain useful information to respond to questions relating to flooding and dam failure/inundation.

Emergency Operations Plan

The City adopted the [Emergency Operations Plan](#) in March 2009 that may contain useful information to respond to questions relating to flooding and dam failure/ inundation.

The Questions

- a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The Drainage/Hydrology Study and the Water Quality analysis should be used to answer this question.

- b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The Drainage/Hydrology Study and the Water Quality analysis should be used to answer this question. The response should consider whether the project would use groundwater for any purpose and whether the project could reduce infiltration and affect recharge of the groundwater basin.

- c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - i) Result in substantial erosion or siltation on- or off-site?

The Drainage/Hydrology Study and the Water Quality analysis should be used to answer this question.

- ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

The Drainage/Hydrology Study and the Water Quality analysis should be used to answer this question.

- iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The Drainage/Hydrology Study and the Water Quality analysis should be used to answer this question.

- iv) Impede or redirect flood flows?

The Drainage/Hydrology Study and the Water Quality analysis should be used to answer this question.

- d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

The Drainage/Hydrology Study and the Water Quality analysis should be used to answer this question in addition to Federal Emergency Management Agency (FEMA) Flood Zone information. FEMA provides a mapping tool to determine the flood zone and Flood Insurance Rate Map number ([FEMA Flood Hazard Mapping](#))

- e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The Drainage/Hydrology Study and the Water Quality analysis should be used to answer this question in addition to the Eastern Municipal Water District's (EMWD) 2015 Urban Water Management Plan ([UWMP](#)). EMWD has a website entitled Groundwater Reliability Plus dedicated to improving groundwater quality and reliability. The website is at <https://www.emwd.org/gwr-plus>.

XI. LAND USE & PLANNING

This section of the Initial Study covers land use and planning. Land use and planning are topics that are incorporated into many different plans. The list below names a few of the plans.

- General Plan
- Municipal Code (all chapters)
- Riverside County Airport Land Use Compatibility Plan (RCALUCP)

- Riverside County Multiple Species Habitat Conservation Plan (MSHCP)
- Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP)
- Specific Plans
- Preservation Districts (Chapter 7 – Cultural Preservation)
- Neighborhood Conservation Areas (Chapter 7 – Cultural Preservation)
- South Coast Air Quality Management Plan (AQMP)
- Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS)
- Southern California Association of Governments (SCAG) Regional Comprehensive Plan (RCP)
- Western Riverside County Association of Governments (WRCOG) Sub-Regional Comprehensive Plan (RCP)
- Western Riverside County Association of Governments (WRCOG) Sub-Regional Climate Action Plan (CAP)
- Western Riverside County Association of Governments (WRCOG) Transportation Uniform Mitigation Fee (TUMF)
- Riverside County Transportation Commission (RCTC) Riverside County Congestion Management Plan (CMP)
- Riverside County General Plan & Reche Canyon/Badlands Area Plan, a subsection of the County General Plan

General Plan

The City's General Plan covers Land Use under Chapter 2 – Community Development Element, Section 2.1 – Land Use. Land use is also covered in Chapter 8 – 2014-2021 Housing Element.

- General Plan Community Development Element, Goals 2.1–2.4, Objectives 2.1–2.10, and their associated policies promote an orderly and balanced land use pattern.
- General Plan 2014–2021 Housing Element Goals, Objectives, and Policies promote housing.

The Housing Element's land inventory should be reviewed to identify if the project site is located in the inventory. If part of the housing inventory, the project must be consistent

with the inventory or findings of “no net loss” pursuant to Government Code §65863 will be required.

Municipal Code

Title 9 – Planning and Zoning of the Moreno Valley Municipal Code covers land use.

The Questions

- a) Would the project physically divide an established community?

To answer this question, discuss how the project is or is not compatible with the area, how transportation connections are still made, and any other design features that connect the area versus dividing the area.

- b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

This question should evaluate consistency with the General Plan and applicable policies in addition to other applicable plans. Consistency with the MSHCP, SKRHCP, RCALUCP, AQMP, WRCOG’s CAP, TUMF, and the CMP are addressed in other sections of the Initial Study.

XII. MINERAL RESOURCES

The California Surface and Mining Reclamation Act (SMARA) of 1975 requires local governments to address mineral recovery activities through the direct regulation of mining operations, and through planning policies that balance the mineral resources needs of the state with the maintenance of environmental quality. SMARA requires cities and counties to adopt ordinances conforming to state policy for the review and approval of reclamation plans and permits to conduct surface mining operations.¹

General Plan

The City’s General Plan covers Mineral Resources under Chapter 7 – Conservation Element, Section 7.9 – Mineral Resources.

Municipal Code

Both the City and the County have adopted SMARA regulations governing the extraction of mineral resources and eventual reclamation of mining operations. Continued implementation of these regulations will allow for the mining of locally-important mineral resources, as identified in the County of Riverside General Plan.

- Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
- Section 9.02.120 – Surface Mining Permits
- Section 8.21.020 A 7 – Permits Required

¹City of Moreno Valley General Plan EIR, Section 5.14 – Mineral Resources.

The Questions

- a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The Surface Mining and Reclamation Act of 1975 (SMARA, PRC §2710-2796) ([SMARA Statutes and Regulations](#)) maintains the AB 3098 list of active mines, and it is updated daily.

An interactive map is also provided on this website ([Mines Online](#)). The State Mining and Geology Board provides guidelines for the Classification and Designation of Mineral Lands ([Classification and Designation of Mineral Lands](#)).

The County of Riverside General Plan – Multipurpose Open Space Element ([Multipurpose Open Space Element](#)) maps the City in the Mineral Resource Zone of MRZ-3a (Figure OS-6 – Mineral Resource Zones). MRZ-3a is an area where the available geologic information indicates that mineral deposits are likely to exist. However, the significance of the deposits is undetermined.

- b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Example Response: The City’s General Plan found “Implementation of the proposed General Plan Land Use Alternatives 1, 2, or 3 would result in the development of urban uses throughout the majority of the planning area, including the area along Highway 60 and Gilman Springs Road. No, regionally or statewide significant mineral resources are located within the planning area. Implementation of the proposed General Plan alternatives would not result in the loss of availability of a significant mineral resource, and no significant impact on mineral resources would occur.”

If the project is consistent with the General Plan, then this type of response would be applicable.

XIII. NOISE

The Noise section of the Initial Study addresses potential impacts to on- and off-site receivers from noise generated at the project site (e.g., outdoor speakers) or when the project itself is potentially exposed to noise sources (e.g., roadway traffic noise) that could exceed the General Plan standards or Noise Ordinance standards. A noise study is often required when a traffic impact analysis is necessary for the project.

General Plan

The City’s General Plan covers noise under Chapter 6 – Safety Element, Section 6.4 – Noise.

- The Safety Element Objectives 6.3, 6.4, and 6.5 and associated policies and Program 6-3 provide measures to substantially reduce noise exposure. For example, Policy 6.3.1 requires noise mitigation for sensitive uses where the projected noise level would exceed 65 CNEL [Community Noise Equivalent Level] and Policy 6.3.2 discourages residential uses where current or projected exterior noise due to aircraft overflights would exceed 65 CNEL.

Also, if a project is located within the compatibility zones of the MARB/MIP ALUCP, then the project will need to be reviewed against the noise contours of ALUCP.

Municipal Code

The Municipal Code addresses the noise generated by construction. It is unlawful to create noise that annoys reasonable people of normal sensitivity and there are also restrictions on hours of activity. Grading may take place between 7 a.m. and 8 p.m. Construction may take place between 6 a.m. and 8 p.m. during the week and 7 a.m. and 8 p.m. on weekends and holidays.

Moreno Valley also enforces the provisions Title 24 that specifies that combined indoor noise for multi-family living spaces shall not exceed 45 A-weighted decibels CNEL. This standard must be addressed when the outdoor noise level exceeds 60 A-weighted decibels CNEL. Title 24 also requires that the standard be applied to all new hotels and motels.

The Municipal Code discusses noise in numerous sections (e.g., §9.03.040 Residential Site Development Standards) throughout Title 9 and also in Chapter 11.80. Vibration is discussed in [§9.10.170 Vibration](#).

The Questions

- a) Would the project result in a generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Review the General Plan policies and mitigation measures before answering this question. If a Noise Study has been prepared, use the Noise Study to answer the question.

- b) Would the project result in a generation of excessive groundborne vibration or groundborne noise levels?

If a Noise Study has been prepared, use the Noise Study to answer the question.

- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Review the General Plan policies and mitigation measures before answering this question. Also, review the MARB/MIP Riverside County ALUCP. If a Noise Study has been prepared, use the Noise Study to answer the question.

XIV. POPULATION & HOUSING

This section of the Initial Study covers population and housing. Information on the 2010 Census for Moreno Valley can be found on SCAG's website in the Local Community Profile for the City ([Profile of the City of Moreno Valley](#)). There are many other sources of population information such as the Census website and the Department of Finance website.

General Plan

The City's General Plan covers population and housing under Chapter 8 – Housing Element. The General Plan Housing Element identifies goal and objectives and establishes the housing policy for the City.

Municipal Code

Title 9 – Planning and Zoning of the Moreno Valley Municipal Code covers housing standards in the various zones.

The Questions

- a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?

If the project is consistent with the General Plan, then it would be implementing the General Plan and not inducing growth, the growth inducement would have already been analyzed and planned for in the General Plan.

- b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

This response should identify whether people or housing would be displaced as a result of the project and whether replacement housing would be constructed. Potential environmental impacts associated with displacing people and/or housing and providing replacement housing should be addressed. XV. PUBLIC SERVICES

This section of the Initial Study covers a variety of public services including schools, libraries, police and fire services, and parks.

General Plan

The City's General Plan covers schools, library services, special districts, and other City facilities under Chapter 2 – Community Development Element in the following sections.

- Section 2.5 – Schools
- Section 2.6 – Library Services
- Section 2.8 – Other City Facilities

Police and Fire are covered under Chapter 6 – Safety Element in the following sections.

- Section 6.1 – Police Protection and Crime Prevention
- Section 6.2 – Fire and Emergency Services

A summary of applicable General Plan Goals, Objectives, and Policies related to Public Services are noted below.

Fire

- Safety Element Objectives 6.11 through 6.16 and the associated policies provide direction to ensure adequate protection from fire hazards, in terms of both fire prevention and suppression.

Police

- Safety Element Objective 6.8 is to strive for police staffing of at least one officer per 1,000 residents, as feasible given budget constraints. Objective 6.9 encourages neighborhood watch programs and requires that security lighting and defensible space concepts be incorporated in the design of new developments.

Schools

- Community Development Element Objective 2.6 and associated policies are designed to maintain an adequate inventory of lands for the conduct of the public, quasi-public, and institutional activities, including schools.
- Community Development Element Objective 2.15 and associated policies are designed to ensure Moreno Valley residents have access to high-quality educational facilities.

Parks

- The Parks, Recreation, and Open Space Element of the General Plan has identified portions of the planning area for future parkland acquisition. Additionally, the General Plan includes policies and programs that deal with parks and recreation. For example, Policy 4.2.7 establishes the 3 acres per 1,000 residents level of service standard. Policy 4.2.17 requires new development to contribute to the park needs of the City.

Library Services

- Community Development Element Objective 2.16 and associated policies are designed to maintain local library facilities and reserves in accordance with the following minimum standards: 0.5 square feet of library space and 1.2 volumes per capita.

Animal Services

- Animal services are covered under Chapter 6 – Safety Element, Section 6.3 – Animal Services.

Municipal Code

Fire

- All new development must comply with existing fire codes, including, but not limited to, emergency access requirements and fire flow requirements for fire suppression.
 - 9.16.230 Fire Protection
 - Chapter 8.36 California Fire Code
 - 8.36.050 Requirements for Wildland-Urban Interface Areas
- Payment of Development Impact Fees in accordance with the latest impact fee study is required.
 - 3.38.060 Fire Facilities Residential Development Impact Fees
 - 3.42.060 Fire Facilities Commercial and Industrial Development Impact Fees
- Moreno Valley Department Fire Department has seven fire stations (http://www.moval.org/city_hall/departments/fire/fire-locs.shtml).
 - Station 2 – Sunnymead – 24935 Hemlock Avenue
 - Station 6 – Towngate – 22250 Eucalyptus Avenue
 - Station 48 - Sunnymead Ranch – 10511 Village Road
 - Station 58 - Moreno Beach – 28040 Eucalyptus Avenue
 - Station 65 - Kennedy Park – 15111 Indian Avenue
 - Station 91 - College Park – 16110 Lasselle Street
 - Station 99 - Morrison Park – 13400 Morrison Street

Police

- Each new development is required to pay the current development impact fee based on the most recent fee study to cover its fair share of the cost of the expanded police facility. All new development is reviewed by the Police Department to identify risks to security and ways to minimize those risks.
 - 3.38.070 Police Facilities Residential Development Impact Fees
 - 3.42.070 Police Facilities Commercial and Industrial Development Impact Fees
- The Moreno Valley Police Department has adopted a “Zone Policing” strategy. The intent of “[Zone Policing](#)” is to improve response times to calls for service, make officers more familiar with community areas, and connect the Police Department with citizens and business owners within their assigned zones.

To facilitate this concept, the City has been divided into four zones, and police officers are assigned to a specific zone. Each zone is comprised of a team that consists of a Zone Commander, Zone Supervisor, and Zone Coordinator.

- **Zone 1:** Northern Moreno Valley, north of the SR 60 Freeway.
- **Zone 2:** Western Moreno Valley, south of the SR 60 Freeway, west of Lasselle Street and north of Alessandro Boulevard

- **Zone 3:** Southern Moreno Valley, south of Alessandro Boulevard, west of Lasselle Street
- **Zone 4:** Eastern Moreno Valley, east of Lasselle Street and south of the SR 60 Freeway.
- The Police Department Office is located at 22850 Calle San Juan De Los Lagos.

Schools

- State law requires that no building permit may be issued without certification that school fees have been paid. Two school districts serve the City:
 - The Moreno Valley Unified School District (MVUSD) (<https://www.mvUSD.net/>).
 - The Val Verde Unified School District (VVUSD) (<https://www.valverde.edu/>).

Parks

- The City's development impact fee ordinance requires new development to dedicate parkland and/or pay in-lieu fees to provide 3 acres of parkland per 1,000 new residents.
 - Chapter 3.4 – Dedication of Land for Park Facilities and Payment of In-Lieu Fees
 - 3.38.080 Park Improvements Residential Development Impact Fees
 - 3.38.090 Community/Recreation Center Residential Development Impact Fees
- An interactive map of the park facility locations can be found at: [Parks and Community Services Department](#).

Library Services

- New residential development is assessed a development impact fee based on the most recent fee study to cover its fair share of the cost of new facilities. See 3.38.100 Library Facilities and Materials Residential Development Impact Fees.
- The Main Library is located at 25480 Alessandro Boulevard. The Moreno Valley Mall Branch library is located at 22500 Town Circle (2nd floor, across from Sears and next to HomeTown Buffet) (Library Locations and Hours).

Other Facilities

- Other Development Impact Fees for Public Facilities
 - 3.38.110 City Hall Facilities Residential Development Impact Fees
 - 3.38.120 Corporate Yard Facilities Residential Development Impact Fees
 - 3.38.130 Maintenance Equipment Residential Development Impact Fees
 - 3.38.140 Animal Shelter Residential Development Impact Fees
 - 3.42.080 City Hall Facilities Commercial and Industrial Development Impact Fees

- 3.42.090 Corporate Yard Facilities Commercial and Industrial Development Impact Fees
- 3.42.100 Maintenance Equipment Commercial and Industrial Development Impact Fees
- The Moreno Valley Animal Shelter is located at 14041 Elsworth Street, between Cactus and Alessandro ([Animal Shelter Services](#)).

The Questions

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- i) Fire protection?

To answer this question, indicate how far from the nearest station the project is located and how quickly the station could respond to the location. Did the Fire Department review and approve the plans? Will the payment of the Fire facilities Development Impact Fee be enough for the project? For example, if the project is multi-story, does the serving station have the needed equipment to serve the building?

- ii) Police protection?

To answer this question, indicate which policing zone the project is located in and if Police reviewed and approved the plans.

- iii) Schools?

To answer this question, indicate which school district the project is located in and where the closest schools are located.

- iv) Parks?

Does this project include park facilities (i.e., homeowners association [HOA] maintained, etc.)? Has the Parks Department reviewed and approved the plans? Is the project site located in a future parkland acquisition area? Is the project site located where a trail is proposed?

- v) Other public facilities?

Discuss such facilities as the library, animal shelter, and the facilities covered by the DIF fees. Does this project impact those facilities?

XVI. RECREATION

This section of the Initial Study covers recreation throughout the City. The Parks and Community Services Department manages and provides maintenance services for City Parks and Facilities, and provides a wide range of recreation activities, programs, and services throughout the community ([Parks and Community Services](#)).

General Plan

The City's General Plan covers recreation under Chapter 4 – Park, Recreation, and Open Space Element.

- The Parks, Recreation, and Open Space Element of the General Plan has identified portions of the planning area for future parkland acquisition. Additionally, the General Plan includes policies and programs that deal with parks and recreation. Examples include Policy 4.2.7 which establishes the 3 acres per 1,000 residents level of service standard, and Policy 4.2.17 requires new development to contribute to the park needs of the City.

Municipal Code

The Moreno Valley Municipal Code covers park and recreation.

- The City's development impact fee ordinance requires new development to dedicate parkland and/or pay in-lieu fees to provide 3 acres of parkland per 1,000 new residents.
 - Chapter 3.40 Dedication of Land for Park Facilities and Payment of In-Lieu Fees
 - 3.38.080 Park Improvements Residential Development Impact Fees
 - 3.38.090 Community/Recreation Center Residential Development Impact Fees
- An interactive map of the park facility locations can be found at: [Parks and Community Services Department](#).

The Questions

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

If the project is consistent with the General Plan, then it was considered under the EIR analysis.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?

If the project includes recreational facilities, describe them and how they are to be maintained (i.e., are they being turned over to the City? Are they privately maintained by an HOA?). What are the physical impacts of the construction of these facilities?

XVII. TRANSPORTATION

The Transportation Engineering Division is responsible for the safe and efficient movement of people and goods within the City. This Division of Public Works assesses neighborhood and regional traffic concerns and implements corrective measures to enhance vehicle, bicycle, and pedestrian safety. The staff works closely with the WRCOG, the RCTC, California Department of Transportation (Caltrans), and adjoining agencies to ensure consistency and uniformity with regional transportation programs.

General Plan

The City's General Plan covers transportation under Chapter 5 – Circulation Element. The Circulation Element for the General Plan incorporates the recommendations of the traffic study prepared for the General Plan EIR 9 (Appendix B – Traffic Analysis, City of Moreno Valley General Plan Traffic Study, Urban Crossroads, June 2004) into a series of goals, objectives, policies, and programs.

- Goal 1 of the Circulation Element states: “Develop a safe, efficient, environmentally and financially sound, integrated vehicular circulation system consistent with the City General Plan Circulation Element Map, which provides access to development and supports mobility requirements of the system’s users.”
- To support this goal, the Circulation Element includes objectives, policies, and programs, which establish mechanisms for addressing projected arterial deficiencies. These programs focus on the need for continued studies, close coordination with other local agencies, and identification of appropriate funding sources.
- Objective 5.2 establishes standards for design.
 - 5.2.1 – Locate residential units with access from local streets. Minimize direct residential access from collectors. Prohibit direct single-family driveway access on arterials and higher classification roadways.
 - 5.2.2 – Feed short local streets into collectors.
 - 5.2.3 – Encourage the incorporation of traffic calming design into local and collector streets to promote safe vehicle speeds.
 - 5.2.4 – Design new subdivisions to minimize the disruptive impact of motor vehicles on local streets. Long, broad, and linear streets should be avoided. Residential streets should be no wider than 40 feet, and should have an uninterrupted length of less than one-half mile. Curvilinear streets and cul-de-sacs are preferred. Streets within the subdivision should be designed to facilitate access to residences and to discourage through traffic.
- In addition, the Circulation Element proposed a number of regional transportation programs intended to mitigate traffic impacts to the State freeway system. Participation in these programs is incorporated as part of the proposed Circulation

Element programs 5-10 through 5-13. These programs focus on the need for continued studies, close coordination with regional and other local agencies, and identification of appropriate funding sources.

- Circulation Element programs 5-14 and 5-15 implement programs in support of the efforts of Riverside Transit Agency toward the expansion of the existing bus system within the City and the provision of future public transportation consistent with the Riverside County Transit Plan.
- Circulation Element programs 5-16 and 5-17 implement programs to facilitate the development of bikeways in accordance with the Bikeway Plan.

Municipal Code

The Moreno Valley Municipal Code covers transportation as follows.

- Chapter 3.18 Special Gas Tax Street Improvement Fund
- The City's development impact fee ordinance requires new development to pay in-lieu fees.
 - 3.38.030 Arterial Streets Residential Development Impact Fees
 - 3.38.040 Traffic Signals Residential Development Impact Fees
 - 3.38.050 Interchange Improvements Residential Development Impact Fees
 - 3.42.030 Arterial Streets Commercial and Industrial Development Impact Fees
 - 3.42.040 Traffic Signals Commercial and Industrial Development Impact Fees
 - 3.42.050 Interchange Improvements Commercial and Industrial Development Impact Fees
 - Title 12 Vehicles and Traffic

Traffic Impact Analysis (TIA) Preparation Guide

The Transportation Engineering Division has prepared a TIA Guide (2007). This Guide set the City's requirements for how to prepare a TIA based on the thresholds established by the General Plan. As new transportation guidance becomes available, the most updated guidance should be followed.

The Questions

- a) Would the project conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Street/Highway Facilities

This information will come from the TIA.

On-Site Roadway and Site Access Improvements

This information will come from the TIA.

Vehicle Trip Reduction Program

Chapter 8.42 Electric Vehicle Charging Station Review Process

- 9.11.100 Circulation – Pedestrian
- 9.11.060 Off-Street Bicycle Parking Requirements

Alternative Modes of Transportation

Pedestrian

- 9.11.100 Circulation – Pedestrian

Bicycles

- City's [Bicycle Master Plan](#)
- 9.11.060 Off-Street Bicycle Parking Requirements

Public Transit Services

- Riverside Transit Agency (RTA) serves Moreno Valley. The TIA should address which routes will serve the project and where the closest stop is located.

Temporary Traffic Impacts from Construction

If a TIA has been prepared, the information will come from the TIA. The discussion will need to consider the haul route per 8.21.050 Grading Permit Requirements

City Capital Improvement Program (CIP)

Does the project include streets covered by the [CIP](#)? The CMP should be addressed in the TIA.

WRCOG Transportation Uniform Mitigation Fee (TUMF) Program

Does the project include streets covered by [TUMF](#)?

Local Funding Mechanisms

Chapter 3.18 Special Gas Tax Street Improvement Fund

- 3.38.030 Arterial Streets Residential Development Impact Fees
- 3.38.040 Traffic Signals Residential Development Impact Fees

- 3.38.050 Interchange Improvements Residential Development Impact Fees
 - 3.42.030 Arterial Streets Commercial and Industrial Development Impact Fees
 - 3.42.040 Traffic Signals Commercial and Industrial Development Impact Fees
 - 3.42.050 Interchange Improvements Commercial and Industrial Development Impact Fees
- b) Would the project conflict or be inconsistent with CEQA Guidelines §15064.3 or will the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

At this time, analysis based on vehicle miles traveled (VMT) is optional until the requirements become mandatory statewide on July 1, 2020. CEQA Guidelines §15064.3 should be reviewed for guidance on evaluating transportation impacts using VMT. OPR has also released a technical advisory regarding evaluating transportation impacts using VMT: [Technical Advisory](#). To assist lead agencies in western Riverside County with SB 743 implementation, WRCOG, with support from SCAG, developed implementation guidance and a VMT impact screening tool. The guidance material is contained in the WRCOG SB 743 Implementation Pathway Document Package, while the screening tool is introduced below and accessed at: [WRCOGVMT Impact Screening](#)

- c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Review and input from the Transportation Engineering Division and Fire would be needed in preparing a response to this question.

- d) Would the project result in inadequate emergency access?

Review and input from the Transportation Engineering Division and Fire would be needed in preparing a response to this question. Temporary impacts during construction should also be addressed.

XVIII. TRIBAL CULTURAL RESOURCES

This section of the Initial Study analyzes the impacts to tribal cultural resources. Adverse impacts can occur either directly, through the destruction of artifacts or indirectly, by degrading a place that is sacred to a tribe. Refer to Section V. Cultural Resources for information on when a Cultural Study should be required. The tribal cultural resources section should address the results of the tribal consultation as this issue is based largely on information only known through the tribal consultation process.

For available resources, refer to Section V. Cultural Resources.

The Questions

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC §5020.1(k), or

PRC §21074 can be found in Appendix A of this document and at this location: [Chapter 2.5. Definitions.](#)

The information needed to respond to this question will come from the cultural study and consultations with the tribes.

- b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC §5024.1. In applying the criteria set forth in subdivision (c) of PRC §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

PRC §5024.1 can be found in Appendix A of this document and at this location: [Chapter 2.6. General.](#)

The information needed to respond to this question will come from the cultural study and consultations with the tribes.

XIX. UTILITIES & SERVICE SYSTEMS

This section of the Initial Study covers utilities and service systems. Project applicants often provide a Drainage Study/Hydrology Study in addition to a PWQMP at the time of project submittal. These documents can be used to answer the checklist questions.

General Plan

The City's General Plan addresses issues related to utilities and service systems as detailed below.

Water Service

- Conservation Element Program 7-3 states that the City will maintain a close working relationship with the Eastern Municipal Water District (EMWD) to ensure that it plans for and is aware of the opportunities to use reclaimed water in Moreno Valley.

- Conservation Element Program 7-4 directs the City to provide guidelines for preferred planting schemes and specific species to encourage aesthetically pleasing landscape statements that minimize water use.
- Policy 7.3.1 requires water conserving landscaping and irrigation systems.
- Policy 7.3.2 encourages the use of reclaimed water and other legally acceptable sources of irrigation water.

Sewer Service

- Policy 2.12.1 requires that adequate septic or sewer service capacity will be available in a timely manner prior to the approval of any development application.
- Policy 2.13.3 requires each project to provide the infrastructure needed to support that project at the time it is needed.
- Program 2-3 calls for the City to work with EMWD and the Edgemont Community Services District and the Regional Water Quality Control Board to prepare a wastewater master plan for southwest Moreno Valley that addresses the need for sewer services and the timing for facility improvements.

Flood Control System

- Conservation Element Policy 7.4.4 calls for preservation of drainage courses in a natural state when retaining natural habitat does not threaten public safety.

Electrical Facilities

- Objective 7.5 and associated policies encourage the efficient use of energy, including passive cooling with landscaping and the use of solar power.

Solid Waste

- Policy 7.8.1 encourages recycling projects by individuals, organizations, businesses, and government agencies.

Groundwater

- Conservation Element, Objectives 7.1 and 7.2 and their associated policies, are included in the General Plan to limit potential water quality impacts to surface water and groundwater resources.
- Policy 7.2.2 requires all projects to comply with the discharge permit requirements of the Regional Water Quality Control Board.

It is noted that development within the service area of the Box Springs Mutual Water Company may be limited because the existing distribution system may not be able to provide sufficient flow to satisfy the requirements of the Uniform Fire Code. Water flow availability should be evaluated as early as possible in the review process for any new development or expansion of an existing building within the Box Springs Mutual Water Company.

Municipal Code

The following chapters and sections of the Municipal Code are related to utilities and service systems.

- Title 9 – Planning and Zoning of the Moreno Valley Municipal Code
Section 9.10.080 – Liquid and Solid Waste
- Chapter 8.12 – Flood Damage Prevention
- Chapter 8.21 – Grading Regulations
- Chapter 8.80 – Recycling and Diversion of Construction and Demolition Waste

Water Supply Assessments and Consultation with Water Agencies

For certain types of projects, the lead agency must consult with a water agency, and the water agency must provide a Water Supply Assessment (WSA) when it has been determined that the project meets one or more of the criteria listed below. For more information on this topic, review the Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001 ([Guidebook](#)) produced by the California Department of Water Resources. The types of projects requiring consultation with water agencies and preparation of a WSA include:

- Residential development of more than 500 dwelling units;
- A shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- A hotel or motel, or both, having more than 500 rooms;
- An industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- Except, a proposed photovoltaic or wind energy generation facility approved on or after October 8, 2011, is not a Water Demand Project if the facility would demand no more than 75 acre-feet of water annually.
- A mixed-use project that includes one or more of the projects specified in subdivisions (A); (B), (C), (D), (E), or (G) [of the Guidebook for Implementation of Senate Bill 610];
- A project that would demand an amount of water equivalent to, or greater than, the amount of water; required by a 500 dwelling unit project; or

- For public water systems with fewer than 5,000 service connections, a project that meets the following criteria:
 - A proposed residential, business, commercial, hotel or motel, or industrial development that would account for an increase of 10 percent or more in the number of a public water system's existing service connections; or
 - A mixed-use project that would demand an amount of water equivalent to, or greater than, the amount of water required by residential development that would represent an increase of 10 percent or more in the number of the public water system's existing service connections.

The Questions

- a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Water: EMWD and Box Springs Mutual Water Company provide water service.

Wastewater Treatment: EMWD provides wastewater services.

Stormwater Drainage: Regional flood control planning and facilities are under the jurisdiction of the Riverside County Flood Control and Water Conservation District (RCFCWCD). The City, however, has the responsibility for design, construction, and maintenance of local drainage facilities. Road curb and gutter and roadside ditches supplement the flood control system.

Electric Power: Electric power is provided by Southern California Edison (SCE), and Moreno Valley Electric Utility provide electricity to the City (<http://www.moval.org/mvu/index.html>).

NATURAL GAS: Natural gas is provided to the City by the Southern California Gas.

- b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Review documentation from the water service provider including the latest Urban Water Management Plan.

- c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Review documentation from the wastewater service provider.

- d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

The analysis must refer to applicable State and local goals and demonstrate how the project would be consistent with those goals. The City provides trash, recycling, and special waste handling services to residents and businesses through a contract with Waste Management of Inland Valley.

- e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The analysis must refer to applicable State and local regulations and demonstrate how the project would be consistent with those goals.

XX. WILDFIRE

This section only applies to areas located in or near state responsibility areas or lands classified as very high fire hazard severity zones. See the LHMP for the high fire severity zone map.

General Plan

The City's General Plan covers wildfire reduction under Chapter 6 – Safety Element, Section 6.2 – Fire and Emergency Service, and 6.2.8 – Wildland Urban Interface.

- Safety Element Objectives 6.11 through 6.16 and the associated policies provide direction to ensure adequate protection from fire hazards, in terms of both fire prevention and suppression.
- The policies address a range of policies and programs, including fire education programs, building codes, fuel modification along the wildland-urban interface and requirements for smoke detectors, automatic fire sprinklers, emergency water supply, and emergency access.

Municipal Code

The Moreno Valley Municipal Code covers the wildland interface under Section 8.36.050 Requirements for Wildland-Urban Interface Areas.

Local Hazard Mitigation Plan

The City has an LHMP adopted October 4, 2011, and amended 2017 ([LHMP](#)). The following chapters may have additional information needed to respond to the questions in the Wildfire section of the Initial Study.

- Chapter 5 – Wildland and Urban Fires
Figure 5-2 – Moreno Valley High Fire Area Map 2016
- Chapter 8 – Landslide
Figure 8-1 – Moreno Valley Slope Analysis 2016

Emergency Operations Plan

The City adopted the Emergency Operations Plan in March 2009 ([Emergency Operations Plan](#)).

The following chapters may have additional information needed to respond to the questions in the Wildfire Section of the Initial Study.

- Threat Assessment 3 – Wildfire

The Questions

- a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

See the LHMP for a copy of the City's evacuation routes.

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

See the LHMP for a slope analysis map.

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The analysis should discuss the infrastructure that would be installed to address fire risk and address how the project may exacerbate that risk or result in ongoing impacts.

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Refer to the LHMP for potential risk areas.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

If there is substantial evidence, in light of the whole record, that any of the conditions set forth below may occur, the lead agency shall find that the project may have a significant effect on the environment and thereby shall require preparation of an EIR:

- a) The project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory;

- b) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals;
- c) The project has possible environmental effects which are individually limited but cumulatively considerable, as defined in Local Guidelines Section 11.14. That is, the City, when acting as Lead Agency, is required to determine whether the incremental impacts of a project are cumulatively considerable by evaluating them against the backdrop of the environmental effects of the other projects; or
- d) The environmental effects of a project will cause substantial adverse effects on humans either directly or indirectly.

The Questions

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discuss whether the project has no impact, a less than significant impact, or less than significant impact with mitigation measures. If all impacts can be mitigated, an MND can be prepared, and an EIR would not be required.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)

Summarize the results of the cumulative analysis contained within the body of the initial study.

As described in CEQA Guidelines §15130(b), “The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact. The following elements are necessary to an adequate discussion of significant cumulative impacts:

- (1) Either:
 - (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or

- (B) A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect.”

“Cumulative impacts” refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

- (a) The individual effects may be changes resulting from a single project or a number of separate projects.
- (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discuss whether the project has no impact, a less than significant impact, or less than significant impact with mitigation measures for analysis issues that would affect human beings (e.g., geology and soils, hazards and hazardous materials).

REFERENCES

Association of Environmental Professionals (AEP)

2016a CEQA Portal CEQA Topic Paper – Baseline and Environmental Setting, August 23. Accessed April 18, 2019, at https://ceqaportal.org/topic_papers.cfm.

2016b CEQA Portal CEQA Topic Paper – Project Description, March 23. Accessed April 18, 2019, at https://ceqaportal.org/topic_papers.cfm accessed.

Ascent Environmental

2019 Practical Implications of the Friant Ranch Decision for Air Quality and Other EIR Analysis, prepared by Ascent Environmental, March 21. Accessed April 21, 2019, at <https://mailchi.mp/ascentenvironmental/friant-ranch>

Best, Best & Krieger

2019 Summary of Published CEQA Decision – Sierra Club v. County of Fresno (2018) 6 Cal.5th 502, January 29, 2019.

California Air Pollution Control Officers Association (CAPCOA)

2008 CEQA & Climate Change Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act

2010 CAPCOA Quantifying Greenhouse Gas Mitigation Measures, August 2010, <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>, accessed April 24, 2019.

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2006 Final Environmental Impact Report. Certified July 11.

2016 City of Moreno Valley General Plan, Chapter 2 – Conservation Element -- Section 2.7 – Special Districts

APPENDIX A – CODE SECTIONS

AGRICULTURE & FOREST RESOURCES

PRC Section 12220(g) reads as follows:

(g) “Forest land” is land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

PRC Section 4526 reads as follows:

“Timberland” means land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.

Government Code Section 51104(g) reads as follows:

(g) “Timberland production zone” or “TPZ” means an area which has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h).

CULTURAL RESOURCES

Guidelines §15064.5 (<http://resources.ca.gov/ceqa/guidelines/art5.html>).

“(a) For purposes of this section, the term “historical resources” shall include the following:

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (PRC Section 5024.1, Title 14 CCR, Section 4850 et seq.).*
- (2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in an historical resource survey meeting the requirements Section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.*

- (3) *Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (PRC Section 5024.1, Title 14 CCR, Section 4852) including the following:*
 - (A) *Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*
 - (B) *Is associated with the lives of persons important in our past;*
 - (C) *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
 - (D) *Has yielded, or may be likely to yield, information important in prehistory or history.*
 - (4) *The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the PRC), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the PRC) does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC sections 5020.1(j) or 5024.1.*
- (b) *A project with an effect 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.*
- (1) *Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.*
 - (2) *The significance of an historical resource is materially impaired when a project:*
 - (A) *Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical*

significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or

(B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the PRC or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

(C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

(3) Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.

(4) A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.

(5) When a project will affect state-owned historical resources, as described in PRC Section 5024, and the lead agency is a state agency, the lead agency shall consult with the State Historic Preservation Officer as provided in PRC Section 5024.5. Consultation should be coordinated in a timely fashion with the preparation of environmental documents.

(c) CEQA applies to effects on archaeological sites.

(1) When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subdivision (a).

(2) If a lead agency determines that the archaeological site is an historical resource, it shall refer to the provisions of Section 21084.1 of the PRC,

and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the PRC do not apply.

- (3) If an archaeological site does not meet the criteria defined in subdivision (a), but does meet the definition of a unique archeological resource in Section 21083.2 of the PRC, the site shall be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in PRC Section 21083.2 (c–f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.*
- (4) If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.*
- (d) When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in PRC Section 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from:
 - (1) The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).*
 - (2) The requirements of CEQA and the Coastal Act.**
- (e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
 - (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - (A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and*
 - (B) If the coroner determines the remains to be Native American:***

1. *The coroner shall contact the Native American Heritage Commission within 24 hours.*
 2. *The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.*
 3. *The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98, or*
- (2) *Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.*
- (A) *The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.*
 - (B) *The descendant identified fails to make a recommendation; or*
 - (C) *The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.*
- (f) *As part of the objectives, criteria, and procedures required by Section 21082 of the PRC, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place substantial adverse change, as defined by Guidelines §15064.5 (b) (1 & 2), to a historical resource may have a significant effect on the environment. However, a project that follows Guidelines §15064.5 (b) (3) will be considered mitigated to a level of less than significant.”*

HAZARDS & HAZARDOUS MATERIALS

Health and Safety Code §25532(j)

“(j) “Regulated substance” means any substance that is either of the following:

(1) A regulated substance listed in Section 68.130 of Title 40 of the Code of Federal Regulations pursuant to paragraph (3) of subsection (r) of Section 112 of the Clean Air Act (42 U.S.C. Sec. 7412(r)(3)).

(2)(A) An extremely hazardous substance listed in Appendix A of Part 355 (commencing with Section 355.10) of Subchapter J of Chapter I of Title 40 of the Code of Federal Regulations that is any of the following:

(i) A gas at standard temperature and pressure.

(ii) A liquid with a vapor pressure at standard temperature and pressure equal to or greater than 10 millimeters mercury.

(iii) A solid that is one of the following:

(I) In solution or in molten form.

(II) In powder form with a particle size less than 100 microns.

(III) Reactive with a National Fire Protection Association rating of 2, 3, or 4.

(iv) A substance that the office determines may pose a regulated substances accident risk pursuant to subclause (II) of clause (i) of subparagraph (B) or pursuant to Section 25543.3.

(B)

(i) On or before June 30, 1997, the office shall, in consultation with the Office of Environmental Health Hazard Assessment, determine which of the extremely hazardous substances listed in Appendix A of Part 355 (commencing with Section 355.10) of Subchapter J of Chapter I of Title 40 of the Code of Federal Regulations do either of the following:

(I) Meet one or more of the criteria specified in clauses (i), (ii), or (iii) of subparagraph (A).

(II) May pose a regulated substances accident risk, in consideration of the factors specified in subdivision (g) of Section 25543.1, and, therefore, should remain on the list of regulated substances until completion of the review conducted pursuant to subdivision (a) of Section 25543.3.

(ii) The office shall adopt, by regulation, a list of the extremely hazardous substances identified pursuant to clause (i).

Extremely hazardous substances placed on the list are regulated substances for the purposes of this article. Until the list is adopted, the administering agency shall determine which extremely hazardous substances should remain on the list of regulated substances pursuant to the standards specified in clause (i).

“(a) The Department of Toxic Substances Control shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

(1) All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code.

(2) All land designated as hazardous waste property or border zone property pursuant to former Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code.

(3) All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land.

(4) All sites listed pursuant to Section 25356 of the Health and Safety Code.

(b) The State Department of Health Services shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Section 116395 of the Health and Safety Code.

(c) The State Water Resources Control Board shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

(1) All underground storage tanks for which an unauthorized release report is filed pursuant to Section 25295 of the Health and Safety Code.

(2) All solid waste disposal facilities from which there is a migration of hazardous waste and for which a California regional water quality control board has notified the Department of Toxic Substances Control pursuant to subdivision (e) of Section 13273 of the Water Code.

(3) All cease and desist orders issued after January 1, 1986, pursuant to Section 13301 of the Water Code, and all cleanup or abatement orders issued after January 1, 1986, pursuant to Section 13304 of the Water Code, that concern the discharge of wastes that are hazardous materials.

- (d) *The local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, shall compile as appropriate, but at least annually, and shall submit to the Department of Resources Recycling and Recovery, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. The Department of Resources Recycling and Recovery shall compile the local lists into a statewide list, which shall be submitted to the Secretary for Environmental Protection and shall be available to any person who requests the information.*
- (e) *The Secretary for Environmental Protection shall consolidate the information submitted pursuant to this section and distribute it in a timely fashion to each city and county in which sites on the lists are located. The secretary shall distribute the information to any other person upon request. The secretary may charge a reasonable fee to persons requesting the information, other than cities, counties, or cities and counties, to cover the cost of developing, maintaining, and reproducing and distributing the information.*
- (f) *Before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site that is included on any of the lists compiled pursuant to this section and shall specify any list. If the site is included on a list, and the list is not specified on the statement, the lead agency shall notify the applicant pursuant to Section 65943. The statement shall read as follows:*

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the project applicant is required to submit a signed statement that contains the following information:

Name of applicant:

Address:

Phone number:

Address of site (street name and number if available, and ZIP Code):

Local agency (city/county):

Assessor's book, page, and parcel number:

Specify any list pursuant to Section 65962.5 of the Government Code:

Regulatory identification number:

Date of list:

_____ Applicant, Date _____

- (g) *The changes made to this section by the act amending this section, that takes effect January 1, 1992, apply only to projects for which applications have not*

been deemed complete on or before January 1, 1992, pursuant to Section 65943.”

TRIBAL CULTURAL RESOURCES

PRC Section 21074 reads as follows:

- (a) *“Tribal cultural resources” are either of the following:*
 - (1) *Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:*
 - (A) *Included or determined to be eligible for inclusion in the California Register of Historical Resources.*
 - (B) *Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.*
 - (2) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.*
- (b) *A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.*
- (c) *A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).*

PRC Section 5020.1(k) reads as follows:

“Local register of historical resources” means a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.

PRC Section 5024.1(c) reads as follows:

- (c) *A resource may be listed as an historical resource in the California Register if it meets any of the following National Register of Historic Places criteria:*
- (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.*
 - (4) *Has yielded, or may be likely to yield, information important in prehistory or history.*