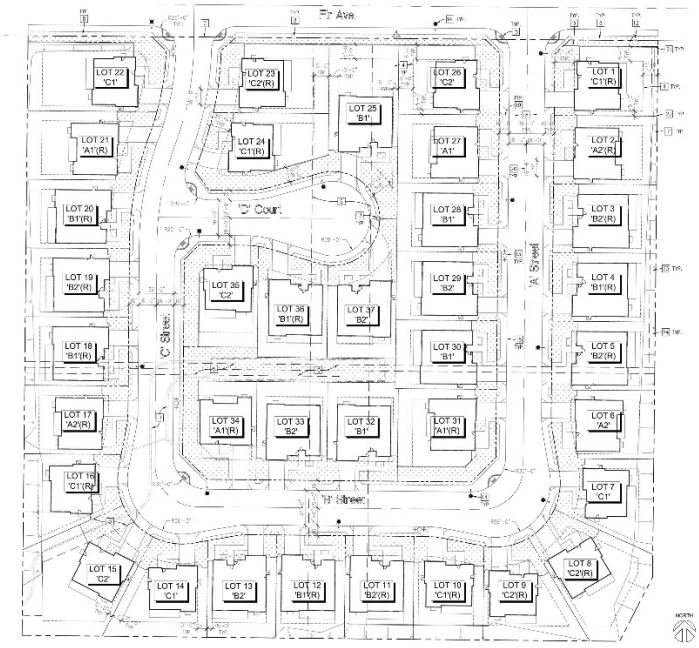
CITY OF MORENO VALLEY

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR

37 UNIT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT



37 UNIT TENTATIVE TRACT MAP 38480 (PEN 22-0187)

July 2024

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

Prepared By
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2211 South Hacienda Boulevard, Suite 107
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INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR Tentative Tract Map 38480

BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Project Case Number(s):** PEN 22-0187.

2. **Project Title:** Tentative Tract Map 38480

3. **Public Comment Period** To be added.

4. **Lead Agency:** City of Moreno Valley
   Juan Galvan, Planning Department
   14177 Frederick Street
   Moreno Valley, CA 92552
   (951) 413-3206
   E-mail: planningnotices@moval.org

5. **Documents Posted At:** https://moval.gov/cdd/documents/about-projects.html

6. **Prepared By:** Marc Blodgett, Principal

   Blodgett Baylosis Environmental Planning
   2211 S. Hacienda Boulevard, Suite 107
   626-336-0033
   Blodgett.Marc@gmail.com

7. **Project Sponsor:**

Applicant/Developer
Name, Kurt Yue / Steven Han
Company Name: Vigorous Development, LLC
Company Address 17114 Ridge Park Drive
Hacienda Heights, CA 91745
Phone 626-679-0825
Email Suzhou@hotmail.com

Property Owner
Name, Kurt Yue / Steven Han
Company Vigorous Moreno, LLC
Company Address 17114 Ridge Park Dr
Hacienda Heights, CA 91745
Phone 626-6798-0825
Email Suzhou@hotmail.com

8. **Project Location:** The proposed project site is located within the corporate boundaries of the City of Moreno Valley in the central portion of the City. The City of Moreno Valley is located approximately 54 miles east of downtown Los Angeles and 80 miles north of San Diego. The City is bounded by unincorporated portions of Riverside County to the north and east, the City of Riverside and unincorporated Riverside County to the west, and the City of Perris to the south. The location of Moreno Valley in a regional context is shown in Exhibit A. A project vicinity map is provided in Exhibit B. The 8.89-acre project site is located near the southwest corner of Fir Avenue and Azalea Street. No address has been assigned to the property at this time. The assessor's parcel numbers (APNs) applicable to the project site include 487-260-002, 487-260-003, 487-260-004, and 487,260-005. The project is generally located in the southeast corner of Section 4, Township 3 South, Range 3 West, and is depicted on the Sunnymead U.S. Geological Survey's (USGS) 7.5-minute topographic map.

The project site is located east of Morrison Street, just south of the intersection of Willowbrook Lane, east of Nason Street on the south side of Fir Avenue. The site is surrounded by residential development to the north, east, south, and west. The project site's latitude and longitude is 33°56'4.42"N; -117°11'48.88"W. A location map is provided in Exhibit C.

9. **General Plan Designation:** R5 Residential

The primary purpose of areas designated as R5 Residential is to provide for single-family detached housing on standard sized suburban lots. The maximum allowable density shall be 5.0 dwelling units per acre.

10. **Specific Plan Name and Designation:** Not Applicable.

No specific plan is applicable to the project site.

11. **Existing Zoning:** Residential 5 District (R5)

The primary purpose of the R5 district is to provide for residential development on common sized suburban lots. This district is intended as an area for the development of single-family residential and mobile home subdivisions at a maximum allowable density of five dwelling units (DUs) per net acre. The proposed project is a request a Tentative Tract Map (38480) for 37 single family residential lots for the future construction of 37-units within an 8.89-acre site located southwest of the intersection of Fir Avenue and Azelea Street. The proposed residential units would be single-family detached units consisting of six floor plans. The project site is surrounded on all sides by residential development. The proposed project is a permitted use for both the General Plan and Zoning Ordinance. The project is compatible in terms of use and density with the surrounding development. The development density would be 4.61 units per acre which conforms to the development densities permitted under both the City's Zoning Ordinance and General Plan.

12. **Surrounding Land Uses and Setting:**

	Land Use	General Plan	Zoning
Project Site	**Vacant**	**R5 Residential**	**Residential 5 District** (R5)
North	Single-family Residential	R5 Residential	Residential 5 District (R5)
South	Single-Family Residential	R5 Residential	Residential 5 District (R5)
East	Single-family Residential	R5 Residential	Residential 5 District (R5)
West	Single Family Residential	R5 Residential	Residential 5 District (R5)

13. **Description of the Site and Project:**

Environmental Setting

The 8.89-acre project site is generally square in shape and is currently vacant though it was previously used for farming. Disturbances to the subject property are substantial and represent cumulative impacts resulting from past agricultural endeavors, grading, refuse deposits, periodic weed abatement, construction, and residential occupation between the 1950s to 2007. The proposed project site is currently vacant with a zoning designation of Residential 5 District (R5).

Project Description

The proposed project is a request to subdivide approximately 8.89 acres into 37 single-family residential lots. Key elements of the proposed project are summarized below and on the following page.

- *Proposed Site Plan.* The proposed project would involve the future construction and subsequent occupancy of 37 single-family residential units within an 8.89-acre site. The proposed project site is currently vacant with a zoning designation of Residential 5 District (R5).

- *Single-family Units*. The proposed residential units would be single-family detached units. The individual residential lots may range in size from 7,202 square feet to 12,140 square feet. Each unit would be provided an enclosed garage that would provide parking for two vehicles. The approval of the TTM does not involve the approval of the units themselves.
- *Proposed Floor Plan*. Each unit would consist of one or two levels and would contain either three or four bedrooms, depending on the floor plan (the fourth bedroom may be used as a family room or study). Each unit would also include two full baths and a private yard area. The units would be two level and would range in size from 2,367 square feet to 3,155 square feet in floor area. Once again, it is important to note that the approval of the TTM does not directly involve the approval of the design of the residential units themselves.
- *Access, Circulation, and Parking.* Vehicular access to the proposed development would be provided by two access connections with the south side of Fir Avenue. Internal circulation to the individual residential units would be provided by a series of 36-foot-wide internal roadways.
- *Parking.* Each single-family unit would be provided with an enclosed two-car garage. Addition parking would also be available in the driveway.
- *Utilities.* All utilities, including water and sewer lines, would be extended to the proposed development.

As indicated previously, the project is a Tentative Tract Map that would permit the subdivision of the existing 8.89-acre site into 37 lots. Once approved, the owner intends to construct 37 single-family detached residential units. These single-family units would be owner-occupied. In addition, the proposed project is estimated to add 145 new residents, assuming an average household size of 3.91 persons per unit. The average household size figure was derived from the most recent Census data.

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

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

The City initiated consultation with California Native American tribes traditionally and culturally affiliated with the project area who have requested consultation consistent with the requirements of Assembly Bill 52. The City received responses from the following tribes:

1. Agua Caliente Band of Cahuilla Indians;
2. Pechanga Band of Indians;
3. Rincon Band of Luiseño Indians; and,
4. Yuhaaviatam of San Manuel Nation.

The Agua Caliente Band of Cahuilla Indians, Pechanga Band of Luiseño Indians, and Rincon Band of Luiseño Indians requested consultation in order to evaluate the potential for the project to impact tribal cultural resources. The Yuhaaviatam of San Manuel Nation requested consultation as well, and also requested that in the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find shall cease and appropriate measures are implemented to assess the find. The Yuhaaviatam of San Manuel Nation also requested that the San Manuel Band of Mission Indians Cultural Resources Department be contacted about the inadvertent discovery and

be provided information regarding the nature of the find, so they may provide tribal input with regards to significance and treatment.

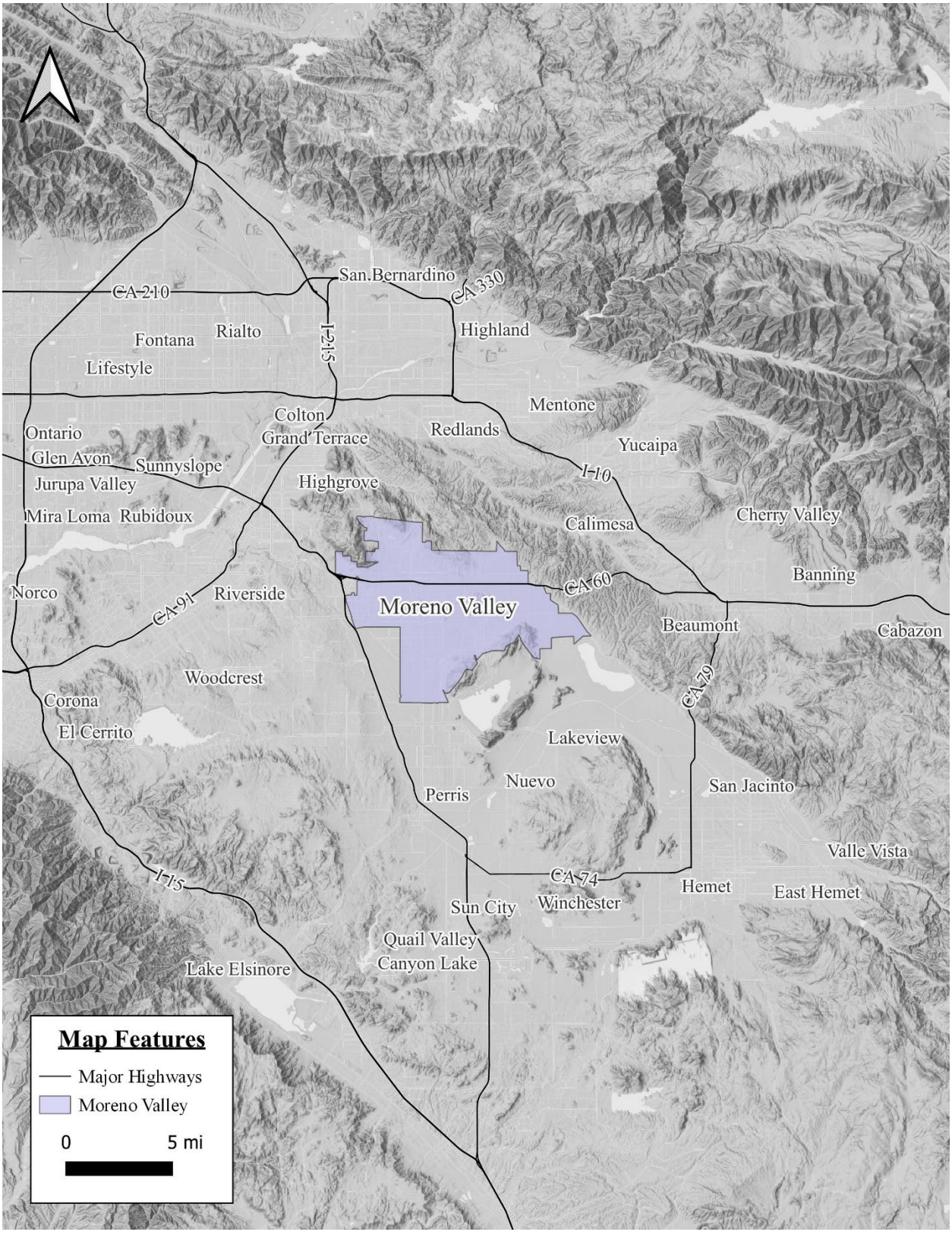

EXHIBIT A - REGIONAL LOCATION

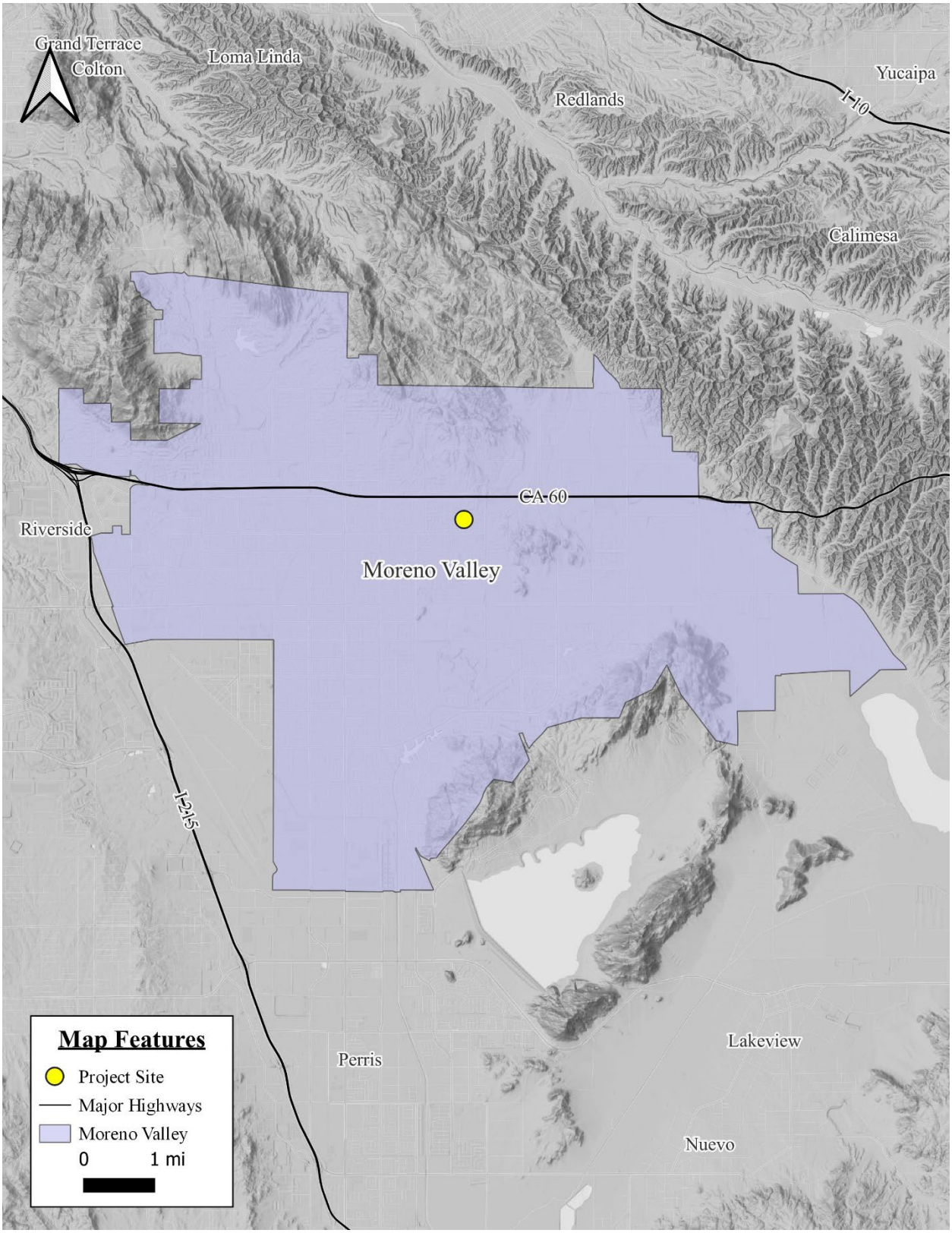

EXHIBIT B - PROJECT VICINITY

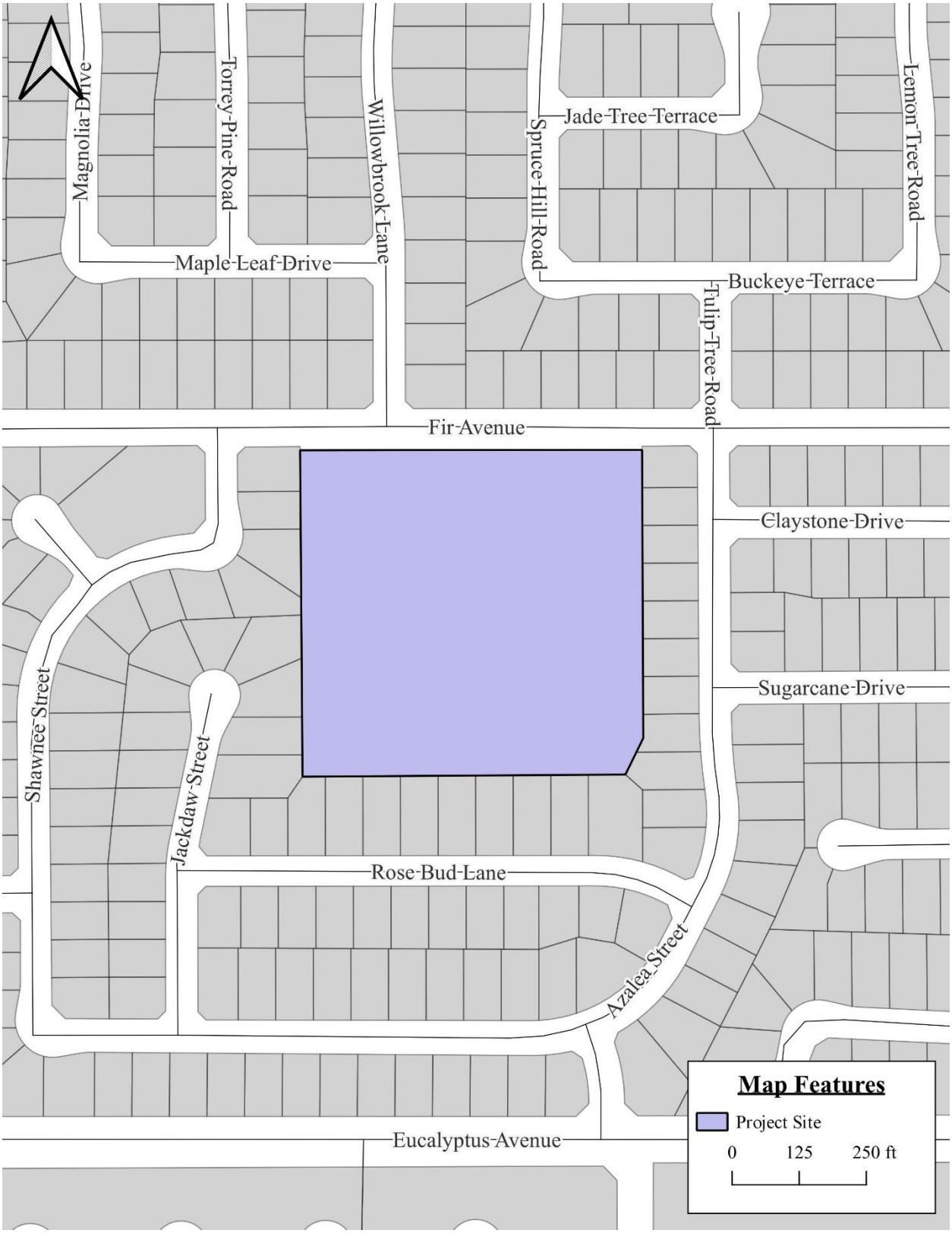

EXHIBIT C - LOCATION MAP

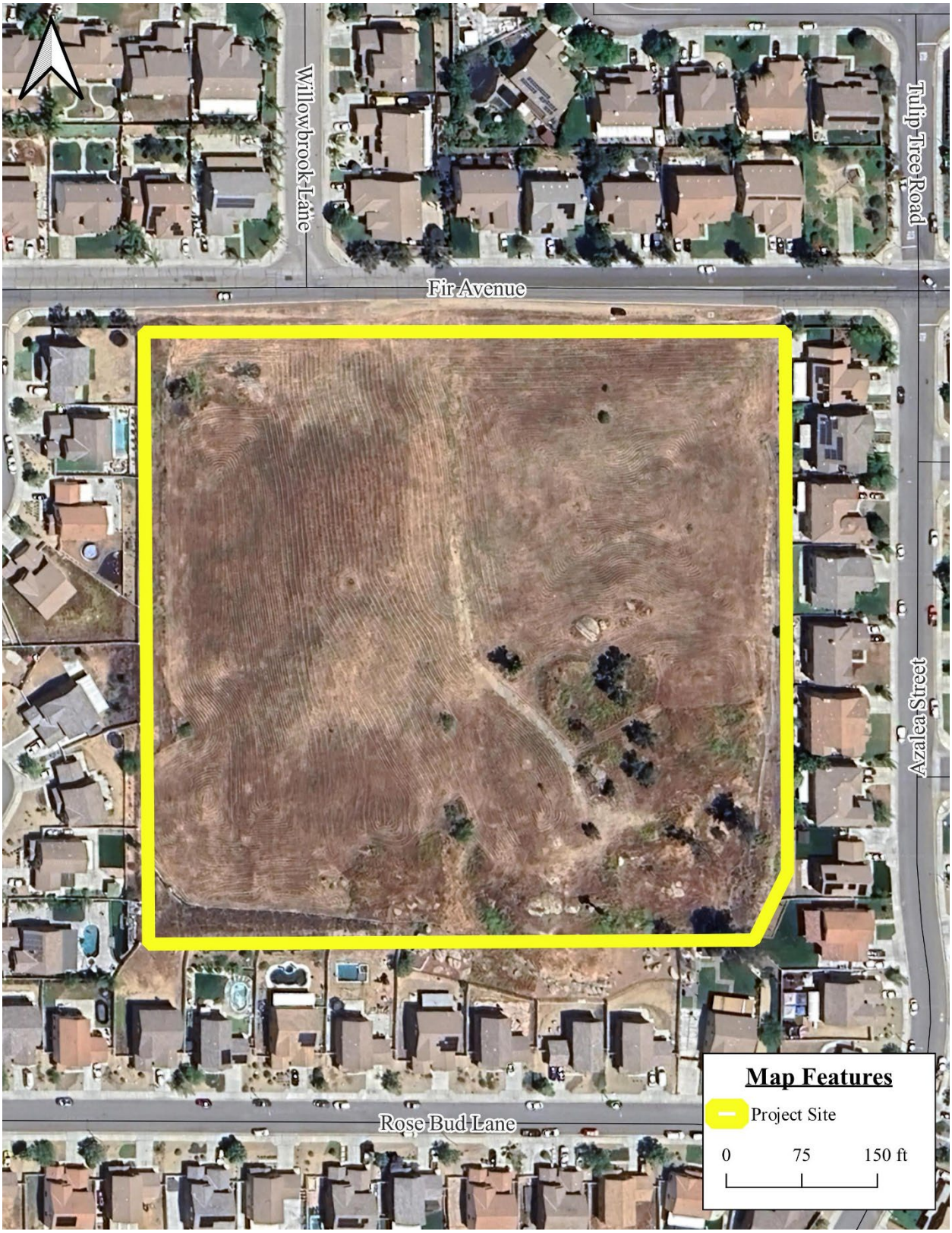

EXHIBIT D - AERIAL MAP

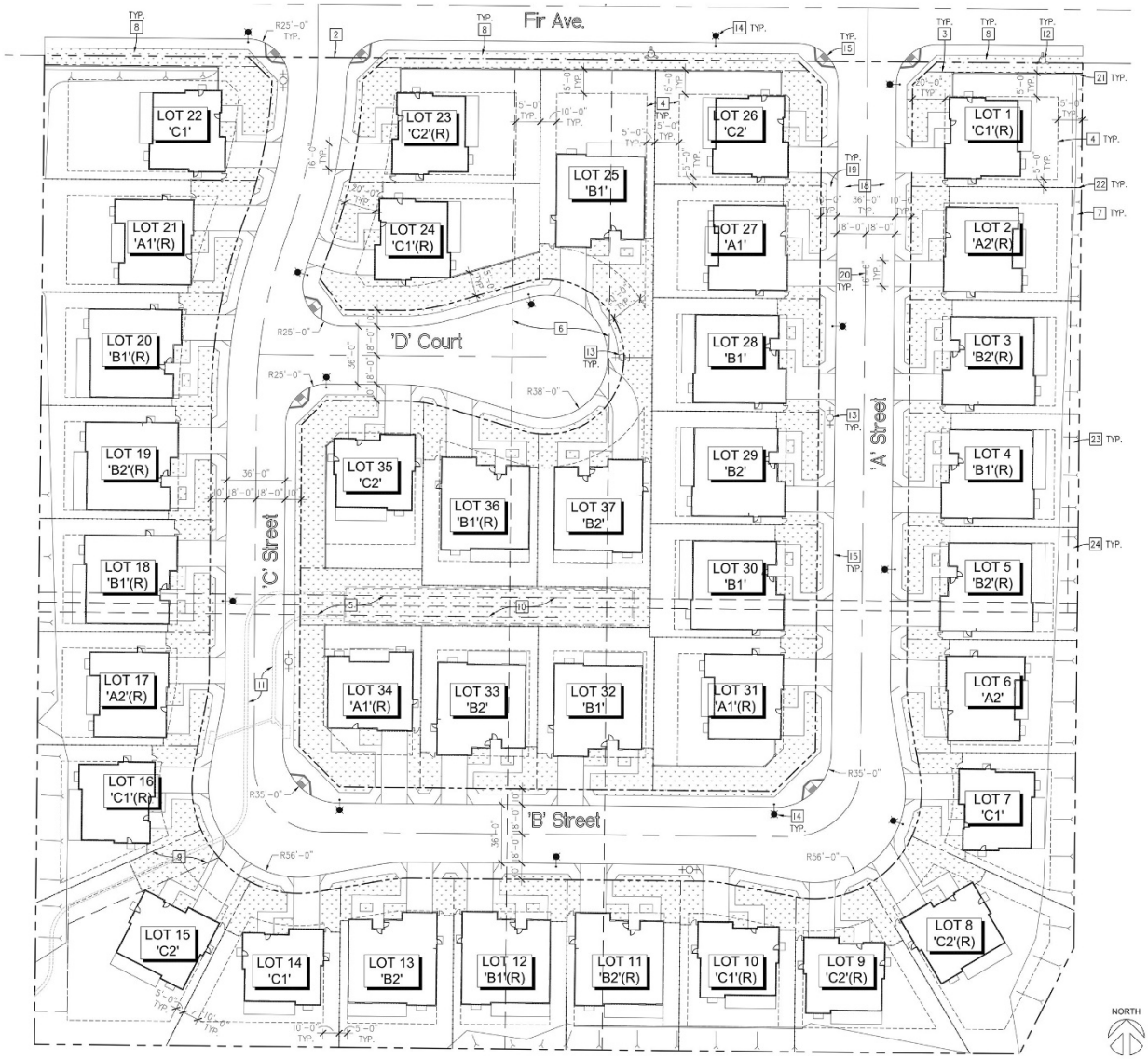

EXHIBIT E – TENTATIVE TRACT MAP 38480

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

a. None.

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

A. Air Quality Report
B. Biological Resources Assessment & MSHCP Consistency Analysis
C. Cultural Resources Assessment
D. Soils and Foundation Evaluation Report
E. Infiltration, Hydrology, and WQMP Reports
F. Transportation Study

17. **Acronyms:**

ADA -	American with Disabilities Act
ALUC -	Airport Land Use Commission
ALUCP -	Airport Land Use Compatibility Plan
AQMP -	Air Quality Management Plan
CEQA -	California Environmental Quality Act
CIWMD -	California Integrated Waste Management District
CMP -	Congestion Management Plan
DTSC -	Department of Toxic Substance Control
DWR -	Department of Water Resources
EIR -	Environmental Impact Report
EMWD -	Eastern Municipal Water District
EOP -	Emergency Operations Plan
FEMA -	Federal Emergency Management Agency
FMMP -	Farmland Mapping and Monitoring Program
GIS -	Geographic Information System
GHG -	Greenhouse Gas
GP -	General Plan
HCM	Highway Capacity Manual
HOA -	Home Owners' Association
IS -	Initial Study
LHMP -	Local Hazard Mitigation Plan
LOS -	Level of Service
LST -	Localized Significance Threshold
MARB -	March Air Reserve Base
MARB/IPA-	March Air Reserve Base/Inland Port Airport
MSHCP -	Multiple Species Habitat Conservation Plan
MVFP -	Moreno Valley Fire Department
MVPD -	Moreno Valley Police Department
MVUSD -	Moreno Valley Unified School District
MWD -	Metropolitan Water District
NCCP -	Natural Communities Conservation Plan
NPDES -	National Pollutant Discharge Elimination System
OEM -	Office of Emergency Services
OPR -	Office of Planning & Research, State
PEIR -	Program Environmental Impact Report
PW -	Public Works
RCEH -	Riverside County Environmental Health

RCFCWCD -	Riverside County Flood Control & Water Conservation District
RCP -	Regional Comprehensive Plan
RCTC -	Riverside County Transportation Commission
RCWMD -	Riverside County Waste Management District
RTA -	Riverside Transit Agency
RTIP -	Regional Transportation Improvement Plan
RTP -	Regional Transportation Plan
SAWPA -	Santa Ana Watershed Project Authority
SCAG -	Southern California Association of Governments
SCAQMD -	South Coast Air Quality Management District
SCE -	Southern California Edison
SCH -	State Clearinghouse
SKRHCP -	Stephens' Kangaroo Rat Habitat Conservation Plan
SWPPP -	Storm Water Pollution Prevention Plan
SWRCB -	State Water Resources Control Board
USFWS -	United States Fish and Wildlife
USGS -	United States Geologic Survey
VMT -	Vehicle Miles Traveled
VVUSD -	Valley Verde Unified School District
WQMP -	Water Quality Management Plan
WRCOG -	Western Riverside Council of Government

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture & Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology & Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology & Water Quality	☐ Land Use & Planning	☐ Mineral Resources
☐ Noise	☐ Population & Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities & Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature — Date: 8/14/2024

Julia Descoteaux — Printed Name

City of Moreno Valley — For

Mitigation Monitoring and Reporting Program

Introduction

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Mitigated Negative Declaration has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "…reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented for the proposed 37 Unit Tentative Tract Map (TTM 38480). The City of Moreno Valley is the Lead Agency for the Project and is responsible for implementation of the MMRP. This report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

Mitigation Monitoring and Reporting Program

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City of Moreno Valley for the proposed 37 Unit Tentative Tract Map (TTM 38480). The table identifies the mitigation measures required by the City to mitigate or avoid significant adverse impacts associated with the implementation of the project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plan, Program, Policies; and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

TABLE 1: MITIGATION MONITORING AND REPORTING PROGRAM
PROPOSED 37 LOT TENTATIVE TRACT MAP (TTM 38480)

Mitigation Measure	Action and Timing	Responsible for Verifying Compliance	Date Completed and Initials
CULTURAL RESOURCES			
CR 1 Archaeological Monitoring. Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) the contractor, and the City, shall develop a CRMP as defined in CR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.	*Prior to the start of any construction related activities.* Mitigation ends at the completion of the construction phase.	City of Moreno Valley Planning Division	

Mitigation Measure	Action and Timing	Responsible for Verifying Compliance	Date Completed and Initials
CR 2 Cultural Resource Monitoring Plan (CRMP). The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB-52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB-52 tribal consultation process for the Project, has not opted out of the AB-52 consultation process, and has completed AB-52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB-52. Details in the Plan shall include: a. Project description and location; b. Project grading and development scheduling; c. Roles and responsibilities of individuals on the Project; d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; e. ESA fencing protocols; f. Feature Relocation protocols; g. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation; h. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items; and i. Contact information of relevant individuals for the Project.	*Prior to the start of any construction related activities.* Mitigation ends at the completion of the construction phase.	City of Moreno Valley Planning Division	
CR 3 The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground –disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find.	*Prior to the start of any construction related activities.* Mitigation ends at the completion of the construction phase.	City of Moreno Valley Planning Division	

Mitigation Measure	Action and Timing	Responsible for Verifying Compliance	Date Completed and Initials
CR 4 Inadvertent Finds. If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.	*Prior to the start of any construction related activities.* Mitigation ends at the completion of the construction phase.	City of Moreno Valley Planning Division	

Mitigation Measure	Action and Timing	Responsible for Verifying Compliance	Date Completed and Initials
CR 5 Archeology Report - Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting, the extent of the Cultural monitoring for the project, the results of the cultural resource relocation and the update of the DPR (Department of Parks and Recreation) 523 forms for the known sites and any newly discovered sites. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).	*Prior to the start of any construction related activities.* Mitigation ends at the completion of the construction phase.	City of Moreno Valley Planning Division	
Tribal Cultural Resources			
TCR 1 Native American Monitoring. Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Indians for tribal monitoring. The Developer is also required to provide a minimum of 30 days' advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.	In construction plans and specifications. Prior to issuance of a grading permit.	City of Moreno Valley Planning Division	

Mitigation Measure	Action and Timing	Responsible for Verifying Compliance	Date Completed and Initials
TCR 2 Cultural Resource ESA Fencing. All three known cultural features on site are to be properly identified with protective ESA fencing prior to the initiation of ant ground disturbing activities. The fencing boundaries are to be determined by the Project Archaeologist and the Native American Monitors. Fencing shall be installed based on the timing and locational recommendations of the Project Archaeologist and the Native American Monitors. The fencing is to be removed by the Tribal Monitors and Project Archaeologist when all ground disturbing activities have been completed or when the feature is to be relocated.	*Prior to the start of any construction related activities.* Mitigation ends at the completion of the construction phase.	City of Moreno Valley Planning Division	
TCR 3 Cultural Resource Feature Relocation. Recorded sites CA-RIV-3227 and CA-RIV-3229 have features within the Project that cannot be avoided through project redesign and will need to be relocated into an open-space within the project that will be left undisturbed in perpetuity. The features are to have ESA fencing and avoided until such time that they can be relocated to their final location. Once the features have been relocated the Project Archaeologist is to document their location and update the DPR forms accordingly. A restrictive agreement between the land owner and the Consulting Tribes is to be placed on the relocation area to protect the features from all future disturbance. The City shall be provided with a copy of the final executed agreement.	*Prior to the start of any construction related activities.* Mitigation ends at the completion of the construction phase.	City of Moreno Valley Planning Division	

Mitigation Measure	Action and Timing	Responsible for Verifying Compliance	Date Completed and Initials
TCR 4 Cultural Resource Disposition. In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries: a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department: i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources. ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CR-3 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.	*Prior to the start of any construction related activities.* Mitigation ends at the completion of the construction phase.	City of Moreno Valley Planning Division	
TCR 5 Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).	*Prior to the start of any construction related activities.* Mitigation ends at the completion of the construction phase.	City of Moreno Valley Planning Division	

Mitigation Measure	Action and Timing	Responsible for Verifying Compliance	Date Completed and Initials
TCR 6 Non-Disclosure of Reburial Locations. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r)., parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).	*Prior to the start of any construction related activities.* Mitigation ends at the completion of the construction phase.	City of Moreno Valley Planning Division	

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a Lead Agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or another CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

    a) Earlier Analyses Used. Identify and state where they are available for review.

    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources. A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and

   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. 4.1 AESTHETICS – Except as provided in Public Resources Code §21099 – Modernization of Transportation Analysis for Transit-Oriented Infill Projects – **Would the project:**				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	✖

Response:

No Impact. The Open Space and Resource Conservation Element of the City's 2040 General Plan identifies scenic resources and designated view corridors in the City. Review of Map OSRC-3 of the City's 2040 General Plan determined that the project site is not situated within any designated view corridors and would not substantially alter views from any designated view corridors The site's development will not negatively impact any scenic vistas. The most prominent scenic vistas located within the City include the Box Springs Mountains, located 4.9 miles northwest of the project site, and the San Jacinto Mountains located approximately 3.9 miles to the east. The 37-units residential development that is envisioned for the site is compatible with surrounding residential development in both height and density and would not obstruct views of the aforementioned vistas. The setback and building height standards will limit the height and mass of the future residential units and other improvements that will be constructed within the individual properties. Once the project site is occupied, views of the aforementioned mountains will continue to be visible from the public right-of-way. The proposed project will be required to conform to all pertinent development and design standards of the City of Moreno Valley Municipal Code. Views from the mountains will not be obstructed. *As a result, no impacts would result.*

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	✖

Response:

No Impact. According to the California Department of Transportation, none of the adjacent streets are designated as a scenic highway. The nearest eligible state scenic highway is State Route 74, which is located approximately 14 miles south of the City. Lastly, the project site is vacant and does not contain any buildings listed in the State or National Historic Register. *As a result, no impacts will occur.*

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

Response:

Less than Significant Impact. The site's development will not negatively impact any scenic vistas. The most prominent scenic vistas located within the City include the Box Springs Mountains, located 4.9 miles northwest of the project site, and the San Jacinto Mountains, located approximately 3.9 miles to the east. The development that is envisioned for the site would consist of single-family residential development and will not obstruct views of the aforementioned vistas. The setback and building height standards will limit the height and mass of the future residential units and other improvements that will be erected within the site. Once the project site is occupied, views of the aforementioned mountains will continue to be visible from the public right-of-way. The proposed development would be required to conform to all pertinent development and design standards of the City of Moreno Valley Municipal Code. *As a result, the impacts will be less than significant.*

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	✖	☐

Response:

Less than Significant Impact. Residential uses that are light sensitive receptors about the project site on the south, east, and west sides. Project-related sources of nighttime light would include new streetlights, lighting within the residential lots, and vehicular headlights. The proposed 37-unit residential development is also a light sensitive receptor. The proposed project would not expose any sensitive receptors to daytime or nighttime light trespass. The new development would also be in conformance with Section 9.08.100 of the City's Municipal Code. *Adherence with this City requirement will reduce the potential impacts to levels that are less than significant.*

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006. Chapter 2 – Community Development Element – Section 2.3 – Community Design; Chapter 7 – Conservation Element – Section 7.8 – Scenic Resources; and Figure 7-2 – Major Scenic Resources.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006 - Section 5.11 – Aesthetics Figure 5.11-1; Major Scenic Resources.
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code.
4. Section 9.10.110 – Light and Glare of the Moreno Valley Municipal Code.
5. California Department of Transportation. Official Designated Scenic Highways.

II. 4.2 AGRICULTURE AND FOREST RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.

Would the project:

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

Response:

No Impact. According to the California Department of Conservation, the project site does not contain any areas of Farmland of Statewide Importance, and no agricultural uses are located onsite or adjacent to the property. The implementation of the proposed project would not involve the conversion of any prime farmland, unique farmland, or farmland of statewide importance to urban uses. *As a result, no impacts will occur.*

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	✖

Response:

No Impact. The project site is currently zoned for residential development (Residential (R-5)) and there are no agricultural uses located within the site that would be affected by the project's implementation. According to the California Department of Conservation Division of Land Resource Protection, the project site is not subject to a Williamson Act Contract. *As a result, no impacts will occur.*

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	✖

Response:

No Impact. There are no forest lands or timber lands located within or adjacent to the proposed project site. Furthermore, the site's existing zoning designation does not contemplate forest land or timber land uses. *As a result, no impacts will occur.*

d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	✖

Response:

No Impact. No forest lands are located within or adjacent to the project site. The proposed use will be restricted to the site and will not affect any land under the jurisdiction of the Bureau of Land Management (BLM). No loss or conversion of forest lands to urban uses will result from the proposed project's implementation. *As a result, no impacts will occur.*

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

Response:

No Impact. The project would not involve the disruption or damage of the existing environment that would result in a loss of farmland to non-agricultural use or conversion of forest land to non-forest use because there are no agricultural uses or protected forest lands within or adjacent to the proposed project site. No farmland or forest area conversion impacts will result from the proposed project's implementation. *As a result, no impacts will occur.*

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006. Chapter 7 – Conservation Element – Section 7.7 – Agricultural Resources.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006; and Section 5.8 – Agricultural Resources; and Figure 5.8-1 – Important Farmlands.
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code.
4. California Department of Conservation, Division of Land Resource Protection, Farmland Mapping, and Monitoring Program. California Important Farmland Finder.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. 4.3 AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. **Would the project:**				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	✖	☐

Response:

Less than Significant Impact. Air quality impacts may occur during the construction or operation of a project and may come from stationary (e.g., industrial processes, generators), mobile (e.g., automobiles, trucks), or off-site area-wide (e.g., power plants) sources. The SCAB is subject to the requirements outlined in the Final 2022 Air Quality Management Plan (AQMP), which was jointly prepared with the California Air Resources Board (CARB) and the Southern California Association of Governments (SCAG). These Federal and State requirements are outlined in Chapter 6 of the AQMP. The Air Quality Handbook refers to the following criteria as a means to determine a project's conformity with the AQMP:

- *Consistency Criteria 1* refers to a proposed project's potential for resulting in an increase in the frequency or severity of an existing air quality violation or its potential for contributing to the continuation of an existing air quality violation.
- *Consistency Criteria 2* refers to a proposed project's potential for exceeding the assumptions included in the AQMP or other regional growth projections relevant to the AQMP's implementation.

The proposed project conforms to the City's General Plan. The project's construction and operational emissions are anticipated to be below the thresholds of significance established by the SCAQMD as indicated in Tables 2 and 3. Therefore, the proposed project will not violate *Consistency Criteria 1*. In terms of *Consistency Criteria 2*, the 37-unit proposed project is within the build-out projections established for the Moreno Valley General Plan. The General Plan is in conformity with the AQMD growth projections. Therefore, the proposed project will not violate Consistency Criteria 2. *As a result, less than significant impacts related to the implementation of the AQMP are anticipated.*

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

Response:

Less than Significant Impact. The City is located in a non-attainment area for ozone and particulates. All construction will be required to adhere to all SCAQMD regulations related to fugitive dust generation and other construction-related emissions. According to SCAQMD Regulation 403, construction areas must be regularly watered up to three times per day during excavation, grading, and construction as required (depending on temperature, soil moisture, wind, etc.). Watering could reduce fugitive dust by as much as 55 percent. Rule 403 also requires that temporary dust covers be used on any piles of excavated or imported. discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of fugitive dust. Finally, the contractors must comply with other SCAQMD regulations governing equipment idling and emissions controls (Rule 1403). The aforementioned SCAQMD regulations are standard conditions required for every construction project undertaken in the City as well as in the cities and counties governed by the SCAQMD.

The analysis of daily construction and operational emissions was prepared utilizing the California Emissions Estimator Model (CalEEMod V.2022.1.1.22). The proposed project's potential construction emissions are shown in Table 2. As shown in Table 2, daily construction emissions will not exceed the SCAQMD's significance thresholds.

Table 2
Estimated Daily Construction Emissions in lbs./day

Construction Phase	ROG	NO_2	CO	SO_2	PM_{10}	$PM_{2.5}$
Maximum Daily Emissions	33.8	31.7	31.2	0.05	6.71	3.94
Daily Thresholds	75	100	550	150	150	55
Significant Impact?	No	No	No	No	No	No

Source: CalEEMod V.2022.1.1.22. (The worksheet is included herein in Appendix A)

The long-term operational air quality impacts associated with the proposed project include mobile emissions from vehicular traffic; on-site stationary emissions related to the operation of machinery; and off-site stationary emissions associated with the off-site generation and consumption of energy (natural gas). The analysis of long-term operational impacts summarized in Table 3, also used the CalEEMod computer model developed for the SCAQMD.

Table 3
Estimated Operational Emissions in lbs./day

Emission Source	ROG	NO_2	CO	SO_2	PM_{10}	$PM_{2.5}$
Total (lbs./day)	13.7	2.24	30.7	0.07	4.67	3.14
Daily Thresholds	55	55	550	150	150	55
Significant Impact?	No	No	No	No	No	No

Source: CalEEMod V.2022.1.1.22 (the worksheet is included herein in Appendix A)

As indicated in Table 3, the projected long-term emissions are anticipated to be below the thresholds of significance established by the SCAQMD. The operational emissions take into account the number of trips provided in the traffic report.

As indicated in the air quality analysis (Appendix A), the daily construction emissions will not exceed the SCAQMD's significance thresholds. The long-term operational air quality impacts associated with the proposed project include mobile emissions from vehicular traffic; on-site stationary emissions related to the operation of machinery; and off-site stationary emissions associated with the off-site generation and consumption of energy (natural gas). The projected long-term emissions are anticipated to be below the thresholds of significance established by the SCAQMD (Refer to Appendix A). *As a result, the potential impacts are less than significant.*

c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	✖	☐

Response:

Less than Significant Impact. Sensitive populations include young children, the elderly, or persons with chronic illness (diabetes, COPD, asthma, etc.) are more susceptible to the effects of air pollution than the general population. Sensitive populations (sensitive receptors) that are in proximity to localized sources of toxics and carbon monoxide (CO) are of particular concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

The nearest sensitive receptors are the single-family residences located around the project site. The SCAQMD requires that CEQA air quality analyses indicate whether a proposed project would result in an exceedance of localized emissions thresholds (LST). LSTs only apply to short-term (construction) emissions at a fixed location and do not include off-site or area-wide emissions. The pollutants that are the focus of the LST analysis include the conversion of NOx to NO2; carbon monoxide (CO) emissions from construction; PM10 emissions from construction; and PM2.5 emissions from construction. For purposes of the LST analysis, the receptor distance used was 25 meters since the nearest sensitive receptor abuts the project site on the south and east sides.

Table 4 Local Significance Thresholds Exceedance SRA 24 for 5-acre sites

Emissions	Project Emissions (lbs./day)	Type	Allowable Emissions Threshold (lbs./day) and a Specified Distance from Receptor (in meters)				
			25	5o	100	200	**500**
NO_x	**31.7**	Construction	**270**	302	378	488	780
CO	**31.2**	Construction	**1,577**	2,178	3,437	6,860	22,530
PM_{10}	**4.67**	Construction	**13**	40	59	96	207
$PM_{2.5}$	**3.14**	Construction	**8**	10	16	31	105

Source: CalEEMod V.2022.1.1.24

As shown in the Table 4, the proposed project would not result in an exceedance in LSTs. Therefore, the project construction impacts due to projected emissions would be less than significant.

Deisel particulate emissions (DPM) generated by project construction is not expected to create conditions where the probability is greater than a 10 in 1 million probability of contracting cancer from inhaling DPM. Additionally, the Hazard Quotient (HQ) would be 0.0014, which is less than one. The U. S. Environmental Protection Agency (USEPA) uses HQ to assess the health risks of air toxics. If the value of HQ is less than or equal to 1.0, the risk is considered negligible to low, and no unacceptable effects will occur in the exposed population of receptors. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations associated with DPM during construction that could result in excess cancer risks, and impacts would be less than significant.

Most vehicles generate (CO) as part of the tail-pipe emissions and high concentrations of CO along busy roadways and congested intersections are a concern. The areas surrounding the most congested intersections are often found to contain high levels of CO that exceed applicable standards. Typically, a hot-spot may occur near an intersection that is experiencing severe congestion (a LOS E or LOS F). The SCAQMD stated in its CEQA Handbook that a CO hot-spot would not likely develop at an intersection operating at LOS C or better. Since the Handbook was written, there have been new CO emissions controls added to vehicles and reformulated fuels are now sold in California. These new automobile emissions controls, along with the reformulated fuels, have resulted in a lowering of both ambient CO concentrations and vehicle emissions. The nearest sensitive receptors include the single-family residences located around the project site. The total number of vehicle trips that would be generated by the potential new development (37-single family units), which would not be great enough to result in the creation of a carbon monoxide hotspot at one of the local sensitive receptors. *As a result, the impacts would be less than significant.*

d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	✖	☐

Response:

Less than Significant Impact. Sensitive receptors near the project site include residential uses located to the north, south, east, and west of the project site. The exposure to odors associated with project construction would be short-term and temporary in nature. Project construction would be regulated by CARB's Airborne Toxic Control Measures 13 (California Code of Regulations Chapter 10 Section 2485), which requires that equipment idling time not exceed 5 minutes unless more time is required per engine manufacturers' specifications or for safety reasons. Therefore, project construction would not generate odors adversely affecting a substantial number of people, and impacts would be less than significant.

The SCAQMD has identified those land uses that are typically associated with odor complaints. These uses include activities involving livestock, rendering facilities, food processing plants, chemical plants, composting activities, refineries, landfills, and businesses involved in fiberglass molding. The proposed 37-unit residential development will not result in any odor-generating activity. In addition, future residents

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
must comply with all applicable SCAQMD regulations governing nuisance odors. *As a result, the impacts would be less than significant.*				

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006; Chapter 5 – Circulation Element; Chapter 6 – Safety Element – Section 6.6 – Air Quality.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006; Section; Air Quality; Figure 5.3-1 – South Coast Air Basin.
3. Appendix A – Air Quality Report. March 29, 2024.
4. California Air Pollution Control Officers Association. California Emissions Estimator Model. Version 2022.1.
5. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code; Section 9.10.050 – Air Quality of the Moreno Valley Municipal Code; Section 9.10.150 – Odors of the Moreno Valley Municipal Code; Section 9.10.170 – Vibration of the Moreno Valley Municipal Code; Moreno Valley Municipal Code Section 12.50.040 – Limitations on Engine Idling.

IV. 4.4 BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	✖	☐

Response:

Less than Significant Impact. The project site is located within the Reche Canyon / Badlands Area Plan of the MSHCP (refer to Subsection F herein). Jennings Environmental, LLC (Jennings) was retained by Vigorous Moreno, LLC (Developer) to conduct a literature review and site survey for the proposed Project. The biological report in included in Appendix B. Of the 47 species found within the Sunnymead and Perris quads, 10 have a special designation of either: federally listed or state listed. The discussion below provides the background information on those species that have a potential to occur within the Project site. The burrowing owl [Athene cunicularia] (BUOW) is a state and federal Species of Special Concern (SSC).

The habitat on-site consists of a mix of Amsinckia (menziesii, tessellata) - Phacelia spp. Herbaceous Alliance (Fiddleneck - Phacelia Fields) and ruderal vegetation. The site shows signs of recent vegetation management in the form of mowing and disking. Table 1 in Appendix D of Biological Report (Appendix B) contains a list of all plants found on-site. Surrounding land uses include residential developments. Animal species observed or otherwise detected on or in the vicinity of the project site during the surveys included; house sparrow (Passer domesticus), black phoebe (Sayornis nigricans), and house finch (Haemorhous mexicanus). A complete list of all wildlife observed is included in Table 1 of Appendix D of Biological Report (Appendix B). No State and/or federally listed threatened or endangered species or other sensitive species were observed on-site during surveys.

Although the site is disturbed, the conditions present onsite are marginally suitable for the BUOW. The assessment survey was structured, in part, to detect BUOW, which has been observed in the near vicinity of the Project site (within 5 miles). The survey consisted of walking transects spaced to provide 100% visual coverage of the Project site and a 500-foot buffer (Figure 5 in Appendix A of Biological Report Appendix B). The result of the focused survey was that no evidence of BUOW was found in the survey area. No BUOW pellets, feathers, or whitewash were found. No burrowing owl individuals were observed. The Project site and the immediate surrounding area do provide suitable habitat for nesting birds. There are mature trees on the Project site and the adjacent neighborhoods which provide suitable habitat for nesting birds. As such the Project site is subject to the following nesting bird regulations. Since there is

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

some habitat within and adjacent to the project site that is suitable for nesting birds in general, the following standard conditions would be implemented:

Standard Biology Condition for Nesting Birds. Nesting bird nesting season generally extends from February 1 through September 15 in southern California and specifically, March 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) no less than 3 days prior to the start of Project-related disturbance and within 24 hours prior to ground disturbance to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage, and expected types, intensity, and duration of the disturbance. The nests and buffer zones shall be field-checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

With application of the necessary requirements and conditions the potential impacts of the Project would be less than significant.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	✖

Response:

No Impact. No sensitive riparian habitats such as wetlands, vernal pools, and/or listed critical habitats for special status species were observed on the site or in the immediate area during the onsite field surveys from Appendix B - Biological Resources Assessment & MSHCP Consistency Analysis. *As a result, no impacts are anticipated.*

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

Response:

No Impact. No wetland areas or riparian habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations from Appendix B - Biological Resources Assessment & MSHCP Consistency Analysis. *As a result, no impacts are anticipated.*

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	✖

Response:

No Impact. According to the California Fish and Wildlife Service and the results of the onsite field survey from Appendix B - Biological Resources Assessment & MSHCP Consistency Analysis, there are no migratory fish corridors or wildlife nursery sites located within the project site or in the surrounding areas. The site's utility as a migratory fish corridor is constrained by the presence of adjacent roadways and existing developments in the surrounding areas The project site is not within or adjacent to any area the

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
meets the definition of an urban/wildland interface. The site is fenced off and mostly surrounded by other fenced off developed parcels. *As a result, no impacts are anticipated.*				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	✖	☐

Response:

Less than Significant Impact. Chapter 9.17, Street Trees, of the City's Municipal Code governs the planting of trees within certain major arterials. According to the Code, street trees are installed at a minimum of one foot, and a maximum of two feet, on the private side of the property line (single-family residential lots) or in the public right-of-way for all other projects. Should any trees be planted within the public right-of-way, future Applicants must consult with the City to determine the appropriate species of tree that will be planted.

The project is located within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) boundary. According to Appendix B - Biological Resources Assessment & MSHCP Consistency Analysis, the site is not mapped within a criteria cell or subunit. The Project is also consistent with the MSHCP policies found in Section 6 which include Riparian/Riverine Areas/ Vernal Pools; Narrow Endemic Plant Species; Urban/Wildlands Interface; and Surveys for Special Status Species. The site is not located within an area mapped for Narrow Endemic, Special Status Species, Riparian/Riverine/Vernal Pools, and Urban/Wildlife Interface. Therefore, the Project is consistent with MSCHP policies and conditions. The site is mapped within an area for Criteria Area Species Surveys for BUOW. However, as stated above this species is considered absent from the site.

With application of the necessary requirements and conditions the potential impacts of the Project would be less than significant.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved local, regional, or state habitat conservation plan?	☐	☐	x	☐

Response:

Less than Significant Impact. The project site is located within The Reche Canyon / Badlands Area Plan of the MSHCP. The target conservation acreage range for The Reche Canyon / Badlands Area Plan is 30,815 – 35,905 acres; it is composed of approximately 20,295 acres of existing Public/Quasi-Public Lands and 10,520 – 15,610 acres of Additional Reserve Lands. The MSHCP Conservation Area comprises a variety of existing and proposed Cores, Linkages, Constrained Linkages, and Noncontiguous Habitat Blocks (referred to herein generally as "Cores and Linkages"). The Cores and Linkages within the Reche Canyon / Badlands Area Plan include:

- Contains all of Proposed Constrained Linkage 8;
- Contains a large portion of Proposed Core 3;
- Contains a large portion of Proposed Linkage 4; and,
- Contains a small portion of Existing Core.

Pursuant to Section 3.3.12, Subunits are areas within an area plan that contain target conservation acreages along with a description of the planning species, biological issues, and considerations. The Project site is not located within a subunit area or cell criteria.

Pursuant to Section 6.1.3 of the MSHCP, focused surveys for narrow endemic plant species are required for properties within the mapped areas if the appropriate habitat is present. The survey area maps have

been reviewed and assessed, and the proposed project is not located within a Narrow Endemic Plant Species Survey Area based on Figure 6-1 of the MSHCP.

Based on Figures 6-2 (Criteria Area Species Survey Areas), 6-3 (Amphibian Species Survey Areas), 6-4 (BUOW Survey Areas), and 6-5 (Mammal Species Survey Areas) of the MSHCP and the MSHCP Mapping Program, the site is located in an area where additional surveys are needed for BUOW in conjunction with MSHCP implementation in order to achieve coverage for these species. Pursuant to MSHCP Section 6.3.2, surveys shall be conducted within suitable habitat for BUOW, according to accepted protocols.

- Survey Results: Based on the February 2023 field survey, the site does contain suitable habitat for this species, although the property is continually maintained. No burrowing owls were observed during the site visit. No portion of the project site showed any evidence of past or present BUOW activity. No feathers, whitewash, or castings were found. The site does contain suitable burrow surrogate species California ground squirrel (Otospermophilus beecheyi) are present on-site. Non-Breeding season surveys were required as per the MSHCP Survey Protocol for this species. Table 2 of Appendix B - Biological Resources Assessment & MSHCP Consistency Analysis details the survey conditions for each survey.

The MSHCP describes the protection of Riparian/Riverine Areas and Vernal Pools within the MSHCP Plan Area as important to the conservation of certain amphibian, avian, fish, invertebrate and plant species. The MSHCP describes guidelines to ensure that the biological functions and values for species inside the MSHCP Conservation Area are maintained, as outlined in Volume 1, Section 6.1.2.

Pursuant to Section 6.1.2 of the MSHCP, Riparian/Riverine areas are lands which contain habitat dominated by trees, shrubs, persistent emergent vegetation, or emergent mosses and lichens, which occur close to or which depend upon soil moisture from nearby freshwater sources, or areas with freshwater flow during all or a portion of the year. Riverine habitat includes all wetlands and deepwater habitats contained in natural or artificial channels periodically or continuously containing flowing water or which forms a connecting link between the two bodies of standing water. Riverine habitat is bounded on the landward side by upland, by the channel bank (including natural and man-made levees), or by wetlands dominated by trees, shrubs, persistent emergents, mosses, or lichens. In braided streams, the system is bounded by the banks forming the outer limits of the depression within which the braiding occurs. Springs discharging into a channel are considered part of the riverine habitat. The term riparian is used to define the type of wildlife habitat found along the banks of a river, stream, lake, or other body of water. Riparian habitats are ecologically diverse and can be found in many types of environments including grasslands, wetlands, and forests. According to Appendix B - Biological Resources Assessment & MSHCP Consistency Analysis, the Project site does not contain any areas that meet the definition of Riparian/Riverine.

Pursuant to Section 6.1.2 of the MSHCP, Vernal Pools are seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetlands indicators of hydrology and/or vegetation during the drier portion of the growing season. Obligate hydrophytes and facultative wetlands plant species are normally dominant during the wetter portion of the growing season, while upland species (annuals) may be dominant during the drier portion of the growing season. The determination that an area exhibits vernal pool characteristics should consider (1) the length of time the area exhibits upland and wetland characteristics, and (2) the manner in which the area fits into the overall ecological system as a wetland. Evidence concerning the persistence of an area's wetness can be obtained from its history, vegetation, soils, and drainage characteristics, uses to which it has been subjected, and weather and hydrologic records. According to Appendix B - Biological Resources Assessment & MSHCP Consistency Analysis, the Project site does not contain the appropriate soils, vegetation, or hydrology to allow for vernal pools.

The MSHCP contains coverage for three species of fairy shrimp (Riverside, vernal pool, and Santa Rosa fairy shrimps). As mentioned in the Vernal Pool discussion of Appendix B - Biological Resources

Assessment & MSHCP Consistency Analysis, the site does not contain vernal pools. Vernal pools are a required constituent element for all three fairy shrimp species in the MSHCP. As such, they are considered absent from the Project site.

The MSCHP includes coverage for many riparian birds, including least Bell's vireo, southwestern willow flycatcher, and yellow-billed cuckoo. As mentioned in the Riparian/Riverine section of Appendix B - Biological Resources Assessment & MSHCP Consistency Analysis, the site does not contain any riparian or riverine habitats which are a required constituent element for the riparian bird species. As such, these species are considered absent from the Project site.

The Delhi Sands flower-loving fly is found at low numbers and is narrowly distributed within the Plan Area. This species is restricted by the distribution and availability of open Habitats within the fine, sandy Delhi series soils. USFWS has identified three main population areas are known to currently or to have at one time existed in the Plan Area. One is located in the northwestern corner of the Plan Area, a second is located in the Jurupa Hills, and the third is located in the Agua Mansa Industrial Center area. Because the Delhi Sands flower-loving fly requires a specific Habitat type, this species will require site-specific considerations, protection and enhancement of this limited Habitat type, and species-specific management to maintain the Habitat and populations. The Project site does not contain the appropriate soils for this species and is not within or near known areas for this species.

As described in Section 2.1.4, of the 146 Covered Species addressed in the MSHCP, 118 species are considered to be adequately conserved. The remaining 28 Covered Species will be considered to be adequately conserved when certain conservation requirements are met as identified in the species specific conservation objectives for those species. For 16 of the 28 species, particular species-specific conservation objectives, which are identified in Table 9-3, must be satisfied to shift those particular species to the list of Covered Species Adequately Conserved. For the remaining 12 species, a Memorandum of Understanding must be executed with the Forest Service that addresses management for these species on Forest Service Land in order to shift these species to the list of Covered Species Adequately Conserved. According to Appendix B - Biological Resources Assessment & MSHCP Consistency Analysis, the Project site does not contain the appropriate habitats for any of these species. There is no occurrence potential for any of these species to occur within the Project site.

Section 6.1.4 of the MSHCP presents guidelines to minimize the indirect effects of projects in proximity to the MSCHP Conservation areas. This section provides mitigation measures for impacts associated with Drainage, Toxics, Lighting, Noise, Invasives, Barriers, and Grading/Land Development. According to Appendix B - Biological Resources Assessment & MSHCP Consistency Analysis, the Project site is not within or adjacent to any area the meets the definition of an urban/wildland interface. The site is fenced off and mostly surrounded by other fenced off developed parcels.

Appendix C of the MSHCP details Best Management Practices (BMPs) that should be implemented. However, the project does not impact any of the covered species or habitats described in the MSHCP or any federally or state-listed species. As such, there are only two BMPs that could qualify as required for this project and are listed as standard conditions below:

Standard Condition Site Maintenance. To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food-related trash items shall be enclosed in sealed containers and regularly removed from the site(s).

Standard Condition Construction Mitigation. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with an orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

With application of the necessary requirements and conditions the potential impacts of the Project would be less than significant.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006; Chapter 7 – Conservation Element – Section 7.1 – Biological Resources.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006. Section 5.9 – Biological Resources; Figure 5.9-1 – Planning Area Biological Geographic Sections; Figure 5.9-2 – Planning Area Vegetation Community; Figure 5.9-3 – Project Site Location within the MSHCP Area; Figure 5.9-4 – Reche Canyon/Badlands Area Plan.
3. Appendix B – Biological Resources Assessment & MSHCP Consistency Analysis. February 2023.
4. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code. Section 9.17.030 G – Heritage Trees.
5. Moreno Valley Municipal Code Chapter 8.60 – MSHCP
6. Threatened and Endangered Species Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), http://www.wrc-rca.org/about-rca/multiple-species-habitat-conservation-plan/.

V. 4.5 CULTURAL RESOURCES – Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	✖

Response:

No Impact. A Phase I Cultural Resources Assessment of Tentative Tract Map No. 38480 (hereafter, TTM 38480) was requested by the project Applicant (the report is included in Appendix C). No cultural resources of historical origin were observed within the boundaries of TTM 38480 during the field survey. Although a small bedrock milling feature site was relocated within the property boundaries, no information has been obtained through Native American consultation that the subject property is culturally or spiritually significant and no Traditional Cultural Properties that currently serve religious or other community practices are known to exist within the project area. During the current cultural resources evaluation, no artifacts or remains were identified or recovered that could be reasonably associated with such practices.

Aerial photographs from c. 1990s indicate that most of the boulders had originally been placed around the former residence on the knoll, and at some point, displaced downslope, particularly in the southern portion of the property. These were typically of finer quality than the weathering bedrock outcrops, so it is possible they were brought to the property along with the abundant gravel that has been spread across many areas. Native loose lithic material is very sparse, and has been comingled with imported rocks and gravel, and none observed would have been suitable for tool production by Native Americans who occupied this area. Near the northwestern property corner, a granitic bedrock outcrop appears to have been demolished, with broken pieces of rock scattered over a relatively large space.

A literature search found no information specific to the subject property. Archival research utilizing a variety of sources was conducted relating to previous ownership of the subject property. Early settlers in the Moreno Valley area typically obtained land from the public domain of the United States through homesteading or other means of public land acquisitions, such as the Land Act of 1820, or from agents of the Southern Pacific Railroad. No cultural resources of historical origin were observed within the boundaries of TTM 38480 during the current field surveys, conducted on February 17, 2023, and March 31, 2023. As previously discussed, at some time between 1951 and 1966, a house, access road, and

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

ultimately, a residential compound, were built within the property boundaries. Aerial photographs indicate that by 2008, all of the structures had been removed. The only remains of this built environment observed during the current field surveys were a segment of a road partially covered by gravel and an area of decomposing concrete and placed rocks on top of the knoll near the southeastern corner of the property.

The evaluation determined that the site represented a place of isolated seed milling activity, was not significant according to National Register of Historic Places criteria, that no further data was available, and that neither further research nor mitigation was recommendation. As a result, no impacts on historical resources will occur.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	✖	☐	☐

Response:

Less than Significant Impact with Mitigation Incorporated. The project site is located in a very well-studied area with 32 previous cultural resource studies having been conducted within a one-mile radius, many of which included large acreages. Three sites represent far different cultural activities. One site appears to have been a camp located near a spring, and two sites were probably ceremonial sites. The three special cultural sites are all located one mile from TTM 38480. A study, conducted in 1987 by Daniel McCarthy of the Archaeological Research Unit at the University of California, Riverside, did include what is now TTM 38480. Entitled “Cultural Resources Inventory for the City of Moreno Valley” (RI-2171) the study encompassed 65 square miles of land located within the incorporated boundaries of the City of Moreno Valley. During the course of the field survey, a single archaeological site, CA-RIV-3229, was recorded at the base of the hill near the center of the subject property. The site was comprised exclusively of two milling slicks on a ground-level granitic bedrock outcrop; no associated cultural resources were observed. The report determined that the site represented a place of isolated seed milling activity, was not significant according to National Register of Historic Places criteria, that no further data was available, and that neither further research nor mitigation was recommended.

A previously recorded archaeological site of Native American origin was relocated during the current The southern three-quarters of the ground-level outcrop had been buried in mud eroded from adjacent hillside slopes and the northern one-quarter was covered by a refuse pile. The condition of the site was as previously described. An updated DPR site record form is attached to this report as an appendix and submitted to the Eastern Information Center. Based on California Environmental Quality Act (CEQA) criteria, archaeological site CA-RIV-3229 would be considered “non-unique archaeological resource.” Isolated bedrock milling sites are the most common sites located in the vicinity of TTM 38480 and are ubiquitous throughout Riverside County, with tens of thousands recorded.

The aforementioned site is located in proposed Lot 32, near it’s boundary with Lot 31, so there may be a possibility that the outcrop could be preserved in place and integrated into landscaping. However, since the site is not considered significant according to CEQA criteria, no mitigation is legally required and as such, preserving the site is simply a suggestion, not a requirement. Although neither further research nor mitigation is recommended, the fact that a small archaeological site is located on the subject property and that a historical period residential compound existed until 2007, the following mitigation is required. Following the City’s AB-52 consultation, the following mitigation measures were requested by the Pachanga Band of Indians:

> **CR 1 Archaeological Monitoring.** Prior to the issuance of a grading permit, the Developer shall retain a professional archaeologist to conduct monitoring of all ground disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) the contractor, and the City, shall develop a CRMP as defined in CR-3. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have

the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed.

CR 2 Cultural Resource Monitoring Plan (CRMP). The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting Tribe is defined as a Tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:

a. Project description and location
b. Project grading and development scheduling;
c. Roles and responsibilities of individuals on the Project;
d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details;
e. ESA fencing protocols
f. Feature Relocation protocols
g. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.
h. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items.
i. Contact information of relevant individuals for the Project;

CR 3 The City shall verify that the following note is included on the Grading Plan: "If any suspected archaeological resources are discovered during ground –disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find.

CR 4 Inadvertent Finds. If potential historic or cultural resources are uncovered during excavation or construction activities at the project site that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to Project approval, all ground disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologist and Tribal Monitors, if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration, and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CR-2 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.

CR 5 Archeology Report – Phase III and IV. Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting, the extent of the Cultural monitoring for the project, the results of the cultural resource relocation and the update of the DPR (Department of Parks and Recreation)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

523 forms for the known sites and any newly discovered sites. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).

With the application of the necessary mitigation, requirements and conditions, the potential impacts of the Project would be less than significant.

c) Disturb any human remains, including those interred outside of formally dedicated cemeteries?	☐	☐	✖	☐

Response:

Less than Significant Impact. There are no formal cemeteries or recorded burials on the project site or surrounding area. In the unlikely event that a human burial is encountered, all construction activities shall be halted and Moreno Valley Police Department will be contacted (the department will then contact the County Coroner). In the event of an accidental discovery, Title 14; Chapter 3; Article 5; Section 15064.5 of CEQA will apply in terms of the identification of significant archaeological resources and their salvage. As a result, the potential impacts are considered to be less than significant. The proposed project will be restricted to the project site and therefore will not affect any dedicated cemeteries in the vicinity. Notwithstanding, the following mitigation is mandated by the California Code of Regulations (CCR) Section 15064.5(b)(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."

Additionally, Section 5097.98 of the Public Resources Code states:

> "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with (b) Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission."

With application of the necessary requirements and conditions, the potential impacts of the Project would be less than significant.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006; Chapter 7 – Conservation Element – Section 7.2 – Cultural and Historical Resources.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006. Section 5.10 – Cultural Resources; Figure 5.10-1 – Locations of Listed Historic Resource Inventory Structures; Figure 5.10-2 – Location of Prehistoric Sites; Figure 5.10-3 – Paleontological Resource Sensitive Areas.
3. Appendix C – Cultural Resources Assessment. April 2023.
4. Moreno Valley Municipal Code Title 7 – Cultural Preservation.

VI. 4.6 ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	✖	☐

Response:

Less than Significant Impact. Moreno Valley Electric Utility (MVU) will provide electricity to the project site. Currently, the existing site is vacant and does not use electricity. Therefore, the proposed project would cause a permanent increase in demand for electricity when compared to existing conditions.

During construction, the proposed project would consume energy related to the use of fuels used to power construction vehicles and other equipment that would be used during site clearing, grading, and construction. Fuel use associated with construction vehicle trips generated by the proposed project was also estimated; trips include construction worker trips, haul truck trips for material transport, and vendor trips for construction material deliveries. Energy consumed during construction would be temporary in nature and would not present a significant demand on energy resources. The proposed project would be constructed pursuant to the 2022 energy standards of Title 24. Construction equipment greater than 150 horsepower (hp), is also required to comply with the Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 emissions standards and shall ensure that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. For engines from 175 to less than 750 hp, the Tier 4 Final regulations took effect on January 1, 2014. For engines from 49 to less than 75 hp, it took effect on January 1, 2013. Finally, for engines from 75 to less than 175 hp, Tier 4 the Tier 4 regulations took effect on January 1, 2015. In addition, the project would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by shutting it off when not in use or by reducing the time of idling to no more than five minutes. These emissions standards require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption. Therefore, no significant impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction are anticipated and no mitigation measures are required.

The increased demand from new homes is expected to be sufficiently served by the existing MVU electrical facilities. As shown in Table 5, the proposed project is anticipated to consume 766 kWH on a daily basis.

The proposed project is located within the service area of the Southern California Gas Company. The project site is currently vacant and has no demand on natural gas. Therefore, the development of the proposed project will create a permanent increase in the demand for natural gas. As shown in Table 5, the proposed project is anticipated to consume 675.6 cubic feet of natural gas on a daily basis.

Table 5
Proposed Project's Energy Consumption

Energy Type	Consumption Rate	Annual Energy Consumption
Electrical Consumption	7,554 kWh/unit/year	765.7 kWh/Day
Natural Gas Consumption	6,665 cu. ft./unit/month	675.6 Cu. Ft/Day

Source: Blodgett Baylosis Environmental Planning

The project site is located within the service area of the Moreno Valley Electric Utility (MVU) and the Southern California Gas Company (SGS). The proposed project's energy consumption would be related to energy that would be used for lighting and other household activities. Lighting would be required to follow the City's Outdoor Lighting Policy, which includes the use of energy efficient lighting. For these reasons, the project would not result in the wasteful, inefficient, or unnecessary use of energy. The project Applicant will be required to closely work with the local electrical utility company to identify existing and future strategies that will be effective in reducing energy consumption. *As a result, the impact would be less than significant.*

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	✖	☐

Response:

Less than Significant Impact. The proposed project would be required to comply with applicable State plans that address renewable energy and energy efficiency such as CALGreen, the California Energy Code, and RPS, and the applicable local plan is the Climate Action Plan (CAP). The project would be required to meet the mandatory energy requirements of 2019 CALGreen and the 2019 California Energy Code. The project would not conflict with or obstruct implementation of CALGreen and the California Energy Code, or with MVU's implementation of RPS. Therefore, the project would not conflict with or obstruct a State plan for renewable energy or energy efficiency. On June 15, 2021, the Moreno Valley City Council adopted the Climate Action Plan (CAP) and the related Greenhouse Gas Analysis in the Environmental Impact Report (EIR). The proposed CAP provides a comprehensive plan for addressing GHG emissions within the Planning Area. The proposed CAP was developed concurrently with the 2021 GPU and reflects that document's proposed land use and transportation strategy. The proposed CAP also evaluates how 2021 GPU goals and policies would affect future GHG emissions within the Planning Area.

The proposed project's construction will also be in conformance with California's "Cal-Green" building regulations, the most stringent, environmentally-friendly building code in the United States. Cal-Green is a comprehensive, far-reaching set of regulations which mandate environmentally-advanced building practices and regulations designed to conserve natural resources and reduce greenhouse gas emissions, energy consumption, and water use. The proposed project will be required to comply with all pertinent Title 24 requirements along with other Low Impact Development (LID) requirements. *As a result, the potential impacts will be less than significant.*

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006; Chapter 7 – Conservation Element – Section 7.6 – Energy Resources.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006.
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. 4.7 GEOLOGY AND SOILS – Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to https://www.conservation.ca.gov/cgs/Documents/SP_042.pdf	☐	☐	✖	☐

Response:

Less than Significant Impact. A geotechnical report was prepared got the project site and this report is included in Appendix D. The report is titled Soil and Foundation Evaluation Report dated January 2, 2022. The San Jacinto active fault is located within 2.5 miles north, northeast of the site. Southern California is seismically active with numerous faults capable of causing ground shaking at the site. The potential impacts in regards to ground shaking and fault rupture are less than significant since the risk is no greater in and around the project site than for the rest of the City. In addition, conformance with the most recent 2020 Building Code standards will ensure all future development can properly withstand ground shaking and fault rupture. As illustrated in Figure 4-1.1 of the Moreno Valley Hazard Mitigation Plan, the project site is not susceptible to liquefaction. According to the United States Geological Survey, liquefaction is the process by which water-saturated sediment temporarily loses strength and acts as a fluid. Essentially, liquefaction is the process by which the ground soil loses strength due to an increase in water pressure following seismic activity. Lastly, the project site is not at risk for landslides and is at no greater risk for ground shaking and fault rupture than the rest of the City. *Therefore, the impacts are expected to be less than significant.*

ii) Strong seismic ground shaking?	☐	☐	✖	☐

Response:

Less than Significant Impact. The potential impacts in regards to ground shaking are less than significant since the risk is no greater in and around the project site than for the rest of the City. In addition, conformance with the most recent 2020 Building Code standards will ensure all future development can properly withstand ground shaking and fault rupture. *Therefore, the impacts are expected to be less than significant.*

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

Response:

No Impact. Liquefaction occurs when seismically-induced dynamic loading of a saturated sand or silt causes pore water pressures to increase to levels where grain-to-grain contact pressure is significantly decreased and the soil material temporarily behaves as a viscous fluid. Liquefaction can cause settlement of the ground surface, settlement and tilting of engineered structures, flotation of buoyant buried structures and fissuring of the ground surface. A common manifestation of liquefaction is the formation of sand boils (short-lived fountains of soil and water emerges from fissures or vents and leave freshly deposited conical mounds of sand or silt on the ground surface). Since the site has an average elevation of approximately 1,715 feet above sea level, and since it does not lie in close proximity to an enclosed body of water that could contribute to a liquefaction risk. *As a result, no impacts would occur.*

iv) Landslides?	☐	☐	☐	✖

Response:

No Impact. No buildings were observed on-site. A concrete- masonry unit (CMU) retaining wall and an asphalt-paved driveway was located the southeastern portion of the subject property, and concrete

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

swales are located along the western, southern, and eastern perimeters of the subject property. The northern perimeter of the subject property along Fir Avenue is bordered by a chain-link fence and locked gate. Site access is through Fir Avenue at the north as depicted on the plot plan A-1-1. The site elevation is about 1715 feet above the main sea level, with a sheet water flow toward the southwest. No hillside areas are found in the area. *As a result, no impacts would occur.*

b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	✖	☐

Response:

Less than Significant Impact. Based on the geotechnical evaluation, the site is underlain by a relatively thin top soils mantel above the native sandy alluvial materials. The top soils were wet to damp at the time of sub-surface exploration. Underlying soils are moderately dense in place. According to the U.S. Department of Agriculture, these soils are acceptable for the development of smaller commercial buildings. *The potential impacts would be less than significant.*

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

Response:

Less than Significant Impact. Based on the geotechnical evaluation, the site is underlain by a relatively thin top soils mantel above the native sandy alluvial materials. The top soils were wet to damp at the time of sub-surface exploration. Underlying soils are moderately dense in place. Volumetric changes in earth quantities will occur when excavated onsite soil materials are replaced as properly compacted fill. We estimate the existing surficial soils may shrink approximately 0% to 5% when removed and replaced as compacted fill. Subsidence due to the processing of excavations exposing competent deposits is anticipated to be negligible. The estimates of shrinkage and subsidence are intended as an aid for project engineers in determining earthwork quantities. However, these estimates should be used with some caution since they are not absolute values. Contingencies should be made for balancing earthwork quantities based on actual shrinkage and subsidence that occurs during the grading process. The project Civil Engineer should consider that the upper two feet shrinkage will be much higher than 5%, while the rate of shrinkage by depth will be lesser.

The proposed building complex footings will be placed and embedded into dense engineered fill that will be placed accordingly. All foundation shall be embedded into a similar materials as recommended. The subject parcel site will be over excavated and graded for preparation and engineered fill that will support the proposed structures. *As a result, the potential impacts are less than significant.*

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	✖	☐

Response:

Less than Significant Impact. Fill/top soil mantel is relatively thin (1-2 feet). Top soils consists of light gray silty sand with some organic materials. These materials were wet to damp and relatively loose. Underlaying native materials are mainly fine sand with some clay and silty matrix and coarse grained sand at a deeper elevation. The Native sandy soils (“Qoa”Old Alluvial Fan silty sand and gravel deposits) were encountered at surficial elevation. Native soils were dense and firm in place.

The proposed building complex footings will be placed and embedded into dense engineered fill that will be placed accordingly. All foundation shall be embedded into a similar materials as recommended. The subject parcel site will be over excavated and graded for preparation and engineered fill that will support the proposed structures. *As a result, the potential impacts are less than significant.*

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	✖

Response:

No Impact. The proposed project will connect to the City's sanitary sewer system. As a result, no impacts associated with the use of septic tanks will occur. *No impacts will result.*

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	✖	☐	☐

Response:

Less than Significant Impact with Mitigation Incorporated. The Moreno Valley area contains sedimentary rock-units with potential to contain significant nonrenewable paleontological (fossil) resources. These sedimentary units are referred to as the Mt. Eden Formation and the San Timoteo Formation. The Mt. Eden Formation is described as being primarily reddish sandstone and dark green and brown clay with local reddish agglomerate and conglomerate. The age of the fossils contained in the Formation and the dark reddish-brown coloration distinguish the Mt. Eden Formation from the younger, green to gray, tan, and red weathering of the San Timoteo Formation. Fossilized fauna includes cricetine rodent, horse, and proboscidean (extinct animals related to elephants). The San Timoteo Formation sediments consist of claytons, siltstones, shales, sandstones, gravels, and fanglomerates. Paleontological sites are abundant within the San Timoteo Formation, with vertebrate faunas (animals) and floras (plants) reported. These sites contain a variety of fossilized fauna including horse, peccary, antelope, camel, deer, mastodon, sloth, tortoise, sabretooth cat, bear, and rabbit. The Mt. Eden Formation and the San Timoteo Formation are known to be highly fossiliferous, and have produced abundant and diverse floral and faunal remains ranging in age from as old as 5 million years to 1.3 million years or less. As a result, the following mitigation is required:

- If previously unidentified paleontological resources are unearthed during construction, work shall cease within 50 feet of the find and the project Applicant must retain a qualified paleontologist, approved by the City, to assess the significance of the find. If a find is determined to be significant, the Lead Agency and the paleontologist will determine appropriate avoidance measures or other appropriate mitigation. All significant fossil materials recovered will be, as necessary and at the discretion of the qualified paleontologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards.

Adherence to the above-mentioned mitigation will reduce potential impacts to levels that are less than significant.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006. Chapter 6 – Safety Element – Section 6.5 – Geologic Hazards; Figure 6-3 – Geologic Faults & Liquefaction; Chapter 7 – Conservation Element – Section 7.4 – Soils.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006; Section 5.6 – Geology and Soils; Figure 5.6-1 – Geology; Figure 5.6-2 – Seismic Hazards.
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code; Moreno Valley Municipal Code Chapter 8.21 – Grading Regulations.
4. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf . Chapter 4 – Earthquake; Figure 4-1 – Right-Lateral Strike -Slip Fault; Figure 4-1.1 – Moreno Valley Geologic Faults and Liquefaction 2016; Figure 4-1.2 – Moreno Valley Area Ground Shaking Map; Chapter 8 – Landslide; Figure 8-1 – Moreno Valley Slope Analysis 2016.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. 4.8 GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	✖	☐

Response:

Less than Significant Impact. The GHG emissions associated with the project were calculated and compared to the SCAQMD screening threshold. The SCAQMD published its Interim CEQA GHG Significance Thresholds for Stationary Sources, Rules, and Plans in 2008. Consistent with the SCAQMD guidance, the recommended tiered approach for land use development projects in SCAQMD jurisdiction is assessment against the applicable screening levels. The SCAQMD screening threshold of 3,000 MT CO2E was used. This screening level is intended to exempt projects that are too small to have significant impacts from further analysis. Emissions from all construction and operational sources were calculated and compared to the screening threshold. The project's operational GHG emissions were calculated using the CalEEMod V.2022.1.1.22. Table 6 summarizes annual greenhouse gas emissions from build-out of the proposed project. As indicated in Table 6, the CO_2E total for the project is 544 MTCO2E per year.

Table 6
Operational Greenhouse Gas Emissions Inventory

Source	GHG Emissions (MTOC2E/year)			
	CO_2	CH_4	N_2O	CO_2E
Mobile	360	0.02	0.02	366
Area	12.1	0.01	--	12.4
Energy	141	0.01	--	141
Long-Term - Total Emissions	**527**	**0.39**	**0.02**	**544**

Source: CalEEMod.V.2022.1.1.22

Once operational, the development is projected to fall below the 3,000 MTCO2E per year threshold established for GHG emissions by the SCAQMD. *Therefore, the potential impacts would be less than significant.*

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	☐	☐	✖	☐

Response:

Less than Significant Impact. The proposed project consists of 37 residential units on an infill property. No General Plan amendment or zone change is required (a Tentative Tract Map is required for the project's implementation). The proposed infill development is surrounded on all sides by similar single family development. The proposed project would enable the City to strive and accommodate its Regional Housing Needs Assessment (RHNA) requirement. Due to the location and nature of the project, the project's implementation would not conflict with any policies related to climate change or greenhouse gas emissions. All of the appliances will be energy conserving and the building construction will be required to adhere to all pertinent Leadership in Energy and Environmental Design (LEED) requirements. In addition, the landscaping must conform to the City's drought-tolerant conserving requirements. As a result, the impacts would be less than significant.

The proposed project will also be in conformance with California's "Cal-Green" building regulations, the most stringent, environmentally friendly building code in the United States. Cal-Green is a comprehensive, far-reaching set of regulations that mandate environmentally advanced building practices and regulations designed to conserve natural resources and reduce greenhouse gas emissions, energy consumption, and water use. The project will be required to comply with the Cal-Green requirements to further reduce the project's footprint, including but not limited to:

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

- Reduce water use for landscape irrigation by using drought-tolerant [xeriscape] landscaping.
- Accommodate the use of alternative means of transportation by encouraging future residents to use alternative modes of transit.
- Use recycled building materials to the extent feasible.
- Use local sources of building materials to the extent feasible.
- Minimize the use of impervious paved surfaces throughout the project.

All Cal-Green building regulations shall be applicable to the proposed project.

As a result, the potential impacts are considered to be less than significant.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006.
2. California Air Pollution Control Officers Association. California Emissions Estimator Model. Version 2022.1.
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code.
4. California's 2017 Climate Change Scoping Plan, prepared by the California Air Resources Board, November 2017, https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf, accessed April 24, 2019.

IX. 4.9 HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	✖	☐

Response:

Less than Significant Impact. The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols.

The project area is not listed on the California Department of Toxic Substances Control's Hazardous Waste and Substances Site database. Furthermore, none of the properties located within the project site are identified on the California Department of Toxic Substances Control's EnviroStor database. In addition, the project site is not identified on any Leaking Underground Storage Tank database (LUST). The United States Environmental Protection Agency's multi-system search was consulted to determine whether the project site is identified on any Federal Brownfield list; Federal Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) List; Federal Resource Conservation and Recovery Act (RCRA) Treatment, Storage, and Disposal (TSD) Facilities List; and/or Federal RCRA Generators List. While no contamination is known to exist onsite, in the event any unknown contamination is encountered during the demolition, grading, and/or site preparation activities, this contamination must also be removed and disposed of in accordance with applicable laws before the City issues any building permit. As a result, the potential impacts related to the project's construction are considered to be less than significant. Once operational, the use of hazardous materials will largely consist of those commonly found in a household setting used in routine maintenance and cleaning. *Therefore, the potential impacts are considered to be less than significant.*

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	✖	☐

Response:

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Less than Significant Impact. The project's construction would require the use of diesel fuel to power the construction equipment. The diesel fuel would be properly sealed in tanks and would be transported to the site by truck. Other hazardous materials that would be used on-site during the project's construction phase include, but are not limited to, gasoline, solvents, architectural coatings, and equipment lubricants. These products are strictly controlled and regulated and in the event of any spill, cleanup activities would be required to adhere to all pertinent protocols. Any contamination encountered during the demolition, grading, and/or site preparation activities must also be removed and disposed of in accordance with applicable laws before the City issues any building permit. *As a result, the potential impacts are anticipated to be less than significant.*

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	✖

Response:

No Impact. The nearest school to the project site is Valley View High School. Bear Valley Elementary School is located approximately 3,100 feet to the northwest. As stated in Section 4.9(a); the proposed 37-unit residential development would not involve the use of substantial amounts of hazardous materials and would comply with all federal, state, and local regulations governing the storage and use of hazardous materials. The proposed project will not create a hazard to any local school. *As a result, no impacts are anticipated.*

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	✖

Response:

No Impact. Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List. The Cortese List is a planning document used by the State and other local agencies to comply with CEQA requirements that require the provision of information regarding the location of hazardous materials release sites. A search was conducted through the California Department of Toxic Substances Control EnviroStor website to identify whether the project site is listed in the database as a Cortese site. The project site is not identified as a Cortese site. *Therefore, no impacts will occur.*

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?	☐	☐	☐	✖

Response:

No Impact. The project site is not located within two miles of an operational public airport. The March Air Reserve Base is the closest airport to the site and is located 4.5 miles to the southwest. The project site is not located within the Runway Protection Zone (RPZ) for the March Air Reserve Base. The proposed residential units would not exceed two levels or 38-feet. Essentially, the proposed project's implementation will not introduce a structure will interfere with the approach and take off of aircraft utilizing any of the aforementioned airports.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	✖

Response:

No Impact. At no time will any adjacent local street be completely closed to traffic during the proposed project's construction. In addition, all construction staging must occur on-site. *As a result, no impacts would occur.*

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	✖

Response:

No Impact. The project site is not located within a "very high fire hazard severity zone." *As a result, no impacts will result.*

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006; Chapter 6 – Safety Element – Section 6.2.8 – Wildland Urban Interface; Chapter 6 – Safety Element – Section 6.9 – Hazardous Materials; Chapter 6 – Safety Element – Section 6.10 – Air Crash Hazards; Figure 6-5 – Air Crash Hazards.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006. Section 5.5 – Hazards and Hazardous Materials; Figure 5.5-1 – Hazardous Materials Sites; Figure 5.5-2 – Floodplains and High Fire Hazard Areas; Figure 5.5-3 – City Areas Affected by Aircraft Hazard Zones; Title 9 – Planning and Zoning of the Moreno Valley Municipal Code.
3. March Air Reserve Base (MARB)/March Inland Port (MIP) Airport Land Use Compatibility Plan (ALUCP) on November 13, 2014, (http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700).
4. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf ; 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; Moreno Valley Hazardous Materials Site Locations Map 20165. Emergency Operations Plan, City of Moreno Valley, March 2009, http://www.moval.org/city_hall/departments/fire/pdfs/mv-eop-0309.pdf Hazard Mitigation and Hazard Analysis; Threat Assessment 2 – Hazardous Materials; Threat Assessment 3 – Wildfire; Threat Assessment 6 – Transportation Emergencies; Figure 17 – Air Crash Hazards.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. 4.10 HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	✖	☐

Response:

Less than Significant Impact. The hydrology study prepared for the project is included in Appendix E. The hydrology study title is Preliminary Hydrology & Hydraulic Study LST 22-0047 and is dated January 18, 2023. Also included in Appendix E is the Preliminary Project Specific Water Quality Management Plan PEN 22-0187/LWQ22-0037. The Preliminary Water Quality Management Plan (PWQMP) is dated January 19, 2023. The project Applicant will be required to adhere to Chapter 17.93 – Erosion and Sediment Control, of the municipal code regulates erosion and sediment control. These regulations are outlined in Section 8.21.160 – Erosion Control Plan. The project Applicant will also be required to conform to Section 8.21.110 – Drainage and Terracing of the City's Municipal Code. In addition, stormwater discharges from construction activities that disturb one or more acres, or smaller sites disturbing less than one acre that are part of a common plan of development or sale, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater permitting program. *As a result, the impacts will be less than significant.*

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

Response:

Less than Significant Impact. The site is located within a marginal distance of San Jacinto Groundwater basin (California Department of Water Resources, [CDWR], 2018). Groundwater depth and flow direction beneath the project site is toward the south. Groundwater during the subsurface exploration program was not encountered. No new direct construction related impacts to groundwater supplies, or groundwater recharge activities would occur as part of the proposed project's implementation. Water used to control fugitive dust will be transported to the site via truck. No direct ground water extraction will occur. Furthermore, the construction and post-construction BMPs will address contaminants of concern from excess runoff, thereby preventing the contamination of local groundwater. *As a result, the impacts are less than significant.*

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

Response:

Less than Significant Impact. The proposed project's location will be restricted to the property and will not alter the course of any stream or river that would lead to on- or off-site siltation or erosion. The site is presently undeveloped, though there are no stream channels or natural drainages that occupy the property. The site would be designed so the proposed hardscape surfaces (the building and paved areas) will percolate into the landscaped parkway areas and the underground stormwater chambers. *As a result, the potential impacts would be less than significant.*

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	☐	☐	✖	☐

Response:

Less than Significant Impact. An onsite storm drain system including bio filtrations, catch basins, storm drainpipes and curb gutters will be constructed to convey the runoff produced by the proposed development project. An onsite storm water quality bio infiltration with pretreatment will be constructed to treat onsite storm water runoff. The existing tributary area is approximately 8.89 acres site tributary area of natural dirt area. Most of the site (subarea E-1) drains overland towards southwesterly sheet flow to an existing drainage inlet located at southwest corner of the project site, the drainage inlet was designed and constructed per adjacent Tract 27251 and connected into an existing storm drain system to Jackdaw Street. A portion of the site drains toward southeasterly to an existing concrete v-gutter connected into lot 56 of Tract 27251, the v-gutter tied into existing storm drainpipes to Rose Bud Lane.

In the proposed condition, the project site can be integrated into one drainage zone with a total 8.89 acres of disturbed areas. The project will drain to two proposed catch basins with storm drainpipes system, then to proposed water quality bio-filtration BMP underground storm water chambers, eventually tie into existing 24" RCP at southwesterly of the project site. The existing 24" RCP was crossing into lot 45 of Tract 27251, was pre-designed and constructed for the proposed project tract home development, In summary, total runoff will be increased after project development. After development, about 3.62 cfs will be increased per 10-year storm event and 5.17 cfs will be increased per 100-year storm event; the existing 24" RCP was crossing into lot 45 of Tract 27251, was pre-designed and constructed for the project tract home development. The existing 24" RCP storm drainpipe in normal depth calculation capacity is 21.76 CFS, greater than 100-year peak flow 20.52 CFS in proposed condition. Therefore, the existing 24" RCP has sufficient capacity to handle the peak flow from the development site. *As a result, the impacts would be less than significant.*

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?	☐	☐	✖	☐

Response:

Less than Significant Impact. An onsite storm drains systems including bio filtrations, catch basins, storm drainpipes and curb gutters will be constructed to convey the runoff produced by the proposed development project. An onsite storm water quality bio infiltration with pretreatment will be constructed to treat onsite storm water runoff. The existing tributary area is approximately 8.89 acres site tributary area of natural dirt area. Most of the site (subarea E-1) drains overland towards southwesterly sheet flow to an existing drainage inlet located at southwest corner of the project site, the drainage inlet was designed and constructed per adjacent Tract 27251 and connected into an existing storm drain system to Jackdaw Street. A portion of the site drains toward southeasterly to an existing concrete v-gutter connected into lot 56 of Tract 27251, the v-gutter tied into existing storm drainpipes to Rose Bud Lane.
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In the proposed condition, the project site can be integrated into one drainage zone with a total 8.89 acres of disturbed areas. The project will drain to two proposed catch basins with storm drainpipes system, then to proposed water quality bio-filtration BMP underground storm water chambers eventually tie into existing 24" RCP at southwesterly of the project site, the existing 24" RCP was crossing into lot 45 of Tract 27251, was pre-designed and constructed for the proposed project tract home development, In summary, total runoff will be increased after project development. After development, about 3.62 cfs will be increased per 10-year storm event and 5.17 cfs will be increased per 100-year storm event; the existing 24" RCP was crossing into lot 45 of Tract 27251, was pre-designed and constructed for the project tract home development. The existing 24" RCP storm drainpipe in normal depth calculation capacity is 21.76 CFS, greater than 100-year peak flow 20.52 CFS in proposed condition. Therefore, the existing 24" RCP has sufficient capacity to handle the peak flow from development site. *As a result, the impacts would be less than significant.*

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Impede or redirect flood flows?	☐	☐	☐	✖

Response:

No Impact. According to maps obtained at the Federal Emergency Management System Map Service Center, the project site is not located within a 100-year flood plain. The site is located within Zone X. This flood zone has an annual probability of flooding of less than 0.2 percent and represents areas outside the 500-year flood plain. According to the Moreno Valley General Plan, the potential for dam inundation is considered to be remote. There are two locations of concern situated within the City: the Poorman Reservoir (Pigeon Pass Reservoir) and Lake Perris. The reservoir does not retain water throughout the year. Failure of the dam at Lake Perris would only affect a very small area south of Nandina Avenue along the Perris Valley Storm Drain and the Mystic Lake area in the southeast corner of the City. The project site is located upstream of the Lake Perris Dam. As a result, the potential impacts are considered to be less than significant. *As a result, no impacts will result.*

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	✖

Response:

No Impact. The City is located between 42 to 70 miles north of the Pacific Ocean and the project site would not be exposed to the effects of a tsunami. Lastly, the project site will not be subject to mudslides because the site and surrounding areas are generally level. *As a result, no impacts will result.*

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	✖	☐

Response:

Less than Significant Impact. As indicated previously, future development proposals must include a WQMP. The WQMP shall include measures designed to control pollutants, pollutant loads, and runoff volume to the maximum extent feasible by minimizing impervious surface area and controlling runoff from impervious surfaces through infiltration, evapotranspiration, bioretention, and/or rainfall harvest and use. The project applicant shall prepare a WQMP plan which implements set LID standards and practices for stormwater pollution mitigation and provides documentation to demonstrate compliance with the municipal NPDES permit on the plans and permit application submitted to the city. In addition, the proposed project will not create excess runoff that will exceed the capacity of the existing storm water drainage system. The WQMP is titled Preliminary Project Specific Water Quality Management Plan Case No. LWQ22-0037 dated January 19, 2023 is shown in Appendix E. The building contractors will be required to implement operational BMPs. These operational BMPs will provide stormwater treatment. *Implementation of the previously mentioned BMPs will reduce potential impacts to levels that are less than significant.*

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006.Chapter 6 – Safety Element – Section 6.7 – Water Quality; Figure 6-4 – Flood Hazards; Chapter 7 – Conservation Element – Section 7.5 – Water Resources; Figure 7-1 Water Purveyor Service Area Map.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006; Section 5.5 – Hazards and Hazardous Materials; Figure 5.5-2 – Floodplains and High Fire Hazard Areas; Section 5.7 – Hydrology and Water Quality; Figure 5.7-1 – Storm Water Flows and Major Drainage Facilities; Figure 5.7-2 – Groundwater Basins; Title 9 – Planning and Zoning of the Moreno Valley Municipal Code; Section 9.10.080 – Liquid and Solid Waste.
3. Moreno Valley Municipal Code Chapter 8.12 – Flood Damage Prevention; Moreno Valley Municipal Code Chapter 8.21 – Grading Regulations.
4. Eastern Municipal Water District (EMWD) Groundwater Reliability Plus, http://gwrplus.org/; Eastern Municipal Water District (EMWD) 2015 Urban Water Management Plan.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5. Appendix E – Infiltration, Hydrology, and PWQMP. Preliminary Hydrology & Hydraulic Study LST 22-0047. January 18, 2023. Preliminary Project Specific Water Quality Management Plan. FIR Avenue – 37 SFR Subdivision Development (PEN 22-0187/LWQ22-0037). January 19, 2023.				
XI. 4.11 LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?	☐	☐	☐	✖

Response:

No Impact. The project site is generally square in shape and is currently vacant though it was previously used for farming. Disturbances to the subject property are substantial and represent cumulative impacts resulting from past agricultural endeavors, grading, refuse deposits, periodic weed abatement, construction, and residential occupation between the 1950s to 2007. The proposed project site is currently vacant with a zoning designation of Residential 5 District (R5). Other land uses and development located in the vicinity of the proposed project site are outlined below:

- *North of the project site:* Fir Avenue extends along the project site's northern side. A single-family residential subdivision is located along the north side of Fir Avenue. This area is zoned as Residential 5 District (R5).
- *East of the project site:* Single-family residential units extend along the project site's east side. These units have frontage along Azalea Street. This area is zoned as Residential 5 District (R5).
- *South of the project site:* Single-family residential units extend along the project site's south side. These units have frontage along Rose Bud Lane. This area is zoned as Residential 5 District 5 (R5)
- *West of the project site:* Single-family residential units extend along the project site's east side. This area is zoned as Residential 5 District (R5).

This issue is specifically concerned with the expansion of an inconsistent land use into an established neighborhood. The proposed project will be confined within the project site's boundaries. The granting of the requested entitlements and subsequent construction of the proposed project will not result in any expansion of the use beyond the current boundaries. As a result, the project will not lead to any division of an existing established neighborhood. *As a result, no impacts will occur.*

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

Response:

No Impact. The General Plan designation that is applicable to the project site is R5 Residential. The primary purpose of areas designated as R5 Residential is to provide for single-family detached housing on standard sized suburban lots. The maximum allowable density is 5.0 dwelling units per acre. The applicable zoning designation is Residential 5 District (R5). The primary purpose of the R5 district is to provide for residential development on common sized suburban lots. This district is intended as an area for the development of single-family residential and mobile home subdivisions at a maximum allowable density of five dwelling units (DUs) per net acre. The proposed project is a request to construct 37-units within an 8.89-acre site located southwest of the intersection of Fir Avenue and Azelea Street. The proposed residential units would be single-family detached units consisting of six floor plans. The project site is surrounded on all sides by residential development. The proposed project is a permitted use for both the General Plan and Zoning Ordinance. The project is compatible in terms of use and density with the surrounding development. The development density would be 4.61 units per acre which conforms to the development densities permitted under both the City's Zoning Ordinance and General Plan. *As a result, no impacts are anticipated.*

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006. Chapter 2 – Community Development Element – Section 2.1 – Land Use. Figure 2-1 – Neighboring Lands Uses; Figure 2-2 – Land Use Map.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006. Section 5.12 – Population and Housing.
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code.

XII. 4.12 MINERAL RESOURCES – Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	✖

Response:

No Impact. The project site is not located in a Significant Mineral Aggregate Resource Area (SMARA) nor is it located in an area with active mineral extraction activities. In addition, according to the SMARA study area maps prepared by the California Geological Survey, the City of Moreno Valley is located within the larger San Bernardino SMARA. However, as indicated in the San Bernardino P-C region map, the project site is not located in an area where there are significant aggregate resources present. A review of California Division of Oil, Gas, and Geothermal Resources (DOGGR) well finder indicates that there are no wells located within the site. Since there are no active oil or mineral resource extraction operations present within the site. *As a result, no impacts to these resources will occur.*

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

Response:

No Impact. As previously mentioned, no mineral, oil, or energy extraction and/or generation activities are located within the project site. Moreover, the proposed project will not interfere with any resource extraction activity. There are no active oil or mineral resource extraction operations present within the site. *As a result, no impacts to these resources will occur.*

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006. Chapter 7 – Conservation Element – Section 7.9 – Mineral Resources.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006; Section 5.14 – Mineral Resources.
3. The Surface Mining and Reclamation Act of 1975 (SMARA), Public Resources Code, Sections 2710-2796), https://www.conservation.ca.gov/dmr/lawsandregulations.
4. California Department of Conservation. Geologic Energy Management Division (CalGEM) or formerly DOGGR. Well Finder.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. 4.13 NOISE – 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?	☐	☐	✖	☐

Response:

Less than Significant Impact. The proposed project involves the construction of a 37-unit residential development. The project site is located in the midst of a single-family residential neighborhood. The primary sources of noise in the City include freeways and roadways, railroad traffic, overflying aircraft operations, and stationary sources, Future sources of noise generated on-site will include noise from vehicles traveling In general, an increase of between 3.0 dB and 5.0 dB in the ambient noise level is considered to represent the threshold for human sensitivity. In other words, increases in ambient noise levels of 3.0 dB or less are not generally perceptible to persons with average hearing abilities.

The construction of the proposed project will result in the generation of vibration and noise, though the vibrations and noise generated during the project's construction will not adversely impact an sensitive receptors. The background vibration velocity level in residential areas is usually around 50 vibration velocity level (VdB). The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people. Sources within buildings such as operation of mechanical equipment, movement of people, or the slamming of doors causes most perceptible indoor vibration. Construction activities may result in varying degrees of ground vibration, depending on the types of equipment, the characteristics of the soil, and the age and construction of nearby buildings.

The project will be required to adhere to all pertinent City noise control regulations. The limited duration of construction activities and the City's construction-related noise control requirements will reduce the potential impacts. *As a result, the impacts will be less than significant.*

b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	✖	☐

Response:

Less than Significant Impact. Construction activities would produce varying degrees of ground vibration, depending on the equipment and methods employed. While ground vibrations from typical construction activities very rarely reach levels high enough to cause damage to structures, special consideration must be made when sensitive or historic land uses are near the construction site. The construction activities that typically generate the highest levels of vibration are blasting and impact pile driving and the use of a vibratory roller. However, the project would not require blasting, pile driving, or vibratory rollers. The largest piece of vibration-generating equipment that could be used for project construction is a large bulldozer. Large bulldozers generate a vibration level of 0.089 in/sec PPV at 25 feet. The nearest receptors are the residential uses located to the west and south of the proposed development.

A vibration level of 0.089 in/sec PPV at 25 feet would be 0.53 in/sec PPV at 40 feet and 0.089 in/sec PPV at 25 feet (refer to Table 8). These vibration levels would be less than the FTA thresholds. Additionally, construction equipment would move throughout the entire site and would only be located near the project boundaries for short periods of time. Thus, vibration levels at the receptors located near the project boundaries would be less than these maximum levels for a majority of the construction period. Although vibration levels may be perceptible for short periods of time, maximum vibration levels would not exceed FTA thresholds. Therefore, project construction would not generate excessive ground borne vibration or ground borne noise levels, and impacts would be less than significant.

The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Ground vibrations associated with construction activities using modern

construction methods and equipment rarely reach the levels that result in damage to nearby buildings though vibration related to construction activities may be discernible in areas located near the construction site. A possible exception is in older buildings, where special care must be taken to avoid damage. Table 7 summarizes the levels of vibration and the usual effect on people and buildings. The U.S. Department of Transportation (U.S. DOT) has guidelines for vibration levels from construction related to their activities and recommends that the maximum peak-particle-velocity (PPV) levels remain below 0.05 inches per second at the nearest structures. PPV refers to the movement within the ground of molecular particles and not surface movement. Vibration levels above 0.5 inches per second have the potential to cause architectural damage to normal dwellings. The U.S. DOT also states that vibration levels above 0.015 inches per second (in/sec) are sometimes perceptible to people, and the level at which vibration becomes an irritation to people is 0.64 inches per second. The effects of vibration on buildings are summarized in Table 7.

Typical levels from vibration generally do not have the potential for any structural damage. Some construction activities, such as pile driving and blasting, can produce vibration levels that may have the potential to damage some vibration sensitive structures if performed within 50 to 100 feet of the structure. The reason that normal construction vibration does not result in structural damage has to do with several issues, including the frequency vibration and magnitude of construction related vibration. Unlike earthquakes, which produce vibration at very low frequencies and have a high potential for structural damage, most construction vibration is in the mid- to upper- frequency range, and therefore has a lower potential for structural damage.

Table 7
Common Effects of Construction Vibration

Peak Particle Velocity (in/sec)	Effects on Humans	Effects on Buildings
<0.005	Imperceptible	No effect on buildings
0.005 to 0.015	Barely perceptible	No effect on buildings
0.02 to 0.05	Level at which continuous vibrations begin to annoy occupants of nearby buildings	No effect on buildings
0.1 to 0.5	Vibrations considered unacceptable for persons exposed to continuous or long-term vibration.	Minimal potential for damage to weak or sensitive structures
0.5 to 1.0	Vibrations considered bothersome by most people, tolerable if short-term in length	Threshold at which there is a risk of architectural damage to buildings with plastered ceilings and walls. Some risk to ancient monuments and ruins.
>3.0	Vibration is unpleasant	Potential for architectural damage and possible minor structural damage

Source: U.S. Department of Transportation

Various types of construction equipment have been measured under a wide variety of construction activities with an average of source levels reported in terms of velocity levels as shown in Table 8. Although the table gives one level for each piece of equipment, it should be noted that there is a considerable variation in reported ground vibration levels from construction activities. The data in Table 8 does provide a reasonable estimate for a wide range of soil conditions. Based on Transit Noise and Vibration Impact Assessment, a vibration level of 102 VdB (vibration decibels, or 0.5 inches per second [in/sec]) is considered safe and would not result in any construction vibration damage.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Table 8
Vibration Source Levels for Typical Construction Equipment

Construction Equipment		PPV @25 ft. (inches/sec.)	Vibration (VdB) @ 25 ft.
Pile Driver (impact)	Upper range	1.58	112
	Typical	0.644	104
Pile Drive (Sonic)	Upper range	0.734	105
	Typical	0.170	93
Clam Shovel Drop		0.202	94
Large Bulldozer		0.089	87
Caisson Drilling		0.089	87
Loaded Trucks		0.076	86
Small Bulldozer		0.035	79

Source: Noise and Vibration During Construction

Once operational, the project would not be a source of ground borne vibration or ground borne noise. In addition, the cumulative traffic associated with the proposed project will not be great enough to result in a measurable or perceptible increase in traffic noise (it typically requires a doubling of traffic volumes to increase the ambient noise levels to 3.0 dBA or greater). Once in operation, the proposed project will not significantly raise ground borne noise levels. Slight increases in ground-borne noise levels could occur during the construction phase.

With insignificant operational impacts and the limited duration of construction activities and the City's construction-related noise control requirements will reduce the potential impacts. *As a result, the impacts will be less than significant.*

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?	☐	☐	✖	☐

Response:

Less than Significant Impact. The project site is not located within two miles of an operational public airport. The March Air Reserve Base is the closest airport to the site and is located 4.5 miles to the southwest. Review of Figure 5.4-1 March Air Reserve Base Noise Impact Area of the 2006 General Plan determined that the project site is outside the Airport Influence Area Boundary for MARB. Therefore, the project would not expose people residing or working in the area to excessive aircraft noise levels. The project site is not located within the Runway Protection Zone (RPZ) for the March Air Reserve Base. *As a result, less than significant impacts would occur.*

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006; Chapter 6 – Safety Element – Section 6.4 – Noise; Figure 6-2 – Buildout Noise Contours.

2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006; Section 5.4 – Noise; Figure 5.4-1 – March Air Reserve Base Noise Impact Area;

3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code. Section 9.10.140 Noise and Sound.

4. Moreno Valley Municipal Code Chapter 11.80 Noise Regulations.

5. March Air Reserve Base (MARB)/March Inland Port (MIP) Airport Land Use Compatibility Plan (ALUCP) on November 13, 2014 (http://www.rcaluc.org/Portals/13/17%20-%20Vol.%201%20March%20Air%20Reserve%20Base%20Final.pdf?ver=2016-08-15-145812-700).

XIV. 4.14 POPULATION AND HOUSING – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	☐	☐	☐	✖

Response:

No Impact. The General Plan designation that is applicable to the project site is R5 Residential. The primary purpose of areas designated as R5 Residential is to provide for single-family detached housing on standard sized suburban lots. The maximum allowable density is 5.0 dwelling units per acre. The applicable zoning designation is Residential 5 District (R5). The primary purpose of the R5 district is to provide for residential development on common sized suburban lots. This district is intended as an area for the development of single-family residential and mobile home subdivisions at a maximum allowable density of five dwelling units (DUs) per net acre. The proposed project is a request to construct 37 units within an 8.89-acre site located southwest of the intersection of Fir Avenue and Azelea Street. The proposed residential units would be single-family detached units consisting of six floor plans. The project site is surrounded on all sides by residential development.

The proposed project is a permitted use for both the General Plan and Zoning Ordinance. As indicated previously, the project is a proposal to construct 37 single-family detached residential units. These single-family units would be owner-occupied. In addition, the proposed project is estimated to add 145 new residents assuming an average household size of 3.91 persons per unit. The average household size figure was derived from the most recent Census data. Growth-inducing impacts are generally associated with the provision of urban services to an undeveloped or rural area. Growth-inducing impacts include the following:

- *New development in an area presently undeveloped and economic factors which may influence development.* The site is currently developed and occupied. The project site and the surrounding properties are zoned as Residential 5 District. The proposed development is envisioned under the City's General Plan and Zoning.
- *Extension of roadways and other transportation facilities.* The proposed project will connect to existing roadway and infrastructure. These connections will serve the project site only.
- *Extension of infrastructure and other improvements.* The installation of any new utility lines will not lead to subsequent offsite development since these utility connections will serve the site only. At present, there are water or sewer utility lines within the immediate area of the project site.
- *Major off-site public projects (treatment plants, etc.).* The project's increase in demand for utility

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

services can be accommodated without the construction or expansion of landfills, water treatment plants, or wastewater treatment plants.

- *The removal of housing requiring replacement housing elsewhere.* The site does not contain any occupied housing units. As a result, no replacement housing will be required.
- *Additional population growth leading to increased demand for goods and services.* The project will result in a limited increase in construction employment which can be accommodated by the local labor market. The 37 units will translate into a potential population of 145 persons.
- *Short-term growth-inducing impacts related to the project's construction.* The project will result in temporary employment during the construction phases.

The proposed project will utilize existing roadways and infrastructure. The existing roads and utility lines will serve the project site only and will not extend into undeveloped areas. The proposed project will not result in any unplanned growth.

The project is anticipated to house approximately 145 persons, which would be less than the total anticipated population growth of 58,188 people within the City by 2045. Therefore, the project would accommodate population growth that is already anticipated within the city. Additionally, the project would contribute to the housing needs within the City, which was identified as 13,596 housing units in the SCAG 6th Cycle Regional Housing Needs Assessment Allocation Plan. Therefore, the project would not induce substantial unplanned population growth. *Therefore, no impacts will result.*

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	✖

Response:

No Impact. The project site is vacant and unoccupied. This property and surrounding areas have a General Plan and zoning designations of Residential 5 District (R5). No occupied housing units will be displaced as a result of the proposed project's implementation. *As a result, no impacts would result.*

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006. Chapter 2 – Community Development Element – Section 2.1 – Land Use; Figure 2-1 – Neighboring Lands Uses; Figure 2-2 – Land Use Map; Chapter 8 – 2014 – 2021 Housing Element.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006. Section 5.12 – Population and Housing.
3. City of Moreno Valley Housing Element 2021-2029. Adopted June 15, 2021.

XV. 4.15 PUBLIC SERVICES – Would the project:

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

i) Fire protection?	☐	☐	✖	☐

Response:

Less than Significant Impact. Moreno Valley contracts with the Riverside County Fire Department for fire protection and emergency services. The City of Moreno Valley has seven fire stations. The closest first response station to the project site is Station No. 99 located at 13400 Morrison Street. The Fire Department will review the development plans to ascertain the nature and extent of any additional measures that may be required to meet any Fire Code requirements. The Fire Department currently reviews all new development plans, and future development will be required to conform to all fire

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

protection and prevention requirements, including, but not limited to, building setbacks, emergency access, fire flow and hydrants, and other requirements. The project would be consistent with the existing land use designation for the site R5 Residential, and therefore would accommodate anticipated population growth and would be consistent with planning projections for future fire protection facilities within the City. *As a result, the impacts would be less than significant.*

ii) Police protection?	☐	☐	✖	☐

Response:

Less than Significant Impact. Law enforcement services in Moreno Valley are provided by the Moreno Valley Police Department, a local branch of the Riverside County Sherriff's Department. The Moreno Valley Police Station is located at 22850 Calle San Juan De Dos Lagos. The Moreno Valley Police Department (MVPD) has 162 sworn officers who provide field services in the City. The current officer to population ratio for MVPD is 0.9 officers per 1,000 residents. The average total response time for the period of January 01 to December 31, 2004, was over seven minutes for Priority 1 or emergency calls. The project would be consistent with the existing land use designation for the site R5 Residential, and therefore would accommodate anticipated population growth and would be consistent with planning projections for future law enforcement services and facilities within the City. As individual development is proposed, the Moreno Valley Police Department will review all development applications to ensure conformity with department requirements. *As a result, the impacts would be less than significant.*

iii) Schools?	☐	☐	✖	☐

Response:

Less than Significant Impact. The proposed 37-unit residential development would translate into a potential population of 145 new residents. The project would be consistent with the existing land use designation for the site R5 Residential, and therefore would accommodate anticipated population growth and would be consistent with planning projections for school and other educational facilities within the City. The nearest schools to the project site are Mountain View Middle Schol and Valley View High School located approximately 1,000 feet to the south. The Applicant will be required to pay all pertinent school development fees to Moreno Valley Unified School District. *As a result, the impacts would be less than significant.*

iv) Parks?	☐	☐	✖	☐

Response:

Less than Significant Impact. The proposed 37-unit residential development would translate into a potential population of 145 new residents. The nearest park to the project site is Morrison Park located approximately 2,100 feet to the south. The project would be consistent with the existing land use designation for the site R5 Residential, and therefore would accommodate anticipated population growth and would be consistent with planning projections for parks and recreational facilities and services within the City. In addition, the project Applicant will be required to pay all applicable park impact and Quimby Act fees. *As a result, the impacts would be less than significant.*

v) Other public facilities?	☐	☐	✖	☐

Response:

Less than Significant Impact. The proposed 37-unit residential development would translate into a potential population of 145 new residents. The project would be consistent with the existing land use designation for the site R5 Residential, and therefore would accommodate anticipated population growth and would be consistent with planning projections for future governmental facilities and services within the City. *As a result, the impacts would be less than significant.*

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006. Chapter 2 – Community Development Element – Section 2.5 – Schools. Figure 2-3 – School District Boundaries; Chapter 2 – Community Development Element – Section 2.6 – Library Services; ; Chapter 2 – Community Development Element – Section 2.7 – Special Districts; Chapter 2 – Community Development Element – Section 2.5 – Other City Facilities; Chapter 4 – Parks, Recreation and Open Space Element – Section 4.3 – Parks and Recreation; Figure 4-2 – Future Parklands Acquisition Areas; Figure 4-3 – Master Plan of Trails; Chapter 6 – Safety Element – Section 6.1 – Police Protection and Crime Preventions; Chapter 6 – Safety Element – Section 6.2 – Fire and Emergency Services; and Figure 6-1 – Fire Stations.

XVI. 4.16 RECREATION – Would the project:

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

Response:

Less than Significant Impact. The proposed 37-unit single-family residential development would translate into a potential population of 145 new residents. No significant increase in the use of City parks and recreational facilities is anticipated to occur. No parks are located adjacent to the site. The nearest park is Morrison Park, located approximately 2,100 feet to the south of the project site. The proposed project would not result in any improvements that would potentially significantly physically alter any public park facilities and services. The project would be consistent with the existing land use designation for the site R5 Residential, and therefore would accommodate anticipated population growth and would be consistent with planning projections for parks and recreational facilities and services within the City. *As a result, the impacts would be less than significant.*

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?	☐	☐	✖	☐

Response:

Less than Significant Impact. The proposed 37-unit residential development would translate into a potential population of 145 new residents. The nearest park is Morrison Park, located approximately 2,000 feet to the south of the project site. As previously indicated, the implementation of the proposed project would not affect any existing parks and recreational facilities in the City. No such facilities are located adjacent to the project site. *As a result, the impacts would be less than significant.*

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006. Chapter 4 – Parks, Recreation and Open Space Element – Section 4.3 – Parks and Recreation; Figure 4-1 Open Space; Figure 4-2 – Future Parklands Acquisition Areas.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII.4.17 TRANSPORTATION – Would the project:				
a) Conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	✖	☐

Response:

Less than Significant Impact. A traffic impact analysis was not prepared for this project because the project screened out in accordance with the City's TIA Guidelines. The TTM 38480 Project Transportation Study Screening Assessment dated January 26, 2023 was prepared for the proposed project and is included in Appendix F. The nearest major intersections (intersections that *do not* consist of local streets) to the project site, include Fir Avenue and Nason Street (located 1,250 feet to the east) and Fir Avenue and Morrison Street (located 680 feet to the west). Vehicular access to the proposed development would be provided by two access connections with the southside of Fir Avenue. The project will be improving Fir Avenue per the City's Circulation Element and City Standards. It will construct a sidewalk which will eliminate an existing sidewalk gap within the area. Internal circulation to the individual residential units would be provided by a series of 36-foot-wide internal roadways. Each single-family unit would be provided with an enclosed two-car garage. Additional parking would also be available in the driveway apron. The project would be consistent with the existing land use designation for the site R5 Residential.

The proposed project trip generation is based on trip generation rates obtained from the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021). Trip generation rates for ITE Land Use Code 210 (Single Family Detached Housing) per dwelling unit were determined to adequately describe the proposed land uses and were selected for this analysis. As shown in Appendix F Table 1, the proposed project is forecast to generate a total of approximately 349 daily trips, including 26 trips during the AM peak hour and 35 trips during the PM peak hour. All of the vehicle trips would use Fir Avenue to access the project site. Given the proposed land use (37 single family units) and the relatively low peak hour traffic (26 AM peak hour trips and 35 PM), the number of peak hour trips would be too low to affect any intersections level of service. In addition, the proposed project's traffic generation reflects that of the surrounding existing uses. Finally, the proposed project satisfies the City-established criteria for project type screening (projects generating less than 400 daily trips) and may be presumed to result in a less than significant VMT impact. *The impacts would be less than significant.*

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	✖	☐

Response:

Less than Significant Impact. As previously noted, the proposed project consists of 37 single family housing units that are forecast to generate 349 daily trips. Therefore, the proposed project satisfies the City-established criteria for project type screening (projects generating less than 400 daily trips) and may be presumed to result in a less than significant VMT impact.

As specified in the City of Moreno Valley *Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment*, June 2020 ["the City guidelines"], the following types of development proposals will generally not require preparation of a traffic impact analysis which includes Vehicle Miles Traveled (VMT) analysis:

The VMT screening assessment has been prepared in accordance with the City guidelines, which were developed based on guidance from the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (State of California, December 2018) ["OPR Technical Advisory"]. The City guidelines identify screening criteria for certain types of projects that typically reduce VMT and may be presumed to result in a less than significant VMT impact. The project need only satisfy one of the following screening criteria:

- Projects located within a Transit Priority Area (TPA)

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
□ Projects located within one-half mile radius of major transit stop1 or high-quality transit corridor ▪ Projects located within a low VMT area □ Site location can be verified with the web-based or map-based VMT Screening Tool ▪ Project Type Screening □ Local serving land use □ Retail land use projects which do not exceed 50,000 square feet of gross floor area □ Existing project expansion and redevelopment projects up to 10,000 square feet □ Projects with trip generate less than net new 400 daily vehicle trips (ADT) For this project, the City did not require a TIA. The proposed project would be required to construct all pertinent onsite and off-site improvements (curb, gutters, sidewalks, etc.) in accordance with City design standards. *The impacts would be less than significant.*				
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	✖	☐
Response: **Less than Significant Impact.** Vehicular access to the proposed development would be provided by two access connections with the south side of Fir Avenue. The proposed project would not expose future drivers to dangerous intersections or sharp curves and the proposed project will not introduce incompatible equipment or vehicles to the adjacent roads. *As a result, the impacts would be less than significant.*				
d) Result in inadequate emergency access?	☐	☐	☐	✖
Response: **No Impact.** The proposed project would not affect emergency access to the project site. At no time during construction will Fir Avenue or any other adjacent roadway be completely closed to traffic. All construction staging must occur on-site. *As a result, no impacts would result.*				
Sources: 1. Moreno Valley General Plan, adopted July 11, 2006. Chapter 4 Circulation Map C-1: Circulation Diagram; Map C-2: Existing and Planned Bicycle and Pedestrian Network. 2. Appendix F – TTM 38480 Project Transportation Study Screening Assessment. Ganddini Group. January 26, 2023.				
XVIII. 4.18 TRIBAL CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	✖	☐	☐
Response: **Less than Significant Impact with Mitigation Incorporated.** A comprehensive survey of the entire City was undertaken as part of the Citywide General Plan Update which included the preparation of an Environmental Impact Report and Master Environmental Assessment. The General Plan EIR included a citywide inventory of both historic and archaeological resources. The proposed project site was not identified as being either historically or culturally significant and the California Historic Resources Inventory Search (CHRIS) for the City. The citywide inventory is included in Appendix C. The mitigation				

identified in Section 3.5.2.B will mitigate any potentially significant impacts related to the disturbance of soils and the potential impact on cultural resources.

As part of the AB-52 consultation with the tribal representatives, review of the project was completed. AB-52 consultation was mailed out to seven individuals identified by the NAHC. The project team has received four responses from various tribes including, the San Manuel Band of Mission Indians; the Pechanga Band of Luiseno Indians; the Rincon Band of Luiseño Indians, and Agua Caliente. The tribes each requested consultation and separate mitigation measures. The mitigation provided in Subsection 3.5.2.B was drafted by the City of Moreno Valley in coordination with the Pechanga Ban of Luiseno Indians. This mitigation was ultimately selected because it is comprehensive and calls for an archaeologist to monitor all mass grading and trenching activities.

Following the City's AB-52 consultation, the Pechanga Band of Indians requested the following mitigation measures be implemented as a means to address potential impacts on Tribal Resources:

TCR 1 Native American Monitoring. Prior to the issuance of a grading permit, the Developer shall secure agreements with the Pechanga Band of Indians for tribal monitoring. The Developer is also required to provide a minimum of 30 days' advance notice to the tribes of all ground disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.

TCR 2 Cultural Resource ESA Fencing. All three known cultural features on site are to be properly identified with protective ESA fencing prior to the initiation of ant ground disturbing activities. The fencing boundaries are to be determined by the Project Archaeologist and the Native American Monitors. Fencing shall be installed based on the timing and locational recommendations of the Project Archaeologist and the Native American Monitors. The fencing is to be removed by the Tribal Monitors and Project Archaeologist when all ground disturbing activities have been completed or when the feature is to be relocated.

TCR 3 Cultural Resource Feature Relocation. Recorded sites CA-RIV-3227 and CA-RIV-3229 have features within the Project that cannot be avoided through project redesign and will need to be relocated into an open-space within the project that will be left undisturbed in perpetuity. The features are to have ESA fencing and avoided until such time that they can be relocated to their final location. Once the features have been relocated the Project Archaeologist is to document their location and update the DPR forms accordingly. A restrictive agreement between the land owner and the Consulting Tribes is to be placed on the relocation area to protect the features from all future disturbance. The City shall be provided with a copy of the final executed agreement.

TCR 4 Cultural Resource Disposition. In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:

a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:

i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.

ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

written consent of all Consulting Native American Tribal Governments as defined in CR-3 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.

TCR 5 Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA).

TCR 6 Non-Disclosure of Reburial Locations. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254 (r)., parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

As a result, the aforementioned mitigations from the Pechanga Band of Indians would reduce the impacts to less than significant.

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	✖

Response:

No Impact. The City initiated consultation with California Native American tribes traditionally and culturally affiliated with the project area who have requested consultation consistent with the requirements of AB 52. The City received responses from the following tribes: 1. Agua Caliente Band of Cahuilla Indians 2. Pechanga Band of Luiseño Indians 3. Rincon Band of Luiseño Indians 4. Yuhaaviatam of San Manuel Nation All four tribes requested tribal consultation to evaluate the potential for the project to impact tribal cultural resources.

As described in Section 4.5(a) above, the previously recorded cultural resource mapped within the APE does not meet the eligibility criteria under CEQA, nor any of the local regulation guidelines. The NAHC search of their Sacred Lands File to identify any spiritually significant and/or sacred sites or traditional use areas in the project vicinity were negative. An on-foot survey was conducted by RECON and a representative from the Pechanga Band of Luiseño Indians. No previously unrecorded significant or potentially significant prehistoric or historic cultural resources were observed during the survey of the APE. Therefore, the project would not cause a substantial adverse change to a tribal cultural resource that would qualify or be eligible for listing in the California Register of Historical Resources or the local register of historical resources in accordance with the Public Resources Code Section 5020.1(k). *No impact would occur.*

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006. Chapter 7 – Conservation Element – Section 7.2 – Cultural and Historical Resources.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006; Section 5.10 – Cultural Resources; Figure 5.10-1 – Locations of Listed Historic Resource Inventory Structures; Figure 5.10-2 – Location of Prehistoric Sites; Figure 5.10-3 –
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code; Moreno Valley Municipal Code Title 7 – Cultural Preservation.

XIX. 4.19 UTILITIES AND SERVICE SYSTEMS – Would the project:

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

Response:

Less than Significant Impact. Water services would be provided by EMWD. The 2020 Urban Water Management Plan prepared by EMWD anticipated that adequate water supplies would be available to meet future demand under all water year conditions from 2020 through 2045 (EMWD 2021a). As described in Section 4.14(a), the project would accommodate population growth anticipated in the SCAG Connect SoCal Demographics and Growth Forecast, and therefore would be consistent with the growth projections utilized to forecast water supply demand in the EMWD 2020 Urban Runoff Management Plan. As a result, the project would not require construction of any off-site water facilities. Existing water service lines are available adjacent to the site, and improvements would be limited to extension of pipelines onto the project site.

Wastewater treatment services would be provided by EMWD, which operates the Moreno Valley Regional Water Reclamation Facility. The Moreno Valley Regional Water Reclamation Facility currently treats approximately 11.5 million gallons of wastewater per day and has an excess capacity of 4.5 million gallons per day (EMWD 2021b). As described in Section 4.14(a), the project would accommodate population growth anticipated in the SCAG Connect SoCal Demographics and Growth Forecast, and therefore would be consistent with the growth projections utilized to forecast wastewater demand. Consequently, the project would not require construction of any off-site wastewater facilities. Existing wastewater service lines are available adjacent to the site, and improvements would be limited to extension of pipelines onto the project site. As a result. the potential impacts associated with construction of new or expanded wastewater facilities would only occur within the project site and have been considered as part of project construction within this environmental document and would be less than significant.

After development, about 3.62 cubic feet per second (cfs) will be increased per 10-year storm event and 5.17 cfs will be increased per 100-year storm event; the existing 24” RCP was crossing into lot 45 of Tract 27251, was pre-designed and constructed for the proposed project tract home development. The existing 24” RCP storm drainpipe in normal depth calculation capacity is 21.76 CFS, greater than 100-year peak flow 20.52 CFS in proposed condition. Therefore, the existing 24” RCP had sufficient capacity to handle the peak flow from development site. As a result, the project would not require construction or expansion of existing off-site stormwater facilities. Therefore, the project would not require construction of off-site storm water drainage facilities or expansion of existing facilities, and impacts would be less than significant.

The proposed project would accommodate population growth anticipated in the SCAG Connect SoCal Demographics and Growth Forecast, and therefore would be consistent with the growth projections

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

utilized to forecast demand for electric power, natural gas, and telecommunications, and would not require the construction of any off-site facilities. Existing electric power, natural gas, and telecommunications lines are available adjacent to the site, and improvements would be limited to extension of utilities onto the project site. As a result, the, potential impacts associated with required on-site electric power, natural gas, and telecommunications facilities have been considered as part of the project construction within this environmental document, and impacts related to their construction would be less than significant. Overall, the project would not require or result in the construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities. *As a result, the impacts would be less than significant.*

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	✖	☐

Response:

Less than Significant Impact. As described in Section 4.19(a) above, the project would accommodate population growth anticipated in the SCAG Connect SoCal Demographics and Growth Forecast, and therefore would be consistent with the growth projections utilized to forecast water supply demand in the EMWD 2020 Urban Runoff Management Plan (EMWD 2021a). Therefore, sufficient water supplies would be available to serve the project. *As a result, the impacts would be less than significant.*

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

Response:

Less than Significant Impact. As described in Section 4.19(a) above, the Moreno Valley Regional Water Reclamation Facility currently treats approximately 11.5 million gallons of wastewater per day and has an excess capacity of 4.5 million gallons per day. The project would accommodate population growth anticipated in the SCAG Connect SoCal Demographics and Growth Forecast, and therefore would be consistent with the growth projections utilized to forecast wastewater demand. Therefore, the project would not exceed existing wastewater treatment capacity, and impacts. As a result, the impacts would be less than significant.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	✖	☐

Response:

Less than Significant Impact. The majority of solid waste generated within the city is disposed of at the Badlands Landfill, which has a remaining disposal capacity of 7,800,000 cubic yards. Additionally, solid waste is disposed of at the El Sobrante Landfill, which has a remaining disposal capacity of 3,834,470 cubic yards, as well as the Lamb Canyon Landfill, which has a remaining disposal capacity of 19,242,950 cubic yards (CalRecycle 2022c). Construction and operation of the project would not exceed the remaining capacity of these three landfills. The project would complete and submit a Waste Management and Recycling Plan for approval consistent with the requirements of the City's building code prior to issuance of building permits. The Waste Management and Recycling Plan would identify the project type and estimate the amount of materials to be recycled during construction. The project would also be required to complete a Diversion Report for review by the City's Building Department to demonstrate that the project recycled a minimum of 50 percent of its construction waste. Therefore, the project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure. *As a result, the impacts would be less than significant.*

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	✖	☐

Response:

Less than Significant Impact. As described in Section 4.19(d) above, the project would complete and submit a Waste Management and Recycling Plan for approval consistent with the requirements of the City's building code. The project would also complete a Diversion Report for review by the City's Building Department to demonstrate that the project recycled a minimum of 50 percent of its construction waste. Additionally, the project would implement organic waste recycling programs consistent with the requirements of AB 1826 and SB 1383. Therefore, the project would comply with federal, state, and local statutes and regulation related to solid waste. *As a result, the impacts would be less than significant.*

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006; Chapter 2 – Conservation Element – Section 2.4 – Utilities; Chapter 6 – Safety Element – Section 6.7 – Water Quality; Chapter 7 – Conservation Element – Section 7.3 – Solid Waste; Chapter 7 -- Conservation Element – Section 7.5—Water Resources; Figure 7-1 – Water Purveyor Service Area Map.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006; Section 5.7 – Hydrology and Water Quality; Figure 5.7-1 – Strom Water Flows and Major Drainage Facilities; Figure 5.7-2 – Groundwater Basins; Section 5.13 – Public Services; Figure 5.13-1 – Locations of Public Facilities.
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code. Moreno Valley Municipal Code Chapter 8.10 Stormwater/Urban Runoff Management and Discharge Controls.
4. Moreno Valley Municipal Code Section 8.21.170 National Pollutant Discharge Elimination System (*NPDES*). Moreno Valley Municipal Code Chapter 8.80 – Recycling and Diversion of Construction and Demolition Waste.

XX. 4.20 WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, **would the project:**				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	✖

Response:

No Impact. The project site is located in the midst of an urbanized area. Improved surface streets serve the project site and the surrounding area. Furthermore, the proposed project would not involve the closure or alteration of any existing evacuation routes that would be important in the event of a wildfire. At no time during construction will Fir Avenue or any other local street be closed to traffic. All construction staging must occur on-site. *As a result, no impacts will occur.*

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?	☐	☐	☐	✖

Response:

No Impact. The project site is located in the midst of an urbanized area. The proposed project may be exposed to particulate emissions generated by wildland fires in the mountains. However, the potential impacts would not be exclusive to the project site since criteria pollutant emissions from wildland fires may affect the entire City as well as the surrounding cities and unincorporated county areas. As a result, no impacts will occur.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	✖

Response:

No Impact. The project site is not located in an area that is classified as a high fire risk severity, and therefore will not require the installation of specialized infrastructure such as fire roads, fuel breaks, or emergency water sources. *As a result, no impacts will occur.*

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?	☐	☐	☐	✖

Response:

No Impact. There is no risk from wildfire within the project site or the surrounding area given the project site's distance from any area that may be subject to a wildfire event. Therefore, the project will not expose future employees to flooding or landslides facilitated by runoff flowing down barren and charred slopes and no impacts will occur.

Sources:

1. Moreno Valley General Plan, adopted July 11, 2006. Chapter 6 – Safety Element – Section 6.2-Fire and Emergency Services – 6.2.8—Wildland Urban Interface.
2. Final Environmental Impact Report City of Moreno Valley General Plan, certified July 11, 2006. Section 5.5 – Hazards and Hazardous Materials; Figure 5.5-2 – Floodplains and High Fire Hazard Areas
3. Title 9 – Planning and Zoning of the Moreno Valley Municipal Code.
4. Local Hazard Mitigation Plan, City of Moreno Valley Fire Department, adopted October 4, 2011, amended 2017, http://www.moval.org/city_hall/departments/fire/pdfs/haz-mit-plan.pdf; Chapter 5 – Wildland and Urban Fires; Figure 5-2 – Moreno Valley High Fire Area Map 2016.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. 4.21 MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	✖	☐	☐

Response:

Less than Significant Impact with Mitigation Incorporated. As described in Section 4.4(a), implementation of the project conditions which would reduce impacts on sensitive wildlife species to a level less than significant. The project does not have the potential to result in any other impacts that would 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, or substantially reduce the number or restrict the range of a rare or endangered plant or animal. As described in Section 4.18(a.i) above, implementation of mitigation measures MM-CR-1 through 5 and MM-TR 1 through 6 would reduce potential impacts on unknown tribal cultural resources to a level less than significant. *The impacts would be less than significant with mitigation.*

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.)?	☐	✖	☐	☐

Response:

Less than Significant Impact with Mitigation Incorporated. As described in Section 4.8 above, the project would not conflict with an applicable local plan, policy, or regulation adopted for the purpose of reducing GHG emissions, and impacts would be cumulatively less than significant. As described in Section 4.18(a.i) above, implementation of mitigation measures MM-CR 1 through 5 and MM-TR 1 through 6 would reduce potential impacts on unknown tribal cultural resources to a level less than significant. As described throughout the Draft IS/MND, all other project-level impacts would be less than significant without mitigation. Therefore, the project would not result in any project-level significant impacts that could contribute to an existing cumulative impact on the environment. *The impacts would be less than significant with project conditions and mitigation.*

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	✖	☐

Response:

Less than Significant Impact. As described in Sections 4.1 through 4.20, the project would not result in any substantial adverse direct or indirect impacts to human beings. *The impacts would be less than significant.*