PLANNING COMMISSIONERS

ALVIN DEJOHNETTE Chairperson

OMAR COBIAN Vice Chairperson

JOANN STEPHAN Commissioner



RAY BAKER Commissioner

ERLAN GONZALEZ Commissioner

DARYL C. TERRELL Commissioner

> DAVID ZEITZ Commissioner

PLANNING COMMISSION Regular Meeting

Agenda

Thursday, September 28, 2023 at 6:00 PM City Hall Council Chamber – 14177 Frederick Street

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMENTS PROCEDURE

Any person wishing to address the Commission on any matter, either under the Public Comments section of the Agenda or scheduled items or public hearings, must fill out a "Request to Speak" form available at the door. The completed form must be submitted to the Secretary prior to the Agenda item being called by the Chairperson. In speaking to the Commission, members of the public may be limited to three minutes per person, except for the applicant for entitlement. The Commission may establish an overall time limit for comments on a particular Agenda item. Members of the public must direct their questions to the Chairperson of the Commission and not to other members of the Commission, the applicant, the Staff, or the audience.

PUBLIC COMMENTS

CONSENT CALENDAR

All matters listed under Consent Calendar are considered to be routine and non-controversial, and may be enacted by one roll call vote. There will be no discussion of these items unless a member of the Planning Commission requests that an item be removed for separate action

1. Planning Commission Minutes – Regular Meeting – September 14, 2023 6:00 PM

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the ADA Coordinator, at 951.413.3350 at least 72 hours before the meeting. The 72 hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

NON-PUBLIC HEARING ITEMS

No items for discussion.

PUBLIC HEARING ITEMS

1.	Case:	Tentative Parcel Map No. 38667 (PEN23-0031)
	Applicant:	Stantec
	Property Owner:	HF PROP
	Representative:	Stantec, Brianna Daniels
	Project Site:	The project site includes the area generally east of Redlands Boulevard, south of the SR-60 Freeway, west of Gilman Springs Road, and north of San Jacinto Wildlife Area
	Case Planner:	Kirt Coury, Contract Planner
	Council District:	3
	Proposed Project:	A Tentative Parcel Map No. 38667 for the subdivision of 887.3 acres of land into 14 numbered parcels and 80 lettered lots for public streets, private driveways, landscape, and access.
	CEQA:	Environmental clearance and analysis for the proposed application is provided by the Revised Final Environmental Impact Report (RFEIR) for the World Logistics Center approved by the City Council in June 2020 (State Clearinghouse No. 20122021045). In accordance with CEQA Guidelines Section 15162, the Project does not present a substantial change or new information that would require further CEQA analysis. The environmental impacts associated with development of the Project were contemplated by the certified Revised Final Environmental Impact Report, for the World Logistics Center and were fully analyzed and mitigated therein. No new CEQA documentation is necessary for the Project.

2.	Cases:	Tentative Parcel Map No. 38599 (PEN21-0251) Plot Plan (PEN21-0250)
	Applicant:	Irwin Partners Architects
	Property Owners:	Tran Chung and Mai-Anh Chung
	Project Site:	13989 Moreno Rose Place
	Case Planner:	Danielle Harper-Scott, Associate Planner
	Council District:	3
	Proposed Project:	Construction of a 64-unit apartment complex
	CEQA:	Adopt Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

PLANNING COMMISSIONER COMMENTS

ADJOURNMENT

Planning Commission Regular Meeting Thursday, October 12th at 6:00 P.M., City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553.

OFFICIAL MINUTES OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY

REGULAR MEETING – 6:00 PM September 14, 2023

CALL TO ORDER

This regular meeting of the Planning Commission of the City of Moreno Valley was called to order at 6:00 p.m., by Chairperson DeJohnette in the Council Chambers located at 14177 Frederick Street, Moreno Valley, California.

ROLL CALL

Omar CobianVice-ChairpersonPreseJoAnn StephanCommissionerPreseRay L. BakerCommissionerPreseErlan GonzalezCommissionerPreseDaryl C. TerrellCommissionerPreseDavid ZeitzCommissionerPreseNicole TaylorAlternate CommissionerPrese	Planning Commission:	Alvin DeJohnette	Chairperson	Present
JoAnn Stephan Commissioner Prese Ray L. Baker Commissioner Prese Erlan Gonzalez Commissioner Prese Daryl C. Terrell Commissioner Prese David Zeitz Commissioner Prese Nicole Taylor Alternate Commissioner Prese		Omar Cobian	Vice-Chairperson	Present
Ray L. BakerCommissionerPreseErlan GonzalezCommissionerPreseDaryl C. TerrellCommissionerPreseDavid ZeitzCommissionerPreseNicole TaylorAlternate CommissionerPrese		JoAnn Stephan	Commissioner	Present
Erlan GonzalezCommissionerPreseDaryl C. TerrellCommissionerPreseDavid ZeitzCommissionerPreseNicole TaylorAlternate CommissionerPrese		Ray L. Baker	Commissioner	Present
Daryl C. TerrellCommissionerPreseDavid ZeitzCommissionerPreseNicole TaylorAlternate CommissionerPrese		Erlan Gonzalez	Commissioner	Present
David Zeitz Commissioner Prese Nicole Taylor Alternate Commissioner Prese		Daryl C. Terrell	Commissioner	Present
Nicole Taylor Alternate Commissioner Prese		David Zeitz	Commissioner	Present
•		Nicole Taylor	Alternate Commissioner	Present

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Terrell.

APPROVAL OF AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ray L. Baker, Commissioner
SECONDER:	Erlan Gonzalez, Commissioner
AYES:	Ray L. Baker, Erlan Gonzalez, Alvin DeJohnette, Omar Cobian, JoAnn
	Stephan, Daryl C. Terrell, David Zeitz,

PUBLIC COMMENTS PROCEDURE

PUBLIC COMMENTS

No public comments.

CONSENT CALENDAR

- 1. Planning Commission Regular Meeting Aug 24, 2023 6:00 PM
- 2. General Plan consistency report regarding disposition of a portion of right-of-way at the southwest corner of the intersection of Nason Street and Fir Avenue.

^{*} ALL PLANNING COMMISSION MEETINGS ARE VIDEO/AUDIO RECORDED. THIS RECORD IS AVAILABLE FOR REVIEW 1 BUSINESS D AFTER EACH MEETING AND CAN BE ACCESSED VIA THE FOLLOWING LINK <u>http://morenovalleyca.igm2.com/Citizens/Calendar.aspx</u>

3. General Plan consistency report regarding the disposition of a portion of right-of-way at 215 Frontage Road South of Cottonwood Avenue.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erlan Gonzalez, Commissioner
SECONDER:	Ray L. Baker, Commissioner
AYES:	Erlan Gonzalez, Ray L. Baker, Alvin DeJohnette, Omar Cobian, JoAnn
	Stephan, Daryl C. Terrell, David Zeitz,

NON-PUBLIC HEARING ITEMS

No items for discussion.

PUBLIC HEARING ITEMS

- 1. PEN22-0261 Plot Plan to develop a 3,500 square-foot express car wash with 21 vacuum stalls
 - A. Staff recommends that the Planning Commission take the following actions:
 - 1. **ADOPT** Resolution No. 2023-39, attached hereto, and thereby:
 - a) **DETERMINE** the Plot Plan (PEN22-0261) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), as a Class 3 Exemption, under CEQA Guidelines Section 15303, (New Construction or Conversion of Small Structures); and
 - b) APPROVE Plot Plan (PEN22-0261) based on the Recitals, Evidence contained in the Administrative Records, and Findings as set forth in Resolution No. 2023-39.

Public Hearing Opened: 6:20 p.m.

No public speakers

Public Hearing Closed: 6:20 p.m.

RESULT: APPROVED [UNANIMOUS]

MOVER:Ray L. Baker, CommissionerSECONDER:JoAnn Stephan, CommissionerAYES:Ray L. Baker, JoAnn Stephan, Alvin DeJohnette, Omar Cobian, Erlan
Gonzalez, Daryl C. Terrell, David Zeitz

OTHER COMMISSION BUSINESS

No items for discussion.

STAFF COMMENTS

No staff comments.

PLANNING COMMISSIONER COMMENTS

Vice-Chairperson Cobian advised that he will need an excused absence granted for the Planning Commission Meeting on Thursday, September 28th.

Commissioner Gonzalez advised that he will need an excused absence granted for the Planning Commission Meeting on Thursday, October 14th.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chairperson DeJohnette adjourned the meeting at 6:29 PM.

Submitted by:

Approved by:

Rachel Ramirez Planning Commission Secretary Alvin DeJohnette Chairperson

-3-



PLANNING COMMISSION

STAFF REPORT

Meeting Date: September 28, 2023

TENTATIVE PARCEL MAP NO. 38667 FOR THE SUBDIVISION OF 887.3 ACRES OF LAND INTO 14 NUMBERED PARCELS AND 80 LETTERED LOTS FOR PUBLIC STREETS, PRIVATE DRIVEWAYS, LANDSCAPE, AND ACCESS

- Case: Tentative Parcel Map 38667 (PEN23-0031)
- Applicant: Stantec
- Property Owner: HF PROP
- Representative: Stantec, Brianna Daniels
- Project Site: The project site includes the area generally east of Redlands Boulevard, south of the SR-60 Freeway, west of Gilman Springs Road, and north of San Jacinto Wildlife Area
- Case Planner: Kirt Coury, Contract Planner

Council District: 3

- Proposed Project: Highland Fairview requests approval of Tentative Parcel Map No. 38667 for the subdivision of 887.3 acres of land into 14 numbered parcels and 80 lettered lots for public streets, private driveways, landscape, and access.
- CEQA: Environmental clearance and analysis for the proposed application is provided by the Revised Final Environmental Impact Report (RFEIR) for the World Logistics Center approved by the City Council in June 2020 (State Clearinghouse No. 20122021045). In accordance with CEQA Guidelines Section 15162, the Project does not present a substantial change or new information that would require further CEQA analysis. The environmental impacts associated with development of the Project were contemplated by the certified Revised Final Environmental Impact Report, for the World Logistics Center and were fully analyzed and mitigated

Packet Pg. 8

therein. No new CEQA documentation is necessary for the Project.

SUMMARY

Highland Fairview requests approval of Tentative Parcel Map No. 38667 (PEN23-0031) for the subdivision of 887.3 acres of land into 14 numbered parcels for future development and 80 lettered lots for public streets, private driveways, landscape, and access.

By way of background, the City entered into a Development Agreement ("Development Agreement") in 2020 regarding the development of the World Logistics Center, which, in relevant part, contemplated the improvement of the subject property for purposes of completing the structures, improvements, and facilities composing the development and operation of the property; and the subdivision of the subject property. Pursuant to Section 4.5 of the Development Agreement, the term of any subdivision or parcel map processed on all or any portion of the subject property shall be extended until the expiration of the term of the Development Agreement, which is generally 15 years from the effective date of the Development Agreement but may be extended an additional 10 years upon certain occurrences.

PROJECT DESCRIPTION

Tentative Parcel Map

Highland Fairview PROP proposes Tentative Parcel Map No. 38667 for the subdivision of 887.3 acres into 14 numbered parcels for future development and 80 lettered lots for public streets, private driveways, landscape, and access for property generally located east of Redlands Boulevard, south of the SR-60 Freeway, west of Gilman Springs Road, and north of the San Jacinto Wildlife Area. Staff has reviewed the proposed Tentative Parcel Map and confirmed that the proposed lots comply with the City's Municipal Code and the World Logistics Center Specific Plan.

Site/Surrounding Area

The Project Site is generally located east of Redlands Boulevard, south of the SR-60 Freeway, west of Gilman Springs Road, and north of the San Jacinto Wildlife Area. Surrounding properties are located within a mix of Residential, Commercial, Industrial, and Open Space Districts. The surrounding properties similarly include a mix of residential, industrial development, and vacant/undeveloped land.

REVIEW PROCESS

As part of the standard review process, the Proposed Project was reviewed by the Project Review Staff Committee as required by the Municipal Code. Following subsequent revisions and reviews by staff, the Proposed Project was determined to be complete.

Environmental clearance and analysis for the proposed application is provided by the Revised Final Environmental Impact Report (RFEIR) for the World Logistics Center. The RFEIR was approved by the City Council in June 2020 (State Clearinghouse No. 20122021045). In accordance with CEQA Guidelines Section 15162, the Proposed Project does not present a substantial change or new information that would require further CEQA analysis. The environmental impacts associated with development of the Proposed Project were contemplated by the certified Revised Final Environmental Impact Report (RFEIR) for the World Logistics Center and were fully analyzed and mitigated therein. No substantial changes have occurred with respect to the circumstances under which the proposed project will be implemented, which will require modifications or revision to the RFEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the RFEIR was certified, has become available that shows any of the following: (a) the project will have one or more significant effects not discussed in the RFEIR; (b) significant effects previously examined will be substantially more severe than shown in the RFEIR; (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the City declines to adopt the mitigation measure(s) or alternative(s); or (d) mitigation measures or alternatives which are considerably different from those analyzed in the RFEIR would substantially reduce one or more significant effects on the environment, but the City declines to adopt the mitigation measure or alternative. No new CEQA documentation is necessary for the Project.

NOTIFICATION

Consistent with the City Municipal Code provisions, public notice was sent to all property owners of record within 600 feet of the Project Site, posted on the Project Site, and published in the Press Enterprise Newspaper. As of the preparation of this staff report, no public comments have been received regarding the proposed project.

REVIEW AGENCY COMMENTS

Staff has coordinated with outside agencies where applicable, as is the standard review process with these types of development applications.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

A. That the Planning Commission ADOPT Resolution No. 2023-42, attached hereto, and thereby APPROVE Tentative Parcel Map No. 38667 (PEN23-0031) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2023-42.

Page 3

Prepared by: Kirt Coury Contract Planner

Approved by: Sean P. Kelleher Community Development Director

ATTACHMENTS

To view large attachments, please click your "bookmarks" on the left hand side of this document for the necessary attachment.

- 1. Resolution Number 2023-42
- 2. Project Plans
- 3. Zoning Map

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 38667 FOR THE SUBDIVISION OF 887.3 ACRES OF LAND INTO 14 NUMBERED PARCELS FOR FUTURE DEVELOPMENT FOR PROPERTY GENERALLY LOCATED EAST OF REDLANDS BOULEVARD, SOUTH OF THE SR-60 FREEWAY, WEST OF GILMAN SPRINGS ROAD, AND NORTH OF THE SAN JACINTO WILDLIFE AREA.

WHEREAS, the City of Moreno Valley ("City") is a general law city and a municipal corporation of the State of California, and

WHEREAS, the City entered into a Development Agreement ("Development Agreement") in 2020 regarding the development of the World Logistics Center, which, in relevant part, contemplated the improvement of the subject property for purposes of completing the structures, improvements and facilities composing the development and operation of the property; and the subdivision of the subject property. Pursuant to Section 4.5 of the Development Agreement, the term of any subdivision or parcel map processed on all or any portion of the subject property shall be extended until the expiration of the term of the Development Agreement, which is generally 15 years from the effective date of the Development Agreement, but may be extended an additional 10 years upon certain occurrences; and

WHEREAS, subsequent to entering into the Development Agreement, Stantec, ("Applicant") submitted an application for a Tentative Parcel Map No. 38667 (PEN23-0031) for approval to subdivide 887.3 acres of land into 14 numbered parcels for future development and public improvements ("Proposed Project") for property generally located east of Redlands Boulevard, south of the SR-60 Freeway, west of Gilman Springs Road, and north of the San Jacinto Wildlife Area ("Project Site"); and

WHEREAS, the Proposed Project has been evaluated in accordance with Chapter 9.14 (Land Divisions) of the Municipal Code with consideration given to the City's General Plan, Zoning Ordinance, and other applicable laws and regulations; and

WHEREAS, Chapter 9.14 (Land Division) of the Moreno Valley Municipal Code imposes conditions of approval upon projects for which a Tentative Parcel Map is required, which conditions may be imposed by the Planning Commission to address onsite improvements, off-site improvements, the manner in which the Project Site is used, and any other conditions as may be deemed necessary to protect the public health, safety, and welfare and ensure that the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, consistent with the requirements of Chapter 9.14 (Land Divisions) of the Municipal Code, at the public hearing the Planning Commission considered Conditions of Approval to be imposed upon Tentative Parcel Map 38667 (PEN23-0031),

which conditions were prepared by Planning Division staff who deemed said conditions to be necessary to protect the public health, safety, and welfare and to ensure the Proposed Project will be developed in accordance with the purpose and intent of Title 9 (Planning and Zoning) of the Municipal Code; and

WHEREAS, pursuant to the provisions of Section 9.02.200 (Public Hearing and Notification Procedures) of the Municipal Code and Government Code Section 65905, a public hearing was scheduled for September 28, 2023, and notice thereof was duly published, posted, and mailed to all property owners of record within 600 feet of the Project Site; and

WHEREAS, on September 28, 2023, the public hearing to consider the Proposed Project was duly conducted by the Planning Commission, at which time all interested persons were provided with an opportunity to testify and present evidence; and

WHEREAS, at the public hearing, the Planning Commission considered whether each of the requisite findings specified in Section 9.14.070 of the Municipal Code and set forth herein could be made concerning the Proposed Project as conditioned by Conditions of Approval; and

WHEREAS, on September 28, 2023, in accordance with the provisions of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines², the Planning Commission has determined that environmental clearance and analysis for the proposed application is provided by the Revised Final Environmental Impact Report (RFEIR), for the World Logistics Center. The RFEIR was approved by the City Council in June 2020 (State Clearinghouse No. 20122021045). In accordance with CEQA Guidelines Section 15162, the Proposed Project does not present a substantial change or new information that would require further CEQA analysis. The environmental impacts associated with the development of the Proposed Project were contemplated by the certified Revised Final Environmental Impact Report (the "RFEIR") for the World Logistics Center and were fully analyzed and mitigated therein. No new CEQA documentation is necessary for the Proposed Project.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Notice

That pursuant to Government Code Section 66020(d)(1), notice is hereby given that the proposed project is subject to certain fees, dedications, reservations, and other

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

1.a

exactions as provided herein, in the staff report and conditions of approval (collectively, "Conditions"); and these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the ninety-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun.

Section 3. Evidence

That the Planning Commission has considered all evidence submitted into the Administrative Record for the Proposed Project, including, but not limited to, the following:

- (a) Moreno Valley General Plan and all other relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all other relevant provisions referenced therein;
- (c) Application for Tentative Parcel Map No. 38667 (PEN23-0053) and all documents, records and references contained therein;
- (d) The Development Agreement;
- (e) Conditions of Approval for Tentative Parcel Map No. 38667 (PEN23-0053) attached hereto as Exhibit A;
- (f) Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing;
- (g) Testimony, and/or comments from Applicant and its representatives during the public hearing; and
- (h) Testimony and/or comments from all persons provided in written format or correspondence, at, or prior to, the public hearing.

Section 4. Findings

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings in approving the Proposed Project:

- (a) That the proposed land division is consistent with the General Plan;
- (b) That the design or improvement of the proposed land division is consistent with applicable general and specific plans;
- (c) That the site of the proposed land division is physically suitable for the type of development;
- (d) That the site of the proposed land division is physically suitable for the proposed density of the development;
- (e) That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat,
- (f) That the design of the proposed land division or the type of improvements are not likely to cause serious public health problems;

- (g) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision;
- (h) That the proposed land division is not subject the Williamson Act pursuant to the California Land Conservation Act of 1965;
- (i) That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city;
- (j) That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision;
- (k) That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources;

Section 5. Approval

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby approves the Proposed Project subject to the Conditions of Approval for Tentative Parcel Map No. 38667 (PEN23-0053), attached hereto as Exhibit A.

Section 6. Environmental Review

That environmental clearance and analysis for the proposed application is provided by the Revised Final Environmental Impact Report (RFEIR), for the World Logistics Center. The RFEIR was approved by the City Council in June 2020 (State Clearinghouse No. 20122021045). In accordance with CEQA Guidelines Section 15162, the Proposed Project does not present a substantial change or new information that would require further CEQA analysis. The environmental impacts associated with development of the Proposed Project were contemplated by the certified Revised Final Environmental Impact Report (RFEIR), for the World Logistics Center and were fully analyzed and mitigated therein. No substantial changes have occurred with respect to the circumstances under which the proposed project will be implemented, which will require modifications or revision to the RFEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects and there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the RFEIR was certified, has become available that shows any of the following: (a) the project will have one or more significant effects not discussed in the RFEIR; (b) significant effects previously examined will be substantially more severe than shown in the RFEIR; (c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the City declines to adopt the mitigation measure(s) or alternative(s); or (d) mitigation measures or alternatives which are considerably different from those analyzed in the RFEIR would substantially reduce one or more significant effects on the

environment, but the City declines to adopt the mitigation measure or alternative. No new CEQA documentation is necessary for the Project.

Section 7. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 8. Severability

That the Planning Commission declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 9. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Section 10. Certification

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS 28th day of SEPTEMBER 2023

CITY OF MORENO VALLEY PLANNING COMMISSION

Alvin DeJohnette, Chairperson

ATTEST:

Sean P. Kelleher, Community Development Director

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Exhibits:

Exhibit A: Tentative Parcel Map 38667 (PEN23-0031) Conditions of Approval

Exhibit A

Tentative Parcel Map 38667 (PEN23-0053) Conditions of Approval

1.a

Tentative Parcel Map (PEN23-0031) Page 1

CITY OF MORENO VALLEY CONDITIONS OF APPROVAL Tentative Parcel Map (PEN23-0031)

EFFECTIVE DATE: EXPIRATION DATE:

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

- 1. This approval is for Tentative Parcel Map 38667 (PEN23-0031) of the World Logistics Center business park (re-parcelization of approximately 887.3 acres of vacant land into 14 industrial lots and public and private streets) for development of the first phase of the World Logistics Center business park. A change or modification to the land use or the approved site plans may require a separate approval. Prior to any change or modification, the property owner shall contact the City of Moreno Valley Community Development Department to determine if a separate approval is required.
- 2. Pursuant to Sections 1.20 (Subsequent Development Approvals Definition), 1.22 (Term Definition), 3.5 (Term), and 4.5 (Terms of Maps and Other Project Approvals) of the World Logistics Center Development Agreement, approved and adopted via Ordinance No. 967, the Term of this Tentative Parcel Map 38667 (PEN23-0031) shall be the same as the Term of the World Logistics Center Development Agreement as set forth in Section 3.5 (Term) of the World Logistics Center Development Agreement.
- 3. This project is located within the World Logistics Center Specific Plan. The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)

Special Conditions

- 4. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.
- 5. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)
- 6. Prior to recordation of the final subdivision map, the following documents shall be submitted to and approved by the Planning Division which shall demonstrate that

Page 2

the project will be developed and maintained in accordance with the intent and purpose of the approval:

- a. The document to convey title
- b. Deed restrictions, easements, or Covenants, Conditions and Restrictions to be recorded

The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for general maintenance of the site, joint access to proposed parcels, open space use restrictions, conservation easements, guest parking, feeder trails, water quality basins, lighting, landscaping and common area use items such as general building maintenance (apartments, condominiums and townhomes) tot lot/public seating areas and other recreation facilities or buildings. The approved documents shall also contain a provision, which provides that they may not be terminated and/or substantially amended without the consent of the City and the developer's successor-in-interest. (MC 9.14.090)

In addition, the following deed restrictions and disclosures shall be included within the document and grant deed of the properties:

a. The developer and homeowners association shall promote the use of native plants and trees and drought tolerant species.

b. All lots designated for open space and or detention basins, shall be included as an easement to, and maintained by a Homeowners Association (HOA) or other private maintenance entity. All reverse frontage landscape areas shall also be maintained by the onsite HOA. Language to this effect shall be included and reviewed within the required Covenant Conditions and Restrictions (CC&Rs) prior to the approval of the final map.

c. Maintenance of any and all common facilities.

d. A conservation easement for lettered lots shall be recorded on the deed of the property and shown on the final map. Said easement shall include access restrictions prohibiting motorized vehicles from these areas.

e. Oleander plants or trees shall be prohibited on open space lots adjacent to multi-use trails.

- 7. All undeveloped portions of the site in perpetuity shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)
- 8. All public improvement plans submitted as part of the final map review, shall be consistent with the approved Western Edge Treatment Area Concept Plan improvements shown for Redlands Boulevard, Bay Avenue, and Merwin Street, as approved by Plot Plan PEN22-0196.

Prior to Grading Permit

9. Prior to issuance of any grading permit, all Conditions of Approval, Mitigation Measures and Airport Land Use Commission Conditions of Approval shall be printed on the grading plans.

Building Division

- The proposed non-residential project shall comply with the latest Federal Law, Americans with Disabilities Act, and State Law, California Code of Regulations, Title 24, Chapter 11B for accessibility standards for the disabled including access to the site, exits, bathrooms, work spaces, etc.
- 11. Prior to submittal, all new development, including residential second units, are required to obtain a valid property address prior to permit application. Addresses can be obtained by contacting the Building Safety Division at 951.413.3350.
- 12. Contact the Building Safety Division for permit application submittal requirements.
- 13. Any construction within the city shall only be as follows: Monday through Friday seven a.m. to seven p.m(except for holidays which occur on weekdays), eight a.m. to four p.m.; weekends and holidays (as observed by the city and described in the Moreno Valley Municipal Code Chapter 2.55), unless written approval is first obtained from the Building Official or City Engineer.
- 14. The proposed development shall be subject to the payment of required development fees as required by the City's current Fee Ordinance at the time a building application is submitted or prior to the issuance of permits as determined by the City.
- 15. The proposed project will be subject to approval by the Eastern Municipal Water District and all applicable fees and charges shall be paid prior to permit issuance. Contact the water district at 951.928.3777 for specific details.
- 16. All new structures shall be designed in conformance to the latest design standards adopted by the State of California in the California Building Code, (CBC) Part 2, Title 24, California Code of Regulations including requirements for allowable area, occupancy separations, fire suppression systems, accessibility, etc.

FIRE DEPARTMENT

Fire Prevention Bureau

- 17. All Fire Department access roads or driveways shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.060[G])
- 18. The Fire Department emergency vehicular access road shall be (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. The approved fire access road shall be in place during the time of construction. Temporary fire access roads shall be approved by the Fire Prevention Bureau. (CFC 501.4, and MV City Standard Engineering Plan 108d)
- 19. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503 and MVMC 8.36.060)
- 20. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4)
- 21. Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 507, 501.3) a After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.
- 22. The Fire Code Official is authorized to enforce the fire safety during construction requirements of Chapter 33. (CFC Chapter 33 & CBC Chapter 33)
- 23. Fire lanes and fire apparatus access roads shall have an unobstructed width of not less than twenty-four (24) feet and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1 and MVMC 8.36.060[E])
- 24. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.060, CFC 501.4)
- 25. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C., MVMC, and NFPA 24. Fire hydrants shall be located no closer than 40 feet to a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire

Tentative Parcel Map (PEN23-0031) Page 5

sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x $2\frac{1}{2}$ " x $2\frac{1}{2}$ ") (CFC 507.5.1, 507.5.7, Appendix C, NFPA 24-7.2.3, MVMC 912.2.1)

- 26. Fire Department access driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. (CFC 503 and MVMC 8.36.060, CFC 501.4)
- 27. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)
- 28. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4)
- 29. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering said waterflow for 2 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 507.3, Appendix B)
- 30. Dead-end streets and/or fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround for fire apparatus.
- 31. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.
- 32. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5)
- 33. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall: a. Be signed by a registered civil engineer or a certified fire protection engineer; b. Contain a Fire Prevention Bureau approval signature block; and c. Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

FINANCIAL & MANAGEMENT SERVICES DEPARTMENT

Moreno Valley Utility

- 34. This project requires the installation of electric distribution facilities. A non-exclusive easement shall be provided to Moreno Valley Utility and shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.
- 35. This project requires the installation of electric distribution facilities. The developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer shall execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City all utility infrastructure including but not limited to, conduit, equipment, vaults, ducts, wires (including fiber optic cable). switches, conductors, transformers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility - collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all "utility services" to and within the For purposes of this condition, "utility services" shall mean electric, cable project. television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system.

36. Existing Moreno Valley Utility electrical infrastructure shall be preserved in place. The developer will be responsible, at developer's expense, for any and all costs associated with the relocation of any of Moreno Valley Utility's underground electrical distribution facilities, as determined by Moreno Valley Utility, which may be in conflict with any developer planned construction on the project site.

- 37. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City fiber optic cable improvements consisting of fiber optic cable, splices and termination equipment to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all "fiber optic services" to and within the project.
- 38. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility fiber optic cable improvements consisting of conduit, and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by Moreno Valley Utility along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all "fiber optic services" to and within the project.
- 39. This project may be subject to a Reimbursement Agreement. The Developer is responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project.
- 40. This project shall coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to Moreno Valley Utility electric streetlight improvements consisting of streetlight poles, mast-arms, fixtures conduit, wiring, terminations and pull boxes to serve the identified development and other adjoining, abutting, or benefiting projects as determined by the Land Development Department along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and/or delivery of any and all "street light services" to and within the project.

PUBLIC WORKS DEPARTMENT

Land Development

41. Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, shall be required prior to 90% security reduction or the end of the one-year warranty period of the public streets as approved by the City Engineer. If slurry is required, a slurry mix design shall be submitted for review and approved by the City Engineer. The latex additive shall be Ultra Pave 70 (for anionic) or Ultra Pave 65 K (for cationic) or an approved equal per the geotechnical report. The latex shall be added at the emulsion plant after weighing the asphalt and before the

1.a

addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to $2\frac{1}{2}$) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

- 42. The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). [MC 9.14.010]
- 43. Any applicable Mitigation Measures issued by the Planning Division shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plans.
- 44. The developer shall monitor, supervise and control all construction related activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Land Development Division.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements during the grading operations.

Violation of any condition, restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedy as noted in City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

- 45. Drainage facilities (e.g., catch basins, water quality basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
- 46. In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. If unsuccessful, the Developer shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer

shall be responsible for all costs associated with the right-of-way or easement acquisition. [GC 66462.5]

- 47. If improvements associated with this project are not initiated within two (2) years of the date of approval of the Public Improvement Agreement (PIA), the City Engineer may require that the engineer's estimate for improvements associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the PIA or issuance of a permit. [MC 9.14.210(B)(C)]
- 48. The developer shall protect downstream properties from damage caused by alteration of drainage patterns (i.e. concentration or diversion of flow, etc). Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. [MC 9.14.110]
- 49. Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.
- 50. The maintenance responsibility of the proposed storm drain line shall be clearly identified. Storm drain lines within private property will be privately maintained and those within public streets will be publicly maintained.
- 51. The proposed private storm drain system shall connect to the existing storm drain main line. A storm drain manhole shall be placed at the right-of-way line to mark the beginning of the publicly maintained portion of this storm drain.
- 52. This project shall submit civil engineering design plans, reports and/or documents (prepared by a registered/licensed civil engineer) for review and approval by the City Engineer per the current submittal requirements, prior to the indicated threshold or as required by the City Engineer. The submittal consists of, but is not limited to, the following:

a. Parcel Map (recordation prior to building permit issuance);

b. Mass grading w/ erosion control plan (prior to grading permit issuance);

c. Precise grading w/ erosion control plan (prior to building permit issuance);

d. Street, Storm Drain, RCFC Storm Drain, Sewer, Water (prior to map approval);

e. Final drainage study (prior to grading plan approval);

f. Final WQMP (prior to grading plan approval);

g. Legal documents (such as lot line adjustments, certificates of compliance, vacations, offers of dedications)(prior to building permit issuance);

h. As-Built revision for all plans (prior to Occupancy release);

1.a

53. Water quality best management practices (BMPs) designed to meet Water Quality Management Plan (WQMP) requirements for development shall not be used as a construction BMP. Water quality BMPs shall be maintained for the entire duration of the project construction and be used to treat runoff from those developed portions of the project. Water quality BMPs shall be protected from upstream construction related runoff by having proper best management practices in place and maintained. Water quality BMPs shall be graded per the approved design plans and once landscaping and irrigation has been installed, it and its maintenance shall be turned over to an established Property Owner's Association (POA).

Prior to Grading Plan Approval

- 54. Resolution of all drainage issues shall be as approved by the City Engineer.
- 55. A final detailed drainage study (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer. The study shall include, but not be limited to: existing and proposed hydrologic conditions as well as hydraulic calculations for all drainage control devices and storm drain lines. The study shall analyze 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events [MC 9.14.110(A.1)]. A digital (pdf) copy of the approved drainage study shall be submitted to the Land Development Division.
- 56. Emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, parkway drains.
- 57. A final project-specific Water Quality Management Plan (WQMP) shall be submitted for review and approved by the City Engineer, which:

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;

b. Incorporates Source Control BMPs and provides a detailed description of their implementation;

c. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and

d. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division. A digital (pdf) copy of the approved final project-specific Water Quality Management Plan (WQMP) shall be submitted to the Land Development Division.

Page 11

58. The final project-specific Water Quality Management Plan (WQMP) shall be consistent with the approved P-WQMP, as well as in full conformance with the document: "Water Quality Management Plan - A Guidance Document for the Santa Ana Region of Riverside County" dated October 22, 2012. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs, Treatment Control BMPs, Operation and Maintenance requirements for BMPs and sources of funding for BMP implementation.

a. The Applicant has proposed to incorporate the use of infiltration BMPs and biotreatment BMPs. Final design and sizing details of all BMPs must be provided in the first submittal of the F-WQMP. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP guidance document.

b. The Applicant shall substantiate the applicable Hydrologic Condition of Concerns (HCOC) in Section F of the F-WQMP.

c. All proposed LID BMP's shall be designed in accordance with the RCFC&WCD's Design Handbook for Low Impact Development Best Management Practices, dated September 2011.

d. The proposed LID BMP's as identified in the project-specific P-WQMP shall be incorporated into the Final WQMP.

e. The NPDES notes per City Standard Drawing No. MVFE-350-0 shall be included in the grading plans.

f. Post-construction treatment control BMPs, once placed into operation for post-construction water quality control, shall not be used to treat runoff from construction sites or unstabilized areas of the site.

g. Prior to precise grading plan approval, the grading plan shall show any proposed trash enclosure to include a cover (roof) and sufficient size for dual bin (1 for trash and 1 for recyclables). The architecture shall be approved by the Planning Division and any structural approvals shall be made by the Building and Safety Division.

59. The developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. All improvement plans are substantially complete and appropriate clearance letters are provided to the City.

d. A soils/geotechnical report (addressing the soil's stability and geological conditions of the site) shall be submitted to the Land Development Division for

Page 12

review. A digital (pdf) copy of the soils/geotechnical report shall be submitted to the Land Development Division.

- 60. Grading plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
- 61. The developer shall select Low Impact Development (LID) Best Management Practices (BMPs) designed per the latest version of the Water Quality Management Plan (WQMP) - a guidance document for the Santa Ana region of Riverside County.
- 62. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared in conformance with the State's current Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request.
- 63. For projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB) which shall be noted on the grading plans.

Prior to Grading Permit

- 64. A receipt showing payment of the Area Drainage Plan (ADP) fee to Riverside County Flood Control and Water Conservation District shall be submitted. [MC 9.14.100(O)]
- 65. If the developer chooses to construct the project in phases, a Construction Phasing Plan for the construction of on-site public or private improvements shall be submitted for review and approved by the City Engineer.
- 66. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the implementation and maintenance of erosion control measures. At least twenty-five (25) percent of the required security shall be in the form of a cash deposit with the City. [MC 8.21.160(H)]
- 67. Security, in the form of a cash deposit (preferable), bond or letter of credit shall be submitted as a guarantee of the completion of the grading operations for the project. [MC 8.21.070]

Prior to Map Approval

68. All proposed street names shall be submitted for review and approved by the City

Tentative Parcel Map (PEN23-0031) Page 13

Engineer, if applicable. [MC 9.14.090(E.2.k)]

- 69. A copy of the Covenants, Conditions and Restrictions (CC&R's) shall be submitted for review and approved by the City Engineer. The CC&R's shall include, but not be limited to, access easements, reciprocal access, private and/or public utility easements as may be relevant to the project.
- 70. The developer shall enter into a Cooperative Agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project.
- 71. After recordation, a digital (pdf) copy of the recorded map shall be submitted to the Land Development Division.
- 72. Resolution of all drainage issues shall be as approved by the City Engineer.
- 73. If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all public improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. In either case, the City Engineer may require the dedication and construction of necessary utility, street or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. This approval must be obtained prior to the Developer submitting a Phasing Plan to the California Bureau of Real Estate. [MC 9.14.080(B)(C), GC 66412 & 66462.5]
- 74. The developer shall guarantee the completion of all related improvements required for this project by executing a Public Improvement Agreement (PIA) with the City and posting the required security. [MC 9.14.220]
- 75. All public improvement plans required for this project shall be approved by the City Engineer in order to execute the Public Improvement Agreement (PIA).
- 76. The developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities.
- 77. All street dedications shall be free of all encumbrances, irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer.

Prior to Improvement Plan Approval

- 78. The developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act) requirements. However, when work is required in an intersection that involves or impacts existing access ramps, all access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless otherwise approved by the City Engineer.
- 79. The developer shall submit clearances from all applicable agencies, and pay all applicable plan check fees.
- 80. The street improvement plans shall comply with current City policies, plans and applicable City standards (i.e. MVSI-160 series, etc.) throughout this project.
- 81. Drainage facilities (i.e. catch basins, etc.) with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided.
- 82. The hydrology study shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of current City standards shall apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the City Engineer. [MC 9.14.110 A.2]
- 83. All public improvement plans (prepared by a licensed/registered civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
- 84. The plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three (3) years old and recently slurry sealed streets less than one (1) year old. Pavement cuts may be allowed for emergency repairs or as specifically approved in writing by the City Engineer. Special requirements shall be imposed for repaving, limits to be determined by the City Engineer.
- 85. All dry and wet utilities shall be shown on the plans and any crossings shall be potholed to determine actual location and elevation. Any conflicts shall be identified and addressed on the plans. The pothole survey data shall be submitted to Land Development with the public improvement plans for reference purposes only. The developer is responsible to coordinate with all affected utility companies and bear all costs of any utility relocation.

86. Prior to improvement plan approval, pavement core samples of existing pavement shall be taken and findings submitted to the City for review and consideration of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement structural section is found to be adequate, the developer may still be required to perform a 2 inch grind and overlay or slurry seal, depending on the severity of existing pavement cracking, as required by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall replace the pavement to meet or exceed the City's pavement structural section standard.

Prior to Encroachment Permit

87. Any work performed within public right-of-way requires an encroachment permit.

Prior to Building Permit

- 88. An engineered-fill certification, rough grade certification and compaction report shall be submitted for review and approved by the City Engineer. A digital (pdf) copy of the approved compaction report shall be submitted to the Land Development Division. All pads shall meet pad elevations per approved grading plans as noted by the setting of "blue-top" markers installed by a registered land surveyor or licensed civil engineer.
- 89. For all subdivision projects, the map shall be recorded. [MC 9.14.190]
- 90. For Commercial/Industrial projects, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.
- 91. A walk through with a Land Development Inspector shall be scheduled to inspect existing improvements within public right of way along project frontage. Any missing, damaged or substandard improvements including ADA access ramps that do not meet current City standards shall be required to be installed, replaced and/or repaired. The applicant shall post security to cover the cost of the repairs and complete the repairs within the time allowed in the public improvement agreement used to secure the improvements.
- 92. Certification to the line, grade, flow test and system invert elevations for the water quality control BMPs shall be submitted for review and approved by the City Engineer.
- 93. Prior to building permit issuance, the developer shall dedicate the following right of way to accommodate the required improvements:

Tentative Parcel Map (PEN23-0031) Page 16

(a) A 4 foot minimum pedestrian right of way dedication behind any driveway approach per City Standard No. MVSI-112C-0.

(b) Corner cutback right of way dedication per City Standard No. MVSI-165-0 on all intersecting public streets, as directed by the City Engineer.

(c) Right of way for a street knuckle (Moreno Valley City Standard Plan No. MVSI-162-0) at the intersection of Bay Avenue and Merwin Street.

Prior to Occupancy

- 94. All required as-built plans (prepared by a registered/licensed civil engineer) shall be submitted for review and approved by the City Engineer per the current submittal requirements.
- 95. The final/precise grade certification shall be submitted for review and approved by the City Engineer.
- 96. The developer shall complete all public improvements in conformance with current City standards, except as noted in the Special Conditions, including but not limited to the following:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights (MVU: SL-2), signing, striping, under sidewalk drains, landscaping and irrigation, medians, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of all existing and proposed utilities adjacent to and on-site. [MC 9.14.130]

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

- 97. For commercial and industrial projects, a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant", "Maintenance Agreement for Water Quality Improvements located in the public right-of-way" and a "Declaration of Restrictive Covenants (encroachment on City easement)" shall be recorded to provide public notice of the maintenance requirements to be implemented per the approved final project-specific WQMP. A boilerplate copy of the covenants and agreements can be obtained by contacting the Land Development Division.
- 98. The applicant shall ensure the following, pursuant to Section XII. I. of the 2010 NPDES Permit:

Page 17

a. Field verification that structural Site Design, Source Control and Treatment Control BMPs are designed, constructed and functional in accordance with the approved Final Water Quality Management Plan (WQMP).

b. Certification of best management practices (BMPs) from a state licensed civil engineer. An original WQMP BMP Certification shall be submitted for review and approved by the City Engineer.

99. The Developer shall comply with the following water quality related items:

a. Notify the Land Development Division prior to construction and installation of all structural BMPs so that an inspection can be performed.

b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;

c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and

d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.

e. Clean and repair the water quality BMP's, including re-grading to approved civil drawing if necessary.

f. Obtain approval and complete installation of the irrigation and landscaping.

100. Prior to occupancy, the following improvements shall be completed:

Street "E" Private Street (consistent with the approved World Logistics Center Roadway and Trails Masterplan, LCO22-0066) shall be fully improved to its ultimate condition. Improvements shall consist of, but not limited to: pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, and dry and wet utilities. Street "E", between Eucalyptus Avenue and Street "F", shall be designated as a private street, and as such, shall include signage indicating it is a private street with limited access to local traffic only, pavement treatment (pavers, stamped concrete, etc.) at its intersection with Eucalyptus Avenue and Street "F", and a raised median "right turn slip-lane" at its intersection with Eucalyptus Avenue forcing trucks to make right turns only.

101. Prior to occupancy, the following improvements shall be completed:

Street "E" south of Street F (112' RW / 76' CC: Arterial, City Modified Standard No. MVSI-104A) shall be fully improved to its ultimate condition per the approved World Logistics Center Roadway and Trails Masterplan, LCO22-0066. Improvements shall consist of, but not limited to: pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, and dry and wet utilities.

102. Prior to occupancy, the following improvements shall be completed: Eucalyptus Avenue (110' RW / 86' CC: 4-Lane Divided Arterial, City Modified 1.a

Page 18

Standard No. MVSI-103A-1 consistent with the approved World Logistics Center Roadway and Trails Masterplan, LCO22-0066) shall be constructed to achieve a half-width street width of 34', a full width 18' wide raised landscaped median, plus an additional 14' of pavement, from Redlands Boulevard to World Logistics Center Parkway. Improvements shall consist of, but not limited to: pavement, base, curb, gutter, sidewalk, driveway approaches, bike lane, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, and dry and wet utilities.

103. Prior to occupancy, the following improvements shall be completed:

World Logistics Center Parkway (168' RW / 132' CC: Divided Major Arterial, City Modified Standard No. MVSI-101A) shall be fully improved to its ultimate condition per the approved World Logistics Center Roadway and Trails Masterplan, LCO22-0066, from Eucalyptus Avenue to Street "F". Improvements shall consist of, but not limited to: pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, undergrounding of overhead utilities, and dry and wet utilities.

104. Prior to occupancy, the following improvements shall be completed:

World Logistics Center Parkway (144' RW / 108' CC: 4-Lane Divided Arterial, City Modified Standard No. MVSI-103A) shall be fully improved per the approved World Logistics Center Roadway and Trails Masterplan, LCO22-0066, from Street "F" to Alessandro Boulevard. Improvements shall consist of, but not limited to: pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, undergrounding of overhead utilities, and dry and wet utilities.

105. Prior to occupancy, the following improvements shall be completed:

World Logistics Center Parkway (72' RW / 44' CC: Collector, City Modified Standard No. MVSI-106B) shall be fully improved per the approved World Logistics Center Roadway and Trails Masterplan, LCO22-0066, from Alessandro Boulevard to the proposed cul-de-sac at the end of World Logistics Center Parkway. Improvements shall consist of, but not limited to: pavement, base, curb, gutter, sidewalk, driveway drainage structures, necessary approaches, any offsite improvement transition/ioins to existing, street lights, pedestrian ramps, undergrounding of overhead utilities, and dry and wet utilities.

106. Prior to occupancy, the following improvements shall be completed: Merwin Avenue (66' R/W / 44' CC: Collector, City Standard No. MVSI-106B-0) shall be constructed to achieve a half-width street width of 22' per the approved World

be constructed to achieve a half-width street width of 22' per the approved World Logistics Center Roadway and Trails Masterplan, LCO22-0066, from Bay Avenue to Alessandro Boulevard. Improvements shall consist of, but not limited to: pavement, base, curb, gutter, sidewalk, any necessary offsite improvement

Tentative Parcel Map (PEN23-0031) Page 19

CONDITIONS OF APPROVAL

transition/joins to existing, street lights, pedestrian ramps, undergrounding of overhead utilities, dry and wet utilities, and multi-use trails.

107. Prior to occupancy, the following improvements shall be completed:

Cactus Avenue (115' RW / 76' CC: Minor Arterial, City Modified Standard No. MVSI-105A) shall be fully improved per the approved World Logistics Center Roadway and Trails Masterplan, LCO22-0066. Improvements shall consist of, but not limited to: pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, undergrounding of overhead utilities, dry and wet utilities, and multi-use trail.

108. Prior to occupancy, the following improvements shall be completed:

Alessandro Blvd. (120' RW / 76' CC: Arterial, City Modified Standard No. MVSI-104A) shall be fully improved per the approved World Logistics Center Roadway and Trails Masterplan, LCO22-0066, from Street "E" to World Logistics Center Parkway. Improvements shall consist of, but not limited to: pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, street lights, pedestrian ramps, multi-use trail, and dry and wet utilities.

- 109. Prior to occupancy, the following improvements shall be completed: A private driveway between Parcel 9 to the north, Parcels 10, 11, and 12 to the south, Street "E" to the west, and World Logistics Center Parkway to the east, shall be constructed to provide a full-width street of 40'.
- 110. Prior to occupancy, the following improvements shall be completed: The roundabout proposed at the Street "E" and Street "F" intersection shall be constructed to its ultimate condition.
- 111. Prior to occupancy, the following improvements shall be completed: The roundabout proposed at the Street "F" and World Logistics Center Parkway shall be constructed to its ultimate condition.
- 112. Prior to occupancy, the following improvements shall be completed: The roundabout proposed at the Eucalyptus Avenue and World Logistics Center Parkway shall be constructed to its ultimate condition.
- 113. Prior to occupancy, the following improvements shall be completed: The roundabouts proposed at the World Logistics Center Parkway and Alessandro Boulevard intersections shall be constructed to their ultimate conditions.
- 114. Prior to occupancy, the following improvements shall be completed: Bay Avenue and Merwin Street Intersection shall be improved as a street knuckle per City Standard Plan No. MVSI-162-0.
Special Districts Division

- 115. Street Light Coordination/Advanced Energy Fees. Prior to the issuance of the 1st Building Permit for this project, the Developer shall pay New Street Light Installation Fees for all street lights required to be installed for this development. Payment will be collected by the Land Development Division. Fees are based on the street light administration/coordination and advanced energy fees as set forth in the City Fees, Charges, and Rates as adopted by City Council and effective at the time of payment. Any change in the project which increases the number of street lights to be installed requires payment of the fees at the then current fee. Questions may be directed the Special Districts Administration 951.413.3470 or to at SDAdmin@moval.org.
- 116. CFD 2014-01. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee, form an association to fund the services or fund an endowment) to provide an ongoing funding source for a) Street Lighting Services for capital improvements, energy charges, and maintenance and/or b) Landscape Maintenance Services for public parkway, traffic circle, open space, and/or median landscaping on Eucalyptus Ave., Redlands Blvd., Street "E", Street "F", Merwin St., World Logistics Center Parkway, Alessandro Blvd., Bay Ave., Cottonwood Ave., Dracaea Ave., Encelia Ave., and/or Cactus Avenue.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the gualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer forming a property owner association that will be responsible for the improvements and any and all operation and maintenance costs for the improvements or by funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

- 117. Approved Landscape Plans. For those areas to be maintained by the City and prior to the issuance of the 1st Building Permit, Planning, Landscape Services and Transportation Engineering staff, at a minimum, shall review and approve the final median, parkway, slope, traffic circle and/or open space landscape/irrigation plans as designated on the tentative map or in these Conditions of Approval.
- 118. Major Infrastructure SFD Major Infrastructure Financing District. Prior to applying for the 1st Building Permit, the gualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the construction and maintenance of major infrastructure improvements, which may include but is not limited to thoroughfares, bridges, and certain flood control improvements. This condition will be applicable provided said district is under development at the time this project applies for the 1st Building Permit. This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings. An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer Districts must contact Special Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.
- 119. Park Maintenance Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or fund an endowment) to provide an ongoing funding source for the continued maintenance, enhancement, and/or retrofit of parks, open spaces, linear parks, and/or trails systems.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

Alternatively, the condition can be satisfied by the Developer funding an endowment in an amount sufficient to yield an annual revenue stream that meets the annual obligation, as calculated by Special Districts Admin staff. The Developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to satisfy this condition.

120. Maintenance Services Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for the operation and maintenance of public improvements and/or services associated with impacts of the development. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of

1.a

Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this funding source will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

121. Public Safety Funding. Prior to applying for the 1st Building Permit, the qualified elector (e.g. property owner) must initiate the process (i.e. pay the annexation fee or use the alternative identified at the time of the special financing district formation) to provide an ongoing funding source for Public Safety services, which may include but is not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. This condition will only be applicable provided said district is under development at the time this project applies for the 1st Building Permit.

This condition must be fully satisfied prior to issuance of the 1st Certificate of Occupancy. This condition will be satisfied with the successful annexation/formation (i.e. special election process) into a special financing district and payment of all costs associated with the special election process. Annexation into a special financing district requires an annual payment of the annual special tax, assessment, or fee levied against the property tax bill, or other lawful means, of the parcels of the project for such district. At the time of the public hearing to consider annexation into or formation of the district, the qualified elector(s) will not protest the annexation or formation, but will retain the right to object to any eventual tax/assessment/fee that is not equitable should the financial burden of the tax/assessment/fee not be reasonably proportionate to the benefit the affected property receives from the improvements to be installed and/or maintained or services provided. The special election requires a minimum 90-day process in compliance with the provisions of Article 13C of the California Constitution, Proposition 218, or other applicable legislation, and consistent with the scheduling for City Council meetings.

An alternative to satisfying this condition will be identified at such time as a special financing district has been established. At the time of development, the developer must contact Special Districts Administration at 951.413.3470 or at SDAdmin@moval.org to determine if this condition is applicable.

- 122. Parkway, open space, traffic circle, and/or median landscaping specified in the project's Conditions of Approval shall be constructed in compliance with the approved landscape plans and completed prior to the issuance of the first Certificate of Occupancy/Building Final for this project.
- 123. Mylars of the landscape and irrigation plans shall be submitted on hanging tab to Landscape Services.

- 124. Maintenance Period. The Developer, or the Developer's successors or assignees shall be responsible for all parkway, traffic circle, open space and/or median landscape maintenance and utility costs, etc. for a period no less than one (1) year commencing from the time all items of work have been completed to the satisfaction of Landscape Services staff as per the City of Moreno Valley Public Works Department Landscape Design Guidelines, or until such time as the City accepts maintenance responsibilities.
- 125. Independent Utilities. Parkway, median, slope, traffic circle and/or open space landscape areas included within a special financing district are required to have independent utility systems, including but not limited to water, electric, and telephone services. An independent irrigation controller and pedestal will also be required. Combining utility systems with existing or future landscape areas that are not within the same CFD 2014-01 tax rate layers or funding program (e.g. NPDES) will not be permitted.
- 126. Landscape Inspection Fees. Inspection fees for the monitoring of landscape installation associated with the City of Moreno Valley maintained landscaping are due prior to the required pre-construction meeting. (MC 3.32.040)
- 127. Landscape Guidelines. Plans for parkway, median, slope, traffic circle, and/or open space landscape areas designated in the project's Conditions of Approval for incorporation into a City Coordinated landscape maintenance program, shall be prepared and submitted in accordance with the City of Moreno Valley Public Works Department Landscape Design Guidelines. The guidelines are available on the City's website at www.moval.org or from Landscape Services (951.413.3480 or SDLandscape@moval.org).
- 128. Maintenance Responsibility. The ongoing maintenance of any landscaping required to be installed behind the curb shall be the responsibility of the property owner.
- 129. Landscape Plan Check Fees. Plan check fees for review of parkway/median, open space, and/or traffic circle landscape plans for improvements that shall be maintained by the City of Moreno Valley are due upon the first plan submittal. (MC 3.32.040)
- 130. The ongoing maintenance of any water quality BMP (e.g. Bioswale) constructed in the public right of way shall be the responsibility of a property owner association or the property owner.
- 131. Zones A and C. The parcel(s) associated with this project is included in Moreno Valley Community Services District Zone A (Parks & Community Services) and Zone C (Arterial Street Lighting). Zone A is levied on the property tax bill on a per parcel or dwelling unit basis. Zone C is levied on the property tax bill on a per parcel

CONDITIONS OF APPROVAL

Tentative Parcel Map (PEN23-0031) Page 25

basis. Zone A and Zone C are levied against all assessable parcels, and any subdivision thereof.

Transportation Engineering Division

- 132. World Logistic Center Parkway, south of Street F, along project frontage is classified and shall be improved as a Modified 4-Lane Divided Arterial (144'RW/108'CC) per City Modified Standard Plan No. MVSI-103A-1, as approved in the World Logistics Center Roadway and Trails Masterplan (LCO22-0066). Any improvements undertaken with this project shall be consistent with City Standard, approved World Logistics Center Roadway and Trails Masterplan, and approved street improvement plans (LCO22-0087). A Class II bike lane shall be provided along the project frontage.
- 133. World Logistic Center Parkway, south of E Alessandro Boulevard, along project frontage is classified and shall be improved as а Modified Arterial (144'RW/108'CC) per City Modified Standard Plan No. MVSI-104A-1, as approved in the World Logistics Center Roadway and Trails Masterplan (LCO22-0066). Any improvements undertaken with this project shall be consistent with City Standard, approved World Logistics Center Roadway and Trails Masterplan, and approved street improvement plans (LCO22-0087). A Class II bike lane shall be provided along the project frontage.
- 134. A 40-ft access way between Lot 9 through 12, inclusive, from Street E to World Logistics Center Parkway shall be provided. Extent of improvements on private access way, including driveways on Street E and World Logistics Center Parkway, shall be constructed to provide adequate onsite circulation and lot access to and from a public street. A reciprocal access agreement(s) may be required.
- 135. The existing roundabout at the intersection of Redland Boulevard and Eucalyptus Avenue shall be reconstructed as a two-lane roundabout. Ultimate intersection improvements include the addition of a second circulating lane for the southbound, eastbound, and northbound directions, a second entering lane for the for the eastbound and northbound approaches, and a second departure lane in the southbound and northbound directions. The applicant shall enter into a reimbursement agreement with the City, as required by the City Engineer. Failure to enter into an agreement with the City may result in no reimbursements.
- 136. The intersection of Alessandro Boulevard and Street E shall be improved as a three-legged, single-lane roundabout per the approved layout determined in the approved traffic study, prepared by Stantec and dated February 22, 2023, and to the satisfaction of the City Engineer.
- 137. The intersection of Street E and Street F shall be improved as a four-legged,

single-lane roundabout per approved street improvement plans (LCO22-0088) and to the satisfaction of the City Engineer.

- 138. Prior to an issuance of an encroachment permit for any work in the public right-of-way, a construction traffic control plan prepared by a Registered Civil or Traffic Engineer is required for plan approval.
- 139. Conditions of approval may be modified if project is phased or altered from any approved plans.
- 140. Redlands Boulevard is classified and shall be improved as a Modified 4-Lane Divided Arterial per City Modified Standard Plan No. MVSI-103A-1, as approved in the World Logistics Center Roadway and Trails Masterplan (LCO22-0066). Any improvements undertaken with this project shall be consistent with City Standard and approved World Logistics Center Roadway and Trails Masterplan. Prior to the map approval the applicant shall enter into an agreement with the City for the construction costs of the ultimate improvements on Redlands Boulevard, including communication conduit, along Redlands Boulevard from Dracaea Avenue to Eucalyptus Avenue.
- 141. Street E (Private Street) along project frontage shall be improved and be consistent with the approved World Logistics Center Roadway and Trails Masterplan (LCO22-0066). Any improvements undertaken with this project shall be consistent with City Standard, approved World Logistics Center Roadway and Trails Masterplan, and approved street improvement plans (LCO22-0088).
- 142. Street E, south of Street F, along project frontage is classified and shall be improved as a Modified Arterial (112'RW/76'CC) per City Modified Standard Plan No. MVSI-104A-1, as approved in the World Logistics Center Roadway and Trails Masterplan (LCO22-0066). Any improvements undertaken with this project shall be consistent with City Standard and approved World Logistics Center Roadway and Trails Masterplan. Class II bike lanes shall be provided.
- 143. The intersection of World Logistic Center Parkway and Street F is planned to be a four-legged, partial-multilane roundabout with a second circulating lane in the northbound and southbound direction, a designated westbound right turn, two-lane northbound, southbound, and eastbound approach. Any improvements undertaken with this project shall be per approved street improvement plans (LCO22-0087) and to the satisfaction of the City Engineer.
- 144. The intersection of E Alessandro Boulevard and World Logistics Center Parkway shall be improved as a three-legged, partial-multilane roundabout with a northbound and westbound right turn bypass lane, two-lane southbound approach, and a second circulating lane in the southbound direction per the approved layout determined in the approved traffic study, prepared by Stantec and dated February

Tentative Parcel Map (PEN23-0031) Page 27

22, 2023, and to the satisfaction of the City Engineer.

145. The intersection of Cactus Avenue and Redlands Boulevard/John F Kennedy Drive is planned and shall be improved as a four-legged, signalized intersection with the following lane configurations:

• Northbound: One Left Turn Lane, One Through Lane, One Shared Through/Right Turn Lanes

• Southbound: One Left Turn Lane, One Through Lane, One Shared Through/Right Turn Lanes

• Westbound: One Left Turn Lane, One Through Lane, One Shared Through/Right Turn Lanes

• Eastbound: One Left Turn Lane, One Through Lane, One Shared Through/Right Turn Lanes.

The Developer shall be responsible for any additional improvements needed to provide the ultimate intersection improvements. The applicant shall enter into a reimbursement agreement with the City, as required by the City Engineer. Failure to enter into an agreement with the City may result in no reimbursements.

- 146. In the event a bus turnout is required by the City of Moreno Valley and Riverside Transit Agency (RTA) along project frontage, a bus turnout shall be designed and constructed per City Standard Plan No. MVSI-161-0 and RTA's design requirements.
- 147. Eucalyptus Avenue along project frontage is classified and shall be improved as a Modified 4-Lane Divided Arterial (110'RW/86'CC) per City Modified Standard Plan No. MVSI-103A-1, as approved in the World Logistics Center Roadway and Trails Masterplan (LCO22-0066). Any improvements undertaken with this project shall be consistent with City Standard, approved World Logistics Center Roadway and Trails Masterplan, and approved street improvement plans (LCO22-0086). A Class II bike lane shall be provided along the project frontage.
- 148. Cactus Avenue is classified and shall be improved as a Minor Arterial (103'RW/64'CC) per City Modified Standard Plan No. MVSI-105A-2, as approved in the World Logistic Center Roadway and Trails Masterplan (LCO22-0066), between W Alessandro Boulevard and Redlands Boulevard. Any improvements undertaken with this project shall be consistent with City Standard and approved World Logistics Center Roadway and Trails Masterplan.
- 149. Street F, west of World Logistic Center Parkway, is classified and shall be improved as a Modified Arterial (112'RW/76'CC) per City Modified Standard Plan No. MVSI-104A-1, as approved in the World Logistics Center Roadway and Trails Masterplan (LCO22-0066). Any improvements undertaken with this project shall be consistent with City Standard, approved World Logistics Center Roadway and

1.a

Trails Masterplan, and approved street improvement plans (LCO22-0089). A Class II bike lane shall be provided along the project frontage.

- 150. The intersection of World Logistic Center Parkway and Eucalyptus Avenue is planned to be a four-legged, two-lane roundabout with two-lane northbound, southbound, and eastbound approaches, a westbound right turn bypass lane, and second circulating lane in the northbound, southbound, and eastbound direction. Any improvements undertaken with this project shall be consistent with City Standard and approved street improvement plans (LCO22-0087).
- 151. The intersection of W Alessandro Boulevard and World Logistics Center Parkway shall be improved as a four-legged, single-lane roundabout with a southbound right turn bypass lane per the approved layout determined in the approved traffic study, prepared by Stantec and dated February 22, 2023, and to the satisfaction of the City Engineer.
- 152. The existing traffic signal at the intersection of Redlands Boulevard and Cottonwood Avenue shall be modified to add a crosswalk on the north leg. Improvements include, but are not limited to, the addition of a crosswalk on the north leg, upgrades to the controller cabinet, equipment, and/or software, and addition of video detection equipment. Prior to map approval, the traffic signal modification work shall be completed and operational to the satisfaction of the City Engineer.
- 153. Prior to map approval, construction plans for all, if any, public improvements specified in these conditions of approval shall be prepared in accordance with conditions of approval herein and approved.
- 154. World Logistic Parkway, north of Street F, along project frontage is classified and shall be improved as a Modified 6-Lane Divided Arterial (168'RW/132'CC) per City Modified Standard Plan No. MVSI-101A-1, as approved in the World Logistics Center Roadway and Trails Masterplan (LCO22-0066). Any improvements undertaken with this project shall be consistent with City Standard, approved World Center Roadway and Trails Masterplan, Logistics and approved street improvement plans (LCO22-0087). A Class II bike lane shall be provided along the project frontage.
- 155. Alessandro Boulevard, west of World Logistics Center Parkway, along project frontage is classified and shall be improved as a Modified 4-Lane Divided Arterial (120'RW/76'CC) per City Modified Standard Plan No. MVSI-104A-1, as approved in the World Logistics Center Roadway and Trails Masterplan (LCO22-0066). Any improvements undertaken with this project shall be consistent with City Standard and approved World Logistics Center Roadway and Trails Masterplan. A Class II bike lane shall be provided along the project frontage.
- 156. Bay Avenue and Merwin Street along project frontage is classified and shall be

improved as a Collector (66'RW/44'CC) per City Standard Plan No. MVSI-106B-1. Any improvements undertaken with this project shall be consistent with City Standard.

- 157. The existing roundabout at the intersection of Eucalyptus Avenue and Street E (Private Street) shall be improved as a four-legged roundabout per the approved plans (LCO22-0088) and to the satisfaction of the City Engineer. A designated northbound right-turn lane and appropriate signage shall be installed to restrict northbound truck traffic to right turns only.
- 158. The intersection of Alessandro Boulevard and Cactus Avenue shall be improved as a three-legged, single-lane roundabout with a northbound right turn bypass lane per the approved layout determined in the approved traffic study, prepared by Stantec and dated February 22, 2023, and to the satisfaction of the City Engineer.
- 159. The intersection of Bay Avenue and Merwin Street shall be improved as a knuckle per City Standard Plan No. MVSI-162-0.
- 160. Prior to map approval, all public improvements specified in these conditions of approval shall be completed per the approved plans and to the satisfaction of the City Engineer.
- 161. Prior to map approval, all signing and striping along project frontage shall be installed per City Standards -Section 4 and approved plans to the satisfaction of the City Engineer.



REVISIO

APPD DATE

20

28

Packet Pg. 47

CITY OF MORENO VALLEY

SHEET 01 OF 14



: Tentative Parcel Map 38667) (6399 Attachment: Zoning Map



PLANNING COMMISSION

STAFF REPORT

Meeting Date: September 28, 2023

TENTATIVE PARCEL MAP NO. 38599 TO SUBDIVIDE AN 8.99-ACRE PARCEL INTO TWO PARCELS AND A PLOT PLAN TO CONSTRUCT A 64-UNIT APARTMENT COMPLEX LOCATED AT 13989 MORENO ROSE PLACE, WITHIN THE CORRIDOR MIXED USE (COMU) DISTRICT

Cases:	Tentative Parcel Map No. 38599 (PEN21-0251) Plot Plan (PEN21-0250)
Applicant:	Irwin Partners Architects
Property Owners:	Tran Chung and Mai-Anh Chung
Project Site:	13989 Moreno Rose Place
Case Planner:	Danielle Harper-Scott, Associate Planner
Council District:	3
Proposed Project:	Plot Plan Review for a 64-unit apartment complex
CEQA:	Adopt Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program

SUMMARY

Irwin Partners Architects ("Applicant") has submitted an application for a Tentative Parcel Map No. 38599 (PEN21-0251) to subdivide an 8.99-acre parcel into two parcels and a Plot Plan (PEN21-0250) to construct a 64-unit apartment complex, located on the north side of Alessandro Boulevard, east of Flaming Arrow Drive, within the Corridor Mixed Use (COMU) District ("Proposed Project"). The Proposed Project, as designed and conditioned, is consistent with the goals, policies, and objectives of the City's General Plan, as well as the Corridor Mixed Use (COMU) District and the Municipal Code.

PROJECT DESCRIPTION

ID#6373

Page 1

and

Tentative Parcel Map

The applicant is requesting approval of Tentative Parcel Map No. 38599 (PEN21-0251) to subdivide an 8.99-acre parcel, developed with 30 single-family units, into two parcels. Parcel 1 is proposed to be 4.60 acres and will consist of the existing single-family residential development. Parcel 2 is proposed to be 4.38 acres and will be developed with a proposed 64-unit apartment complex. The proposed subdivision has been designed to comply with the standards of the Municipal Code.

Plot Plan

The applicant is requesting approval of a Plot Plan (PEN21-0250) for a 64-unit apartment complex. The Proposed Project provides 86,302 square feet of open space, which consists of outdoor amenities, including seating and barbeque areas. The Proposed Project is a permitted use within the Corridor Mixed Use (COMU) District.

Site and Surrounding Area

The Project Site is located north of Alessandro Boulevard and east of Flaming Arrow Drive. Surrounding development to the north and west consist of single-family residences within the Residential 5 (R5) District; to the east is a combination of single-family residences also within the Residential 5 (R5) District and a church within the Corridor Mixed Use (COMU) District, and to the south is a multi-family residential development also within the Corridor Mixed Use (COMU) District.

Access/Parking

Access to the Proposed Project will be provided from Alessandro Boulevard via Sarah Street, an existing unpaved private street located on the property that will be required to be improved as part of the proposed project. The Proposed Project provides a total of 160 parking spaces consisting of 103 covered parking spaces and 57 uncovered parking spaces.

Design/Landscaping

The Proposed Project would develop a 64-unit apartment complex within eight two-story buildings. The Proposed Project will consist of 32 two-bedroom apartments and 32 three-bedroom apartments. The proposed units range in size from 963 to 1,212 square-feet. The Proposed Project consists of 73,958 square feet of landscaped area.

The proposed elevations reflect a traditional architectural style and include exterior stucco and wood siding exterior finishes. A condition of approval is recommended to revise the roofing material to incorporate a flat tile roof, revise the color of the window trim and doors to a color that contrasts with the main building color, and incorporate window mullions.

REVIEW PROCESS

Page 2

All appropriate outside agencies have considered the Proposed Project part of the standard review process. The Proposed Project was reviewed by the Project Review Staff Committee in accordance with the Moreno Valley Municipal Code. Following subsequent revisions and reviews by staff, the Proposed Project was determined to be complete.

ENVIRONMENTAL

An Initial Study was prepared by UltraSystems Environmental in compliance with the California Environmental Quality Act (CEQA) and its guidelines. The Initial Study examined the potential impacts of the Proposed Project on the environment. The Initial Study/Mitigated Negative Declaration (IS/MND) serves as the appropriate CEQA documentation for the Proposed Project. With the implementation of the proposed mitigation measures, the Proposed Project will not have a significant effect on the environment. Technical studies prepared in support of the IS/MND include the following: Air Quality Analysis, Biological Resources Evaluation, Cultural Resources Assessment, Paleontological Report, Geotechnical Report, Geotech Engineering Investigation, Environmental Site Assessment, Preliminary Water Quality Management Plan, Preliminary Hydrology Report, Noise Analysis, and Limited Vehicle Miles Traveled (VMT) Analysis. Copies of the appendices to the IS/MND can be accessed from the link attached to this staff report. The documents can be reviewed at City Hall during operating hours.

Mitigation measures are recommended for the Proposed Project in the following areas: Biological Resources, Tribal Cultural Resources, Geology and Soils, and Noise all of which are incorporated into the Mitigation Monitoring and Report Program (MMRP). The measures for cultural resources have been included to address input from the Tribal governments. The measures are intended to ensure that potential resources that might be discovered are protected. However, these measures are not required to address a known significant impact. Based on the Initial Study and the proposed mitigation measures, the Proposed Project will not cause any significant impacts to the environment.

The public comment period for the Notice of Availability of the Initial Study/Mitigated Negative Declaration began on August 31, 2023, and ended on September 20, 2023, (State Clearing House Number 2023090006) which satisfies the required 20-day review period required for this project. As of the preparation of this staff report, a comment letter was received by The California Department of Fish and Wildlife (CDFW) with recommendations to the proposed mitigation measure to further assist in identifying, avoiding, and/or mitigating the Project's impacts on biological resources. The recommended mitigation measure was incorporated into the final Mitigation Monitoring and Report Program (MMRP). Should comments regarding the Proposed Project be received prior to the Planning Commission, they will be provided at the public hearing.

NOTIFICATION

Page 3

Public notice was sent to all property owners of record within 600 feet of the Project Site. The public hearing notice for this project was also posted on the project site and published in the local newspaper.

REVIEW AGENCY COMMENTS

Staff has coordinated with outside agencies where applicable, as is the standard review process for these development applications.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

- A. That the Planning Commission **ADOPT** Resolution No. 2023-41, attached hereto, and thereby:
 - 1. **ADOPTING** the Initial Study/Mitigated Negative Declaration prepared for Tentative Parcel Map No. 38599 (PEN21-0251) and Plot Plan (PEN21-0250) on file with the Community Development Department, incorporated herein by this reference, which was completed in compliance with CEQA and the CEQA Guidelines, and reflects that the Planning Commission reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, and exercised its independent judgment and analysis of the Proposed Project's potential environmental impacts; and
 - ADOPTING the Mitigation Monitoring and Reporting Program prepared for the Proposed Project, which consists of a Tentative Parcel Map No. 38599 (PEN21-0251) and Plot Plan (PEN21-0250) pursuant to CEQA and the CEQA Guidelines.
- B. That the Planning Commission **ADOPT** Resolution No. 2023-40, attached hereto, and thereby:
 - 1. **APPROVING** Tentative Parcel Map No. 38599 (PEN21-0251) and Plot Plan (PEN21-0250) based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Resolution No. 2023-40.

Prepared by: Danielle Harper-Scott Associate Planner Approved by: Sean P. Kelleher Community Development Director

ATTACHMENTS

To view large attachments, please click your "bookmarks" on the left hand side of this document for the necessary attachment.

- 1. Resolution Number 2023-41
- 2. Exhibit A Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
- 3. Exhibit B Notice of Intent to Adopt a Mitigated Negative Declaration
- 4. Exhibit C Final Mitigation Monitoring and Reporting Program
- 5. Appendix A Project Plans
- 6. Appendix B Air Quality
- 7. Appendix C Biological Resource Evaluation
- 8. Appendix D Cultural Resources Assessment
- 9. Appendix E1 Paleontological Records Search
- 10. Appendix E2 Geotechnical Report
- 11. Appendix E3 Geotechnical Site Investigations
- 12. Appendix F Phase I ESA
- 13. Appendix G1 Preliminary Water Quality Management Plan
- 14. Appendix G2 Preliminary Hydrology Report
- 15. Appendix H Ambient Noise Measurement Data
- 16. Appendix I Limited VMT Analysis
- 17. Resolution Number 2023-40
- 18. Location Map
- 19. Project Plans
- 20. Public Comment Letters

RESOLUTION NUMBER 2023-41

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR TENTATIVE PARCEL MAP NO. 38599 (PEN21-0251) TO SUBDIVIDE AN 8.99-ACRE PARCEL INTO TWO PARCELS AND A PLOT PLAN (PEN21-0250) TO CONSTRUCT A 64-UNIT APARTMENT COMPLEX LOCATED AT 13989 MORENO ROSE PLACE (APN: 479-220-024)

WHEREAS, the City of Moreno Valley ("City") is a general law city and a municipal corporation of the State of California, and the lead agency for the preparation and consideration of environmental documents for local projects that are subject to requirements of the California Environmental Quality Act (CEQA¹) and CEQA Guidelines²; and

WHEREAS, Irwin Partners Architects ("Applicant") has submitted applications for Tentative Parcel Map No. 38599 (PEN21-0251) to subdivide an 8.99-acre parcel into two parcels, and a Plot Plan (PEN21-0250) to construct a 64-unit apartment complex ("Proposed Project") located at 13989 Moreno Rose Place (APN: 479-220-024) ("Project Site"); and

WHEREAS, Planning Division Staff completed an Initial Study (environmental assessment) for the Proposed Project and based on the environmental assessment, recommend adoption of a Mitigated Negative Declaration ("MND") and a Mitigation Monitoring and Reporting Program ("MMRP") in accordance with Section 6 (ND Procedures) of the City's Rules and Procedures for the Implementation of the California Environmental Quality Act and the requirements of CEQA the CEQA Guidelines Sections 15070 – 15075; and

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was duly noticed and circulated for public review for a period of 20 days commencing on August 31, 2023, through September 20, 2023; and

WHEREAS, in compliance with CEQA and the CEQA Guidelines, an MMRP, which is a program for monitoring and reporting on the Proposed Project's mitigation measures was prepared for the Proposed Project and circulated with the MND; and

WHEREAS, on September 28, 2023, a duly noticed public hearing was conducted by the Planning Commission to consider the approval of the Proposed Project's MND and MMRP and approval of the Proposed Project; and

WHEREAS, at the conclusion of the public hearing, in the exercise of its own independent judgment, the Planning Commission determined that the MND and the

1 Resolution No. 2023-41 September 28, 2023

¹ Public Resources Code §§ 21000-21177

² 14 California Code of Regulations §§15000-15387

2.a

MMRP prepared for the Proposed Project has reduced the potential impact of the Proposed Project to levels of insignificance and there is no substantial evidence supporting a fair argument that the Proposed Project will significantly affect the environment in a manner that otherwise would require the preparation and certification of an Environmental Impact Report.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals and Exhibits

That the foregoing Recitals and attached exhibits are true and correct and are hereby incorporated by this reference.

Section 2. Evidence

That the Planning Commission has considered all of the evidence submitted into the Administrative Record for the MND and MMRP, including, but not limited to, the following:

- Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the Proposed Project, attached hereto as Exhibit A;
- (b) Notice of Intent to Adopt a Mitigated Negative Declaration, attached hereto as Exhibit B;
- (c) Staff Report prepared for the Planning Commission's consideration and all documents, records, and references related thereto, and Staff's presentation at the public hearing; and
- (d) Testimony, comments, and correspondence from all persons that were provided at, or prior to, the public hearing.

Section 3. Findings

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the Planning Commission makes the following findings:

- (a) That all environmental impacts of the Proposed Project, with the mitigation measures set forth in the MMRP, have been reduced to levels of insignificance and there is no substantial evidence supporting a fair argument that the Proposed Project will have a significant effect on the environment that would otherwise require the preparation and certification of an Environmental Impact Report;
- (b) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been completed in compliance with CEQA and the CEQA Guidelines and are consistent with the City's Rules and Procedures for the Implementation of the California Environmental Quality Act;
- (c) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program represent the independent judgment and analysis of the

2 Resolution No. 2023-41 September 28, 2023 Planning Commission and the City as the lead agency for the Proposed Project; and

(d) That the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are adequate to serve as the required CEQA environmental documentation for the Proposed Project.

Section 4. Adoption

That based on the foregoing Recitals, Evidence contained in the Administrative Record and Findings, as set forth herein, the Planning Commission hereby adopts the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program attached hereto as Exhibit A.

Section 5. Repeal of Conflicting Provisions

That all the provisions as heretofore adopted by the Planning Commission that are in conflict with the provisions of this Resolution are hereby repealed.

Section 6. Severability

That the Planning Commission declares that, should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 7. Effective Date

That this Resolution shall take effect immediately upon the date of adoption.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

3 Resolution No. 2023-41 September 28, 2023

Section 8. Certification

That the Secretary of the Planning Commission shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS 28th day of September 2023.

CITY OF MORENO VALLEY PLANNING COMMISSION

Alvin DeJohnette, Chairperson

ATTEST:

Sean P. Kelleher, Community Development Director

APPROVED AS TO FORM:

Steven B. Quintanilla, City Attorney

Exhibits:

- Exhibit A: Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
- Exhibit B: Notice of Intent to Adopt a Mitigated Negative Declaration
- Exhibit C Final Mitigation Monitoring and Reporting Program

Resolution No. 2023-41 September 28, 2023

<u>Exhibit A</u>

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM

1



CITY OF MORENO VALLEY

INITIAL STUDY FOR VALLEY GARDENS APARTMENTS 13989 MORENO ROSE PLACE MORENO VALLEY



VALLEY GARDENS APARTMENTS CASE NUMBERS PEN21-0250 (Plot Plan) and PEN21-0251 (Tentative Parcel Map)

AUGUST, 2023

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

Prepared By ULTRASYSTEMS ENVIRONMENTAL, INC. Betsy Lindsay, President/CEO 16431 Scientific Way Irvine, CA 92618 • (949) 788-4900 2.b

TABLE OF CONTENTS

BACKGROUND INFORMATION AND PROJECT DESCRIPTION:1
Project Location
DETERMINATION (To be completed by the Lead Agency):
EVALUATION OF ENVIRONMENTAL IMPACTS:
ISSUES & SUPPORTING INFORMATION SOURCES:
I. AESTHETICS35II. AGRICULTURE AND FOREST RESOURCES38III. AIR QUALITY41MMVI. ENERGY68VII. GEOLOGY AND SOILS71VIII. GREENHOUSE GAS EMISSIONS82IX. HAZARDS AND HAZARDOUS MATERIALS88X. HYDROLOGY AND WATER QUALITY – Would the project:100XI. LAND USE AND PLANNING107XII. MINERAL RESOURCES – Would the project:111XIII. NOISE114XIV. POPULATION AND HOUSING128XV. PUBLIC SERVICES129XVI. RECREATION135XVII. TRANSPORTATION136XVIII. TRIBAL CULTURAL RESOURCES140XIX. UTILITIES AND SERVICE SYSTEMS143XX. WILDFIRE148XXI. MANDATORY FINDINGS OF SIGNIFICANCE149
FIGURES
Figure 1 - Regional Location4Figure 2 - Project Vicinity5Figure 3 - Project Location6Figure 4 - Topographic Map7Figure 5 - Project Site Photographs8Figure 6 - Tentative Parcel Map13Figure 7 - Proposed Site Plan14Figure 8 - Two-Bedroom Floorplans16

2.b

Figure 13 - Preliminary WQMP Site Plan	. 24
Figure 14 - State Scenic Highways	. 36
Figure 15 - Important Farmland Categories	. 39
Figure 16 - Project Location and Biological Study Area	. 50
Figure 17 - CNDDB Known Occurrences Plant Species and Habitats	. 51
Figure 18 - CNDDB Known Occurrences Wildlife Species	. 52
Figure 19 - Land Cover Types	. 55
Figure 20 - CDFW Wildlife Corridors	. 57
Figure 21 - Management Plan and Land Designation Areas	.59



iii



98
sibility Area99

Figure 38 - Nearby Parks and Facilities	133
TABLES	
Table 1 - Summary of Existing Land Use, Zoning and Specific Plan Designations	2
Table 2 - Summary of Proposed Project Features	. 11
Table 3 - Floor Plans	. 15
Table 4 - Construction Phasing and Equipment Details	. 26
Table 5 - Permits and Approvals	. 26
Table 6 - Project Compliance with Applicable City of Moreno Valley General Plan	
Policies Regarding Scenic Quality	. 37
Table 7 - Federal and State Attainment Status	. 42
Table 8 - Ambient Air Quality Monitoring Data	. 43
Table 9 - SCAQMD Thresholds of Significance	. 45
Table 10 - Construction Schedule	. 45
Table 11 - Maximum Daily Regional Construction Emissions	. 46
Table 12 - Maximum Daily Project Operational Emissions.	. 46
Table 13 - Results of Unmitigated Localized Significance Analysis	. 47
Table 14 - MSHCP Project Review Checklist	.57
Table 15 - Estimated Project Operational Energy Use	. 69
Table 16 - Maximum Density Tests	.79
Table 17 - Paleontological Records Search Results	80
Table 18 - GHG Emissions Forecast and Targets (MTCO2e per year)	86
Table 19 - Project Construction Related GHG Emissions	. 87
Table 20 - Project Operational GHG Emissions	87
Table 21 - Selected Hazardous Materials Sites Within 1.0 Mile of The Project Site	.92
Table 22 - Consistency Analysis: Proposed Project Compared to Relevant City of	
Moreno Valley General Plan Land Use. Zoning, And Urban Design Element Goals ar	nd
Policies	108
Table 23 - Ambient Noise Measurement Results	115
Table 24 - Sensitive Receivers in Project Area	117
Table 25 - Maximum Continuous Sound Levels	121
Table 26 – Maximum Impulsive Sound	122
Table 27 - Maximum Sound Levels (IN Db(A)) For Source Land Uses ^a	122
Table 28 - Construction Equipment Noise Characteristics	123
Table 29 - Estimated Maximum Construction Noise Exposures at Nearby Sensitive	
Receivers	124
Table 30 - Estimated Increases in CNEL at Residences due to Construction	124
Table 31 - Vibration Levels of Typical Construction Equipment	126
Table 32 - City of Moreno Valley Demographic Forecast	128
Table 33 - Regional Housing Needs Assessment, City of Moreno Valley, 2021-2029	128
Table 34 - Moreno Valley Police Department Response Time Targets	131
Table 35 - Schools Serving the Project Site	131
Table 36 - Estimated Project Student Generation	131
Table 37 - Project Impacts on School Capacities	132
Table 38 - Quimby Fee Schedule	134
Table 39 - ITE Trip Generation Rates ¹	137
Table 40 - ITE Trip Generation Rates ¹	138
Table 41 - Project Compliance with The City of Moreno Valley General Plan Policies	
Regarding Mobility and Transportation	138
Table 42 - EMWD Systemwide Retail Water Supplies & Demands, Average Water	
Conditions	145

۷

Table 43 - EMWD Retail Water Supply Reliability, 2025-2040	145
Table 44 - Landfills Serving Moreno Valley	146

MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the CEQA Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon a Mitigated Negative Declaration or an Environmental Impact Report. The MMRP ensures implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to: (1) provide a framework to document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those Mitigation Measures that are within the responsibility of the City and/or Applicant to implement.

The following table lists impacts, mitigation measures adopted by the City of Moreno Valley in connection with approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented.

Only those environmental topics for which mitigation is required are listed in this Mitigation Monitoring and Reporting Program.

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORIN G ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.4 Biological Resource	es			
a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	 MM BIO-1 Focused Burrowing Owl (BUOW) Surveys The project area is located within an MSHCP Burrowing Owl Survey Area and contains suitable habitat to potentially support BUOW in the future. Therefore, a focused BUOW survey is required by the MSHCP. A qualified biologist would conduct a focused BUOW survey in accordance with the <i>Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area</i> (MSHCP Survey Guidelines; Riverside County TLMA, 2006) within 30 days prior to ground disturbance. Following the completion of the focused BUOW survey, the biologist would prepare a letter report in accordance with the MSHCP Survey Guidelines summarizing the results of the survey. The report would be submitted to the City of Moreno Valley prior to initiating any ground disturbance activities. If no BUOWs or signs of BUOW are observed during the survey and concurrence is received from EPD and CDFW, project activities may begin and no further mitigation would be required. If BUOW or signs of BUOW are observed during the survey, the site would be considered occupied. The biologist would implement protection measures listed below and contact the city, EPD, and CDFW to assist in the development of avoidance, minimization, and mitigation measures, prior to commencing project activities. BUOW Protection Measures If BUOW sor signs of BUOW are observed during the survey, then the site would be considered occupied and the biologist shall contact the City of Moreno Valley, EPD, and CDFW to assist in the development of avoidance, minimization, and mitigation measures, prior to commencing project activities (Riverside County TLMA, 2006). BUOW Protection Measures If BUOW protection Measures Grading, construction, and other project activities on all grassland habitat will be delayed until the qualified biologist has implemented burrow exclusion and closure have be	Project Applicant and Qualified Biologist	Field Verification	 City of Moreno Valley City of Moreno Valley Before Construction

Packet Pg. 66

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORIN G ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	door and then permanently excluding the BUOW from returning once it is confirmed that no BUOW individuals remain in the burrow. A biological monitor will visit the site daily to verify that the burrow is empty by monitoring and scoping the burrow. Considering that there is not adequate BUOW habitat of at least 6.6 acres to which an excluded BUOW pair can relocate, the project applicant shall pay a Local Development Mitigation Fee to the County of Riverside to offset the impacts to the BUOW. All surveys and reporting required by the MSHCP will be complied with including a focused BUOW survey. Construction BUOW Protection Measures A biological monitor will be onsite to monitor any BUOW or signs of BUOW. If any BUOW are observed then the biologist will consult with the County EPD and CDFW to determine the appropriate measures.			
	 MM BIO-2: Pre-Construction Breeding Bird Survey To maintain compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels. Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts on migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities. If project activities cannot be avoided during February 15 through September 15, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will 	Project Applicant and Qualified Biologist	Field Verification	 City of Moreno Valley City of Moreno Valley Before and During Construction

ii

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORIN G ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	 end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance. If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required. If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no-activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have fledged, the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone. If listed bird species are observed within the project site during the preconstruction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency. Birds or their active nests will not be disturbed, captured, handled or moved. Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined in active by a gualified biolo			
	 MM BIO-3: Biological Monitor As per the MSHCP requirements stated in Volume 1, Appendix C2 of the MSHCP, a qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint (Riverside County, 2003). A biological monitor shall monitor activities that result in tree or vegetation removal to minimize the likelihood of inadvertent impacts on nesting birds and special-status wildlife species, with special attention given to any 	Project Applicant and Qualified Biologist	Field Verification	 City of Moreno Valley City of Moreno Valley During Construction

Packet Pg. 68

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORIN G ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	 protected species observed during the pre-construction breeding bird surveys. Monitoring shall also be conducted periodically during construction activities to ensure no new nests are built during any vegetation removal or building demolition activities between February 1 and August 31. The biological monitor shall ensure that all BMPs, avoidance, protection and mitigation measures described in the relevant project permits and reports are in place and are adhered to. The biological monitor shall have the authority to temporarily halt all construction activities and all non-emergency actions if sensitive species and/or nesting birds are identified and would be directly affected. The monitor shall notify the appropriate resource agency and consult if needed. If necessary, the biological monitor shall relocate the individual outside of the work area where it will not be harmed. Work can continue at the location if the applicant and the consulted resource agency determine that the activity will not result in adverse effects on the species. The appropriate agencies shall be notified if a dead or injured protected species is located within the project site. Written notification shall be made within 15 days of the date and time of the finding or incident (if known) and must include; location of the carcass, a photograph, cause of death (if known), and other pertinent information. 			
	 MM BIO-4: Construction Best Management Practices Project work crews will be directed to use BMPs where applicable. These measures will be identified prior to construction and incorporated into the construction operations. Implementation of this conservation measure will help to avoid, eliminate or reduce impacts on sensitive biological resources, such as special-status terrestrial wildlife species, to less than significant levels. Standard BMPs as outlined in the MSHCP (MSHCP, Volume 1, Appendix C3) and that apply to construction of this project, and that are not incorporated to other mitigation measures proposed for this project are as follows: Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements. Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials 	Project Applicant and Construction Contractor	Field Verification	 City of Moreno Valley City of Moreno Valley During Construction

iv

Packet Pg. 69

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORIN G ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	 shall be reported to appropriate entities including but not limited to applicable jurisdictional city, FWS, and CDFW, RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas. The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these BMPs. 			
4.5 Cultural Resources				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to <u>§15064.5</u> ?	MM 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 located on Parcel 1 of Parcel Map 38599. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including Pechanga Band of Indians, Morongo Band of Mission Indians, the contractor, and the City, shall develop a Cultural Resources Monitoring Plan (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 Consulting Tribal representatives; 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	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities
	MM CR 2 Native American Monitoring. Prior to the issuance of a grading permit(s), the Developer shall secure agreements with the Pechanga Band of Indians and Morongo Band of Mission 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 pregrading 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.	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities
	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	Archaeologist and Project	Field Verification	Valley Planning

v

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORIN G ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	 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. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, human remains/cremations, sacred and ceremonial items, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation. f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items. g. Contact information of relevant individuals for the Project. 	Construction Contractor		 City of Moreno Valley Planning Department During construction activities
	 MM CR 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: 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. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-3. This shall include measures and provisions to protect the future 	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORIN G ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	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.			
	MM CR 5The 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 and/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.	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities
	MM CR 6 Inadvertent Finds . If potential historic or cultural resources are uncovered during excavation or construction activities at the project site (Parcel 1 of Parcel Map 38599) 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's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until a treatment plan has been prepared and approved by all Consulting Parties, then work may resume after the treatment plan has been completed. 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	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities

vii

2.b
TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORIN G ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	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-3 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 and Consulting Tribes for their review and approval prior to implementation of the said plan.			
	 MM CR 7 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's 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 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). Level of Significance After Mitigation With implementation of mitigation measures MM CUL-1 through MM CUL-7 dependence of a serie in the present of the present is been directed and the present of the			
	described above, the project would result in less than significant impacts to archaeological resources.			
c) Disturb any human remains, including those interred outside of	 MM CR 8 Human Remains. If human remains and/or cremations are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. a. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., 	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORIN G ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
formally dedicated cemeteries?	 clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98. b. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5. c. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98 			3. During construction activities
	 MM CR 9 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). Level of Significance After Mitigation With adherence to applicable codes and regulations protecting cultural resources and with implementation of mitigation measures MM CUL-8 and MM 	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORIN G ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	CUL-9 described above, the proposed project would result in less than significant impacts to human remains.			
4.7 Geology and Soils				
Threshold 4.7d): Would the project be located on expansive soil, as defined in Table 18-1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	MM GEO-1 Incorporation of and compliance with the Conclusions and Recommendations detailed in the Preliminary Geotechnical Engineering Investigation. All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical report on the project site that has been prepared by NorCal Engineering, titled Preliminary Geotechnical Engineering Investigation (NorCal, 2020). Design, grading, and construction shall be performed in accordance with the requirements of the City of Moreno Valley and the California Building Code (CBC) applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review by the City of Moreno Valley Community Development Department, or designee, prior to commencement of grading activities.	Project Applicant, Project Architect, and Project Construction Contractor	Implement Recommenda tions	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During project design and project construction activities
Threshold 4.7 f): Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	MM GEO-2 Prior to the issuance of the grading permit, the applicant shall provide a letter to the City of Moreno Valley Planning Department, or designee, from a qualified paleontologist stating that the paleontologist has been retained to provide services for the project. The paleontologist shall develop, as needed, a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist on site for review and approval by the City. The PRIMP shall require that the paleontologist perform paleontological monitoring of any ground-disturbing activities within undisturbed native sediments during mass grading, site preparation, and underground utility installation. The project paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. Criteria for discard of specific fossil specimens will be made explicit. If the qualified paleontologist determines that impacts on a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include	Project Applicant, Qualified Paleontologist, and Construction Contractor	Monitoring, Assessment, Recovery, and Curation	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During project construction activities

х

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORIN G ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if a significant fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage, and treatment shall be done at the Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.			
4.13 Noise				
Threshold 4.13 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?	 MM N-1 The following noise control measures shall be applied to new single-family dwellings exposed to noise along major roadways: a. Install sound barriers (masonry walls or walls with earth berms) between residences and noise sources. b. Install double-paned or similar sound rated windows. c. Provide sound insulating exterior walls and roofing systems. d. Locate and/or design attic vents to minimize sound propagation into each home. e. Provide forced-air ventilation systems. f. Place dwellings as far as practical from the noise source. MM N-2 Acoustical analyses shall be conducted for new residential development along State Route 60. Noise control measures shall be required to reduce the amount of noise to acceptable levels (limit interior noise levels with doors and windows closed to 45 CNEL). MM N-3 Discourage residential uses where current or projected exterior noise due to aircraft over flights will exceed 65 CNEL (Policy 6.3.2). MM N-4 New commercial and industrial activities (including the placement of mechanical equipment) shall be evaluated and designed to mitigate noise impacts on adjacent uses (Policy 6.5.1). MM N-5 Construction activities shall be operated in a manner that limits noise impacts on surrounding uses (Policy 6.5.2). 	Project Applicant and Project Construction Contractor	Contract Specifications	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction

Packet Pg. 76

xi

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORIN G ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	 The City shall re-evaluate designated truck routes in terms of noise impact on existing land uses to determine if those established routes and the hours of their use should be adjusted to minimize exposure to truck noise (Program 6-3). MM N-7 The following uses shall require mitigation to reduce noise exposure where current or future exterior noise levels exceed 20 CNEL above the desired interior noise level (Policy 6.3.1): a. New single-family and multiple-family residential buildings shall be insulated to achieve an interior noise level of 45 CNEL or less. Such buildings shall include sound-insulating windows, walls, roofs and ventilation systems. Sound barriers shall also be installed (e.g., masonry walls or walls with berms) between single-family residences and major roadways. b. New libraries, hospitals and extended medical care facilities, places of worship and office uses shall be insulated to achieve interior noise levels of 50 CNEL or less. c. New schools shall be insulated to achieve interior noise levels of 45 CNEL or less. MM N-8 Where the future noise environment is likely to exceed 70 CNEL due to overflights from the joint-use airport at March, new buildings containing uses that are not addressed under Policy 6.3.1 shall require insulation to achieve interior noise levels recommended in the March Air Reserve Base Air Installation Compatible Use Zone Report (Policy 6.3.3). MM N-9 The City shall enforce the California Administrative Code, Title 24 noise insulation standards for new multi-family housing developments, motels and hotels (Policy 6.3.6). MM N-10 Building construction shall be prohibited between 8 p.m. and 6.am. during the week and 8 p.m. and 7 a.m. weekends and holidays (Policy 6.3.6).			

Packet Pg. 77

xii

- A Project Plans
- B CalEEMod Input and Results for Air Quality Analysis
- C Biological Resources Evaluation
- D Cultural Resources Assessment
- E1 Paleontological Records Search
- E2 Geotechnical Report
- E3 Geotechnical Site Investigations
- F Phase I Environmental Site Assessment
- G1 Preliminary Water Quality Management Plan
- G2 Preliminary Hydrology Report
- H Ambient Noise Measurement Data
- I Limited VMT Analysis



INITIAL STUDY (IS) FOR VALLEY GARDENS APARTMENTS PROJECT

BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

- 1. **Project Case Number(s):**
- 2. **Project Title:** Valley Gardens Apartments
- 3. Public Comment Period: August 31, 2023 to September 20, 2023
- 4. Lead Agency: City of Moreno Valley Danielle Harper-Scott, Planning Department 14177 Frederick Street Moreno Valley, CA 92552 (951) 413-3224 danielleh@moval.org
- **Documents Posted At:** https://moval.gov/cdd/documents/about-projects.html 5.
- 6. Prepared By: Betsy Lindsay, President/CEO UltraSystems Environmental Inc. 16431 Scientific Way, Irvine, CA 92618 (949) 788-4900 x227 blindsay@ultrasystems.com

7. Project Sponsor:

Applicant/Developer

Tran & Mai-Anh Chung 39903 Camden Court Temecula, CA 92591 951/413-3224 lbtchung@gmail.com

Property Owner

Tran & Mai-Anh Chung 39903 Camden Court Temecula, CA 92591 951/413-3224 lbtchung@gmail.com

 Project Location: northwest corner of the intersection of Alessandro Boulevard and Sarah Street (currently an unpaved private street), 33°55'05.39" N/117° 13'17.54" W, APN 906-080-18

9. General Plan Designation: COMU

Corridor Mixed Use

10. Specific Plan Name and Designation: none

11. Existing Zoning: COMU

Corridor Mixed Use

The proposed apartment project is allowed under the COMU General Plan land use designation and zoning.

12. Surrounding Land Uses and Setting:

Table 1 - Summary of Existing Land Use, Zoning and Specific Plan Designations

	Land Use	General Plan	Zoning
Project	Vacant land and Single-	Corridor Mixed-Use	Corridor Mixed-Use
Site	family homes	(COMU)	(COMU)
North	Single-family homes	R5 Residential (R5)	Residential 5 District (R5)
South	Multi-family homes	Corridor Mixed-Use (COMU)	Corridor Mixed-Use (COMU)
East	Single-family homes	R10 Residential (R10) and Corridor Mixed-Use (COMU)	Residential 5 District (R5) and Corridor Mixed-Use (COMU)
West	Single-family homes	R5 Residential (R5)	Residential 5 District (R5)

13. Description of the Site and Project:

Environmental Setting

Project Location

The proposed Valley Gardens Project is located at the northwest corner of the intersection of Alessandro Boulevard and Sarah Street (currently an unpaved private street) in the City of Moreno Valley. The project parcel is a portion of an existing 8.99-acre site (APN 479-220-024) that will be divided into two parcels, the westerly one of which will be the 4.6-acre project parcel. Refer to **Figure 1** to **Figure 3**, which depict the project site's location in a regional, city, and vicinity scale.

Project Setting

The eastern portion of the project site is currently developed with Victory Gardens Homes, a 30-unit single family detached rental project built in 1956. Each of the homes has 1,180 square feet of living area in a 3-bedroom/1-bath configuration. The western 4.6 acres of the site, which will be the location of the proposed Valley Gardens rental apartment

project, is currently vacant and undeveloped; it has been mowed or disked regularly to maintain its clear condition. The site slopes very gently from north to south, from approximately 1,568 feet above mean sea level (amsl) at the north to 1,560 feet amsl at the south. Single-family homes surround the project site on the west, north and east, with a church building (Quinn A.M.E. Church) located adjacent to the southeast corner of the project site; the southern boundary of the site is Alessandro Boulevard. See Figure 4 - Topographic Map**Figure** 4, which depicts the topography of the site, and surrounding area. Site photographs are provided in **Figure 5**.

Land Use and Zoning

The land use, zoning, and specific plan designations of the project site and its immediate vicinity are listed in **Table 1**. The project site has a General Plan land use designation of Corridor Mixed Use (COMU; City of Moreno Valley, 2022a), and a zoning designation of Corridor Mixed Use (COMU; City of Moreno Valley, 2022b). Permitted uses under the COMU designation include a full range of commercial uses, as well as multi-family residential development at a density of 15 to 25 units per acre.



Figure 2 - Project Vicinity



Figure 3 - Project Location





Valley Gardens Apartments

City of Moreno Valley

Figure 5 - Project Site Photographs



PHOTO 1: View looking at the northern portion of the project site.



PHOTO 3: View looking at the eastern portion of the project site along Sarah Drive.

Source: UltraSystemas, 2022



PHOTO 2. View looking at the southern portion of the project site along Alessandro Boulevard.



PHOTO 4: View looking at the western portion of the project site along Sarah Drive

Valley Gardens Apartments

Page 8

Climate and Air Quality

The project site is located within the South Coast Air Basin (SCAB), a 6,600-square-mile area encompassing all of San Bernardino County. A persistent high-pressure area that commonly resides over the eastern Pacific Ocean largely dominates regional meteorology. The distinctive climate of this area is determined primarily by its terrain and geographic location. Local climate is characterized by warm summers, mild winters, infrequent rainfall, moderate daytime onshore breezes, and moderate humidity. Ozone (O₃) and pollutant concentrations tend to be lower along the coast, where the onshore breeze disperses pollutants toward the inland valley of the SCAB and adjacent deserts. However, as a whole, the SCAB fails to meet National Ambient Air Quality Standards (NAAQS) for O₃ and fine particulate matter (PM_{2.5}), and is classified as a "nonattainment area" for those pollutants.

Geology and Soils

Topography within the project site is relatively flat. The project site's geology is a mixture of fill and natural soils. The fill is classified as brown, clayey silt with some sand, gravel, concrete and rootlets. The natural soil is classified as brown, silty clay (NorCal Engineering, 2021, p. 2). The project site is not located within an Alquist-Priolo fault or a liquefaction zone (NorCal Engineering, 2021, p. 5).

Hydrology

Surface topography of the project site is relatively flat. Under existing conditions, stormwater generated on the project site enters existing municipal storm drain inlets located on Alessandro Boulevard, near the southwest and southeast corners of the project site. This storm drain (Sunnymead Master Drainage Plan Line M-11) flows east into the Kitching Street Channel, which in turn discharges into the Perris Valley Channel approximately three miles south. The Perris Valley Channel is tributary to the San Jacinto River, a known water of the U.S. (RCFCD, 2022). The project site is located within Zone X, an area outside of the flood hazard zone (FEMA, 2008).

Biology

The project site is located in an urbanized area, and provides generally low-quality habitat for special status plant and wildlife species. No special status species were found during the project site survey. Further details can be found in **Section 4.4**, Biological Resources.

Public Services

Fire Services

Fire and emergency medical services are provided by Moreno Valley Fire Department (MVFD), under contracts with the Riverside County Fire Department (RCFD) and the California Department of Forestry and Fire Protection (CAL FIRE) for provision of services as part of an integrated regional fire protection system. MVFD is the primary response agency for fires, emergency medical service, hazardous materials incidents, traffic accidents, terrorist acts, catastrophic weather events, and technical rescues for the city.

MVFD also provides a full range of fire prevention services including public education, code enforcement, plan check and inspection services for new and existing construction, and fire investigation. Through a master mutual aid agreement, MVFD is obligated to provide fire apparatus to other jurisdictions in the region to assist in handling emergency calls for service, just as those jurisdictions are obligated to provide resources to the city. There are six fire stations within the city (RECON Environmental Inc., 2021, p. 4.15-1 to 4.15-2).

Police Services

The Moreno Valley Police Department (MVPD) provides law enforcement services that enhance, protect, and promote the quality of life for local residents, businesses, and visitors. MVPD operates out of the Moreno Valley Station, located in the Civic Center Complex at Alessandro and Frederick, with satellite substations in several other locations throughout the city (RECON Environmental Inc., 2021, p. 4.15-5 to 4.15-6).

School Services

Moreno Valley Unified School District (MVUSD) provides school services to the city. MVUSD serves Kindergarten through 12th grade across 39 existing school sites (RECON Environmental Inc., 2021, p. 4.15-7).

Library Services

The Moreno Valley Public Library provides services and programs furthering educational development and cultural vitality of patrons of all ages and backgrounds in the Moreno Valley area (RECON Environmental Inc., 2021, p. 4.15-16).

Utilities

Eastern Municipal Water District (EMWD) provides water and wastewater services to the project site. Moreno Valley Utilities (MVU) provides electricity to the project site. SoCal Gas provides natural gas to the project site. Waste Management provides solid waste services to the project site (RECON Environmental Inc., 2021, p. 4.17-1 to 4.17-4).

Project Description

Project Background

The City of Moreno Valley (City) is processing a request to implement a series of discretionary actions that would ultimately allow for the development of a rental apartment project (project) northwest of the intersection of Alessandro Boulevard and Sarah Street (currently an unpaved private street) in the City of Moreno Valley in Riverside County, California (Assessor's Parcel 479-220-024). Per requirements in Chapter 9.02 of the Moreno Valley Municipal Code, Planning Commission approval will be sought for a Major Development Review (9.02.030) and Plot Plan Review (9.02.070). In addition, administrative approval by the city's Community Development Director and Planning

Commission approval of a Parcel Map will be requested under provisions in Chapter 9.14 (9.14.240).

The parcel currently contains approximately 8.99 acres (gross), and will be divided into two parcels through a new Tentative Parcel Map (see

Figure 6). The eastern half of the site is currently developed with a 30-home single family detached rental project, while the western half is vacant and undeveloped. Under the new Tentative Parcel Map, Parcel 1 will contain approximately 4.6 acres, and will be the site of the proposed project. The project proposes development of 64 apartment units in eight two-story buildings on the project site. The City is the Lead Agency for the purposes of the CEQA.

The City's General Plan Land Use designation and zoning category for the site are Corridor Mixed Use (COMU), which permits a residential density of 15 to 20 units per acre; the proposed density would be approximately 13.9 units per acre. The COMU designation was established as part of the 2040 General Plan update, which was approved by the City Council (including certifying the related Final Program Environmental Impact Report) on June 15, 2021. Changes to the Zoning Ordinance, including establishing the COMU zone (Ordinance No. 981) were adopted on August 3, 2021.¹

Project Overview

The project would consist of: (1) utilities improvements; (2) construction of eight new residential buildings and an office/mail room building; and (3) project site driveways, parking, amenities and landscaping. **Table 2** summarizes the proposed project features. The project would include 64 two- and three-bedroom units, totaling 160 bedrooms, all to be built in a single phase. **Figure 7** shows a conceptual site plan depicting the layout of the proposed project buildings and onsite amenities.

New Construction	Proposed Uses/Features	Square Feet	No. of Stories	Approximate Building Height
8 residential buildings	8 units each	69,984	2	28 feet 11 inches
1 building	Office and mail room	747	1	14 feet 6 inches
Usable Open Space	Total of private space and common open space	86,302		

Table 2 - Summar	v of Proposed Project Features

¹ On July 15, 2021, The Sierra Club filed a Petition for Writ of Mandate challenging the City's adoption of its General Plan update – including the changes to the Zoning Ordinance in Ordinance No. 981 – for alleged violations of the California Environmental Quality Act. (Sierra Club v. The City of Moreno Valley, Riverside Superior Court Case No. CVRI2103300.) The ongoing litigation could potentially result in the invalidation of the City's General Plan and reversion to prior zoning laws.

New	Proposed Uses/Features	Square	No. of	Approximate
Construction		Feet	Stories	Building Height
Trash Enclosures	Two trash enclosures, one each alon	g north and	south drive	eways.
Parking	The project proposes 160 parking s standard parking spaces; 16 future e and 2 ADA Van spaces.	paces consi	isting of 8	5 covered spaces; 53
Spaces		electric vehic	:le (FEV) s	spaces, 4 ADA spaces
Common/Open Space	BBQ Area, large grassy common spa 4, 5 and 6.	ice area in c	enter of pr	oject near Buildings 3,



Figure 6 - Tentative Parcel Map

Figure 7 - Proposed Site Plan 142 0 0.4 - 22 9.5 70.66 BLDG 2 FF = 1562.00 PAD = 1561.50 è 15.31 5.5 6.5 72.25 18.19 89.83 27.66 18" 18 106.84 10.86 24 · 1訂 ALESSANDRO BOULEVARD BLDG 6 10 BLDG 4 FF = 1564.00 FF = 1564.60 C (PAD = 1564.10 71.18 -RW PAD = 1563.50 L 10' NBP 3216"W 1463.63 (TO NITCHING STREET) TE NO. SETBACK EED CI3 0.08 M 9.87.8 -NS 155 114-14 50 J 🖸 F --20 0 BLDG 1 FF = 1581.60 BLDG 3 . 0 PAD = 1561.10 FF = 1563.00 BLDG 5 FF = 1564.20 PAD = 1562.50 F882 PAD = 1563.70 70.67 5.8 77.21 10.08 6.5 69.67 18 24 18.01 18' 522 24 18' -1 71.17 10.62 5 11.82 10.71 1 OFFICE FF = 1563.05 PAD = 1562.55 ST STREET DRIVEWAY APPROACH SARAH STREET (PRIVATE) 4' DEDICATION PROPOSED -DRIVEWAY -APPROACH PER MVSI -112C-0 PARCEL LINE PER MUSI -112C-0 S00*26'45'W 592.9 EDGE OF PAVEMENT DRIVEWAY - SETBACK SIGHT DISTANCE 90 APPROACH EDGE OF TRIANGLE 10 PER MVSI-112C-0 W=28 PROPOSED R/W 1......



Proposed Project Features

New Buildings

The project proposes the development of eight residential buildings with a total of 64 twoand three-bedroom units. Each building contains eight units; four buildings only have twobedroom plans, while the remaining four buildings have only three-bedroom plans. Four buildings (three with three-bedroom plans and one with two-bedroom plans) are located near the north and south edges of the site, while three buildings with two-bedroom plans and one with three-bedroom plans are located in the center of the site, arrayed around the grassy common area. Each building has two stories, with ADA units on the first floor and non-ADA units on the second floor; units are stacked so that the first and second floors are identical in layout. Access to second-floor units in each building is by a stairway at the center of each building.

A building for the project management office and mail room comprising 747 square feet will be located at the east edge of the grassy common area, between Buildings 3 and 5.

Figure 8 and **Figure 9** show floor plans for the apartments. The project proposes a gross area of 69,984 square feet of new residential living space and 747 square feet of office/mail room space. The total footprint of the nine buildings would be 37,387 square feet, or approximately 18.6 percent of the project site. The project includes three basic floor plans (with an ADA and non-ADA version of each), as summarized in **Table 3 - Floor Plans** below. Each plan features a patio (first floor) or balcony (second floor), with a storage area and closet for forced air unit and water heater located off the patio or balcony.

Floor Plan*	Bedrooms/ Baths	Living Area (sf)	Balcony/ Patio (sf)	No. of Units	Total Living Area (sf)	
2A-ADA- Type 1	2/2	963	103/189	03/189 8		
2A-ADA- Type 2	2/2	987	103/189	8	7,896	
3A-ADA	3/2	1,212	102/186	16	19,392	
2A-Type 1	2/2	963	103/189	8	7,704	
2A-Type 2	2/2	987	103/189	8	7,896	
3A	3/2	1,212	102/186	16	13,392	
TOTALS				64	69,984	

Table 3 - Floor Plans

*ADA units are first floor, non-ADA units are second floor.

Source: Irwin Partners Architects, June 20, 2022



Figure 8 - Two-Bedroom Floorplans



Figure 9 - Three-Bedroom Floorplans



Attachment: Exhibit A - Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (6373 : PEN21-0250 -

The project proposes an architectural style to complement the surrounding neighborhood. The project architecture includes both wall and roof plane articulation and would carry the design elements to each elevation, including the inner portions of the site and all detached structures, such as trash enclosures. **Figure 10** shows the proposed elevations and color boards of the residential buildings. The character and scale of the surrounding neighborhood were carefully considered to ensure that the project architecture and massing blends in with the existing surrounding uses. **Figure 11** shows 3D views of the project from various perspectives.

Energy-efficient features, including insulated and glazed windows and low-E coating on windows, would be incorporated into building design to comply with the provisions of the California Green Building Code, Title 24, Part 11 of the California Code of Regulations.

Trash Enclosures

The project proposes two trash enclosures, one along the north driveway and one along the south driveway.

3.1.4 Landscaping

The site plan includes several landscaped areas totaling 73,958 square feet (accounting for approximately 36.9 percent of the project site. **Figure 12** shows the landscaping envisioned for the proposed project. At project completion, approximately 122,648 square feet (61.2 percent of site area) would be impervious, consisting of 85,261 square feet of parking/paved area plus building footprints totaling 37,387 square feet.

The project would provide approximately 86,302 square feet of usable open space.

Fire Lanes/Turn-around

A turnaround area that meets Fire Department requirements will be provided at the end of Sarah Street (i.e., cul-de-sac, hammerhead, etc.). Sarah Street will be paved, with curb and gutter on both sides, but will remain a private street.

Onsite Amenities for Residents

As noted, the project provides 86,302 square feet of open space, compared to a City requirement of 19,200 square feet (300 square feet per unit). In addition, a BBQ area and covered patio are planned adjacent to the office/mail room building.



Figure 10 - Representative Building Elevations and Color Boards

City of Moreno Valley

1

COLOR 1: DUNN EDWARDS, DE SKOWHISPER,

2 COLOR 2:

DUNN EDWARDS, DE 1998 A GATE GREE

3 FASCIA TRM: DUNN EDWARDS DE 761 CLOUD

ACCENT / SHUTTERS: OLINI EDWARDS, DET SEO MONIGHT SIL

ROOFING:

OMENSCORNING COOLROOF ASPHALTSHINGLES COLOR: NGHTSKY

Figure 11 - 3D Views of Project









Valley Gardens Apartments

Figure 12 - Preliminary Landscape Plan



ALT	ACHEDINE	
	SCHEDULE	

PLANT	SCHEDULE						
attuna	BOTANICAL NAME	COMMON NAME	517-1	<u>enr</u>	WATER USE	MATURE HEIGHT	MATURE WIDTH
\odot	Аркин кланинан	Ponal Agene	5 gal.	67	Low	le-els.	5-@W.
\otimes	Arbuna unedo Oktobertear	Oktobering Standary Tee	15 gal.	28	Low - Medium	e-10 is.	
0	Caesalpina pukhenina	Red Bird Of Paradise	5 gal.	114	Low - Medium	6-18 Is.	e-10w.
\oplus	Dianella caenties OBB09 TM	Cases Size Fig: Lity	1 gal.	101	Medium	0-10-10.	1-#w.
0	Dienes vegets Variegats:	Varieganed African Ins	5 gal	225	Medium	18-30° in.	1-#w.
\odot	Lomandra longitolia tiresce TM	Breaze Mac Rush	-	128	Low	18-38° in.	1-#w.
\odot	Muhlenbergia capitaria Tink Oksat	Fink Cloud Fink Multiy Grass	1 gal	147	Low - Medium	s-ein	3-8w.
÷	Muhlenbergia rigena	Deer Grass	6 gal	167	Low - Medium	s-ein	3-8w.
\odot	Ofea europaea Cinte Offer TM	Line Offe Offe	6 gal	80	Very low - Low		
\odot	Phorman renex Bronze Baby	Bronze Baby New Zealand Flax	6 gal	-	Low - Medium	18-30° in.	1-#w.
\odot	Rhaphiologia umbellara Winor	Dwaff Yekka Hawthome Standard	6 gal	33	Low - Medium	s-ein	3-8w.
\odot	Salvia develandi Allen Chickering	Alen Chickering Cleveland Sage	1 gal	18	Very low - Low	s-ein	3-8w.
0	Strefizia reginae	Bird Of Paradise	15 gal.	25	Medium	<-#1s.	3-@w.

PLANT SC	HEDULE								
TREES	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER		OTT	WATER USE	MATURE HEIGHT	METURE
\bullet	Cercifian x Oesen Maeum	Desert Museum Pako Verde	16 gal.			3	Very low	18 - 49 In.	18-28 v
\odot	Lagenroena ndka xtariei Nacher	Natified Craps Myrde	15 gal.			18	Low - Medium	15-20 hr.	15-28 v
	Laurue x Sanatogar	Saratoga Hybrid Laurei	15 gal.			75	Low - Medium	25 - 40 In.	15-38 v
÷0-	Lophosterion confertua	Brahama Box	15 gal.			18	Nedium	25 - 60° In.	15-39 v
_(•)	Olea europaea Truitear Multi-branching	Profiless Office	241	Box.		21	Very low - Low	16-39 hr.	18-28 v
69	Piezacia chinensis Sandra Radiance TM	Chinese Fistache	15 gal.			40	Low - Medium	25 - 40 In.	
SHOUND COVERA	BOTANCAL NAME	COMMON NAME	<u>9175</u>	CONTAINER	SPACING.	otr	WATERUSE	MATURE HEIGHT	MATURE
	Sterotophran x Suncipae	Suncipae St. Augustine Grass	and			9.570 at			



E WIDTH

- E WIDTH



CONCEPTUAL LANDSCAPE PLAN

SCALE: 1" = 30'

Site Access, Circulation and Parking

Site ingress and egress would be provided by two 24-foot-wide driveways located on Sarah Street (a private street that intersects with Alessandro Boulevard near the southeast corner of the site). Access to parking and the buildings would be via a main driveway running through the site, to the north of Buildings 1 and 2, to the west of Buildings 4 and 6, and to the south of Buildings 7 and 8. Sidewalks and pedestrian travel paths are proposed throughout the site.

The project proposes 160 parking spaces, as required by code. Of the total, 103 spaces are covered, 37 are standard uncovered parking spaces, four are accessible (one ADA van, one ADA covered and two ADA standard uncovered) and 16 are future electric vehicle charging spaces.

Exterior Lighting

The project proposes area lighting throughout the project site. The project will have site lighting which will include street lighting on Sarah Street and the interior drive aisle as necessary, carport lighting under all carports, path lighting along the paths between and around the buildings, as well as building lighting (wall packs), and the open breezeways will also be lit. All lights will be LED and dark sky compliant.

Lighting for the project would comply with the requirements of the City's Municipal Code. Specifically, the project would be required to comply with City of Moreno Valley Municipal Code § 9.08.100, Lighting, which states the following relating to Multiple Family Residential Uses:

- a. All outdoor lighting associated with residential uses shall be fully shielded and directed away from adjacent residential properties. Such lighting shall not exceed one-quarter foot-candle minimum maintained lighting measured from within five feet of any property line, and shall not blink, flash, oscillate or be of unusually high intensity or brightness.
- b. All lighting installations shall be designed and installed with full cutoff and be fully shielded to reduce glare and light trespass.
- c. The maximum wattage for residential lighting shall be one hundred (100) watts incandescent or equivalent light intensity and twenty-six (26) watts compact fluorescent or equivalent light intensity, except as allowed for parking lot lighting and recreational courts.
- d. Parking lot lighting for designated multiple-family residential parking areas shall meet the requirements included in subsection (C)(4).

Project Entry Signage

No monument signage is proposed.

Perimeter Fencing and Exterior Walls

Decorative block walls will separate the project from existing residential development along the east, west and north property lines to separate the project from the adjacent single-family homes. No fence is proposed separating the project from surrounding streets.

Utilities

The project would require a sewer, domestic water, fire water, irrigation and dry utilities connections to existing utility infrastructure.

Sanitary Sewer – Sewer service is provided by Edgemont Community Services District. The project proposes connecting to an existing sewer in Alessandro Boulevard.

Domestic Water - New domestic water meters would be installed as required to meet project demands in compliance with the requirements of the city's Public Works Department. Water would be provided by Eastern Municipal Water District, which serves this area of the city of Moreno Valley.

Fire Water - The project will meet the City-required minimum fire flow of 1,500 gallons per minute (gpm) at 20 pounds per square inch (psi) residual for a duration of two hours.

Dry Utilities -Moreno Valley Utility (MVU) would provide electricity to the project site. Service will be provided from Vault V1339 located on the north side of Alessandro Boulevard. There is a 5-inch conduit stub along the project frontage. Southern California Gas Company (SoCalGas) provides natural gas service.

Stormwater – Stormwater will gravity flow to the existing storm drain in Alessandro Boulevard. A Water Quality Management Program (WQMP; see **Figure 13**) and Storm Water Pollution Prevention Plan (SWPPP) have been submitted to the City. Proposed onsite drainage includes 16 Drainage Management Areas (DMAs) with bioretention basins and one DMA with a Modular Wetland System.

Trash Service -The City of Moreno Valley provides trash, recycling and special waste handling services to residents and businesses through a contract with Waste Management. (City of Moreno Valley, 2022).

Telecommunications – Cable television and internet service are available from a number of providers, including Frontier Communication, Sunesys and Verizon Wireless. It is anticipated that new cable television connections would be needed to serve the project.

Security Features

Entrances to the project off Sarah Street will be ungated, and no project perimeter fencing is planned along either Alessandro Boulevard or Sarah Street. Block walls will separate the project from neighboring single-family homes to the north and west of the site.



Figure 13 - Preliminary WQMP Site Plan

Valley Gardens Apartments

City of Moreno Valley

Sustainability Features

The project will include solar panels on all carports, as well as the use of bioretention basins throughout the site. All applicable requirements of the California Energy Code and the California Green Building Code multifamily mandatory requirements will be met.

Offsite Improvements

Construction would need to occur in Alessandro Boulevard to connect the utility lines for the proposed project to the existing main lines.

Construction Activities

For safety reasons, temporary barricades would be used to limit access to the site during project construction and maintain safe access for construction workers. Construction would occur during daylight and during regular business hours. Lighting for the construction site would be limited to the minimum amount of light needed for safety and security.

Site grading would involve raw cut of 1,112 cubic yards (cy); raw fill of 7,626 cy; and net import of approximately 6,514 cy of soil. After site preparation is completed, infrastructure such as sewer laterals and storm drains would be installed and/or connected to existing facilities. The building foundations would be poured and framing of the buildings would begin. The final steps of construction would involve interior furnishings, detail work, and completion of common areas and outside landscaping.

The 200,519 square-foot (4.60 acre) site is currently undeveloped pervious surface. The building footprint would be 37,387 square feet, hardscape area would be 85,261 square feet, and landscaped area would be 73,958 square feet. Therefore, the project would result in the conversion of 122,648 square feet (61%) to impervious surface on the project site.

The only offsite improvements would be installation of utility laterals and connections of laterals to mains. The construction contractor would use heavy equipment during grading; estimated numbers and types of equipment per construction phase are identified below in **Table 4**. Construction staging would be limited to the project site; no offsite areas would be used.

Construction Employees

Project construction workers would park their vehicles on the project site. Below is the anticipated number of construction employees by construction phase:

- **Grading:** 10 employees
- Offsite Phase: 15 employees
- Vertical / Sitework Phase: 50 employees

Construction Schedule and Equipment

Construction of all 64 units will commence as soon as permits are approved, which is anticipated in second or third quarter (Q2 or Q3) of 2023, with a construction duration of 14 months, with expected completion in fourth quarter (Q4) of 2024.

Construction is broken down into different phases, as detailed in **Table 4** below.

Phase/Months	Number of pieces of equipment	Equipment	Number of working days
Grading Phase:	4	Scrapers	10
1 month	1	Blade	5
	1	Loader	5
	 +/- 60 truc 1 working day 	kloads of export- 14 yd day of trucking, Assum	s per truck ing 60 loads per
Offsite Phase:	2	Backhoes/excavators	15
1 month	2	Loaders	5
Vertical/Site Work Phase: 12 months	2	Large forklift (Pettibone)	140
	2	Bobcat (skid-steer)/ mini excavator	55
	1	Standard Skiploader	45

Table 4 - Construction Phasing and Equipment Details
--

Source: Brent Matthews, Consolidated Contracting, September 27, 2022

Discretionary Actions

The proposed project is permitted under the existing zoning (COMU) and General Plan land use designation (COMU). The project requires a plot plan with a hearing and a tentative parcel map. Both approvals require approval by the Planning Commission

Other Permits and Approvals

Following the City's approval of the Initial Study/Mitigated Negative Declaration, the following permits/approvals, as shown in **Table 5**, would be required prior to construction.

Agency	Permit or Approval
City of Moreno Valley Community Development - Building & Safety Division	Site Plan review and approval, and Grading and Building Permits

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.?

Notices were sent by the City on November 18, 2022 to 8 tribes. To date, three tribes – Morongo Band of Mission Indians, Pechanga and Rincon Band of Luiseno Indians – have responded with requests for consultation. The City is in the process of setting up meetings with responding tribes.

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

None

- 16. Other Technical Studies Referenced in this Initial Study (Provided as Appendices):
 - A Project Plans
 - B CalEEMod Input and Results for Air Quality Analysis
 - C Biological Resources Evaluation
 - D Cultural Resources Assessment
 - E1 Paleontological Records Search
 - E2 Geotechnical Report
 - E3 Geotechnical Site Investigations
 - F Phase I Environmental Site Assessment
 - G1 Preliminary Water Quality Management Plan
 - G2 Preliminary Hydrology Report
 - H Ambient Noise Measurement Data
 - I Limited VMT Analysis

17. Acronyms:

AAQS	ambient air quality standards	
AB 32	California Global Warming Solutions Ac Bill 32)	t of 2006 (Assembly
AB 52	Assembly Bill 52	
ACM(s)	Asbestos-Containing Material(s)	
ADA	Americans with Disabilities Act	
AFY	Acre-feet per year	
AIA	Airport Influence Area	
AMI	Area Median Income	
amsl	above mean sea level	
APE	Area of Potential Effect	
APN	Assessor's Parcel Number	
AQA	Air Quality Analysis	
AQMP	Air Quality Management Plan	
AR4	Fourth Assessment Report	
ARB	California Air Resources Board	
BAU	business as usual	
allev Gardens Apartment	ts Proiect Page 27	City of Moreno Valley

BIOS BMPs CAAQS CalEEMod CALFIRE CAL Green Caltrans CAO(s) CAPCOA CASGEM CAT CBC CCAA CCR CDO(s) CDFW CEQA CERCLA CESA CFGC cfs CGS CH4 CHRIS City CMP CMP CMP CMP CMP CMP SCNEL CNPS CO COMU CO2 CO2e CRC CWA DAMP dB dBA DOC	Biogeographic Information and Observation a Best Management Practices California Ambient Air Quality Standards California Emissions Estimator Model California Department of Forestry and Fire P California Green Building Standards California Department of Transportation Cleanup and Abatement Order(s) California Air Pollution Control Officers Assoc California Statewide Groundwater Elevation Climate Action Team California Building Code California Clean Air Act California Clean Air Act California Department of Fish and Wildlife California Department of Fish and Wildlife California Environmental Quality Act Comprehensive Environmental Response, and Liability Act California Geological Survey methane California Historic Resources Inventory Syste City of Moreno Valley Congestion Management Program corrugated metal pipe CMP Highway System Community Noise Equivalent Level California Native Plant Society carbon dioxide carbon dioxide carbon dioxide equivalent California Residential Code Clean Water Act Drainage Area Management Plan decibel A-weighted decibel scale California Department of Conservation	System rotection ciation Monitoring Compensation, em
dBA	A-weighted decibel scale	
DOC	California Department of Conservation	
DOSH	California Division of Safety and Health	
DTSC	Department of Toxic Substances Control	
du/ac	Dwellling units per acre	
DWR	Department of Water Resources	
EIC	Eastern Information Center	
EIR	Environmental Impact Report	
EMS	Emergency Medical Services	
EMWD	Eastern Municipal Water District	
EO	Executive Order	
EPA	Environmental Protection Agency	
Valley Gardens Apartments F	Project Page 28	City of Moreno Valle

ESA ESA ESRL EV EVCS °F FAR FEMA FHSZ FMMP FTA GHG GIS GPCD gpd GWP HABS HCP HFCs HU HVAC IPCC	Endangered S Environmental Earth System electric vehicle degrees Fahre floor area ratio Federal Emerg Fire Hazard So Farmland Map Federal Trans greenhouse ga Geographic In gallons per ca gallons per ca gallons per ca global warming Historic Ameri Habitat Conse hydroflourocar Hydrologic Un heating, ventili Intergovernme	pecies Act Site Assessment Research Laboratory charging station enheit gency Management Agency everity Zones oping and Monitoring Program it Administration ases formation System pita per day y g potential can Building Survey rvation Plan bons it ation and air conditioning ental Panel on Climate Change	e
	International S	ociety of Arboriculture	
	Institute of Tra	nsportation Engineers	
	noise level tha	t is exceeded 90% of the time	د
Lea	equivalent nois	se level	-
LBP	Lead-Based P	aint	
LID	Low Impact De	evelopment	
L _{max}	root mean squ	are maximum noise level	
LOS	Level of Service	ce de la constante de la consta	
LRA	Local Respons	sibility Area	
LSTs	Localized Sigr	nificance Thresholds	
LUST	Leaking Under	rground Storage Tank	
MBTA	Migratory Bird	Treaty Act	
mgd	million gallons	per day	
MLD	Most Likely De	escendant	
MM(s)	mitigation mea	isure(s)	
MMRP	Mitigation Mor	nitoring and Reporting Program	n
MMTCO ₂ e	million metric i	ons of CO2e	
MIND	Mitigated Neg	ative Declaration	
	Minaral Daga	Arterial Highways	
MRZ	Municiple Son	Irce Zone	
MIS4 MT	Motria tono	arate Storm Sewer permit	
	Mercho Vallov	Fire Department	
M\/PD	Moreno Valley	Police Department	
MVUSD	Moreno Valley	Unified School District	
MVU	Moreno Vallev	Utility	
MWD	Metropolitan V	Vater District	
N ₂ O	nitrous oxide		
Valley Gardens Apartments P	Project	Page 29	C

NAAQS NAHC National Core NASA NCCP ND NFPA NO NO _x NO ₂ NPDES O ₃ OPR	National Ambient Air Quality Standards Native American Heritage Commission National Community Renaissance National Aeronautics and Space Administration Natural Communities Conservation Plan Negative Declaration National Fire Protection Association nitric oxide nitrogen oxides nitrogen dioxide National Pollutant Discharge Elimination System Ozone Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
Pb	lead
PCB	polychlorinated biphenyl
	perfluorocarbons
PIM DM	particulate matter
	fine particulate matter
nnm	narts per million
PP\/	peak particle velocity
R-5	Suburban Residential
RCRA	Resource Conservation and Recovery Act
RCTC	Riverside County Transportation Commission
RECs	Recognized Environmental Condition(s)
RHNA	Regional Housing Needs Allocation
RMS	root mean square
ROG	Reactive organic gases
ROW	Right-of-way
RPS	Renewables Portfolio Standard
RTA	Riverside Transit Agency
RWQCB	Regional Water Quality Control Board
Š .	section
SB	Senate Bill
SCAB	South Coast Alf Basin
	Southern California Association of Governments
SCAQIND	sulfur boxefluoride
SIP	State Implementation Plan
SLE	Sacred Lands File
SMARA	Surface Mining and Reclamation Act
SO ₂	sulfur dioxide
SoCalGas	Southern California Gas Company
SR-60	State Route 60
SRA	State Responsibility Area
SRAs	source receptor areas
SRRE	Source Reduction and Recycling Element
STIP	Statewide Transportation Improvement Program
SUSMP	Standard Urban Stormwater Mitigation Plan
SWPPP	Stormwater Pollution Prevention Plan

Page 30

Attachment: Exhibit A - Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (6373 : PEN21-0250 -

City of Moreno Vallev
State Water Resources Control Board
Transportation Assembly Points
Traffic Analysis Zone
Town Center zoning designation
Tribal Cultural Resources
Traffic Management Plan
University of California Riverside
Urban Forest Protection Ordinance
Ultrasystems Environmental, Inc.
United States
United States Department of Agriculture
United States Environmental Protection Agency
vibration decibels
vitrified clay pipe
very high fire hazard severity zone(s)
vehicle miles traveled
volatile organic compound
wind erodibility group
Water Quality Management Plan
World Resources Institute
years before present

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

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

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

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

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

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

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

Signature

Danielle Harper-Scott Printed Name

_	81	29	12
	Date	f Man	

Valley Gardens Apartments Project

Page 32

City of Moreno Valley

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 crossreferenced).
- 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.

		•	Incorporated	•	
Ι.	AESTHETICS - Except as provided in Pub	lic Resources	Code §2109	🧕 – Modern	nization of
	Transportation Analysis for Transit-Oriented Infill I	Projects – Wo	uld the project	t:	
a)	Have a substantial adverse effect on a scenic vista?				
Res	ponse:				
A "visual environment" includes the built environment (development patterns, buildings, parking areas, and circulation elements) and natural environment (such as hills, vegetation, rock outcroppings, drainage pathways, and soils) features. Visual quality, viewer groups and sensitivity, duration, and visual resources characterize views. Visual quality refers to the general aesthetic quality of a view, such as vividness, intactness, and unity. Viewer groups identify who is most likely to experience the view. High sensitivity land uses include residences, schools, playgrounds, religious institutions, and passive outdoor spaces such as parks, playgrounds, and recreation areas. Duration of a view is the amount of time that a particular view can be seen by a specific viewer group. Visual resources refer to unique views, and views identified in local plans, from scenic highways, or of specific unique structures or landscape features.					
Less than Significant Impact Scenic vistas generally include extensive panoramic views of natural features, unusual terrain, or unique urban or historic features, for which the field of view can be wide and extend into the distance, and focal views that focus on a particular object, scene or feature of interest. As detailed in the city's General Plan Open Space and Resource Conservation Element, the principal scenic resources are all visible from the State Route (SR)-60 freeway, which is approximately 1.5 miles north of the project site. Although the project site is not near the SR-60, there are distant views of the Box Springs mountains to the north, Moreno Peak to the northeast, and the San Bernardino and San Jacinto mountains to the east. Views from the project site of the distant mountain vistas are obstructed due to intervening structures and the large distance between the project site and mountains. The proposed project would develop several two-story apartment buildings that would have a maximum height of approximately 29 feet, which is well under the city's allowable maximum building height of 60 feet for the project site, and would be of similar height to the surrounding one- to two-story single and multi-family developments that surround the project site. Additionally, as detailed in Section 3.0 , the proposed project would be designed with materials and colors that would complement the surrounding area. Therefore, due to the existing blocked views and the project's similar building height to the					

surrounding developments, the proposed project would have less than significant impacts in regards to scenic vistas.

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

ISSUES & SUPPORTING

INFORMATION SOURCES

Less Than Significant

with

Mitigation

Less Than

Significant

Impact

No

Impact

Potentially

Significant

Impact

Response:

No Impact

The California Department of Transportation (Caltrans) provides information regarding officially designated or eligible state scenic highways, designated as part of the California Scenic Highway Program. The closest official designated state scenic highway to the project site is a portion of the State Route (SR)-243 freeway, which is approximately 20 miles east of the project site (refer to **Figure 14** below). Due to the large distance between the project site and SR-243, construction and implementation of the project would have no impacts on state scenic highways.



ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
 c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? 				

Response:

Less than Significant Impact

The project site is located within an urbanized area. Therefore, **Table 6** below analyzes whether the project adheres to applicable policies in regards to scenic quality.

Table 6 - Project Compliance with Applicable City of Moreno Valley General Plan Policies Regarding Scenic Quality

Policy	Compliance		
Goal OSRC-2: Preserve and respect Moreno Val	Goal OSRC-2: Preserve and respect Moreno Valley's unique cultural and scenic resources,		
recognizing their contribution to local character and sense of place			
Policy OSRC.2-1: Limit development on hillsides and ridgelines where structures interrupt the skyline.	The project is located on a relatively flat portion of the city and is not located within or adjacent to hillsides and ridgelines. Therefore, the project would not conflict with this policy.		
topography, drainage patterns and vegetation of land with slopes of ten percent or more and maintain development standards to protect the environmental and aesthetic integrity of hillside areas.	relatively flat undeveloped project would be developed on a relatively flat undeveloped project site. Additionally, as detailed throughout this document, the proposed project would adhere to all applicable development standards and create a development that would create a more attractive community. Therefore, the project would not conflict with this policy.		
Policy OSRC.2-4: Reduce or avoid visual intrusion from energy and telecommunications infrastructure. Encourage the undergrounding of utility lines wherever feasible and promote the use of "stealth" designs that locate wireless infrastructure on existing poles, buildings and other structures.	All project utility lines would be installed underground. Therefore, the project would not conflict with this policy.		
Policy OSRC.2-5: Recognize Gilman Springs Road, Moreno Beach Drive, and State Route 60 as local scenic roads and provide large setbacks from scenic roads, as possible, to avoid encroachment of buildings on scenic views of the surrounding mountains. The view of Mystic Lake from Gilman Springs Road should also be protected.			
Source: Dvett and Bhatia, 2021, p. 10-12			
As detailed above, the proposed project would adhere to all applicable regulations in regard to scenic quality. Therefore, impacts would be less than significant.			
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			
(allow Gardone Apartmente Project Dage	27 City of Marona Vallay		

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Project construction and operation would adhere to City of Moreno Valley Municipal Code Section 9.08.100, Lighting, to ensure that project lightning would not cause significant light or glare impacts to the surrounding area. Therefore, impacts would be less than significant.				
Sources:				
 Dyett & Bhatia, 2021. City of Moreno M https://www.moval.org/cdd/documents/genera MV-CAP.pdf, on December 7, 2022. Google Earth Pro V 7.3.2.5491 (May 12, California, U.S.A. 33°55'05.96"N-117° https://earth.google.com/web/. Accessed on C City of Moreno Valley Municipa https://library.qcode.us/lib/moreno_valley_ca/ 2022. 	/alley-Climate al-plan-update, 2022). City of 213'17.22"W. Dctober 20, 20 I Code, pub/municipal	Action Plar /draft-docs/Cl f Moreno Va Eye alt 4, 22. 2022. Ac _code, acce	n. Accessed imateActionP lley, Riversid 843 ft. Ava ccessed or ssed on Oc	online at lan/Draft- e County, ailable at nline at tober 24,
II. AGRICULTURE AND FOREST RESO agricultural resources are significant environment Agricultural Land Evaluation and Site Assessmer Conservation as an optional model to use in as determining whether impacts to forest resources, effects, lead agencies may refer to information con Fire Protection regarding the state's inventory Assessment Project and the Forest Legacy Ass methodology provided in Forest protocols adopted Would the project:	URCES – I al effects, lead th Model (1997 ssessing impa including timb mpiled by the C of forest lan- essment project d by the Califo	n determinin l agencies ma c) prepared by cts on agricu erland, are s California Dep d, including ect; and fores rnia Air Reso	ig whether in ay refer to the y the Californi liture and farmi ignificant envi- partment of Fo the Forest a st carbon mea urces Board.	mpacts to California ia Dept. of mland. In ironmental irrestry and nd Range asurement
 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 Farmland-related classifications of the project site and Department of Conservation Division of Land Resource as "Urban-Built Up Land" while surrounding areas a Importance" (see Figure 15 below). Therefore, no farmland would be would occur.	d surrounding to be Protection (lare "Urban-Bui converted to	uses are desi DLRP). The p It Up Land" a non-agricultu	gnated by the project site is c and "Farmlan ral use and n	California Jesignated d of Local io impacts

ISSUES & SUPPORTING INFORMATION SOURCES:

	Less Than
otentially	Significant
Significant	with
Impact	Mitigation
	Incorporated





No

Impact

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 Williamson Act contracts restrict the use of privately-ov uses under contract with local governments; in excha than potential market value. Williamson Act contracts the project site is not within an agricultural reserve. Th and is not zoned for agricultural use. Therefore, the agricultural use or a Williamson Act contract, and no in	vned land to ag ange, the land are made only e project site is project would mpact would o	griculture and l is taxed bas y on land with s zoned Corrid not conflict occur.	compatible o ed on actual in agricultural dor Mixed Use with existing	pen-space use rather reserves; e (COMU), zoning for
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in <u>Public</u> <u>Resources Code section 12220(g)</u>), timberland (as defined by <u>Public Resources Code section</u> <u>4526</u>), or timberland zoned Timberland Production (as defined by <u>Government Code</u> <u>section 51104(g)</u>)?				
Response:				
 The project site is zoned Corridor Mixed Use (COM timberland production use. Therefore, project develop or timberland, and no impact would occur. d) Result in the loss of forest land or conversion of forest land to non-forest use? 	U); the site is oment would r	not zoned fo	or forest, timb	perland, or forest land
Response:				
No Impact The project site and surroundings are not cultivated for would not result in the loss of forest land or conversi would occur.	or forest resou ion of forest la	rces. Therefo and to non-for	re, project de est use, and	velopment no impact
 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:				
a) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				
The project site is vacant and is surrounded by reside Boulevard to the south. There is Local Importance farmland is within 0.5 mile to the southwest, and to the to the northeast of project side. No forest land is prese explained in XI Land Use and Planning, the City's Gene	ences to the e Farmland nea e southeast. C ent on or near eral Plan Land	east, west and ar the project closest Prime (within 0.25 r Use designat	d north, and A site; the nea Farmland is t nile) the proje ion and zonin	lessandro arest such hree miles ect site. As g category
Tor the project site are Corridor Mixed Use (COMU). C consistent with the City of Moreno Valley General Element goals and policies	onsistency an Plan 2040 La	alysis shows ind Use, Zon	tnat proposed ing, and Urba	a project is an Design

tially icant act Nversion of farmland	Less Than Significant Impact	No Impact	
nversion of farmland	to non-agrici		
	i to non agnot	ıltural use	
 DOC, 2016. California Important Farmland Finder. Accessed online at: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed in October 7,2022. 			
eria established by th ay be relied upon	ne applicable to make the	air quality following	
	\square		
els of exposure can Environmental Prote air pollutants of conce PM _{2.5}), sulfur dioxide (ROG) (which are oz appreciable SO ₂ or l Presented below is a process of photoche e formed in the atmos ss, odorless gas for h temperature and/o IO and oxygen. NO ₂ cory pathogens. A this active pollutant pro- l fuel). The primary d cells, which decrea osure can cause hea quids, such as soot, lated. Respirable pat diameter of 10 micl or PM _{2.5} , have an ac- inch) or less. Partice construction, and tr substantially to the lo s. In addition, particu such as ammonia) to uman respiratory sys problems. primarily of atoms o <u>ROG is the incomple</u>	be determine ection Agency ern are nitroge e (SO ₂), lead cone precurso Pb emissions a description emical smog p osphere. The med from atro- rhigh pressu is an acute ri- ird form of NC oduced by ir adverse heat ases the abilit daches, drow dust, aeroso rticles, or PM- rometers (i.e. erodynamic di ulate discharge ansportation ocal particulat late matter for oform inorgan tem, especiall of hydrogen are ete combustion	ed and an (USEPA) en dioxide (Pb), and rs). Since , ² it is not of the air production two major nospheric re. NO ₂ is espiratory Dx, nitrous noomplete alth effect y of these siness, or ls, fumes, 10, include , 10 one- ameter of ge into the activities. e loading. rms in the ic nitrates ly in those and carbon <u>n of fossil</u>	
	active pollutant pro- active pollutant pro- fuel). The primary d cells, which decrea osure can cause hea quids, such as soot, lated. Respirable pa diameter of 10 mic or PM _{2.5} , have an ac- inch) or less. Partici- construction, and tr substantially to the lo substantially to the lo such as ammonia) to uman respiratory sys problems. primarily of atoms o <u>ROG is the incomple</u> day during construct	active pollutant produced by ir l fuel). The primary adverse head d cells, which decreases the abilit boure can cause headaches, drow quids, such as soot, dust, aeroso lated. Respirable particles, or PM- diameter of 10 micrometers (i.e. or PM _{2.5} , have an aerodynamic di inch) or less. Particulate discharg construction, and transportation substantially to the local particulat s. In addition, particulate matter for such as ammonia) to form inorgan uman respiratory system, especial problems. primarily of atoms of hydrogen ar <u>ROG is the incomplete combustion</u> day during construction and below	

	Less Than
Potentially	Significant
Significant	with
Impact	Mitigation
	Incorporated

2.b

fuels in internal combustion engines. Other sources of ROG include the evaporative emissions associated with the use of paints and solvents, the application of asphalt paving and the use of household consumer products. Some ROG species are listed toxic air contaminants, which have been shown to cause adverse health effects; however, most adverse effects on human health are not caused directly by ROG, but rather by reactions of ROG to form other criteria pollutants such as ozone. ROG are also transformed into organic aerosols in the atmosphere, contributing to higher levels of fine particulate matter and lower visibility. The term "ROG" is used by the ARB for air quality analysis and is defined essentially the same as the federal term "volatile organic compound" (VOC).

Ozone (O_3) is a secondary pollutant produced through a series of photochemical reactions involving ROG and NOx. Ozone creation requires ROG and NOx to be available for approximately three hours in a stable atmosphere with strong sunlight. Because of the long reaction time, peak ozone concentrations frequently occur downwind of the sites where the precursor pollutants are emitted. Thus, O₃ is considered a regional, rather than a local, pollutant. The health effects of O₃ include eye and respiratory irritation, reduction of resistance to lung infection and possible aggravation of pulmonary conditions in persons with lung disease. Ozone is also damaging to vegetation and untreated rubber.

Pollutants	Federal Classification	State Classification
Ozone (O ₃)	Nonattainment	Nonattainment
Particulate Matter (PM ₁₀)	Attainment	Nonattainment
Fine Particulate Matter (PM _{2.5})	Nonattainment	Nonattainment
Carbon Monoxide (CO)	Unclassified/ Attainment	Nonattainment
Nitrogen Dioxide (NO ₂)	Unclassified/ Attainment	Attainment
Sulfur Dioxide (SO ₂)	Unclassified/Attainment	Attainment
Sulfates	Unclassified	Attainment
Lead (Pb)	Unclassified/ Attainment	Attainment
Hydrogen Sulfide (H ₂ S)	Unclassified	Unclassified
Visibility Reducing Particles	Unclassified	Unclassified

Table 7 - Federal and State Attainment Status

Sources: ARB, 2022a.

Climate/Meteorology

The project site is located wholly within the South Coast Air Basin (SCAB), which includes all of Orange County, as well as the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. The distinctive climate of the SCAB is determined by its terrain and geographical location. The SCAB is in a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean in the southwest quadrant with high mountains forming the remainder of the perimeter. The general region lies in the semipermanent high-pressure zone of the eastern Pacific. Thus, the climate is mild, tempered by cool sea breezes. This usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds.

The annual average temperature varies little throughout the 6,600-square-mile SCAB, ranging from the low 60s to the high 80s. However, with a less pronounced oceanic influence, the inland portion shows greater variability in the annual minimum and maximum temperatures. The mean annual maximum and minimum temperatures in the project area—as determined from the nearest weather station, which is Riverside Fire Station 3, California (047470), approximately 9.8 miles northwest of the project site with a period of record from 1893 to 2016—are 79.5 degrees Fahrenheit (°F) and 48.6°F, respectively.

During the period of record, the average annual rainfall measured 10.21 inches, which occurs mostly during the winter and relatively infrequently during the summer. Monthly precipitation averages approximately 1.89 inches during the winter (December, January, and February), approximately 0.94

Potentially	Less Than Significant	Le
Significant	with	S
Impact	Mitigation	
	Incorporated	

inches during the spring (March, April, and May), approximately 0.49 inch during the fall (September, October, and November), and approximately 0.07 inch during the summer (June, July, and August). Local Air Quality

The SCAQMD has divided the SCAB into source receptor areas (SRAs), based on similar meteorological and topographical features. The project site is in SCAQMD's Hemet/Elsinore air monitoring area (SRA 24), and is served by the SCAQMD's Perris station, 8.97 miles south at 237 ½ North D Street, Perris. This station monitors ozone and PM10. The SCAQMD's Riverside-Rubidoux station, 12.41 miles northwest of the project site at 5888 Mission Boulevard, Riverside, monitors PM2.5 and NO2. All stations in the SCAB ceased monitoring CO in 2012. The ambient air quality data in the project vicinity as recorded from 2019 through 2021, along with applicable standards, are shown in Table 8.

Air Pollutant	Standard/Exceedance	2019	2020	2021
Ozone	0.118	0.125	0.117	
	0.096	0.106	0.094	
	64	74	55	
	28	34	25	
	66	77	60	
PM ₁₀	Max. National 24-hour Concentration (μg/m ³)		92.3	77.5
	Est. # Days > Fed. 24-hour Std. of 150 μg/m ³		ND	ND
	Federal Annual Average (50 μg/m ³)		33.4	30.4
PM _{2.5}	Max. National 24-hour Concentration (μg/m ³)		59.9	82.1
	# Days > Fed. 24-hour Std. of 35 μg/m ³		12	11
	State Annual Average (12 μg/m ³)		14.1	13.2
NO ₂	Max. State 1-hour Concentration (ppm)	0.060	0.060	0.060
	State Annual Average (0.030 ppm)	0.014	0.014	0.014
	# Days > California 1-hour Std. of 0.18 ppm	0	0	0

Table 8 - Ambient Air Quality Monitoring Data

Source: ARB, 2022b.

ND - There was insufficient (or no) data available to determine the value.

Air Quality Management Plan (AQMP)

The SCAQMD is required to produce plans to show how air quality will be improved in the region. The California Clean Air Act (CCAA) requires that these plans be updated triennially to incorporate the most recent available technical information. A multi-level partnership of governmental agencies at the federal, state, regional, and local levels implement the programs contained in these plans. Agencies involved include the USEPA, ARB, local governments, SCAG, and SCAQMD. The SCAQMD and the SCAG are responsible for formulating and implementing the AQMP for the SCAB. The SCAQMD updates its AQMP every three years.³

The 2016 AQMP was adopted by the SCAQMD Board on March 3, 2017, and on March 10, 2017 was submitted to the ARB as part of the California State Implementation Plan (SIP). It focuses largely on reducing NO_x emissions as a means of attaining the 1979 one-hour ozone standard by 2022, the 1997 eight-hour ozone standard by 2023, and the 2008 eight-hour standard by 2031. The AQMP prescribes a variety of current and proposed new control measures, including a request to the USEPA for increased regulation of mobile source emissions. The NOx control measures will also help the SCAB attain the 24hour standard for PM_{2.5}.⁴

Adoption of the successor AQMP has been delayed. The public review period for this document, the "Revised Draft 2022 AQMP," ended October 18, 2022. Internet: http://www.aqmd.gov/home/airquality/clean-air-plans/air-quality-mgt-plan. Accessed October 20, 2022.

ISSUES & SUPPORTING INFORMATION SOURCES:

	l
Potentially	
Significant	
Impact	
impaor	l

Less Than

Significant

with

Mitigation

Incorporated

Less Than Significant Impact

No

Impact

Sensitive Receptors

Some people, such as individuals with respiratory illnesses or impaired lung function because of other illnesses, persons over 65 years of age, and children under 14, are particularly sensitive to certain pollutants. Facilities and structures where these sensitive people live or spend considerable amounts of time are known as sensitive receptors. For the purposes of a CEQA analysis, the SCAQMD considers a sensitive receptor to be a receptor such as a residence, hospital, or convalescent facility where it is possible that an individual could remain for 24 hours. Commercial and industrial facilities are not included in the definition of sensitive receptor, because employees typically are present for shorter periods of time, such as eight hours. Therefore, applying a 24-hour standard for PM₁₀ is appropriate not only because the averaging period for the state standard is 24 hours, but because the sensitive receptor would be present at the location for the full 24 hours.

The nearest sensitive receptors to the project site are single-family residences adjacent to the north, east and west of the project site.

Applicable South Coast Air Quality Management District Rules

Rule 403 (Fugitive Dust Rule)

During construction, the project would be subject to SCAQMD Rule 403 (fugitive dust). SCAQMD Rule 403 does not require a permit for construction activities, per se; rather, it sets forth general and specific requirements for all construction sites (as well as other fugitive dust sources) in the SCAB. The general requirement prohibits a person from causing or allowing emissions of fugitive dust from construction (or other fugitive dust source) such that the presence of such dust remains visible in the atmosphere beyond the property line of the emissions source. SCAQMD Rule 403 also prohibits construction activity from causing an incremental PM_{10} concentration impact, as the difference between upwind and downwind samples at the property line of more than 50 micrograms per cubic meter as determined through PM_{10} high-volume sampling. The concentration standard and associated PM10 sampling do not apply if specific measures identified in the rules are implemented and appropriately documented.

Other requirements of Rule 403 include not causing or allowing emissions of fugitive dust that would remain visible beyond the property line; no track-out extending 25 feet or more in cumulative length and all track-out to be removed at conclusion of each workday; and using the applicable best available control measures included in Table 1 of Rule 403.

Rule 1113 (Architectural Coatings)

Construction of this project will include the application of architectural coatings and be subject to SCAQMD Rule 1113 (Architectural Coatings). Among other applicable entities, Rule 1113 requires anyone who applies, stores at a worksite, or solicits the application of architectural coatings use coatings that contain VOC less than or equal to the VOC limits specified in Table 1 of the rule.

Impact Analysis

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

Less than significant Impact

The SCAQMD has developed criteria in the form of emissions thresholds for determining whether emissions from a project are regionally significant. They are useful for estimating whether a project is likely to result in a violation of the NAAQS and/or whether the project is in conformity with plans to achieve attainment. SCAQMD's significance thresholds for criteria pollutant emissions during construction activities and project operation are summarized in **Table 9**. A project is considered to have a regional air quality impact if emissions from its construction and/or operational activities exceed the corresponding SCAQMD significance thresholds.

the atmosphere and become part of the $PM_{2.5}$ load. Therefore, reducing NO_x emissions will help reduce atmospheric $PM_{2.5}$.

Table 9 - SCAQMD Thresholds of Significance	

Pollutant	Mass Daily Threshold	s (Pounds/Day)
	Construction	Operation
Nitrogen Oxides (NOx)	100	55
Volatile Organic Compounds (VOC)	75	55
Respirable Particulate Matter (PM10)	150	150
Fine Particulate Matter (PM2.5)	55	55
Sulfur Oxides (SOX)	150	150
Carbon Monoxide (CO)	550	550
Lead	3	3

Source: SCAQMD, 2019.

Air Quality Methodology

Estimated criteria pollutant emissions from the project's onsite and offsite project activities were calculated using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0. CalEEMod is a planning tool for estimating emissions related to land use projects. Model-predicted project emissions are compared with applicable thresholds to assess regional air quality impacts. As some construction plans have not been finalized, CalEEMod defaults were used for construction offroad equipment and on-road construction trips and vehicle miles traveled. It was also assumed that the construction contractor would comply with all pertinent provisions of SCAQMD Rule 403.⁵ Because compliance is mandatory for all development projects, these emission-reducing requirements do not constitute mitigation under CEQA. For the purpose of this analysis, construction activities for the Valley Gardens Apartments Project are anticipated to be almost 14 months and would begin in August 2023 and end in October 2024. There would be five construction phases:

Site Preparation.

Grading.

Building Construction.

Paving.

Architectural Coating.

There would be no overlap of construction activities among any of the phases. **Table 10** shows the project schedule used for the air quality, GHG emissions (**VII**) and noise (**XIII**) analyses.

Construction Phase	Start	End
Site Preparation	August 1, 2023	August 14, 2023
Grading	August 15, 2023	September 11, 2023
Building Construction	September 12, 2023	August 20, 2024
Paving	August 21, 2024	September 17, 2024
Architectural Coating	September 18, 2024	October 15, 2024

Table 10 - Constructi	ion Schedule
-----------------------	--------------

These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Mobile sources (such as diesel-fueled equipment onsite and traveling to and from the project site) would primarily generate NO_X emissions. The quantity of emissions generated daily would vary, depending on the amount and types of construction activities occurring at the same time. As shown in **Table 11**, construction emissions would not exceed SCAQMD regional thresholds. Therefore, the project's short-term regional air quality impacts would be less than significant. Refer to **Appendix B1** of this document for the air quality calculations.

Attachment: Exhibit A - Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (6373 : PEN21-0250

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

Table 11 - Maximum Daily Regional Construction Emissions
--

Construction Activity	Maximum Emissions (Ibs/day)					
	ROG	NO _x	CO	PM ₁₀	PM _{2.5}	
Maximum Emissions, 2023	2.7	27.6	18.9	10.3	5.8	
Maximum Emissions, 2024	22.3	13.8	17.8	1.2	0.7	
SCAQMD Significance Thresholds	75	100	550	150	55	
Significant? (Yes or No)	No	No	No	No	No	

Source: Calculated by UltraSystems with CalEEMod (Version 2020.4.0) (CAPCOA, 2022).

Regional Operational Emissions

The primary source of operational emissions would be vehicle exhaust emissions generated from projectinduced vehicle trips, known as "mobile source emissions." Other emissions, identified as "energy source emissions," would be generated from energy consumption for water, space heating, and cooking equipment, while "area source emissions," would be generated from structural maintenance and landscaping activities, and use of consumer products. CalEEMod was also used to estimate operational emissions.

As seen in **Table 12**, for each criteria pollutant, operational emissions would be below the pollutant's SCAQMD significance threshold. Therefore, operational criteria pollutant emissions would be less than significant

		Emission Source	Polluta	nt (Ibs/d	ay)			
		Emission Source	ROG	NOx	со	PM ₁₀	PM _{2.5}	
		Area Source Emissions	1.68	0.06	5.28	0.03	0.03	
		Energy Source Emissions	0.03	0.24	0.10	0.02	0.02	
		Mobile Source Emissions	1.62	2.12	15.91	3.79	1.03	
		Total Operational Emissions	3.3	2.4	21.3	3.8	1.1	
		SCAQMD Significance Thresholds	55	55	550	150	55	
		Significant? (Yes or No)	No	No	No	No	No	
		Source : Calculated by UltraSy (CAPCOA, 2022).	/stems v	vith Cal	EEMod	(Version	2020.4.0)	
b)	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?							
Re	sponse:	-						

Table 12 - Maximum Daily Project Operational Emissions

⁵ Rule 403 applies to fugitive dust emissions. All projects in the SCAQMD are required to implement dust control measures such as regularly wetting disturbed soils.

Impact

No Impact

Less Than Significant Impact

Since the SCAB is currently in nonattainment for ozone and PM_{2.5}, related projects may exceed an air quality standard or contribute to an existing or projected air quality exceedance. The SCAQMD neither recommends quantified analyses of construction and/or operational emissions from multiple development projects nor provides methodologies or thresholds of significance to be used to assess the cumulative emissions generated by multiple cumulative projects. Instead, the District recommends that a project's potential contribution to cumulative impacts be assessed by utilizing the same significance criteria as those for project-specific impacts. Furthermore, the SCAQMD states that if an individual development project generates less-than-significant construction or operational emissions impacts, then the development project would not contribute to a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment.

As discussed above, the mass daily construction and operational emissions generated by the project would not exceed any of the SCAQMD's significance thresholds. Also, as discussed below, localized emissions generated by the Project would not exceed the SCAQMD's Localized Significance Thresholds (LSTs). Therefore, the project would not contribute a cumulatively considerable increase in emissions for the pollutants which the SCAB is in nonattainment. Thus, cumulative air quality impacts associated with the project would be less than significant.

C)	Expose	sensitive	receptors	to	substantial		\square	
	pollutant	concentrat	ions?				\square	

Response:

Less than Significant Impact

Construction of the project would generate short-term and intermittent emissions. Following the SCAQMD's Final Localized Significance Threshold Methodology, only onsite construction emissions were considered in the localized significance analysis. The single-family housing immediately north, east and west of the project site are the nearest sensitive receptors (less than 25 meters away).⁶ LSTs for projects in Source Receptor Area 24 (Hemet/Elsinore Area) were obtained from tables in Appendix C of the aforementioned methodology. Table 13 shows the results of the localized significance analysis for the project. Localized short-term air quality impacts from construction of the project would be less than significant.

Table 13 - Results of Unmitigated Localized Significance Analysis

Nearest Sensitive Recentor		Maximum Onsite Construction Emissions (pounds/day)			
	NOx	со	PM ₁₀	PM _{2.5}	
Maximum daily unmitigated emissions	27.5	18.2	10.1	5.7	
SCAQMD LST for 5 acres @ 25 meters	270	1577	13	8	
Significant (Yes or No)		No	No	No	

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

]
--	---

According to SCAQMD guidance, a receptor closer than 25 meters to the source may be assumed to be 25 meters away.

Less Than Significant L with S Mitigation Incorporated

Less Than Significant Impact 2.b

Response:

Less than Significant Impact

Odors can cause a variety of responses. The impact of an odor results from interacting factors such **as** frequency (how often), intensity (strength), duration (in time), offensiveness (unpleasantness), location, and sensory perception.

The SCAQMD recommends that odor impacts be addressed in a qualitative manner. Such an analysis shall determine whether the project would result in excessive nuisance odors, as defined under the California Code of Regulations and § 41700 of the California Health and Safety Code, and thus would constitute a public nuisance related to air quality. Land uses typically considered associated with odors include wastewater treatment facilities, waste disposal facilities, or agricultural operations. The proposed project is not a land use typically associated with emitting objectionable odors. It would involve the use of diesel construction equipment and diesel trucks during construction. However, project-generated emissions would rapidly disperse in the atmosphere and would not be noticeable to the nearby public. Therefore, the project would not generate a significant odor impact during construction or operation.

Sources:

- 1. USEPA, 2011. Air Quality Guide for Nitrogen Dioxide. Office of Air and Radiation. EPA-456/F-11-003.
- 2. USEPA, 2022a. What is CO?
- 3. USEPA, 2022b. Particulate matter (PM).
- 4. USEPA, 2020a. What is Ozone? Accessed online at https://www.epa.gov/ozone-pollution-and-your-patients-health/what-ozone, on October 5, 2022.
- 5. ARB, 2022a. State and Federal Attainment Status
- 6. SCAQMD, 1993. CEQA Air Quality Handbook. Diamond Bar, CA.
- 7. WRCC, 2022. Western U.S. Climate Historical Summaries, Western Regional Climate Center.
- 8. ARB, 2022b. iADAM Air Quality Data Statistics. California Air Resources Board.
- 9. SCAQMD, 2017. Final 2016 Air Quality Management Plan. South Coast Air Quality Management District.
- (CAPCOA, 2022. California Emissions Estimator Model®, Version 2020.4.0. California Air Pollution Control Officers Association. Accessed online at: http://www.aqmd.gov/caleemod/user's-guide on January 27, 2023.
- 11. Chico, T. and Koizumi, J., 2008. Final Localized Significance Threshold Methodology. South Coast Air Quality Management District, Diamond Bar, California.
- 12. SCAQMD, 2019. SCAQMD Air Quality Significance Thresholds. South Coast Air Quality Management District.

IV. 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:

Methodology

UltraSystems biologists researched readily available information including relevant literature, databases, agency websites, various previously completed reports and management plans, GIS data, maps, aerial imagery from public domain sources, and in-house records to identify the following: 1) habitats, special-

ISSUES & SUPPORTING INFORMATION SOURCES:

Potentially	Less Than Significant
Significant	with
Impact	Mitigation
	Incorporate

ss Than

Less Than No Significant Impact Impact

orporated status plant and wildlife species, jurisdictional waters, critical habitats, and wildlife corridors that may occur in and near the project site; and 2) local or regional plans, policies, and regulations that may apply to the project. Plant and wildlife species protected by federal agencies, state agencies, and nonprofit resource organizations, such as the California Native Plant Society (CNPS), are collectively referred to as "specialstatus species." Some of these plant and wildlife species are afforded special legal or management protection because they are limited in population size, and typically have a limited geographic range and/or habitat.

- Information on California plants for education, research and conservation, provided by Calflora.
- California Department of Fish and Wildlife California Wildlife Habitat Relationships (CWHR) Life History Accounts and Range Maps.
- California Department of Fish and Wildlife BIOS Habitat Connectivity Viewer.
- United States Geological Survey (USGS) 7.5-Minute Topographic Map Sunnymead Quadrangle and current aerial imagery.
- The Web Soil Survey, provided by the United States Department of Agriculture (USDA) Natural **Resources Conservation Service.**
- California Natural Diversity Database (CNDDB), provided by the California Department of Fish • and Wildlife.
- Information, Planning and Conservation (IPaC), provided by the US Fish and Wildlife Service • (USFWS).
- Inventory of Rare and Endangered Plants of California, 8th Edition, provided by the California . Native Plant Society.
- Critical Habitat Portal, provided by the USFWS.
- National Wetlands Inventory (NWI) National Wetlands Mapper, provided by the USFWS.
- National Hydrography Dataset, provided by the USGS.
- Sawyer, J.O., T. Keeler-Wolf, J.M. Evens, 2009. A Manual of California Vegetation, Second Edition, provided by California Native Plant Society Press.
- EPA Waters GeoViewer, provided by USEPA.

Less than Significant with Mitigation Incorporated

Plant and wildlife species listed under the federal Endangered Species Act (ESA) or under the California Endangered Species Act (CESA) are referred to collectively as "listed species" in this Section. Plant and wildlife species not listed under ESA or CESA but still protected by federal agencies, state agencies, local or regional plans such as the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), and/or nonprofit resource organizations, such as the California Native Plant Society (CNPS), are collectively referred to as "sensitive species" in this section. The term "special-status species" is used when collectively referring to both listed and sensitive species.

Environmental Setting

The City of Moreno Valley is in western Riverside County, California, Residential developments and associated paved surfaces and landscaped areas surround the project and comprise the biological study area (BSA), shown in Figure 16. The project site is located in an urbanized area, and provides generally low-quality habitat for special status plant and wildlife species. The project site itself has a relatively flat topography, with elevations ranging from 1,560 feet to 1,568 feet above mean sea level (amsl). The project site is currently undeveloped.

Under existing conditions, stormwater generated on the project site enters existing municipal storm drain inlets located on Alessandro Boulevard, near the southwest and southeast corners of the project site. This storm drain (Sunnymead Master Drainage Plan Line M-11) flows east into the Kitching Street Channel, which in turn discharges into the Perris Valley Channel approximately three miles south. The Perris Valley Channel is tributary to the San Jacinto River, and known water of the U.S.

Habitat Assessment Survey

UltraSystems Environmental, Inc (UEI) biologist Dr. Michael Tuma conducted a biological resources reconnaissance survey (field survey) on August 27, 2022 to assess the habitats, plants and wildlife that occur within the BSA. Two land cover types occur within the BSA and they are each described later in this section. The project area has been mowed or disked regularly to maintain its cleared condition. There is also evidence of dumping and vehicle use across the site. Several ornamental trees are distributed in offsite residential areas in the BSA. Plant and wildlife species were recorded during the habitat

undary and Study Area (BSA)

Project B

UltraSystems



Impacts to Special Status Plants

Based on a literature review and query from publicly available databases for reported occurrences within a ten-mile radius of the project site, there were ten listed and 14 sensitive plant species identified by one of the following means: reported in the plant inventory, recognized as occurring based on previous surveys or knowledge of the area, or observed during the habitat assessment survey or other surveys. No sensitive plant species has been recorded within two miles of the BSA (see **Figure 17**). These 24 total species are not expected to occur in the BSA because there is lack of suitable conditions to support them. These species are listed in **Appendix C2**, *Special-Status Species Inventory and Potential Occurrence Determination*. No special-status plant species were observed during the surveys. None of the special-status plant species are expected to occur within the BSA; therefore, it is anticipated that construction of the project will not result in impacts to special-status plant species within the BSA.



Figure 17 - CNDDB Known Occurrences Plant Species and Habitats

Impacts to Special-Status Wildlife Literature Review Results and Discussion

Based on a literature review and query from publicly available databases for reported occurrences within a ten-mile radius of the project site, there were 14 listed and 33 sensitive wildlife species identified by one of the following means: reported in the wildlife inventory, or recognized as occurring based on previous surveys or knowledge of the area. Refer to Error! Reference source not found., which displays wildlife species identified in the CNDDB wildlife inventory within a two-mile radius of the BSA. Of those 47 total species, one listed and five sensitive wildlife species were determined to have a low potential to occur in the BSA. These species are listed in **Appendix C3**, *Special-Status Species Inventory and Potential Occurrence Determination*.

It is anticipated that construction of the project will have less than a significant impact on these specialstatus wildlife species because they were determined to have only a low potential to occur and the project BSA does not offer suitable nesting habitat for these species. Occurrence of these species in the BSA would likely be restricted to occasional foraging as there is no evidence that the BSA provides suitable habitat to support resident populations of these species.

The following four special-status species in the wildlife inventory were determined to have a low potential to occur in the BSA; none of these species were observed during the surveys:

- Burrowing owl (*Athene cunicularia*) SSC, BCC, WRCMSHCP: Covered (c), Season of Concern: burrowing sites and some wintering sites.
- California horned lark (*Eremophila alpestris actia*) WL, WRCMSHCP: Covered.
- Cooper's hawk (Accipiter cooperii) WL.
- Monarch butterfly (Danaus plexippus) FC: California overwintering population.

California horned lark, Cooper's hawk, and monarch butterfly may occur on the project site for occasional foraging activities but were not observed during surveys and do not appear to reside permanently within the BSA. The project site is surrounded by residential developments which limit the availability of quality foraging habitat for species within the BSA. Additionally, there is a high level of traffic and traffic noise which may make the habitat less desirable for occupation by many special-status species. Thus, it is anticipated that construction of the project would have less than a significant impact on the species listed above.





Mitigation Measures

MM BIO-1: Focused Burrowing Owl Surveys

The project area is located within an MSHCP Burrowing Owl Survey Area and contains suitable habitat to potentially support BUOW in the future. Therefore, a focused BUOW survey is required by the MSHCP. A qualified biologist would conduct a focused BUOW survey in accordance with the *Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area* within 30 days prior to ground disturbance.

Following the completion of the focused BUOW survey, the biologist would prepare a letter report in accordance with the MSHCP Survey Guidelines, summarizing the results of the survey. The report would be submitted to the City of Moreno Valley prior to initiating any ground disturbance activities.

If no BUOWs or signs of BUOW are observed during the survey and concurrence is received from EPD and CDFW, project activities may begin and no further mitigation would be required.

If BUOW or signs of BUOW are observed during the survey, the site would be considered occupied. The biologist would implement protection measures listed below and contact the City, EPD, and CDFW to assist in the development of avoidance, minimization, and mitigation measures, prior to commencing project activities. The list of potential measures to avoid and minimize impacts to BUOWs described in the above section would be implemented.

BUOW Protection Measures

If BUOWs or signs of BUOW are observed during the survey, then the site would be considered occupied and the biologist shall contact the City of Moreno Valley, EPD, and CDFW to assist in the development of avoidance, minimization, and mitigation measures discussed below, prior to commencing project activities.

Planning BUOW Protection Measures

Grading, construction, and other project activities on all grassland habitat will be delayed until the qualified biologist has implemented burrow exclusion and closure. No ground-disturbing activities within 50 meters of an active BUOW burrow will be permitted until burrow exclusion and closure have been implemented. No destruction of foraging habitat will be permitted until burrow exclusion and closure have been implemented.

Pre-Construction BUOW Protection Measures

Prior to the initiation of grading and construction activities, the biologist shall implement passive relocation of an active BUOW burrow by installing a one-way door and then permanently excluding the BUOW from

Attachment: Exhibit A - Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (6373 : PEN21-0250

Potentially	Less Than Significant	Less Than
Significant	with	Significant
Impact	Mitigation	Impact
	Incorporated	

No

Impact

returning once it is confirmed that no BUOW individuals remain in the burrow. A biological monitor will visit the site daily to verify that the burrow is empty by monitoring and scoping the burrow.

Considering that there is not adequate BUOW habitat of at least 6.6 acres to which an excluded BUOW pair can relocate, the project applicant shall pay a Local Development Mitigation Fee to the County of Riverside to offset the impacts to the BUOW. All surveys and reporting required by the MSHCP will be complied with including a focused BUOW survey.

Construction BUOW Protection Measures

A biological monitor will be onsite to monitor any BUOW or signs of BUOW. If any BUOW are observed then the biologist will consult with the County EPD and CDFW to determine the appropriate measures. **Pre-Construction Breeding Bird Survey** MM BIO-2:

- To maintain compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels.
- Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts on migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities.
- If project activities cannot be avoided during February 15 through September 15, a qualified • biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance.
- If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required.
- If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone.
- If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency.
- Birds or their active nests will not be disturbed, captured, handled or moved. Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined inactive by a qualified biologist.

MM BIO-3: Biological Monitor

As per the MSHCP requirements stated in Volume 1, Appendix C2 of the MSHCP, A qualified project biologist shall monitor construction activities for the duration of the project to ensure that

ISSUES & SUPPORTING
INFORMATION SOURCES:Potentially
Significant
ImpactLess Than
Significant
With
Mitigation
IncorporatedLess Than
Significant
ImpactNo
Impact

practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.

- A biological monitor shall monitor activities that result in tree or vegetation removal to minimize the likelihood of inadvertent impacts on nesting birds and special-status wildlife species, with special attention given to any protected species observed during the pre-construction breeding bird surveys. Monitoring shall also be conducted periodically during construction activities to ensure no new nests are built during any vegetation removal or building demolition activities between February 1 and August 31. The biological monitor shall ensure that all BMPs, avoidance, protection and mitigation measures described in the relevant project permits and reports are in place and are adhered to.
- The biological monitor shall have the authority to temporarily halt all construction activities and all non-emergency actions if sensitive species and/or nesting birds are identified and would be directly affected. The monitor shall notify the appropriate resource agency and consult if needed. If necessary, the biological monitor shall relocate the individual outside of the work area where it will not be harmed. Work can continue at the location if the applicant and the consulted resource agency determine that the activity will not result in adverse effects on the species.
- The appropriate agencies shall be notified if a dead or injured protected species is located within the project site. Written notification shall be made within 15 days of the date and time of the finding or incident (if known) and must include; location of the carcass, a photograph, cause of death (if known), and other pertinent information.

MM BIO-4: Construction Best Management Practices

- Project work crews will be directed to use BMPs where applicable. These measures will be identified prior to construction and incorporated into the construction operations.
- Implementation of this conservation measure will help to avoid, eliminate or reduce impacts on sensitive biological resources, such as special-status terrestrial wildlife species, to less than significant levels. Standard BMPs as outlined in the MSHCP (MSHCP, Volume 1, Appendix C3) and that apply to construction of this project, and that are not incorporated to other mitigation measures proposed for this project are as follows:
- Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements.
- Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks
 of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be
 located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary
 precautions shall be taken to prevent the release of cement or other toxic substances into surface
 waters. Project related spills of hazardous materials shall be reported to appropriate entities
 including but not limited to applicable jurisdictional city, FWS, and CDFW, RWQCB and shall be
 cleaned up immediately and contaminated soils removed to approved disposal areas.
- The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these BMPs.

Level of Significance After Mitigation

Special-status plants are not anticipated to occur within the BSA and thus not anticipated to incur impacts as a result of project activities. As discussed above, birds including those addressed under the MBTA and Fish and Game Code are anticipated to be indirectly impacted as a result of the project activities; therefore, mitigation is required. With implementation of mitigation measures **BIO-1** through **BIO-4**, the proposed project would have less than significant impacts, either directly or through habitat modifications, to special-status wildlife species.

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?
c)

Response:



Page 54

20

, 02
2
Ž
Ē
3
637
Ē
้ลท
ogi
Ę
bu
Ţ
g
Å
pu
а О
i
ito
o
Σ
<u>io</u>
gat
Ē
≥
ano
n
atic
lar
ec
С О
ţ
ga
Š
ed
gat
Ĩ
Š
pn
S
a
l Dit
-
it A
hib
ШŇ
ij
ner
hn
tac
At

ISSUES & SUPPORTING INFORMATION SOURCES:

Potentially
Significant
Impact

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact Impact

No

No Impact

The project site is situated on relatively level ground, and no ephemeral, intermittent, or perennial streams or rivers were identified in the literature review or observed during the biological survey. Vegetation on the project site primarily consists of non-native annual grasses and forbs. Areas off the project site within the BSA contain residential areas with several ornamental and native trees, and landscaped areas with ornamental turf lawns and plants. The land cover types observed within the BSA are described below. Land Cover Type Mapping

The observed land cover types are briefly described below, and are illustrated in Figure 19. Neither of the land cover types, Developed/Ornamental and Disturbed, are classified as sensitive natural communities in the California Department of Fish and Wildlife's (CDFW's) California Natural Community List.



Figure 19 - Land Cover Types

Disturbed

The project area is entirely comprised of disturbed land cover type. There is also an area off the project site mapped as disturbed land cover in the southwestern segment of the BSA. Disturbed land cover type consists of areas that have been physically disturbed and are no longer contain native or naturalized vegetation associations, but continue to retain a soil substrate. Vegetation in these areas generally consists of non-native, ruderal or ornamental plant species that typically establish dominance in these disturbed conditions. There is evidence that the project is regularly mowed or disked to maintain its cleared condition. The project area contains bare ground interspersed with non-native annual grasses and nonnative annual forbs. All of the project area, approximately 4.5 acres, was mapped as disturbed land cover. Approximately 6.3 acres of disturbed land cover was mapped in offsite areas within the BSA.

Developed/Ornamental

The areas off the project site within the BSA are mapped as developed/ornamental land cover type. These areas include man-made structures such as residential homes, sidewalks, buildings, parks, other associated infrastructure, and ornamental landscaping consisting of exotic or non-native plant species, that occur in parks, gardens and yards. In the BSA, this land cover type contains residential developments,

Valley Gardens Apartments Project

ISSUES & SUPPORTING INFORMATION SOURCES:

Potentially	Less Than Significant
Significant	with
Impact	Mitigation
	Incorporated

associated paved areas and infrastructure, and areas landscaped with ornamental vegetation. Approximately 37.2 acres of developed/ornamental land cover was mapped in the BSA. Ornamental trees observed within the BSA include Chinaberry tree (*Melia azedarach*), crapemyrtle (*Lagerstroemia indica*), Chinese elm (*Ulmus parvifolia*), Mexican fan palm (*Washingtonia robusta*), queen palm (*Syagrus romanzoffiana*), and olive (*Olea europaea*).

The BSA does not support riparian habitat or other sensitive natural communities. Both the literature review and results of the reconnaissance level field survey indicate that riparian habitat or other sensitive natural communities do not occur on the project site. Therefore, construction of the project would not result in impacts on any riparian habitat or sensitive natural communities identified in local, regional state, or federal plans, policies, or regulations. No impact would occur and no mitigation is proposed.

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

Drainages, depressions, and other topographic features that would be conducive to wetlands formation were not identified within the BSA. A field investigation for wetlands and other waters of the U.S. or State determined that the project site does not contain drainages with a definable bed, bank, channel, or evidence of an ordinary high-water mark, nor wetland hydrology, wetland soils, or wetland plants. It was determined that state or federal protected wetlands and other waters do not occur on the project site. No impact would occur and mitigation is not required.

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

Reports, information, and databases associated with the MSHCP and the Western Riverside County – Regional Conservation Authority (RCA) MSHCP Information Map (MSHCP Information Map) located on the RCA website were used to identify criteria areas within the BSA. Per the MSHCP Information Map, the project site is not within a proposed/existing core, habitat block, or linkage. Existing Core Area O is located approximately 3.6 miles northeast of the project site. Proposed Linkage 4 is located approximately four miles north of the project site. Proposed Constrained Linkage 7 is located approximately 2.5 miles northwest of the project site and connects to Proposed Constrained Linkage 8. Additionally, the BSA does not overlap with any CDFW wildlife corridors. The nearest CDFW Essential Connectivity Areas are located approximately 2.5 miles north and southeast of the project, the nearest Small Natural Area is located approximately 0.6 miles southeast from the project, and the nearest Natural Landscape Block is located approximately 2.5 miles southeast from the project. (see **Figure 20**)

Construction and operation of the proposed project would not interfere with the movement of any native resident or migratory fish or wildlife species or with native resident or migratory wildlife corridors. No impact would occur, and mitigation is not proposed.

Impacts to native wildlife nursery sites (e.g., bat maternity roosts) resulting from the project activities are not anticipated. No signs of bats were observed during field surveys. There would be no direct impacts to wildlife nursery sites anticipated as a result of the project. Therefore, no mitigation is proposed



Is the project located in Criteria Area Burrowing Owl Survey Area?

Valley Gardens Apartments Project

City of Moreno Vallev

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Les Sigi In	s Than hificant hpact	No Impact	
Is the project located in Criteria Area Mammal Survey	y Area?					
Is the project located adjacent to MSHCP Conservation Areas?						
MSHCP Vernal Pools and Fairy Shrimp The BSA was assessed for areas meeting the MSHCP's definition of vernal pools and fairy shrimp habitat during the field survey. It was determined that the BSA does not have vernal pools or wetlands that could						

during the field survey. It was determined that the BSA does not have vernal pools or wetlands that could support fairy shrimp species and none are expected to occur on the project site; therefore, listed fairy shrimp, such as the Riverside fairy shrimp, Santa Rosa Plateau fairy shrimp, and vernal pool fairy shrimp, are not expected to be present within the BSA. No wetlands were identified onsite (see **Section 4.4 (c)** for further discussion). UltraSystems determined that focused surveys for fairy shrimp and vernal pools are not required.

MSHCP Riparian/Riverine Birds

The BSA was assessed for areas meeting the MSHCP's definition of riparian/riverine birds during the field survey. It was determined that the BSA does not provide sufficient riparian habitat to support riparian or riverine birds, including the listed LBV, SWFL, or cuckoo. No drainages or other areas with permanent standing water that could support riparian or riverine habitat occur within the BSA. The giant reed stand that occurs onsite does not provide suitable habitat for LBV, SWFL, or cuckoo. Consequently, it was determined that there is no habitat within the BSA that functions as breeding habitat for the LBV, SWFL, or cuckoo and these birds are not expected to nest onsite. Based on the site conditions within the BSA, UltraSystems determined that focused surveys for these birds are not required.

MSHCP Criteria Area Amphibians

No suitable aquatic habitat for MSHCP Criteria Area amphibians was identified within the BSA during the field surveys. In addition, the MSHCP Information Map Report indicated that the BSA was not within a MSHCP amphibian survey area. Consistent with the MSHCP, focused surveys are not required.

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?

Response:

Less Than Significant with Mitigation Incorporated

The BSA is within the MSHCP Area (see **Figure 21**). Focused burrowing owl surveys (**BIO-1**), instatement of a qualified biological monitor (**BIO-3**), and implementation of MSHCP best management practices (**BIO-4**) are required per the MSHCP. These measures are previously discussed in Section a). An analysis of consistency with the policies of the MSHCP is provided in **Table 14**, and is also discussed in **Section IV** (a). Project activities would not conflict with the provisions of the MSHCP after implementation of these abovementioned mitigation measures.

Level of Significance After Mitigation

With implementation of mitigation measures **BIO-1**, **BIO-3**, and **BIO-4** which are previously discussed in **Section IV (a)** and are required by the MSHCP, the proposed project would have less than significant impacts to biological resources covered by the MSHCP.



Sources:

- 1. Calflora, 2022. Information on California plants for education, research and conservation.
- CDFW. 2022a. CDFW California Wildlife Habitat Relationships Life History Accounts and Range Maps. Available at https://wildlife.ca.gov/Data/CWHR/Life-History-and-Range. Accessed on October 23, 2022.
- 3. CDFW (California Department of Fish and Wildlife), 2022b. BIOS Habitat Connectivity Viewer. Accessed at https://wildlife.ca.gov/Data/BIOS. Accessed on October 23, 2022.
- 4. USGS (U.S. Geological Survey), 2001. Moreno Valley, California. Sunnymead Quadrangle, Riverside County, California, 7.5-Minute Series Topographic [map]. Scale 1:24,000. https://pubs.er.usgs.gov/publication/ofr01450/. Downloaded on November 1, 2022.
- Google Earth Pro V 7.3.2.5491 (May 12, 2022). City of Moreno Valley, Riverside County, California, U.S.A. 33°55'05.96"N-117°13'17.22"W. Eye alt 4,843 ft. Available at https://earth.google.com/web/. Accessed on October 20, 2022.
- 6. Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture.
- 7. CNDDB (California Natural Diversity Database). 2022a. RareFind 5 (Internet). California Department of Fish and Wildlife (5.2.14).
- 8. USFWS (United States Fish and Wildlife Service). 2022a. Information for Planning, and Consultation (IPaC), IPaC Official Species List.
- 9. CNPS (California Native Plant Society). 2022a. Rare Plant Program. Inventory of Rare and Endangered Plants (online edition, v8-03 0.39).
- 10. USFWS (United States Fish and Wildlife Service) 2022b USFWS Critical Habitat Portal.
- 11. USFWS. 2022c. National Wetlands Inventory (NWI) website, National Wetlands Mapper. U.S. Department of the Interior, Fish and Wildlife Service, Washington, D.C.

SSUES & SUPPORTING NFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
42 USCS (United States Coolegies) Survey)	000 Nations	ما مرم سم مرا ا	. Detect ()	

- USGS (United States Geological Survey). 2022. National Hydrography Dataset (ver. USGS National Hydrography Dataset Best Resolution (NHD) for Hydrologic Unit (HU) 8. Available at https://www.usgs.gov/core-science-systems/ngp/national-hydrography/access-nationalhydrography-products. Downloaded on November 22, 2022.
- 13. Sawyer, J.O., T. Keeler-Wolf, J.M. Evens, 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society Press. Sacramento, CA.
- 14. USEPA (U.S. Environmental Protection Agency). 2022. WATERSKMZ Tool (updated September 20, 2022).
- 15. RCFCD (Riverside County Flood Control District). 2022. Master Drainage Plan for Riverside County. Available at http://content.rcflood.org/MDPADP/#. Accessed on October 24, 2022
- 16. Riverside County TLMA (Riverside County Transportation and Land Management Agency). 2006. Burrowing Owl Survey Instructions for the Western Riverside County Multiple Species Habitat Conservation Plan Area. March 29, 2006. Environmental Programs Department.
- 17. Riverside County. 2003. Final Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Prepared by Dudek. Retrieved from: https://rctlma.org/Portals/0/mshcp/index.html. Accessed on October 24, 2022.
- 18. CDFW (California Department of Fish and Wildlife), 2022c. California Natural Community List.
- RCA (Western Riverside County Regional Conservation Authority). 2022. RCA MSHCP Information Map Report. RCA MSHCP Information Map. Retrieved from https://wrcrca.maps.arcgis.com/apps/webappviewer/. Accessed on October 30, 2022.

V. CULTURAL RESOURCES – Would the project: a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Response:

Information from the Phase I Cultural Resources Inventory for the Valley Gardens Project, City of Moreno Valley prepared January 2023 (see Appendix D), prepared by UltraSystems (O'Neil, Doukakis and Johnson, 2023), has been included in this section.

Methodology

A cultural resources analysis was conducted for the proposed project site (refer to **Figure 22**) that included a California Historic Resources Inventory System (CHRIS) records and literature search at the Eastern Information Center (EIC) located at the University of California, Riverside. The geographic scope of the cultural resource records search included the project site and an area encompassing a 0.5-mile radius outside of the project boundary. This search was initiated by Megan B. Doukakis, Assistant Project Archaeologist, on August 23, 2022; the EIC records search was received on September 19, 2022. Additionally, a request was made to the Native American Heritage Commission (NAHC) by Stephen O'Neil, Cultural Resources Manager, to conduct a search of their Sacred Lands File (SLF) for potential traditional cultural properties as well as to provide a list of local Native American tribal organizations to contact. The NAHC request was made on September 1, 2020, and a reply was received on October 6, 2022; letters were sent to the listed tribes on October 13, 2022 and follow-up telephone calls were conducted on November 3, 2022. A pedestrian field survey of the project site was conducted on September 13, 2022.



Existing Conditions

As noted, a cultural resources records search was requested from the EIC, the local CHRIS facility, on August 23, 2022, and the results were received on September 19, 2022. Based on the cultural resources records search, no prehistoric cultural resource sites or isolates have been previously recorded within the project area boundary and there are no known prehistoric cultural resource sites or isolates recorded within the 0.5-mile radius buffer zone surrounding the project boundary. In addition, there were no historic cultural resource sites listed within the project boundary, though there were three recorded historic-era cultural resources located in the 0.5-mile buffer zone. No prior surveys included the project parcel, though

City of Moreno Vallev

Attachment: Exhibit A - Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (6373 : PEN21-0250

ISSUES & SUPPORTING INFORMATION SOURCES:

	L
Potentially	
Significant	
Impact	
	In

ess Than

Significant

with

Mitigation

Less Than Significant Impact

seven previous cultural resource studies were within portions of the 0.5-mile buffer of the project (see Section 4.1 and Tables 4.1-1 and Table 4.1-2 in Appendix D). The pedestrian field survey undertaken for this project did not observe the presence of prehistoric or historic period resources (see Section 4.3 in Appendix D).

No Impact

A historical resource is defined in § 15064.5(a)(3) of the *CEQA Guidelines* as any object, building, structure, site, area, place, record, or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Historical resources are further defined as being associated with significant events, important persons, or distinctive characteristics of a type, period or method of construction; representing the work of an important creative individual; or possessing high artistic values. Resources listed in or determined eligible for the California Register of Historic Resources (CRHR), included in a local register, or identified as significant in a historic resource survey are also considered as historical resources under CEQA.

Similarly, the National Register of Historic Places (NRHP) criteria (contained in Code of Federal Regulations Title 36 § 60.4) are used to evaluate resources when complying with Section 106 of the National Historic Preservation Act. Specifically, the National Register criteria state that eligible resources comprise districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and that (a) are associated with events that have made a significant contribution to the broad patterns of our history; or (b) that are associated with the lives of persons significant in our past; or (c) that embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction; or (d) that have yielded or may be likely to yield, information important to history or prehistory.

A substantial adverse change in the significance of a historical resource, as a result of a project or development, is considered a significant impact on the environment. Substantial adverse change is defined as physical demolition, relocation, or alteration of a resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. Direct impacts are those that cause substantial adverse physical change to a historic property. Indirect impacts are those that cause substantial adverse change to the immediate surroundings of a historic property, such that the significance of a historical resource would be materially impaired.

The cultural resources records search conducted at the EIC determined that there are no historic-era resources within the project boundary. There were three historic-era resources that have been recorded within a 0.5-mile radius of the area of potential effect (APE) of the project (Table 4.1-1 in Appendix D). Approximately 830 feet east of the project boundary is 33-007276, consisting of a vernacular wood frame building, constructed circa 1920. There is also 33-007379, a vernacular ranch house constructed circa 1896 that is recorded approximately 0.80 miles west northwest of the project boundary that appears to have been recently demolished. The third historic site, 33-015454, consists of remnants of two early- to mid-twentieth century residences approximately 1,000 feet southeast of the project boundary. An additional historic apartment building was evaluated under the National Register in the Office of Historic Preservation's Built Environmental Resource Directory and determined ineligible for the National Register by consensus through Section 106 process (Section 4.4 in Appendix D).

According to records at the EIC, no cultural resource surveys have included a portion of the project APE, while seven surveys have been conducted within the 0.5-mile radius project buffer (Section 4.1.2 and Table 4.1-2 in Appendix D). As a result of the field survey, no historic buildings were identified within the project site. No other cultural resources were observed during the survey.

There are no historic properties within the project boundary listed with the NRHP or the CRHR. The results of the research for this cultural resources study indicates there would be no impact on historical resources that would be adversely affected by construction of the project.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to <u>§15064.5</u>? 		\square		
B				

Response:

Less than Significant Impact with Mitigation Incorporated

An archaeological resource is defined in § 15064.5(c) of the CEQA Guidelines as a site, area or place determined to be historically significant as defined in § 15064(a) of the CEQA Guidelines, or as a unique archaeological resource defined in § 21083.2 of the Public Resources Code as an artifact, object, or site that contains information needed to answer important scientific research questions of public interest or that has a special and particular quality such as being the oldest or best example of its type, or that is directly associated with a scientifically-recognized important prehistoric or historic event or person.

The past vacant status of the project site suggests that ground on the project site has been minimally disturbed, with the native soil remaining. The cultural resources investigation conducted by UltraSystems, which included a CHRIS records search of the project site and buffer zone, a search of the SLF by the NAHC, and pedestrian field survey, suggests there is a low potential that undisturbed unique archaeological resources exist on the project site.

The result of the pedestrian survey was negative for both prehistoric and historic sites and isolates on the project site.

Based on the EIC cultural resources records search, it was determined that there are no prehistoric or historic cultural resource previously recorded within the project site boundary. Within the half-mile buffer zone, there have been three recorded historic-era residential resources. Descriptions of these resources are summarized in Table 4.1-1 in the cultural resources technical report (refer to Appendix D). One additional historic apartment building was identified in the 0.5-mile radius from the Office of Historic Preservation's Built Environmental Resource Directory and determined ineligible for the National Register by consensus through the Section 106 process.

There have been seven previous cultural resource studies within the 0.5-mile buffer of the project (Table 4.1-2 in Appendix D). None of these surveys intersects the current project boundary. Three of the cultural resources studies assessed the potential impact of new telecommunications facilities, three of the cultural resources studies investigated the potential impact of apartments and commercial development, and one archaeological survey was for a linear water pipeline. (Refer to Section 4.1 and Tables 4.1-1 and 4.1-2 in Appendix D.)

A NAHC SLF search was conducted on and in the area of the project site. The NAHC letter of October 6, 2022 indicated that the SLF search was negative for the presence of traditional cultural property within this area. Twenty six representatives of 16 Native American tribes were contacted on October 13, 2022 by mail and email, requesting a reply if they have knowledge of cultural resources in the area that they wished to share and asking if they had any questions or concerns regarding the project. These tribes included:

- Agua Caliente Band of Cahuilla Indians
- Augustine Band of Cahuilla Mission
 Indians
- Cabazon Band of Mission Indians
- Cahuilla Band of Indians
- Los Coyotes Band of Cahuilla and Cupeño Indians
- Morongo Band of Mission Indians
- Pala Band of Mission Indians

- Pechanga Band of Mission Indians
- Quechan Tribe of the Fort Yuma Reservation
- Ramona Band of Cahuilla
- Rincon Band of Luiseño Indians
- San Manuel Band of Mission Indians
- Santa Rosa Band of Mission Indians
- Serrano Nation of Mission Indians
- Soboba Band of Luiseno Indians
- Torres-Martinez Desert Cahuilla Indians

2.b

Potentially	
Significant	
Impact	
	1

Less Than Significant with Mitigation Incorporated

Less Than No Significant Impact

Impact

There have been five direct responses to the outreach contacts. On October 14, 2022, Omar Aceves, Tribal Operations Clerk for the Augustine Band of Cahuilla Indians responded via email indicating that they are unaware of specific cultural resources that may be affected by the proposed project and to contact them if any cultural resources are found during the project. On October 17, 2022 Historic Preservation Officer Jill McCormick of the Quechan Tribe of the Fort Yuma Reservation responded via email indicating that the tribe has no comments on this project and defer to the more local Tribes and support their decisions on the project. On October 18, 2022, Cultural Resources Analyst Ryan Nordness of the San Manuel Band of Mission Indians responded via email indicating that the proposed project is located outside of Serrano ancestral territory. On October 25, 2022, Nicole Raslich, Archaeological Technician of the Agua Caliente Band of Cahuilla Indians responded via email indicating that the project area is not located within the boundaries of the tribe's Reservation; Ms. Raslich did request a copy of the cultural resources inventory report and a copy of the records search with associated survey reports and site records from the information center. On November 3, 2022, Paul Macarro, Cultural Coordinator for the Pechanga Reservation indicated that the tribe knows of Traditional Cultural Properties in the area and is very concerned with possible resources in the project area; the tribe requested copies of the information center records, to participate in AB 52 consultation, and to have an archaeological monitor and tribal monitor present at the project during ground disturbing activities.

Following up on the initial contacts, telephone calls were conducted by Ms. Doukakis on November 3, 2022, to complete the outreach process. In the November 3, 2022 call, Joseph Ontiveros of the Cultural Resource Department for the Soboba Band of Luiseño Indians indicated that the tribe has a concern with the project area, stating there is an identified Traditional Cultural Property in the area related to the Cahuilla culture. Mr. Ontiveros indicated that the area is significant and that they can provide specifics to the lead agency during AB 52 consultation. Jacob, with the EPA Department for the Los Coyotes Band of Cahuilla and Cupeño Indians, indicated that they have no comment on the project.

Six telephone calls were placed with no answer and so messages were left describing the project and requesting a response. These were to Ann Brierty, Tribal Historic Preservation Officer, and Chairperson Robert Martin of the Morongo Band of Mission Indians; Shasta Gaughen, Tribal Historic Preservation Officer for the Pala Band of Mission Indians; Cheryl Madrigal, Tribal Historic Preservation Officer for the Rincon Band of Luiseño Indians: Doug Welmas, Chairperson for the Cabazon Band of Indians: and Wayne Walker, Co-Chairperson for the Serrano Nation of Mission Indians. A call to Mark Cochrane, Co-Chairperson for the Serrano Nation of Mission Indians indicated that the phone line was disconnected and so no message could be left. The tribal receptionists for the Torres-Martinez Desert Cahuilla Indians and the Pechanga Band of Luiseño Indians took messages. The tribal receptionist for the Rincon Band of Luiseño Indians indicated that we should contact Cheryl Madrigal for a response (which had already been done). The tribal receptionists for the following tribes indicated that we could reach them through email: John Gomez, Environmental Coordinator for the Ramona Band of Cahuilla; Joseph Hamilton, Chairperson for the Ramona Band of Cahuilla: and Lovina Redner, Tribal Chair for the Santa Rosa Band of Cahuilla Indians (which had already been done). The tribal receptionist for the Cahuilla Band of Indians, Elizabeth Ruiz, indicated that UEI should forward our original email to her. This was done the same day. There have been no further responses to date from these tribes (see Attachment C in Appendix D).

Based on the results of the records search and the onsite field survey, it is unlikely that cultural resources or tribal resources would be adversely affected by construction of the project. However, grading activities associated with development of the project would cause new subsurface disturbance and may result in the unanticipated discovery of unique historic and/or prehistoric archaeological resources. In the event of an unanticipated discovery, implementation of mitigation measures MM CR-1 through MM CR-7 described below would ensure that impacts on archaeological resources would be less than significant.

Mitigation Measure

MM 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 located on Parcel 1 of Parcel Map 38599. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project Attachment: Exhibit A - Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (6373 : PEN21-0250

ISSUES & SUPPORTING INFORMATION SOURCES:

Potentially Significant Impact Incorporated

Less Than

Significant

with

Mitigation

Less Than Significant Impact Impact

No

construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including Pechanga Band of Indians, Morongo Band of Mission Indians, the contractor, and the City, shall develop a Cultural Resources Monitoring Plan (CRMP) as defined in CR-3. The Project archeologist shall attend the pregrading meeting with the City, the construction manager and any contractors, and Consulting Tribal representatives; 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 issuance of a grading permit(s), the Developer MM CR 2 Native American Monitoring. shall secure agreements with the Pechanga Band of Indians and Morongo Band of Mission 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 pregrading 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.

MM CR 3 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:

- h. Project description and location
- Project grading and development scheduling; i.
- Roles and responsibilities of individuals on the Project: j.
- The pre-grading meeting and Cultural Resources Worker Sensitivity Training details: k.
- The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project I. archaeologist will follow in the event of inadvertent cultural resources discoveries, human remains/cremations, sacred and ceremonial items, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.
- m. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items.
- n. Contact information of relevant individuals for the Project.

MM CR 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:

- One or more of the following treatments, in order of preference, shall be employed with the b. tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:
 - Preservation-In-Place of the cultural resources, if feasible. Preservation in place means i. 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-3. 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.

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

MM CR 5 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 and/or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find.

MM CR 6 Inadvertent Finds. If potential historic or cultural resources are uncovered during excavation or construction activities at the project site (Parcel 1 of Parcel Map 38599) 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's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until a treatment plan has been prepared and approved by all Consulting Parties, then work may resume after the treatment plan has been completed. 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-3 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 and Consulting Tribes for their review and approval prior to implementation of the said plan.

MM CR 7 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's 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 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).

Level of Significance After Mitigation

With implementation of mitigation measures MM CR-1 through MM CR-7 described above, the project would result in less than significant impacts to archaeological resources.

C)	Disturb any human remains, including t	hose	л		
	interred outside of formally dedi	cated			
	cemeteries?		-		

Response:

Less than Significant Impact with Mitigation Incorporated
ISSUES & SUPPORTING INFORMATION SOURCES:

	Less Than
Potentially	Significant
Significant	with
Impact	Mitigation
	Incorporated

Less Than No Significant Impact Impact

As previously discussed in Section 4.5.b above, the project would be built on relatively undisturbed land that has not been previously graded and is in a suburban area. No human remains have been previously identified or recorded onsite.

The project proposes grading activities for the installation of infrastructure including water, sewer, and utility lines, and for construction of the proposed buildings. Grading would involve new subsurface disturbance and could result in the unanticipated discovery of unknown human remains, including those interred outside of formal cemeteries. In the unlikely event of an unexpected discovery, implementation of mitigation measures CR-8 and CR-9 would ensure that impacts related to the accidental discovery of human remains would be less than significant.

California Health and Safety Code § 7050.5 specifies the procedures to follow during the unlikely discovery of human remains. CEQA § 15064.5 describes determining the significance of impacts on archaeological and historical resources. California Public Resources Code § 5097.98 stipulates the notification process during the discovery of Native American human remains, descendants, disposition of human remains, and associated grave goods.

Mitigation Measure

MM CR 8 Human Remains. If human remains and/or cremations are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin.

- Should human remains and/or cremations be encountered on the surface or during any and d. all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.
- In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.
- f. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98
- No photographs are to be taken except by the coroner, with written approval by the a. consulting Tribe[s].

MM CR 9 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).

Level of Significance After Mitigation

otentially	
Significant	
Impact	

Less Than
Significant
Impact

No Impact

ncorporated With adherence to applicable codes and regulations protecting cultural resources and with implementation of mitigation measures MM CR-8 and MM CR-9 described above, the proposed project would result in less than significant impacts to human remains.

MMVI. 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?

	\square	

Less Than

Significant

with

Mitigation

Response:

Less than Significant Impact

According to CEQA Guidelines § 15126.2(d), "uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement that provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified." Therefore, the purpose of this analysis is to identify any significant irreversible environmental effects of project implementation that cannot be avoided.

Construction Impact Analysis

The following forms of energy are anticipated to be expended during project construction:

- Diesel fuel for off-road equipment (gallons).
- Electricity to deliver water for use in dust control (kilowatt-hours [kWh]).
- Motor vehicle fuel for worker commuting, materials delivery and waste disposal (gallons).

Transportation Energy

Project construction would consume energy in the form of petroleum-based fuels associated with the use of offroad construction vehicles and equipment on the project site, construction workers' travel to and from the project site, and delivery and haul truck trips hauling solid waste from and delivering building materials to the project site.

During project construction, trucks and construction equipment would be required to comply with the ARB's anti-idling regulations. ARB's In-Use Off-Road Diesel Fueled Fleets regulation would also apply. Vehicles driven to or from the project site (delivery trucks, construction employee vehicles, etc.) are subject to fuel efficiency standards established by the federal government. Therefore, project construction activities regarding fuel use would not result in wasteful, inefficient, or unnecessary use of energy.

Electricity

Electricity would be supplied to the project site by Moreno Valley Electric Utility (MVU) and would be obtained from the existing electrical lines in the vicinity of the project site. Construction of the project's electrical infrastructure is not anticipated to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity.

During project construction, energy would be consumed in the form of electricity associated with the conveyance and treatment of water used for dust control and, on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power. Due to the fact that electricity usage associated with lighting and construction equipment that utilizes electricity is not easily quantifiable or readily available, the estimated electricity usage during project construction is speculative. Lighting used during project construction would comply with Title 24 standards and requirements (such as wattage limitations). This compliance would ensure that electricity use during project construction would not result in the wasteful, inefficient, or unnecessary use of energy. Lighting would be used in compliance with applicable City of Moreno Valley Municipal Code requirements to create enough light for safety.

Natural Gas

otentially	Less Than Significant	Le
ignificant	with	Si
Impact	Mitigation	
·	Incorporated	

P S gnificant mpact

Natural gas is supplied to the project site by Southern California Gas Company (SoCalGas). SoCalGas is the primary distributor of retail and wholesale natural gas across Southern California, including the City of Moreno Vallev.

Both construction and operation of the project would lead to the consumption of limited, slowly renewable, and non-renewable resources, committing such resources to uses that future generations would be unable to reverse. The new development would require the commitment of resources that include (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the project.

Operational

Energy would be consumed during project operations related to space and water heating, water conveyance, solid waste disposal, and vehicle trips of residents and vendors. Project operation energy usage, which was estimated by the California Emissions Estimator Model (CalEEMod) as part of the air quality and greenhouse gas emissions analyses (refer to III and VIII), is shown in Table 15.

Energy Type	Units	Value	Per Capita ^a
Onroad Motor Vehicle Travel (Fuel) ^b	Gallons gasoline/year	60,244	187
	Gallons diesel/year	8,615	0.35
Electricity Use	Kilowatt-hours per year	266,877	1,126
Natural Gas Use	1,000 BTU per year	968,058	4,085

Table 15 - Estimated Project Operational Energy Use

^a Based upon estimated residential population of 237; see XIV. The per capita value for the onroad motor vehicle fuel consumption is calculated from the fuel consumption by passenger vehicles.

^b Onroad Motor Vehicle Fuel Consumption calculated by UltraSystems using EMFAC2021(v1.0.2) emissions inventory web platform tool and CalEEMod (2020.4.0); see Appendix B.

Natural Gas Use and Electricity Use calculated by UltraSystems with CalEEMod (2020.4.0).

The proposed project would adhere to applicable federal, state, and local requirements for energy efficiency, including Title 24 standards. The project design includes one hundred additional parking spaces with solar panel overhead structures. Additionally, there would not be any inefficient, wasteful, or unnecessary energy usage in comparison to similar development projects of this nature regarding construction-related fuel consumption. Therefore, the implementation of the proposed project would result in less than significant impacts on energy resources.

Continued use of energy resources is consistent with the anticipated growth within the city and the general vicinity and would not result in energy consumption requiring a significant increase in energy production for the energy provider. Therefore, the energy demand associated with the project would be less than significant.

b)	Conflict with or obstruct a state or local plan for		\square	
	renewable energy or energy efficiency?			
Re	sponse:			

Less than Significant Impact

ISSUES & SUPPORTING INFORMATION SOURCES:

	Less Than
Potentially	Significant
Significant	with
Impact	Mitigation
	Incorporated

Less Than No Significant Impact Impact

The applicable state plans that address renewable energy and energy efficiency are the Title 24 Building Energy Efficiency Standards, the Title 24 California Green Building Standards Code (CALGreen), and the Renewable Portfolio Standard⁷

Title 24 Building Energy Efficiency Standards

The Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6, of the California Code of Regulations) were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Compliance with Title 24 will result in decrease in GHG emissions. The provisions of Title 24, Part 6 apply to all buildings for which an application for a building permit or renewal of an existing permit is required by law. They regulate design and construction of the building envelope, space-conditioning and water-heating systems, indoor and outdoor lighting systems of buildings, and signs located either indoors or outdoors. Title 24, Part 6 specifies mandatory, prescriptive and performance measures, all designed to optimize energy use in buildings and decrease overall consumption of energy to construct and operate residential and nonresidential buildings. Mandatory measures establish requirements for manufacturing, construction, and installation of certain systems, equipment, and building components that are installed in buildings.

The Title 24 standards are updated on a three-year schedule, with the most current 2022 standards adopted on August 11, 2021. In December, 2021, they were approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The Building Energy Efficiency Standards (Energy Code) apply to newly constructed buildings, additions, and alterations. They are a vital pillar of California's climate action plan. The 2022 Energy Code will produce benefits to support the state's public health, climate, and clean energy goals. It encourages efficient electric heat pumps. establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code. Public Resources Code §§ 25402, subdivisions (a)-(b), and 25402.1 emphasize the importance of building design and construction flexibility by requiring the CEC to establish performance standards, in the form of an "energy budget" in terms of the energy consumption per square foot of floor space.

Title 24 California Green Building Standards Code

The proposed project would be designed with energy-efficient features, including insulated and glazed windows and low-E coating on windows, and ENERGY STAR appliances, and will be built in compliance with the California Green Building Standards Code (Title 24, Part 11), commonly referred to as the CALGreen Code. The CALGreen Code is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics.

Renewable Portfolio Standard

California's Renewable Portfolio Standard (RPS) was established in 2002 by the California State Senate in Senate Bill (SB) 1078. The RPS promotes diversification of the state's electricity supply and decreased reliance on fossil fuel energy sources. Renewable energy includes (but is not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas. The RPS initial goal was to achieve a 20 percent renewable energy mix by 2020, and has been accelerated and increased by Executive Orders (EOs) S-14-08 and S-21-09 to a goal of 33 percent by 2020. In April 2011, SB 2 (1X) codified California's 33 percent RPS goal. SB 350 (2015) increased California's renewable energy mix goal to 50 percent by year 2030. SB 100 (2018) further increased the standard set by SB 350 establishing the RPS goal of 44 percent by the end of 2024, 52 percent by the end of 2027, and 60 percent by 2030. This bill also says that it is the policy of the state that eligible renewable energy resources and zero-carbon

Renewable portfolio standards (RPS), also referred to as renewable electricity standards (RES), are policies designed to increase the use of renewable energy sources for electricity generation. These policies require or encourage electricity suppliers to provide their customers with a stated minimum share of electricity from eligible renewable resources.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

resources supply 100 percent of retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045.

Moreno Valley Utility (MVU), the electricity provider for the project, is currently meeting RPS goals and is on track to achieve future RPS goals. Thus, electricity provided to the project is expected to come from renewable sources. Implementation of the project would not interfere with MVU's progress towards achieving RPS goals. Therefore, the project would not conflict with or obstruct implementation of CALGreen and the California Energy Code, or with MVU's implementation of RPS, and impacts would be less than significant.

Furthermore, MVU is a municipally-owned utility company, which provides the City with an avenue to directly influence consumer behavior through programs and incentives that encourage energy conservation. MVU runs energy efficiency programs that offer retrofits, rebates, and energy audits to residential and commercial customers.

City of Moreno Valley Energy Efficiency and Climate Action Strategy

On October 9, 2012, the Moreno Valley City Council approved the Energy Efficiency and Climate Action Strategy and the related Greenhouse Gas Analysis. The Strategy and Analysis documents identify potential programs and policies to reduce overall City energy consumption and increase the use of renewable energy. The Strategy also prioritizes implementation of programs, policies, and projects based upon energy efficiency, cost efficiency and potential resources

City of Moreno Valley Climate Action Plan

The City of Moreno Valley adopted its Climate Action Plan (CAP) in 2021, which includes community-wide strategies for reducing greenhouse gas emissions generated by transportation, industrial facilities, residential and commercial buildings, municipal activities, and off-road equipment. CAP strategies promote transportation demand management programs, enhance transit services, incentivize energy efficient upgrades and construction, streamline installation of solar panels, support urban greening, and more.

The proposed project is required to be compliant with all the applicable energy-related policies listed in the CAP and City of Moreno Valley General Plan 2040. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Impacts would be less than significant.

Sources:

- 1. ARB, 2016. Changes to California's Commercial Vehicle Idling Regulation.
- 2. ARB, 2022. EMFAC (Emission Factor 2021 v1.0.2 webtool). California Air Resources Board.
- 3. CAPCOA, 2022. California Emissions Estimator Model®, Version 2020.4.0. California Air Pollution Control Officers Association. Accessed online at: http://www.aqmd.gov/caleemod/user's-guide on January 27, 2023.
- 4. EIA (U.S. Energy Information Administration). 2022. Renewable Portfolio Standards.
- 5. CEC, 2022. 2022 Building Energy Efficiency Standards (Title 24, Part 6). Adopted August 11, 2021.
- 6. RECON Environmental, Inc. 2021a. City of Moreno Valley Final Environmental Impact Report.
- Dyett & Bhatia, 2021. City of Moreno Valley-Climate Action Plan. Accessed online at https://www.moval.org/cdd/documents/general-plan-update/draft-docs/ClimateActionPlan/Draft-MV-CAP.pdf, on December 7, 2022.
- 8. Dyett and Bhatia, 2021a. City of Moreno Valley Climate Action Plan. Accessed online at: https://moval.gov/city_hall/general-plan2040/MV-CAP.pdf accessed on December 7, 2022.

VII. GEOLOGY AND SOILS – Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:
- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the

Valley Gardens Apartments Project

Page 71

Ġ
2
Ñ
ę
- 5
2
~
2
- 1
~
ĸ
3
ల
~
5
ца Га
ō
<u> </u>
Ē
Ĕ
÷
2
ă
9
R
σ
Ē
a
D
<u> </u>
Ľ,
5
Ē
ō
ž
2
Ĕ
at
D
Ξ
Σ
-
Ĕ
ar
Ē
2
Ť:
a
ar
- 7
ĕ
Õ
đ
Ξ
Ja
6
ž
=
ä
Ť
ő
Ţ
Ē
R
<u> </u>
2
Ę
S
:
li t
5
- E
4
÷
0
, i
÷
ŵ
1.1
÷
P
Ĕ
Ę
Ū
a
Ę

SUES & SUPPORTING FORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
State Geologist for the area or based on other substantial evidence of a known fault? Refer to				
https://www.conservation.ca.gov/cgs/Document				

Response:

s/SP 042.pdf

IS IN

The information in this section is based on the following two technical reports:

- Preliminary Geotechnical Engineering Investigation, Proposed Multi-Unit Residential Development Located North of Alessandro Boulevard and East of Flaming Arrow Drive, in the City of Moreno Valley, California. Prepared by NorCal Engineering (NorCal). dated August 27, 2021. A complete copy of this report is included as **Appendix E1** to this IS/MND.
- Paleontological Records Search for the proposed Valley Gardens Apartments Project in the City of Moreno Valley, California. Prepared by Natural History Museum of Los Angeles County, dated September 4, 2022. A complete copy of this report is included in **Appendix D2** to this IS/MND.

Less than Significant Impact

The Alquist-Priolo Zones Special Studies Act defines active faults as those that have experienced surface displacement or movement during the last 11,000 years. As shown in **Figure 23**, the project site is not located within an Alquist-Priolo Earthquake Fault Zone. The nearest Alquist-Priolo Earthquake Fault Zone to the project site is the Claremont Fault, 4.5 miles to the northeast. As shown in **Figure 24**, the nearest regionally active fault is the San Jacinto Fault, also 4.5 miles to the northeast.

Although the project is a seismically active region of Southern California, the project would be constructed in accordance with standard engineering practices and design criteria prescribed by the current California Building Code (CBC; Title 24 California Code of Regulations [CCR]), which would reduce the significance of potential impacts of seismic and geologic hazards. The CBC also dictates detailed design requirements, structural design, soils, and foundations considerations, and regulates the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to reduce the effects of seismic shaking and adverse soil conditions. This would ensure that public safety risks are minimized due to any potential seismic shaking event. Therefore, impacts due to an Alquist-Priolo Earthquake Fault or other known active fault 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) Strong seismic ground shaking?			\square	

Response:

Less than Significant Impact

Seismic shaking is measured by the moment magnitude (Mw), which is the seismic moment of an earthquake, converted to a magnitude scale that roughly parallels the original Richter scale (ML). Since the Mw is not based on the same measurements as ML (local or surface-wave), the different magnitudes may vary, particularly for larger quakes. The Mw scale is based on the seismic moment and is uniformly applicable to all sizes of earthquakes. Because it associates directly with the energy released from an earthquake, it is the standard in modern seismology.

As shown in **Figures 23** and **24**, the project is located within a seismically active region of southern California, and all structures in the region are susceptible to collapse, buckling of walls, and damage to foundations from strong seismic ground shaking. The North Frontal fault system is eight miles east of the project site and has a probable Mw of 6.5 to 7.5. The proposed project would comply with applicable federal, state, and local regulations, including the current California Building Standards Code (Title 24, CCR), which would minimize the potential risks associated with strong seismic ground shaking. Therefore, impacts would be less than significant.

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

Response:

No Impact

Liquefaction takes place when loosely packed, water-logged sediments at or near the ground surface lose their strength in response to strong ground shaking. Liquefaction occurring beneath buildings and other structures can cause major damage during earthquakes. Liquefaction typically occurs when saturated or partially saturated soils behave like a liquid, as a result of losses in strength and stiffness in response to applied stress caused by ground shaking or other sudden changes in stress conditions. The project site is not in a liquefaction zone and would not require further investigation for liquefaction (see **Figure 25**). Therefore, there would be no impact regarding liquefaction.

Packet Pg. 153



ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Landslides?				\square

Response:

No Impact

Landslides occur when the stability of the slope changes from a stable to an unstable condition. A change in the stability of a slope can be caused by several factors, acting together or alone. Natural causes of landslides include groundwater (pore water) pressure acting to destabilize the slope, loss of vegetative structure, erosion of the toe of a slope by rivers or ocean waves, weakening of a slope through saturation by snow melt or heavy rains, earthquakes adding loads to a barely stable slope, earthquake-caused liquefaction destabilizing slopes, and volcanic eruptions.

The topography within the project site is relatively flat with topography descending gradually from north to south on the order of a few feet. The site is currently vacant and covered in light vegetation. Additionally, the project site is not located within or adjacent to any landslide zones (see **Figure 25**). Due to the flat nature of the topography on and in the vicinity of the project site, there are no known landslides near the site, nor is the site in the path of any known or potential landslides. Therefore, the probability of slope stability hazards affecting the site is considered negligible and there would be no impact regarding landslides

b)	Result in substantial soil erosion or the loss of topsoil?		\square	
_				

Response:

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

Less than Significant Impact

Construction

Section 402 of the Federal Clean Water Act (CWA), as well as the state Porter-Cologne Water Quality Control Act (Porter-Cologne), require construction projects that may potentially result in soil erosion to implement best management practices (BMPs) to eliminate or reduce sediment and other pollutants in stormwater runoff. If one or more acres of soil would be disturbed, a National Pollutant Discharge Elimination System (NPDES) permit is required to be obtained. NPDES permits establish enforceable limits on discharges, require effluent monitoring, designate reporting requirements, and require construction and post-construction BMPs to eliminate or reduce point and non-point source discharges of pollutants, including soil.

As further in the Hydrology and Water Quality section, the project applicant would be required to obtain coverage under the Statewide General Construction Permit prior to project construction. This NPDES permit requires the Legally Responsible Person (LRP), such as the project owner, to prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to ground-disturbing construction activities to identify construction BMPs to eliminate or reduce soil erosion and pollutants in stormwater and non-stormwater discharges (including soil erosion by wind) to stormwater sewer systems and other drainages. The LRP would upload Permit Registration Documents (PRDs) to the State Water Resources Control Board (SWRCB) online Stormwater Multi-Application and Report Tracking System (SMARTS). PRDs include a Notice of Intent (NOI), site map, risk assessment, SWPPP, post-construction water balance, annual fee, and signed certification statement by the LRP attesting to the validity of the information. These preventive measures during construction are intended to eliminate or reduce soil erosion. Therefore, construction-related impacts regarding soil erosion or the loss of topsoil would be less than significant.

Operation

The project site is located within an area that has generally flat topography. Impacts from soil erosion or the loss of topsoil would be less than significant because the proposed project must be designed to minimize, to the maximum extent practicable, the introduction of pollutants that may result in significant impacts generated from site runoff to the stormwater conveyance system. Additionally, the proposed project would create a much larger area of impermeable surfaces compared to the existing undeveloped land. Therefore, operation-related impacts regarding soil erosion or the loss of topsoil would be less than significant.

2.b



	Table To - Maximum Density Tests										
Sample	Classification	Optimum Moisture (%)	Maximum Dry Density (Ibs/ft ³)	El1	LL ²	PL ³	PI⁴	pH⁵	ER ⁶	SO4 ⁷	Cl ⁸
T3 @ 1'	Silty Sandy CLAY	10.5	128.0	33				7.0	15,320	ND ⁹	111
T3 @ 5'	Silty Sandy CLAY				18	17	1				
T3 @ 10'	Silty Sandy CLAY				26	17	9				

Source: Preliminary Geotechnical Investigation. August 27, 2021.

 $^{1}EI = Expansion Index$

²LL = Liquid Limit

³PL = Plasticity Index

⁴PI = Plasticity Index

⁵pH = power of Hydrogen

⁶ER = Electrical Resistivity

 $^{7}SO4 = Sulfate (\% by weight)$

⁸Cl = Chloride (ppm - mg/kg)

⁹ND = Not-Detected

Expansive soils shrink and swell with changes in soil moisture. Soil moisture may change from landscape irrigation, rainfall, and utility leakage. Repeated changes in soil volume due to water content fluctuations may compromise structure foundations. The expansion index of soil can be determined by that soil's plasticity index, which is one of the standard measures (Atterberg limits) used to indicate the plasticity characteristics of the soil; the expansion index is the range of water content in which a soil exhibits the characteristics of a plastic solid and the plastic limit is the water content that corresponds to an arbitrary limit between the plastic and semisolid states of soil. As shown in **Table 16**, the soil mapped on the project site has a plasticity index of one (at five feet) and nine (at 10 feet) on the site; when the plasticity index is less than five, contact is entirely elastic.

The proposed project is located in an area of expansive clay soils and may be subject to more movement and "hairline" cracking of walls and slabs than similar projects situated on non-expansive sandy soils. The Preliminary Geotechnical Investigation (see Appendix E1) provided recommendations that developers and property owners may take to reduce the amount of movement over the life of the development. The measures are detailed in the Expansive Soils Guidelines within the Preliminary Geotechnical Investigation. Implementation of MM GEO-1 would further minimize hazards from expansive soils, in accordance with the City of Moreno Valley and the CBC requirements.

Additionally, the project would be designed and constructed in accordance with the requirements of the City of Moreno Valley and the CBC, which require soil tests to be performed on sites where expansive soils may occur (CBSC 2020, § 1803.5.3) and include building foundation requirements appropriate to site-specific conditions, such as expansive soils.

Mitigation Measure

MM GEO-1 Incorporation of and compliance with the Conclusions and Recommendations detailed in the Preliminary Geotechnical Engineering Investigation. All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical report on the project site that has been prepared by NorCal Engineering, titled Preliminary Geotechnical Engineering Investigation. Design, grading, and construction shall be performed in accordance with the requirements of the City of Moreno Valley and the California Building Code (CBC) applicable at the time of grading. appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review by the City of Moreno Valley Community Development Department, or designee, prior to commencement of grading activities.

ISSUES & SINFORMAT	SUPPORTING TON SOURCES:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact			
Level of Signifi Impacts resulting measure GEO-1 Geotechnical Inv	Level of Significance After Mitigation Impacts resulting from unstable soils would be less than significant after the implementation of mitigation measure GEO-1, which requires the implementation of applicable recommendations from the Preliminary Geotechnical Investigation for the proposed project.								
e) Have soils i the use of se disposal sy available for	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?								
No Impact The project site would connect to the City of Moreno Valley's existing sewer system; therefore, the project would not use septic tanks or alternative wastewater disposal systems. For this reason, no impacts associated with septic tanks or alternative wastewater disposal systems would occur.									
f) Directly or paleontologi geologic fea	indirectly destroy a cal resource or site c ture?	unique or unique							
geologic feature? Response: b) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? Less than Significant Impact with Mitigation Incorporated Site exploration revealed the existing earth materials to consist of fill and natural soil. The soils encountered are described as follows: • Fill: A fill soil classified as a brown, clayey SILT with some sand and occasional gravel, concrete, and rootlets was encountered across the site to a depth of 1.0 to 1.5 feet below the ground surface. These soils were noted to be soft to medium stiff and dry. • Natural: An undisturbed native soil classifying as brown, silty sandy CLAY was encountered beneath the fill soils. The native soils were observed to be medium-stiff to stiff and dry to damp. Vertebrate fossils known from the region—in the records of the Los Angeles County Natural History Museum—are listed below in Table 17. Project development would involve the disturbance of soil and sediment for the construction of buildings, parking lots, and other improvements. Such disturbances could damage fossils that may be present in sediments under the site. This impact could be potentially significant. In the event of an unexpected discovery, implementation of mitigation measure GEO-2 would ensure paleontological resources or unique geologic features are not significantly affected. Impacts in this regard would be mitigated to less than significant levels, with the implementation of required mitigation									
Table 17 - Paleontological Records Search Results									
Number	Location	Formation	ı	Таха		Depth			
LACM VP 4540	The junction of Jackrabbit Trail & Gilman Springs Road; San Jacinto Valley	Unnamed (Pleistocer pit)	Formation ne, gravel	Horse family	(Equidae)	Unknow n			
LACM VP 7618-7622, CIT 132, CIT 133	San Timoteo Badlands; E of Moreno & NW of Eden Hot Springs	San Formation	Timoteo	Horse family Camel (Camelidae)	(Equidae); family	Surface			

SSUES & S	SUPPORTING ION SOURCES:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
LACM VP 1635; LACM IP 437	Soboba Indian Reservation; five miles east of San Jacinto	Unnamed (Pleistoce	Formation ne)	Monkfish (Sq Stickleback (Gasterosteux Invertebrates (Sobobaptero kirkbaye), brachiopod (Terebratalia	uatina), s); – insect on hemphili)	Unknow n
LACM VP 4619	Wineville Ave, Eastvale, CA	Unnamed (Pleistoce	Formation ne)	Mammoth (<i>Mammuthus</i>))	100 feet bgs
LACM VP 7811	W of Orchard Park, Chino Valley	Unnamed (eolian, Pleistocen	Formation tan silt; ne)	Whip (<i>Masticophi</i> s)	snake	9-11 feet bgs
LACM VP 1207	The hill on the east side of the sewage disposal plant; 1 mile N-NW of Corona	Unnamed (Pleistoce	Formation ne)	Bovidae		Unknow n

Source: Los Angeles County Natural History Museum (NHMLA), 2022 (Appendix E1)

VP = Vertebrate Paleontology

IP = *Invertebrate Paleontology*

Bgs = below-ground surface

Mitigation Measure

MM GEO-2 Prior to the issuance of the grading permit, the applicant shall provide a letter to the City of Moreno Valley Planning Department, or designee, from a qualified paleontologist stating that the paleontologist has been retained to provide services for the project. The paleontologist shall develop, as needed, a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist on site for review and approval by the City. The PRIMP shall require that the paleontologist perform paleontological monitoring of any ground-disturbing activities within undisturbed native sediments during mass grading, site preparation, and underground utility installation. The project paleontologist may reevaluate the necessity for paleontological monitoring after 50 percent or greater of the excavations have been completed. In the event paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. Criteria for discard of specific fossil specimens will be made explicit. If the qualified paleontologist determines that impacts on a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if a significant fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage, and treatment shall be done at the Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.

Level of Significance After Mitigation

With the implementation of **MM GEO-2**, potential impacts on paleontological resources would be reduced to a less than significant level.

Sources:

- 1. USGS (U.S. Geological Survey), 2022a. Earthquake Glossary.
- 2. SCEDC (Southern California Earthquake Data Center), 2022. Significant Earthquakes and Faults: San Jacinto Fault Zone.
- 3. USGS (U.S. Geological Survey), 2022b. What is liquefaction?
- 4. NorCal (NorCal Engineering Soils and Geotechnical Consultants), 2021. Preliminary Geotechnical Investigation, Proposed Multi-Unit Residential Development

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
 SWRCB, 2022. State Water Resources C Accessed https://www.waterboards.ca.gov/water_issues September 23, 2022. 	ontrol Board online s/programs/sto	Construction	Stormwater struction.html	Program. at on	
 CBC, 2022. 2022 California Building Co https://codes.iccsafe.org/s/CABC2022P1/chap Sec1803.5.3#:~:text=1803.5,3Expansive%2 January 27, 2023. 	ode, Title 24, pter-18-soils-a 0soil.,where%	, § 1803.5.3 nd-foundatior 20such%20so	a. Accessed ns/CABC2022 pils%20do%2	online at P1-Ch18- 0exist on	
VIII. GREENHOUSE GAS EMISSIONS - wo	ould the proje	ct [.]			
 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? 					
Response:					
Background Information on Greenhouse Gas Emissions Life on earth depends on energy coming from the sun. About half the light reaching Earth's atmosphere passes through the air and clouds to the surface, where it is absorbed and then radiated upward in the form of infrared heat. About 90% of this heat is then absorbed by carbon dioxide (CO ₂) and other greenhouse gases (GHG) and radiated back toward the surface, which is warmed to a life-supporting average of 59 degrees Fahrenheit (°F). Human activities are changing the natural greenhouse. Over the last century, the burning of fossil fuels such as coal and oil has increased the concentration of atmospheric CO ₂ . This happens because the coal or oil burning process combines carbon in the fuel with oxygen in the air to make CO ₂ . To a lesser extent,					
GHGs. GHGs are defined under the California Global Warming Solutions Act of 2006 (AB 32) as CO ₂ , methane (CH ₄), nitrous oxide (N ₂ O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF ₆). Associated with each GHG species is a "global warming potential" (GWP), which is a value used to compare the abilities of different GHGs to trap heat in the atmosphere. GWPs are based on the heat-absorbing ability of each gas relative to that of CO ₂ , as well as the decay rate of each gas (the amount removed from the atmosphere over a given number of years). The GWPs of CH ₄ and N ₂ O are 25 and 298, respectively. "Carbon dioxide equivalent" (CO ₂ e) emissions are calculated by weighting each GHG compound's emissions by its GWP and then summing the products. HFCs, PFCs, and SF ₆ would not be emitted in significant amounts by Valley Gardens Apartments Project (project) sources, so they are not discussed further.					
Carbon Dioxide (CO₂) is a colorless, odorless gas con and one carbon atom. CO ₂ is produced when an orga organic matter (such as coal, oil, or natural gas) is bur revolution began in the mid-1700s, industrial activities the industrial revolution, CO ₂ concentrations were stat The National Oceanic and Atmospheric Administration global concentration of CO ₂ was 414.57 ppm in Sept by far the natural range over the last 650,000 years (1 Methane (CH₄) is a colorless, odorless non-toxic gas atoms and one carbon atom. CH ₄ is combustible, and CH ₄ is released when organic matter decomposes in wetlands, swamps and marshes, termites, and oceans fuels and transportation of natural gas, digestive pr paddies, and the buried waste in landfills. Over the la raising cattle, using natural gas, and mining coal hav Other anthropogenic sources include fossil-fuel combus Nitrous Oxide (N₂O) is a colorless, non-flammable "laughing gas," and sometimes used as an anestheti rainforests. Manmade sources of N ₂ O include the us production, cars with catalytic converters and the buried	nsisting of mol anic carbon cor- rned in the pre- s have increase ole at a range 's Earth System ember 2022. T 80 to 300 ppm consisting of r is the main co- low oxygen er Anthropogen rocesses in ru st 50 years, hu re added to th- ustion and biolo- gas with a s ic. N ₂ O is natu- se of fertilizers ning of organic	ecules made mpound (such sence of oxyg sed in scale a of 275 to 285 m Research L These concern n) as determin molecules ma onstituent of n nvironments. I ic sources inco minant anima uman activitie e atmospheric mass burning sweetish odor urally produces in agricultur c matter. Con	up of two oxygn as wood) or gen. Since the and distributio parts per mill aboratory ind trations of Co ned from ice of de up of four atural gas, a Natural source lude the minin als such as gro c concentrations c, commonly ed in the ocea e, nylon and centrations of	gen atoms fossilized industrial n. Prior to ion (ppm). icates that D_2 exceed cores. hydrogen fossil fuel. es include ng of fossil cattle, rice wing rice, on of CH4. known as ans and in nitric acid f N ₂ O also	

ISSUES & SUPPORTING INFORMATION SOURCES:

Less Than

Significant

with

Mitigation

Less Than Significant Impact

Impact

No

Incorporated **Chlorofluorocarbons (CFCs)** are gases formed synthetically by replacing all hydrogen atoms in CH₄ or ethane with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically un-reactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source but were first synthesized in 1928. They were used for refrigerants, aerosol propellants, and cleaning solvents. Because of the discovery that they can destroy stratospheric ozone, an ongoing global effort to halt their production was undertaken and has been extremely successful, so much so that levels of the major CFCs are now remaining steady or declining. However, their long atmospheric lifetimes mean that some of the CFCs will remain in the atmosphere for over 100 years. The project is not expected to emit any CFCs.

Hydrofluorocarbons (HFCs) are synthesized chemicals that are used as a substitute for CFCs. Out of all the GHGs, HFCs are one of three groups with the highest GWP. HFCs are synthesized for applications such as automobile air conditioners and refrigerants. The project is not expected to emit any HFCs.

Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. High-energy ultraviolet rays about 60 kilometers above Earth's surface can destroy the compounds. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. The two main sources of PFCs are primary aluminum production and semiconductor manufacture. The project is not expected to emit any PFCs.

Sulfur Hexafluoride (SF₆) is an extremely potent greenhouse gas. SF₆ is very persistent, with an atmospheric lifetime of more than a thousand years. Thus, a relatively small amount of SF6 can have a significant long-term impact on global climate change. SF₆ is human-made, and the primary user of SF₆ is the electric power industry. Because of its inertness and dielectric properties, it is the industry's preferred gas for electrical insulation, current interruption, and arc guenching (to prevent fires) in the transmission and distribution of electricity. SF₆ is used extensively in high voltage circuit breakers and switchgear, and in the magnesium metal casting industry. The project is not expected to emit SF₆.

Regulatory Setting

GHGs are regulated at the national, state, and air basin level; each agency has a different degree of control. The United States Environmental Protection Agency (USEPA) regulates at the national level; the California Air Resources Board (ARB) regulates at the state level; and the South Coast Air Quality Management District (SCAQMD) regulates at the air basin level in the Valley Gardens Apartments project area.

Federal Regulations

The USEPA collects several types of GHG emissions data. These data help policy makers, businesses, and the USEPA track GHG emissions trends and identify opportunities for reducing emissions and increasing efficiency. The USEPA has been maintaining a national inventory of GHG emissions since 1990 and in 2009 established mandatory reporting of GHG emissions from large GHG emissions sources. EPA is also getting GHG reductions through partnerships and initiatives, evaluating policy options, costs, and benefits, advancing the science, partnering internationally and with states, localities, and tribe, and helping communities adapt.

Corporate Average Fuel Economy (CAFE) Standards

In May 2010, the USEPA finalized the first-ever national GHG emissions standards under the Clean Air Act, and the National Highway Traffic Safety Administration (NHTSA) finalized Corporate Average Fuel Economy (CAFE) standards under the Energy Policy and Conservation Act. The 2010 CAFE standards were for model year 2012 through 2016 light-duty vehicles. In April 2020, NHTSA and USEPA amended the CAFE and GHG emissions standards for passenger cars and light trucks and established new less stringent standards, covering model years 2021 through 2026.

Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule

On September 27, 2019, the USEPA and the NHTSA published the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program, revoked California's authority to set its own GHG emissions standards and set zero emission vehicle (ZEV) mandates in California. The loss of the ZEV sales requirements would likely result in additional gasoline-fueled vehicles being sold in the State and criteria emissions increasing. On April 30, 2020, USEPA and NHTSA issued the Final SAFE Rule, which relaxed the federal GHG emissions and CAFE standards and would probably have resulted in increased CO₂ emissions. However, this regulation was repealed on December 21, 2021 by the Biden administration.

State Regulations

Executive Order S 3-05

On June 1, 2005, the governor issued EO S 3-05, which set the following GHG emission reduction targets: By 2010, reduce GHG emissions to 2000 levels;

	Less Than
otentially	Significant
Significant	with
Impact	Mitigation
	Incorporated

Less Than No Significant Impact Impact

By 2020, reduce GHG emissions to 1990 levels;

By 2050, reduce GHG emissions to 80% below 1990 levels.

To meet these targets, the Climate Action Team (CAT)⁸ prepared a report to the Governor in 2006 that contained recommendations and strategies to help ensure that the targets in EO S-3-05 are met.

Assembly Bill 32 (AB 32)

In 2006, the California State Legislature enacted the California Global Warming Solutions Act of 2006, also known as AB 32. AB 32 focuses on reducing GHG emissions in California. GHGs, as defined under AB 32, include CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆. AB 32 required that GHGs emitted in California be reduced to 1990 levels by the year 2020. The ARB is the state agency charged with monitoring and regulating sources of emissions of GHGs that cause global warming. AB 32 also required that by January 1, 2008, the ARB determine what the statewide GHG emissions level was in 1990, and it must approve a statewide GHG emissions limit, so it may be applied to the 2020 benchmark. The ARB approved a 1990 GHG emissions level of 427 million metric tons of CO₂e (MMTCO₂e), on December 6, 2007, in its Staff Report. Therefore, in 2020, emissions in California were required to be at or below 427 MMTCO₂e.

Under the "business as usual or (BAU)" scenario established in 2008, statewide emissions were increasing at a rate of approximately one percent per year as noted below. It was estimated that the 2020 estimated BAU of 596 MMTCO₂e would have required a 28 percent reduction to reach the 1990 level of 427 MMTCO2e.

Climate Change Scoping Plan

The first AB 32 Scoping Plan contained the main strategies to achieve the 2020 emissions cap. The plan was developed by the ARB with input from the Climate Action Team and proposed a comprehensive set of actions designed to reduce overall carbon emissions in California, improve the environment, reduce oil dependency, diversify energy sources, and enhance public health while creating new jobs and improving the state's economy. The GHG reduction strategies contained in the AB 32 Scoping Plan included direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

In May 2014, the ARB adopted the First Update to the AB 32 Scoping Plan. This update identified the next steps for California's leadership on climate change. It described progress made to meet the nearterm objectives of AB 32 and defined California's climate change priorities and activities for the next several years. It also framed activities and issues facing the state as it develops an integrated framework for achieving both air quality and climate goals in California beyond 2020.

In the original AB 32 Scoping Plan, the ARB approved a total statewide GHG 1990 emissions level and 2020 emissions limit of 427 million metric tons (MT) of CO2e. As part of the update, the ARB revised the 2020 Statewide limit to 431 million MT of CO2e, an approximately one percent increase from the original estimate. The 2020 business as usual forecast in the update is 509 million MT of CO2e. The state would need to reduce those emissions by 15.3 percent to meet the 431 million MT of CO2e 2020 limit.

In November 2017, the ARB published the 2017 AB 32 Scoping Plan, which built upon the former AB 32 Scoping Plan and Updates by outlining priorities and recommendations for the state to achieve its 2030 GHG target of a 40 percent reduction in GHGs by 2030, compared to 1990 levels. The major elements of the framework proposed are: enhancement of the Renewables Portfolio Standard (RPS) and the Low Carbon Fuel Standard (LCFS); a Mobile Source Strategy, Sustainable Freight Action Plan, Short Lived Climate Pollutant Reduction Strategy, Sustainable Communities Strategies, and a Post 2020 Cap and Trade Program; a 20 percent reduction in GHG emissions from the refinery sector; and an Integrated Natural and Working Lands Action Plan.

In November 2022, the ARB circulated its Final 2022 Scoping Plan Update, which adds upon carbon neutrality to the former Scoping Plan. It identifies a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 or earlier. Through the lens of carbon neutrality, the plan expands the scope to more meaningfully consider how our natural and working lands (NWL) contribute to our long-term climate goal. The draft environmental analysis was recirculated in July 2022.

The Climate Action Team (CAT) members are state agency secretaries and the heads of agencies, boards, and departments, led by the Secretary of the California Environmental Protection Agency (Cal/EPA). They coordinate statewide efforts to implement global warming emission reduction programs and the state's Climate Adaptation Strategy.

	L
Potentially	S
Significant	
Impact	N
	Inc

ess Than

ignificant

with

Aitigation

corporated

Less Than Significant Impact

Renewables Portfolio Standard (Scoping Action E-3)

The CEC estimates that in 2000 about 12% of California's retail electric load was met with renewable resources. Renewable energy includes (but is not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas. California's current RPS is intended to increase that share to 33% by 2020. Increased use of renewables will decrease California's reliance on fossil fuels, thus reducing emissions of GHGs from the electricity sector. Most recently, Governor Brown signed into legislation Senate Bill (SB) 350 in October 2015, which requires retail sellers and publicly-owned utilities to procure 50% of their electricity from eligible renewable energy resources by 2030.

Senate Bill 375 (SB 375)

Senate Bill (SB) 375 passed the Senate on August 30, 2008, and was signed by the Governor on September 30, 2008. Per SB 375, the transportation sector is the largest contributor of GHG emissions and contributes approximately 45 percent of the GHG emissions in California, with automobiles and light trucks alone contributing almost 30 percent. SB 375 indicates that GHGs from automobiles and light trucks can be reduced by new vehicle technology. However, significant reductions from changed land use patterns and improved transportation also are necessary. SB 375 states, "Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32." SB 375 does the following: (1) requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

Executive Order B-30-15

On April 29, 2015, the Governor issued EO B-30-15, which added an interim target of GHG emissions reductions to help ensure that the State meets its 80 percent reduction by 2050, as set in EO S-3-05. The interim target is to reduce GHG emissions by 40 percent by 2030. It also directs State agencies to update the Scoping Plan, update the Adaptation Strategy every three years, and take climate change into account in their planning and investment strategies. Additionally, it requires the State's Five-Year Infrastructure Plan to take current and future climate change impacts into account in all infrastructure projects. **Title 24**

Although not originally intended to reduce GHGs, California Code of Regulations Title 24 Part 6: California's Building Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The standards are updated every three years to allow consideration and possible incorporation of new energy efficient technologies and methods. The 2022 Energy Code, adopted August 11, 2021 by the CEC and approved by the California Building Standards Commission in December 2021, will take effect for all buildings whose permit applications are applied for on or after January 1, 2023.

Local Regulations

City of Moreno Valley's Climate Action Plan

The Moreno Valley Climate Action Plan (CAP) is designed to reinforce the City's commitment to reducing GHG emissions, and to demonstrate how the City will comply with the State of California's GHG emission reduction standards. The CAP includes:

- An inventory of the city's GHG emissions.
- Forecasts of future GHG emissions.
- Measures to reduce GHG emissions consistent with State requirements.
- Monitoring and reporting processes to ensure targets are me.t

State-Mandated Local GHG Emissions Targets and Guidelines

The CAP reflects guidelines established in the 2017 Scoping Plan prepared by the California Air Resources Board (CARB). The Scoping Plan, designed to implement the State's not-to-exceed GHG emission targets set in Executive Order S-3-15 and Senate Bill 32, recommends that local governments target six metric tons carbon dioxide equivalent (MTCO₂e) per capita per year in 2030 and two MTCO₂e per capita per year in 2050 in their CAPs. The proposed 2040 target of four MTCO₂e per capita per year is determined using a linear trajectory in emissions reduction between 2030 and 2050.

The total emissions are projected to increase from 866,410 MTCO₂e per year in 2018 to 1,411,346 MTCO₂e per year in 2040 (an increase of 63 percent). Therefore, the future emissions depicted in **Table 18** present how GHG emissions may increase in Moreno Valley.

Year	GHG Emissions (MTCO ₂ e)	Per Capita Emissions (MTCO₂e per capita)	GHG Emissions Target (MTCO₂e per capita)
2018	866,410	4.17	-
2030	-	-	6.0
2040 BAU	1,411,346	5.50	4.0
2050	-	-	2.0

Table 18 - GHG Emissions Forecast and Targets (MTCO2e per year)

Source: Dyett & Bhatia, 2021

Thresholds of Significance

Neither the SCAQMD nor the State CEQA Guidelines Amendments has adopted specific quantitative thresholds of significance for addressing a project's GHG emissions. Nonetheless, § 15064.4 of the CEQA Guidelines serves to assist lead agencies in determining the significance of the impacts of GHGs. As required in § 15064.4 of the CEQA Guidelines, this analysis includes an impact determination based on the following: (1) an estimate of the amount of GHG emissions resulting from the project; (2) a qualitative analysis or performance based standards; (3) a quantification of the extent to which the project increases GHG emissions as compared to the existing environmental setting; and (4) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

Less than Significant Impact

Methodology

GHG emissions would come from both construction and operation of the proposed project. Construction of the project would result in temporary emissions of GHGs from fuel combustion by onsite construction equipment and by onroad vehicle traffic (i.e., worker commute and delivery truck trips). Operational direct GHG emissions would come from onroad mobile sources and onsite area sources, such as landscaping. Indirect GHG emissions would come from energy use, water supply, wastewater, and solid waste.⁹ A detailed summary of the assumptions and the model data used to estimate the project's potential GHG emissions is provided in **Appendix F**.

Short-term GHG emissions are those construction emissions that do not recur over the life of the project. The major construction phases included in this analysis are grading, building construction, paving, and architectural coating. Emissions are from offroad construction equipment and onroad travel, such as worker commuting; vendor deliveries; and truck hauling of soil, building materials and construction and demolition waste.

Other GHG emissions would occur continually after buildout. GHGs are emitted from buildings because of activities for which electricity and natural gas are typically used as energy sources. Combustion of carbon-based fuel emits CO₂ and other GHGs directly into the atmosphere; these emissions are considered direct emissions. The project's primary direct source of annual GHG emissions will be onroad mobile sources. GHGs are also emitted during the generation of electricity from fossil fuels; when produced offsite, these emissions are indirectly associated with the project. Indirect GHG emissions also result from the production of electricity used to convey, treat, and distribute water and wastewater. A final indirect GHG emission source is decomposition of organic waste that is generated by the project and transported to landfills.

Criteria pollutant emissions from the Valley Gardens Apartments project's onsite and offsite project construction activities were calculated using CalEEMod, Version 2020.4.0, which was described in **Section III**. The results of this analysis are presented in **Table 19**. The annual GHG emissions from the project construction activities would be 157.44 metric tons in 2023 and 260.9 metric tons in 2024. The total construction GHG emissions would be **418.34 metric tons**. Consistent with SCAQMD recommendations and to ensure that construction emissions are assessed in a quantitative sense,

⁹ Indirect emission sources are those for which the project is responsible, but which are not located at the project site.

ISSUES & SUPPORTING INFORMATION SOURCES:

	Less Than
Potentially	Significant
Significant	with
Impact	Mitigation
	Incorporated

construction GHG emissions have been amortized over a 30-year period. The amortized value, **13.9 MTCO₂e**, has been added to the project's annual operational GHG emissions. (See below.) Modeling results are in **Appendix B.** For each construction year, annual GHG emissions would be far below the threshold of 3,000 MT of CO₂e per year and therefore would be less than significant. No mitigation is necessary.

Table 19 - Project Constructior	Related GHG Emissions
---------------------------------	-----------------------

Year/Phase	Annual Emissions (MT)			
	CO ₂	CH₄	N ₂ O	CO ₂ e
2023	156.19	0.036	0.00114	157.44
2024	258.89	0.053	0.00227	260.90
Total	415.08	0.09	0.00	418.34

Source: Calculated by UltraSystems with CalEEMod (Version 2020.4.0) (CAPCOA, 2021).

Operational GHG Emissions

The operational GHG emissions calculated by CalEEMod Version 2020.4.0 are shown in **Table 20**. Total annual unmitigated emissions from the project including the amortized construction emissions would be **682.9 MTCO₂e per year**. Energy production and mobile sources account for about 93 percent of these emissions.¹⁰

Table 20 - Pro	ject Operationa	al GHG Emissions
----------------	-----------------	------------------

Emissions Source	Estimated Project Generated CO ₂ e Emissions (Metric Tons per Year)			
Area Sources	1.10			
Energy Demand (Electricity & Natural Gas)	99.54			
Mobile (Motor Vehicles)	532.99			
Solid Waste Generation	14.81			
Water Demand	20.56			
Construction Emissions ^a	13.9			
Total	682.9			
^a Total construction GHG emissions were amortized over 30 years and				

a Total construction GHG emissions were amortized over 30 years and added to those resulting from the operation of the project.

Source: Calculated by UltraSystems with CalEEMod (Version 2020.4.0) (CAPCOA, 2021).

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

¹⁰ Calculations are provided in **Appendix B**.

Detentially	
Significant	
Impact	

Less Than Significant Less Than Significant Mitigation Impact Incorporated

with

No Impact

Less than Significant Impact

The City of Moreno Valley's CAP is designed to reinforce the City's commitment to reducing greenhouse gas (GHG) emissions and demonstrate how the City will comply with State of California's GHG emission reduction standards.

The City of Moreno Valley will periodically monitor and report on CAP implementation activities, for example, every five years thereafter. The monitoring report will include implementation status of each action and progress towards achieving the performance targets of the corresponding emissions reduction measure. The monitoring report will also include information on the status of the federal, state, regional, and local level emissions reduction strategies identified in Chapter 1 of the CAP. As was demonstrated in XI, the proposed project would have no impacts in relation to consistency with local land use plans, policies, or regulations. Therefore, the project would not hinder the GHG emission reductions of the General Plan Update.

Sources:

- 1. NASA, 2022. Global Climate Change: Vital Signs of the Planet. National Air and Space Administration.
- 2. GMI, 2022. What is a Global Warming Potential? And Which One Do I Use? GHG Management Institute.
- 3. IPCC, 2007. Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. 2007.
- 4. ESRL, 2022. Recent Global Monthly Mean CO2. Trends in Atmospheric Carbon Dioxide. Earth System Research Laboratory. National Oceanic and Atmospheric Administration.
- 5. USEPA, 2022g. Final Rule for Model Year 2012 2016 Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards.
- 6. ARB, 2020. Zero-Emission Vehicle Program
- 7. NHTSA (National Highway Traffic Safety Administration), 2021. Corporate Average Fuel Economy (CAFE) Preemption.
- 8. ARB, 2008. Climate Change Scoping Plan: a framework for change. California Air Resources Board.
- 9. ARB, 2014. First Update to the Climate Change Scoping Plan, Building on the Framework. California Air Resources Board.
- 10. ARB, 2017. California's 2017 Climate Change Scoping Plan. California Air Resources Board.
- 11. ARB, 2022c. Final 2022 Scoping Plan Update and Appendices.
- 12. Dyett & Bhatia, 2021. City of Moreno Valley-Climate Action Plan. Accessed online at https://www.moval.org/cdd/documents/general-plan-update/draft-docs/ClimateActionPlan/Draft-MV-CAP.pdf, on December 7, 2022.
- 13. CAPCOA (California Air Pollution Control Officers Association), 2021. California Emissions Estimator Model (CalEEMod) Version 2020.4.0. Prepared for the California Air Pollution Control Officers Association, in collaboration with South Coast Air Quality Management District and the California Air Districts.

IX. 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?

		\square	
--	--	-----------	--

Response:

The analysis in this section is based in part upon the Phase I Environmental Site Assessment (Phase I ESA) prepared by Priority One Environmental, Inc. dated July 23, 2021 (Appendix F1). The Phase I ESA presents information conducted from a site reconnaissance of the project area, historical developments of the project site, and a comprehensive database search to determine if the project site contains Recognized Environmental Conditions (RECs).

No

Impact

Potentially	
Significant	
olgrinoant	
Impact	

Less Than Significant Impact

Less Than

Significant

with

Mitigation

Incorporated

Less than Significant Impact

The Phase I study determined that there are no recognized environmental conditions (REC) during the site reconnaissance or in records reviewed. The subject property consists of one parcel, located at 13989 Moreno Rose Place, Moreno Valley. Prior to 1956, the subject property was used as farm fields or was vacant land. In 1956, Sarah Street and Moreno Rose Place streets were developed to the east of the property along with single family homes. Currently, there are single family homes to the east, west and north of the project site. No environmental concerns were observed on the exterior grounds of the property. The subject property was listed in environmental records sources searched under the California Integrated Water Quality System (CIWQS), National Pollutant Discharge Elimination System Permits (NPDES), California Environmental Protection Agency Regulated Site Portal (CERS), Facility Index System (FINDS), Enforcement and Compliance History Online (ECHO), and Resource Conservation and Recovery Act Non – Generators (RCRA NonGen/NLR) databases.

Construction

Transportation of hazardous materials/waste is regulated by California Code of Regulations (CCR) Title 26. The California Highway Patrol (CHP) and the California Department of Transportation (Caltrans) enforce federal and state regulations and respond to hazardous materials transportation emergencies. Emergency responses are coordinated as necessary among federal, state and local governmental authorities and private persons through a state-mandated Emergency Response Plan. Due to the significant short-term risks to public health and the environment associated with hazardous waste management during transportation of wastes, specific Commercial Hazardous Waste Shipping Routes are designated with the intent of minimizing the distance that wastes are transported and the proximity to vulnerable locations.

Construction of the proposed project would involve transport, storage, and use of chemical agents, solvents, paints, and other hazardous materials commonly associated with construction activities. Chemical transport, storage, and use would comply with Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Occupational Safety and Health Administration (OSHA); California hazardous waste control law (California Health and Safety Code, Division 20, Chapter 6.5, Hazardous Waste Control); California Division of Safety and Health (DOSH); South Coast Air Quality Management District (SCAQMD); and the County of Riverside Department of Environmental Health (DEH) - Hazardous Materials Branch requirements. The construction contractor would maintain equipment and supplies onsite for containing and cleaning up small spills of hazardous materials, and in the event of a release of hazardous materials of quantity and/or toxicity that onsite workers could not safely contain and clean up, would notify the County of Riverside Department of Environmental Health Hazardous Materials Branch immediately. Therefore, compliance with applicable laws and regulations during project construction would reduce the potential for accidental releases of hazardous materials, and construction hazards impacts would be less than significant.

Operation

The proposed project would consist of: (1) utilities improvements; (2) construction of eight new residential buildings and an office/mail room building; and (3) project site driveways, parking, amenities and landscaping. The project would include 64 two- and three-bedroom units, totaling 160 bedrooms. Project operation would involve the transport, storage, use, and disposal of small amounts of hazardous materials for cleaning and landscaping purposes, such as commercial cleansers, paints, and lubricants for maintenance and upkeep of the proposed buildings and landscaping. These materials would be stored, handled, and disposed of in accordance with applicable regulations.

The proposed project would not involve the routine transport, use, or disposal of quantities of hazardous materials that may create a significant hazard to the public or environment. Therefore, hazardous materials impacts from project operation would 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?



Less Than Significant Less Than Significant with Mitigation Incorporated

Impact

No Impact

Response:

Less than Significant Impact

Construction

As mentioned above, the Phase I ESA report found no potential areas of concern/contamination on the project site. Additionally, the construction of the proposed project would adhere to applicable federal, state and local regulations in regard to the safe handling and transportation of hazardous materials during construction. The construction contractor would maintain equipment and supplies onsite for containing and cleaning up small spills of hazardous materials and would train construction workers on such containment and cleanup. In the event of a release of hazardous materials of quantity and/or toxicity that onsite construction workers could not safely contain and clean up, the project proponent would notify the County of Riverside Department of Environmental Health (DEH) - Hazardous Materials Branch immediately. Therefore, impacts would be less than significant during construction.

Prior to the commencement of site preparation, a Stormwater Pollution Prevention Plan (SWPPP) that includes Best Management Practices (BMPs) should be prepared and implemented during all construction activities. This includes good housekeeping of construction equipment, stockpiles and active construction areas, ensures that spill and leak prevention procedures are established, and that clean up kit and materials are readily available for use onsite during all construction activities. Compliance with all existing Federal, State, and local safety regulations governing the transportation, use, handling, storage, and disposal of potentially hazardous materials ensure that impacts due to temporary construction will be less than significant.

Operation

Project operation would involve the handling and storage of materials such as commercial cleansers, solvents and other janitorial or industrial-use materials, paints, and landscape fertilizers/pesticides during project operations. However, these materials would be stored, handled, and disposed of in accordance with applicable regulations and would not be stored in amounts that would create a significant hazard to the public or the environment through accidental release. The project would have a less than significant impact in this regard.

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:

Less than Significant Impact

Two schools are within 0.25 mile of the project site: The Journey School is approximately 0.2 miles to the east and the Riverside County Education Academy is approximately 0.2 miles to the northwest.

The Sunnymead Montessori School and Ramona Elementary School is approximately 0.4 mile to the northwest of the project site.

Construction

During construction, the project would involve the use and handling of limited volumes of commonly used hazardous materials. Project personnel would ensure that use of hazardous materials during construction would adhere to applicable local, state, and/or federal regulations.

Project construction would not subject persons at schools to substantial hazards, and therefore impacts would be less than significant.

Operation

Project operations would involve the handling and storage of small amounts of hazardous materials such as cleansers, solvents, paints, fertilizers, and pesticides. However, these materials would be stored, handled, and disposed of in accordance with applicable regulations and would not be used or stored in amounts that would pose a hazard to persons at schools. Therefore, the project would have less than significant impacts in this regard.

Be located on a site which is included on a list of d) hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a

-		_

Х

Valley Gardens Apartments Project	ct
-----------------------------------	----

Packet Pg. 168

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
result, would it create a significant hazard to the public or the environment?				

Response:

Less than Significant Impact

Government Code § 65962.5 requires the Department of Toxic Substances Control (DTSC) to compile and update, at least annually, lists of the following:

Hazardous waste and substances sites from the DTSC EnviroStor database.

Leaking Underground Storage Tank (LUST) sites by county and fiscal year in the State Water Resources Control Board (SWRCB) GeoTracker database.

Solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside waste management units.

SWRCB Cease and Desist Orders (CDOs), and Cleanup and Abatement Orders (CAOs).

Hazardous waste facilities subject to corrective action pursuant to § 25187.5 of the Health and Safety Code, identified by DTSC.

These lists are collectively referred to as the "Cortese List." The project site is not included on the Cortese List. No hazardous materials sites were identified on the project site. Adjacent sites were listed on multiple databases.

The Environmental Data Resources, Inc. has revealed the following findings for the project site:

- A review of the Resource Conservation and Recovery Act Small Quantity Generator (RCRA-SQG) list, as provided by EDR, and dated 03/22/2021 has revealed that there are two RCRA-SQG sites within approximately 0.25 mile of the target property.
- A review of the Resource Conservation and Recovery Act Very Small Quantity Generator (RCRA-VSQG) list, as provided by EDR, and dated 03/22/2021 has revealed that there is one RCRA-VSQG site within approximately 0.25 mile of the target property.
- A review of the Envirostor list, as provided by EDR, and dated 04/23/2021 has revealed that there are six Envirostor sites within approximately one mile of the target property.
- A review of the Leaking Underground Storage Tank (LUST) list, as provided by EDR, has revealed that there are six LUST sites within approximately 0.5 mile of the target property.
- A review of the Underground Storage Tank (UST) list, as provided by EDR, has revealed that there is one UST site within approximately 0.25 miles of the target property.
- A review of the Recycling Facilities in California Database (SWRCY) list, as provided by EDR, and dated 03/09/2021 has revealed that there is one SWRCY site within approximately 0.5 mile of the target property.
- A review of the proposed and existing school sites that are being evaluated by DTSC for possible hazardous materials contamination (SCH) list, as provided by EDR, and dated 04/23/2021 has revealed that there is one SCH site within approximately 0.25 mile of the target property.
- A review of the California Environmental Protection Agency Regulated Site Portal (CERS HAZ WASTE) list, as provided by EDR, and dated 04/19/2021 has revealed that there are four CERS HAZ WASTE sites within approximately 0.25 mile of the target property.
- A review of the Statewide Environmental Evaluation and Planning System Underground Storage Tank (SWEEPS UST) list, as provided by EDR, and dated 06/01/1994 has revealed that there is one SWEEPS UST site within approximately 0.25 mile of the target property.
- A review of the California Environmental Protection Agency Regulated Site Portal (CERS TANKS) list, as provided by EDR, and dated 04/19/2021 has revealed that there is one CERS TANKS site within approximately 0.25 mile of the target property.
- A review of the Facility Inventory Database (CA FID UST) list, as provided by EDR, and dated 10/31/1994 has revealed that there is one CA FID UST site within approximately 0.25 mile of the target property.
- A review of the Resource Conservation and Recovery Act Non Generators (RCRA NonGen / NLR list), as provided by EDR, and dated 03/22/2021 has revealed that there are nine RCRA NonGen / NLR sites within approximately 0.25 mile of the target property.

ISSUES & SUPPORTING INFORMATION SOURCES:

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Le Si

 A review of the Facility Index System (FINDS) list, as provided by EDR, and dated 02/03/2021 has revealed that there is one FINDS site within approximately 0.001 mile of the target property.

- A review of the Enforcement and Compliance History Online (ECHO) list, as provided by EDR, and dated 04/04/2021 has revealed that there is one ECHO site within approximately 0.001 mile of the target property.
- A review of the Cortese list, as provided by EDR, and dated 03/22/2021 has revealed that there are three Cortese sites within approximately 0.5 mile of the target property.
- A review of the DRYCLEANERS list, as provided by EDR, has revealed that there are five DRYCLEANERS sites within approximately 0.25 mile of the target property.
- A review of the Historical Cortese (HIST CORTESE) list, as provided by EDR, and dated 04/01/2001 has revealed that there are two HIST CORTESE sites within approximately 0.5 mile of the target property.
- A review of the National Pollutant Discharge Elimination System Permits (NPDES) list, as provided by EDR, and dated 02/08/2021 has revealed that there is one NPDES site within approximately 0.001 mile of the target property.
- A review of the California Integrated Water Quality System (CIWQS) list, as provided by EDR, and dated 11/30/2020 has revealed that there is one CIWQS site within approximately 0.001 mile of the target property.
- A review of the California Environmental Protection Agency Regulated Site Portal (CERS) list, as provided by EDR, and dated 04/19/2021 has revealed that there is one CERS site within approximately 0.001 mile of the target property.
- A review of the EDR Historical Cleaner list, as provided by EDR, has revealed that there is one EDR Historical Cleaner site within approximately 0.125 mile of the target property.

The EDR identified 18 hazardous materials sites located within one mile of the project site. Some of these sites are included in Table 21 below. However, none of the sites listed are considered environmental concerns for the project site.

Site Name/Address Distance and Direction from project site	Additional information
Jerelyn Ribeiro	Database listed on: FINDS, ECHO, RCRA
13974 Sarah Street	NonGen/NLR,
0.01 mi. E	Status: No violations found
Blue Banner Cleaners 13911 Elmwood Court 0.01 mi. E	Database listed on: EDR Historical Cleaner
Ross Stores Inc. 25070 Alessandro Boulevard 0.1 mi. W	Database listed on: RCRA NonGen/NLR Status: No violations found.
Bear Valley Cleaners	Database listed on: RCRA-SQG, FINDS, ECHO,
25030 Alessandro Boulevard	DRYCLEANERS, HWTS, HAZNET.
0.2 mi. W	Status: No violations found.
TOSCO 76 Gas Station	Database listed on: LUST, Cortese, CERS, HIST
25020 Alessandro Boulevard	Cortese.
0.2 W	Status: Completed - Case Closed

Table 21 - Selected Hazardous Materials Sites Within 1.0 Mile of The Project Site

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ARCO Gas Station	Database liste	ed on: LUST,	CA FID UST	, CERS,
24994 Alessandro Boulevard	Cortese			
0.3 W	Status: Compl	eted - Case C	Closed	
Source: PIE, 2021 (see Appendix F1).				

Review of the regulatory agency database report identified that most of the remaining sites that are plotted 0.25-mile or farther from the project site are situated hydraulically upgradient from the project site. Based on various factors such as distance, gradient relationship, estimated direction of groundwater flow, media impacted, and/or current regulatory status, these sites are not anticipated to have negatively impacted the environmental integrity of the project site. Therefore, impacts would be less than significant.

Figure 26 shows locations of Cortese List sites within a 0.5-mile radius of the project site.

2.b



ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 nearest airport is the March Air Reserve Base (March ARB) located approximately 2.6 miles southwest of the project site (see **Figure 27**). The project site is outside of March ARB's zones where land uses are regulated to minimize aviation-related hazards to persons on the ground and outside of noise compatibility contours for the airport. Project development would not cause airport-related hazards, or excessive noise, to persons at the project site. No impact would occur and no mitigation is required. The nearest public-use airport is the Redlands Municipal Airport, located approximately 12 miles northeast of the project site.



City of Moreno Vallev

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? 			\square	
Response:				

Less than Significant Impact

Project construction could involve the temporary closure of a segment of a lane on Alessandro Boulevard, Sarah Street, or an entire segment of the roadway. Any plans for construction activity in the roadway rightof-way would require an encroachment permit from the City of Moreno Valley. The City Public Works/Engineering Department would review any encroachment permit applications to ensure that such construction did not impede emergency response to the project site or nearby properties; and did not create traffic hazards. Compliance with any conditions outlined in an encroachment permit is a condition of the permit. Impacts would be less than significant after City review and after project conformance with conditions outlined in any encroachment permit.

The project would comply with applicable City regulations, such as City's Fire Code in regard to providing adequate emergency access, as well as the California Building Standards Code. Prior to the issuance of building permits, the City of Moreno Valley would review project site plans, including location of all buildings, fences, access driveways and other features that may affect emergency access. Fire lanes would be provided for adequate emergency access. The site design for the proposed project includes access and fire lanes that would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. All onsite access and sight-distance requirements would be in accordance with City and Caltrans design requirements. The City's review process and compliance with applicable regulations and standards would ensure that adequate emergency access would be provided at the project site at all times.

The City of Moreno Valley Local Hazard Mitigation Plan (LHMP) was adopted by the City Council in 2017. The 2017 LHMP is an update to Moreno Valley's 2011 LHMP which the Moreno Valley City Council adopted on October 25, 2011 (Resolution No. 2011-102). The purpose of the City's LHMP is to provide a plan for reducing and/or eliminating risk in the City of Moreno Valley. The goals of the LHMP are to: protect life, property, and the environment; improve public awareness; protect the continuity of government; and improve emergency management preparedness, collaboration and outreach. Compliance with the City's LHMP would ensure that the project would have a less than significant impact in this regard.

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

Response:

Less than Significant Impact

The California Department of Forestry and Fire Protection (CAL FIRE) developed Fire Hazard Severity Zones (FHSZ) for State Responsibility Areas (SRA) and Local Responsibility Areas (LRA). Very High Fire Hazard Severity Zone (VHFHSZ) designation refers to either:

a) wildland areas supporting high-to-extreme fire behavior resulting from climax fuels typified by well-developed surface fuel profiles (e.g., mature chaparral) or forested systems where crown fire is likely. Additional site elements include steep and mixed topography and climate/fire weather patterns that include seasonal extreme weather conditions of strong winds and dry fuel moistures. Burn frequency is typically high, and should be evidenced by numerous historical large fires in the area. Firebrands from both short- (<200 yards) and long-range sources are often abundant.</p>

OR

b) developed/urban areas typically with high vegetation density (>70% cover) and associated high fuel continuity, allowing for frontal flame spread over much of the area to progress impeded by only isolated non-burnable fractions. Often where tree cover is abundant, these areas look very similar to adjacent wildland areas. Developed areas may have less vegetation cover and still be in this class when in the immediate vicinity (0.25 mile) of wildland areas zoned as Very High (see above).

The project site is not in or near a fire hazard severity zone (FHSZ) mapped by CAL FIRE within a State Responsibility Area (SRA, that is, where cities and counties are responsible for the costs of wildfire

Less Than **ISSUES & SUPPORTING** Potentially Significant Less Than No Significant with Significant Impact **INFORMATION SOURCES:** Impact Mitigation Impact Incorporated prevention and suppression), or within a Local Responsibility Area (LRA) (see Figure 28 and Figure 29, respectively). The project site is bounded on three sides by urban development; the nearest FHSZ to the site is in LRA approximately 2.1 miles to the northeast. Project development would not expose people or structures to substantial hazards from wildfire, and impacts would be less than significant.



Figure 28 - Fire Hazard Severity Zones - State Responsibility Area

Less Than

Significant

Impact

with

No

Impact

Less Than **ISSUES & SUPPORTING** Potentially Significant Significant **INFORMATION SOURCES:** Impact Mitigation Incorporated

Figure 29 - Fire Hazard Severity Zones - Local Responsibility Area



Valley Gardens Apartments Project

City of Moreno Vallev

Impact

Sources:

- 1. PIE, 2021. Priority One Environmental, Inc. Phase 1 Environmental Site Assessment Report, attached in Appendix F.
- 2. EDR, 2021. Environmental Database Reports. Sanborn Insurance Maps, Historical Aerial Photographs, and Historical Topographic Maps. Included in the Priority One Environmental's Phase 1 ESA Report – Appendix F.
- 3. RCLUC (Riverside County Airport Land Use Commission), 2014. March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. Compatibility Factors Map, Exhibit MA-5, Adopted November 13, 2014.
- 4. City of Moreno Valley, 2017, Local Hazard Mitigation Plan, Moreno Valley High Fire Area Map. Figure 5-2. Accessed online at: https://moval.gov/departments/fire/pdf/haz-mit-plan.pdf on January 27, 2023.

Х. HYDROLOGY AND WATER QUALITY – Would the project:

Violate any water quality standards or waste a) requirements discharge or otherwise substantially degrade surface or ground water quality?

	\square	

Response:

Less than Significant Impact

The California State Water Resources Control Board requires its nine Regional Water Quality Control Boards (RWQCBs) to develop water quality control plans (Basin Plans) designed to preserve and enhance water quality and protect the beneficial uses of all Regional waters. Specifically, Basin Plans designate beneficial uses for surface waters and groundwater, set narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the State antidegradation policy, and describe implementation programs to protect all waters in the Regions. In addition, Basin Plans incorporate by reference all applicable State and Regional Board plans and policies, and other pertinent water quality policies and regulations. The proposed project is under the jurisdiction of the Santa Ana (Region 8) RWQCB.

As shown in Figure 30, the project site is located within the USGS Moreno Valley Hydrologic Unit (HU; HU Code 180702020304). The Moreno Valley HU drains an area of approximately 46 square miles. The Moreno Valley HU is within the larger Lower San Jacinto River HU (HUC 1807020203), which drains an area of approximately 364 square miles. Both HUs are contained within the larger Santa Ana watershed (HU Code 18070203; USEPA 2022).





Under existing conditions, stormwater generated on the project site enters existing municipal storm drain inlets located on Alessandro Boulevard, near the southwest and southeast corners of the project site. This storm drain (Sunnymead Master Drainage Plan Line M-11) flows east into the Kitching Street Channel, which in turn discharges into the Perris Valley Channel approximately three miles south. The Perris Valley Channel is tributary to the San Jacinto River, a known water of the U.S.

Development of the project has the potential to result in two types of water quality impacts: (1) short-term impacts due to construction-related discharges; and (2) long-term impacts from operation. Temporary soil disturbance would occur during project construction, due to earth-moving activities such as excavation and trenching for foundations and utilities, soil compaction and moving, cut and fill activities, and grading. Disturbed soils are susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the project area. Erosion and sedimentation affect water quality of receiving waters through interference with photosynthesis, oxygen exchange, and respiration, growth, and reproduction of aquatic species. Runoff from construction sites may include sediments and contaminants such as oils, fuels, paints, and solvents. Additionally, other pollutants such as nutrients, trace metals, and hydrocarbons can attach to sediment and be carried by stormwater into storm drains and natural drainages which discharge eventually to the Pacific Ocean.

Spills and mishandling of construction materials and waste may also potentially leave the project site and negatively impact water quality. The use of construction equipment and machinery may potentially result in contamination from petroleum products, hydraulic fluids, and heavy metals. Contamination from building preparation materials such as paints and solvents, and landscaping materials such as fertilizers, pesticides, and herbicides may also potentially degrade water quality during project construction. Trash and demolition debris may also be carried into storm drains and discharged into receiving waters.

Construction Pollutants Control

The SWRCB implements water quality regulations under the federal CWA and California Porter-Cologne Water Quality Control Act and require compliance with the National Pollutant Discharge Elimination System (NPDES) for discharges of stormwater runoff associated with a construction activity.

The project proponent is required by the California State Water Resources Control Board (SWRCB) to obtain coverage under a General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit; Order 2009 0009 DWQ, as amended) for projects which will disturb one or more acres of soil during construction. The Construction General Permit requires potential

City of Moreno Vallev

Potentially	Less Than Significant
Significant	with
Impact	Mitigation
	Incorporated

dischargers of pollutants into waters of the U.S. to prepare a site specific Stormwater Pollution Prevention Plan (SWPPP), which establishes enforceable limits on discharges, requires effluent monitoring, designates reporting requirements, and requires construction best management practices (BMPs) to reduce or eliminate point and non-point source discharges of pollutants, including sediment, from stormwater and non-stormwater discharges. Additionally, BMPs must be maintained, inspected before and after each precipitation event, and repaired or replaced as necessary. Because the project is required by the SWRCB to comply with all applicable conditions of Construction General Permit Order 2009 0009 DWQ, potential violations of water quality standards or waste discharge requirements during project construction would be less than significant.

The SWRCB will provide Construction General Permit review and permitting for this project.

Operational Pollutant Controls

The National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for the Riverside County Flood Control and Water Conservation District, the County of Riverside, and the Incorporated Cities of Riverside County within the Santa Ana Region Area-Wide Urban Runoff Management Program (MS4 Program; Order No. R8-2010-0033, NPDES No. CAS 618033) regulates the discharge of pollutants into waters of the U.S. through stormwater and urban runoff conveyance systems, including flood control facilities. These conveyance systems are commonly referred to as municipal separate storm sewer systems (MS4s), or storm drains. In this context, the NPDES Permit is also referred to as an MS4 Permit.

Pursuant to the MS4 Permit, Principal Permittees (i.e., Riverside County Flood Control and Water Conservation District and the County of Riverside) and Co-Permittees (including the City of Moreno Valley) must regulate discharges of pollutants in urban runoff from man-made sources into storm water conveyance systems within their jurisdiction.

New development and redevelopment can significantly increase pollutant loads in stormwater and urban runoff, because increased population density results in proportionately higher levels of vehicle emissions. vehicle maintenance wastes, municipal sewage wastes, household hazardous wastes, fertilizers, pet waste, trash, and other pollutants. The MS4 Program requires new development and significant redevelopment projects must prepare a Water Quality Management Plan (WQMP) which incorporates post construction low impact development (LID) BMPs into project design to reduce or eliminate the quantity, and improve the quality of, stormwater being discharged from a project site.

A preliminary WQMP has been prepared for the proposed project site and is included herein as Appendix G1. The MS4 and the associated WQMP require the implementation of Low Impact Development (LID) features to ensure that most stormwater runoff is treated and retained onsite.

The project WQMP includes LID BMPs such as a combination of pervious areas, bioretention basins, and a modular wetland system to retain and treat stormwater generated on the project site by the Design Storm (Qd: 85th percentile, 24-hour storm event) for each Drainage Management Area (DMA) within the completed project. These LID BMPs are intended to minimize impervious areas, maximize infiltration capacity, and preserve the existing drainage patterns to mitigate the impacts of runoff and stormwater pollution as close to the source as possible. These facilities are highly effective at removing water pollutants such as sediment, nutrients, trash, metals, bacteria, oil and grease, and organic compounds while reducing the volume and intensity of stormwater flow leaving a site.

The project may also use structural BMPs, such as stenciling and signage for the storm drain system; specially-designed waste storage areas to reduce pollution introduction; efficient landscape design, water conservation, source control; and finish grade of landscaped areas at a minimum of one to two inches below top of curb, sidewalk, or pavement to retain water onsite. Non-structural source control BMPs may include BMP maintenance, spill contingency plan, litter/debris control program, employee training, catch basin inspection program, and vacuum sweeping of private streets and parking lots.

With implementation of construction and operational BMPs, potential impacts to water quality would be less than significant and mitigation is not proposed.
ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			\square	

Response:

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

Less than Significant Impact

The project site is in the San Jacinto Groundwater Basin (Basin ID 8-005). This basin underlies the San Jacinto, Perris, Moreno Valley, and Menifee Valleys in western Riverside County. The estimated storage capacity of this basin is 3,070,000 acre feet.

Water supplies for the project would be served by provided by the Eastern Municipal Water District (EMWD). The project does not include the installation and reliance on groundwater wells.

Approximately 20 percent of EMWD's water is supplied by EMWD groundwater wells. Most of the groundwater produced by EMWD comes from its wells in the Hemet and San Jacinto area. EMWD also has wells in the Moreno Valley, Perris Valley, and Murrieta areas. In 2017, EMWD implemented a program called Groundwater Reliability Plus (GW Plus), which includes the construction of new facilities in the San Jacinto Groundwater Basin to replenish the basin with water imported from the State Water Project during wet or average years for use during that same year, or to store for the future. The groundwater banking facilities include percolation basins, pipelines and three production wells (see **Figure 31**).

The proposed project would be served by EMWD, whose water sources include 80 percent nongroundwater sources; additionally, EMWD runs a network of groundwater banking facilities to ensure that the Jan Jacinto Groundwater Basin is not at risk of groundwater depletion in the future.

Based on EMWD's GW Plus program, which minimizes the use of groundwater and emphasizes the use of recycled water, water banking, and other groundwater recharge facilities, the project would not substantially deplete groundwater supplies or result in a substantial net deficit in the aquifer volume or lowering of the local groundwater table. The project would have a less than significant impact in this regard and mitigation is not required.

Attachment: Exhibit A - Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (6373 : PEN21-0250





				-			
IS IN	SUES & SUPPORTING FORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact		
c)	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) Po	Result in substantial erosion or siltation on- or off-site?			\square			
Re	sponse.						
Less Than Significant Impact The project site is relatively flat, with elevations ranging from approximately 1,488 to 1,514 feet above mean sea level (amsl). There is no evidence of ephemeral, intermittent, or perennial drainages on the project site. Construction As described in Section X a) above, temporary soil disturbance would occur during project construction, due to earth-moving activities such as excavation and trenching for foundations and utilities, soil compaction and moving, cut and fill activities, and grading. Disturbed soils are susceptible to high rates of erosion from wind and rain, resulting in erosion and sediment transport via stormwater runoff from the project area, which can increase siltation in downstream areas. As detailed in Section X a), the project owner would be required to develop a SWPPP by a certified qualified SWPPP developer. The required SWPPP would be project-specific and would prescribe site- specific stormwater BMPs which would be intended to minimize or avoid having soil leave the project site, through either stormwater or wind, and thus minimize or avoid soil erosion onsite and siltation in receiving waters. With implementation of a project-specific SWPPP, including proper maintenance and replacement of required stormwater BMPs (as necessary), potential impacts resulting in substantial erosion or siltation on- or offsite would be minimized or avoided, and impacts would be less than significant. Operation As detailed in Section X a), the LID BMPs proposed as part of project design would minimize or avoid on- or offsite erosion and siltation by a combination of maintaining drainage patterns, installation of landscaping, and installation of LID BMPs which would prevent most erosion and prevent siltation-laden stormwater from leaving the site. Applicable regulations (e.g., the MS4 Permit) and installation of LID BMPs (e.g., site design, retention basins, modular wetlands, and pre-treatment BMPs, etc.), would limit retermover dischapere form the preject							
ii)	Substantially increase the rate or amount of						
1)	surface runoff in a manner which would result in flooding on- or offsite?						
Re	sponse: see below						
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?						
Re	sponse:						
Less than Significant Impact The project preliminary WQMP, included as Appendix G1 to this document, provides calculations and exhibits to estimate the values for the existing and proposed condition stormwater flows. It includes preliminary drawings illustrating the locations of proposed pervious areas, proposed bioretention basins, and the proposed modular wetland. The preliminary Hydrology Report, included as Appendix G2 to this document, determined that the overall drainage patterns in the proposed condition are similar to the existing condition in terms of the overall drainage direction and that, due to a post-construction increase in impervious areas, the proposed site would generate more flow than under existing conditions. However, the LID BMPs (a storm drain system							

ISSUES & SUPPORTING INFORMATION SOURCES:

tentially	Less Than Significant	Les
qnificant	with	Sigr
mpact	Mitigation	În
	Incorporated	
-		

that includes 16 vegetated bioretention basins [Areas 1 to 16] and Modular Wetland System [Area 17] proposed by the Preliminary WQMP would mitigate the post-construction increase in peak runoff from the site for the 2-, 5-, 10-, 25-, 50-, and 100-year storm events.

Po

Sig

The proposed project would increase the amount of stormwater generated on the project site; however, the preliminary Hydrology Report concluded that, with implementation of the LID BMPs as described in the preliminary WQMP and the preliminary WQMP Site Plan, runoff of stormwater, including contaminated stormwater, from the proposed project would be mitigated.

The project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite, 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. Impacts would be less than significant.

iv) Im	pede or redirect flood flows?		\square
_			

Response:

No Impact

The project site is located on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Riverside County, California and Incorporated Areas (Map Number 06065C0761G, effective August 28, 2008); the site is in Flood Hazard Zone X, defined on this FIRM as Areas of minimal flood hazard. The areas of minimal flood hazard, such as Zone X, are outside of the Special Flood Hazard Area (SFHA) and higher than the elevation of the 0.2-percent-annual-chance flood areas. The floodplain (i.e., flood hazard zone) nearest to the project site is the 100-year floodplain associated with Kitching Street Channel, an open storm drain channel which parallels Kitching Street and is located approximately 310 yards east of the project site.

The project site is located above the nearest FEMA Special Flood Hazard Area and the proposed project would not impede or redirect flood flows. No impact would occur, and mitigation is not required.

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

Response:

Less than Significant

Three dams or reservoirs are within a five-mile radius of the project site: Sunnymead Ranch Dam, Pigeon Pass Dam, and Perris Reservoir. The project would be located within the dam breach inundation areas of the Pigeon Pass Dam and would be at risk of flood hazards due to a dam breach at Pigeon Pass Dam. In the event of a breach at Pigeon Pass Dam, the southern portion of the project site would be at risk of inundation of approximately one to two feet of water, flooding portions of Alessandro Boulevard.

The project site would not be at risk of flood hazard resulting from a breach of the Sunnymead Ranch Dam or the Perris Reservoir and, as discussed previously, the project site is located above the 500-year floodplain and would not be at risk of inundation by the 100- or 500-year flood hazards.

The tsunami inundation area nearest to the project site is in the City of Dana Point, approximately 42 miles southwest of the project site; therefore, the project site would not be at risk of inundation by tsunami.

A seiche is an oscillating wave, formed by earthquakes or winds, in an enclosed or partially enclosed waterbody. The nearest waterbodies to the project site in which a seiche could form are Sunnymead Ranch Dam, Pigeon Pass Dam, and Perris Reservoir. The project site is not within the dam breach inundation areas mapped for Sunnymead Ranch Dam and Perris Reservoir; however, as discussed previously, the project site is within the mapped inundation area for Pigeon Pass Dam. A seiche would not be expected to release the volume of water that would be released by a dam failure, and it is anticipated that water released from Pigeon Pass Dam during a seiche would be restricted to the high inundation areas (maximum flood depth 10 to 15 feet) which are directed into Sunnymead Channel and Heacock Channel, away from the project site. The project would not be at risk of inundation by seiche. The proposed project would be at slight risk from inundation by flood hazards related to dam failure

inundation; however, the project would not be at risk of inundation by tsunami, or seiche, and would therefore not be at risk of release of pollutants due to tsunami or seiche. Impacts would be less than significant, and mitigation is not required.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				\square
Response:				

No Impact

As discussed in Section 4.10 a), the proposed project would comply with the Construction General Permit by developing and implementing a site-specific SWPPP and construction stormwater BMPs throughout the construction phase, thus minimizing or avoid the potential for contaminated stormwater or releases of non-stormwater-related pollutants from entering local storm drains and reaching receiving waters. The proposed project would also comply with the MS4 Permit by incorporating LID BMPs into project design, which would avoid or minimize the volume of stormwater and amount of trash and other pollutants leaving the project, entering receiving waters, and impacting water quality and beneficial uses defined for these waters by the Basin Plan. In addition, the LID BMPs would allow stormwater infiltration into the local aquifer, similar to existing conditions and minimize or avoid impacts to groundwater quality and beneficial uses of the Upper Santa Ana Valley Groundwater Basin. The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan; no impact would occur, and mitigation is not required.

Sources:

- 1. RWQCB (Santa Ana Regional Water Quality Control Board). 1994. Water Quality Control Plan for the Santa Ana River Basin (Basin Plan), with amendments effective 2008, 2010, 2011, 2012, 2014, 2017, and 2019.
- 2. RCFCD (Riverside County Flood Control District). 2022. Master Drainage Plan for Riverside County. Available at http://content.rcflood.org/MDPADP/#. Accessed on October 24, 2022
- RWQCB (Santa Ana Regional Water Quality Control Board). 2010 (as amended). National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for the Riverside County Flood Control and Water Conservation District, the County of Riverside, and the Incorporated Cities of Riverside County within the Santa Ana Region Area-Wide Urban Runoff Management Program (Order No. R8-2010-0033, NPDES No. CAS 618033).
- 4. Waber Consultants, Inc. 2022a. Preliminary Water Quality Management Plan for the Valley Gardens Project. Prepared for Moreno Valley Garden, LLC. October 21, 2022.
- 5. Waber Consultants, Inc. 2022b. Preliminary WQMP Site Plan for the Valley Gardens Project. Prepared for Moreno Valley Garden, LLC. October 18, 2022.
- 6. DWR. 2006. Bulletin 118, 2003 Basin Report for the San Jacinto Groundwater Basin. Revised in 2006.
- 7. EMWD (Eastern Municipal Water District. 2021. Groundwater Reliability Plus: Securing Our Future [information booklet].
- Google Earth Pro V 7.3.2.5491 (May 12, 2022). City of Moreno Valley, Riverside County, California, U.S.A. 33°55'05.96"N-117°13'17.22"W. Eye alt 4,843 ft. Available at https://earth.google.com/web/. Accessed on October 20, 2022.
- 9. Waber Consultants, Inc. 2022c. Preliminary Hydrology Report for the Valley Gardens Project. Prepared for Moreno Valley Garden LLC. October 2022.
- 10. FEMA (Federal Emergency Management Agency). 2008. FEMA Flood Map Service Center: FIRMETTE for 33.918648° -117.221446°.
- 11. California Division of Safety of Dams ((DSOD). 2020). Pigeon Pass Dam Sunny Day Piping Failure Inundation Map Composite Showing Individual Breaches for Location 1 (East) and 2 (West). DWR Dam No. 1003-006; NID CA0080. Prepared for Riverside County Flood Control District. Available at https://fmds.water.ca.gov/maps/damim/. Downloaded on October 31, 2022.
- 12. State of California, 2021. Tsunami Hazard Area Map, Orange County; produced by the California Geological Survey and the California Governor's Office of Emergency Services; dated 2021, displayed at multiple scales.

XI. LAND USE AND PLANNING – Would the project:

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?				\square

Response:

<u>No Impact</u>

The project site is surrounded by single-family residences to the north, east, and west, and multi-family residences to the south across Alessandro Boulevard. The site is currently vacant and not used for access between surrounding residential areas. Project development would not physically divide an established community, and no impact would occur.

Response:

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

No Impact

The project site has a General Plan land use designation of Corridor Mixed Use (refer to **Figure 32** below). The project site is zoned Corridor Mixed Use (see **Figure 33** below). The City's General Plan Land Use designation and zoning category for the site are Corridor Mixed Use (COMU), which permits a residential density of 15 to 20 units per acre; the proposed density would be approximately 13.9 units per acre. The COMU designation was established as part of the 2040 General Plan update, which was approved by the City Council (including certifying the related Final Program Environmental Impact Report) on June 15, 2021. Changes to the Zoning Ordinance, including establishing the COMU zone (Ordinance No. 981) were adopted on August 3, 2021.

A consistency analysis of the proposed project respecting relevant City of Moreno Valley General Plan 2040 Land Use, Zoning, and Urban Design Element goals and policies is provided below in **Table 22**. No adverse impact would occur.

Table 22 - Consistency Analysis: Proposed Project Compared to Relevant City of Moreno Valley General Plan Land Use, Zoning, And Urban Design Element Goals and Policies

Goals and Policies	Consistency Analysis			
Goal LLC-1: Establish an identifiable city structure and framework that accommodates growth a development over the planning horizon				
Policy LLC.1.4: Focus new development in centers and corridors so as to support the vitality of existing businesses, optimize the use of utility infrastructure, and reduce vehicle trip frequency, length, and associated emissions.	Consistent: The project is proposed for mixed-use zoning and would utilize existing infrastructure, adding vitality to the existing business community.			
LCC.1-6: Promote infill development along Alessandro, Sunnymead, and Perris to create mixed use corridors with a range of housing types at mid-to-high densities along their lengths and activity nodes at key intersections with retail/commercial uses to serve the daily needs of local residents.	Consistent: The project site is an infill site on the north side of Alessandro, approximately 1,400 feet east of Perris Boulevard. It is surrounded by residential uses and nearby commercial businesses. The project would include 64 two- and three-bedroom units, totaling 160 bedrooms. Based on an estimated average household size in Moreno Valley of 3.70 persons, 237 persons would be accommodated at the project.			
Sources: Land Use Community Character, City of Moreno Valley General Plan, 2040.				





Potentially

Significant

Impact

Less Than

Significant

with

Mitigation

Incorporated

Less Than

Significant

Impact

No

Impact



ISSUES & SUPPORTING INFORMATION SOURCES:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
 Sources: 1. City of Moreno Valley, 2022a. City of Moreno Valley General Plan Land Use Map, Revised March 3, 2022. Accessed online at: https://moval.gov/city_hall/general-plan2040/GP-LandUseMap.pdf. Accessed on October 21, 2022. 2. City of Moreno Valley, 2022b, City of Moreno Valley Zoning Map, Updated August 8, 2022. Accessed online at: https://moval.gov/city_hall/general-plan2040/NewZoning.pdf. Accessed on October 21, 2022. 						
XII.	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?					
And						
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?				\square	
Res	ponse:					
No Impact The project site is mapped as Mineral Resource Zone 3a (MRZ-3a) by the California Geological Survey (CGS), as shown on Figure 34 , meaning that geologic data indicate that mineral deposits are likely to exist, but the significance of the deposit is undetermined. There are no active aggregate operations or land designated for Portland Cement Concrete-grade aggregate within the City of Moreno Valley. The project site is not located within a mapped Mineral Resource Sector. A mineral resource sector is an area currently permitted for mining and where land uses are compatible with mining. Mineral reserves are aggregate that has been determined to be acceptable for commercial use, are in properties owned or leased by aggregate producing companies, and for which permits have been issued allowing mining and processing of the material. Mineral resources include reserves and all of the potentially usable aggregate materials that may be mined in the future, but for which no permit allowing mining has been issued, or for which marketability has not yet been established.						
The nearest mine to the project site mapped by the Division of Mines Reclamation (DMR) is a Markham Materials open pit sand and gravel location (site 91-33-0054) at the intersection of Markham Street and Day Street in the City of Parrie approximately 5.5 miles to the power street of the preject site.						

The nearest mine to the project site mapped by the Division of Mines Reclamation (DMR) is a Markham Materials open pit sand and gravel location (site 91-33-0054) at the intersection of Markham Street and Day Street in the City of Perris, approximately 5.5 miles to the southwest of the project site. No mines mapped by DMR are within the City of Moreno Valley. No mineral resources in the city of Moreno Valley are identified in the City's General Plan. The nearest oil or gas well to the project site is a plugged well approximately 4.8 miles to the northeast, as shown on **Figure 35**.

The project site is surrounded by residential uses incompatible with mining. Project development would not cause a loss of availability of known mineral resources valuable to the region, and no impact would occur.





Less Than

Significant

with

Mitigation

No

Impact

Sources:

1. County of Riverside, 2015. General Plan, Chapter 5 Multipurpose Open Space Element, Accessed online at

https://planning.rctlma.org/Portals/14/genplan/general Plan 2017/elements/OCT17/Ch05 MOS E 120815.pdf?ver=2017-10-11-102103-833 on October 25, 2022.

- 2. California Geological Survey (CGS). 2008a. Updated Mineral Land Classification Map for Portland Cement Concrete-Grade Aggregate in the San Bernardino Production-Consumption Region, San Bernardino and Riverside Counties, California. Special Report 206, Plate 1.
- 3. California Geological Survey (CGS). 2008b. Update of Mineral Land Classification for Portland Cement Concrete-Grade Aggregate in the San Bernardino Production-Consumption Region, San Bernardino and Riverside Counties, California.
- DMR (Division of Mine Reclamation) DMR. 2022. Mines Online. 4.
- 5. City of Moreno Valley, 2021. City of Moreno Valley General Plan 2040, Adopted June 15, 2021. Accessed online at https://www.moval.org/city_hall/general-plan2040/MV-GeneralPlancomplete.pdf. Accessed on October 21, 2022.

XIII. **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:

Characteristics of Sound

Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude (measured in decibels), frequency or pitch (measured in hertz [Hz] or cycles per second), and duration (measured in seconds or minutes). The decibel (dB) scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound. The pitch of the sound is related to the frequency of the pressure vibration. Because the human ear is not equally sensitive to all frequencies, a special frequency-dependent rating scale is used to relate noise to human sensitivity. The A-weighted decibel scale (dBA) provides this compensation by discriminating against upper and lower frequencies in a manner approximating the sensitivity of the human ear. The scale is based on a reference pressure level of 20 micropascals (zero dBA). The scale ranges from zero (for the average least perceptible sound) to about 130 (for the average human pain level).

Noise Measurement Scales

Several rating scales have been developed to analyze adverse effects of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effect of noise on people depends largely upon the total acoustical energy content of the noise, as well as the time of day when the noise occurs. Those that are applicable to this analysis are as follows:

- Leg, the equivalent noise level, is an average of sound level over a defined time period (such as 1 minute, 15 minutes, 1 hour or 24 hours). Thus, the Leg of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure.
- L₉₀ is a noise level that is exceeded 90 percent of the time at a given location; it is often used as a measure of "background" noise.
- L_{max} is the root mean square (RMS) maximum noise level during the measurement interval. This measurement is calculated by taking the RMS of all peak noise levels within the sampling interval. Lmax is distinct from the peak noise level, which only includes the single highest measurement within a measurement interval.
- CNEL, the Community Noise Equivalent Level, is a 24-hour average Leq with a 4.77-dBA "penalty" added to noise during the hours of 7:00 p.m. to 10:00 p.m., and a 10-dBA penalty added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime. The logarithmic effect of these additions is that a 60-dBA 24-hour Leg would result in a calculation of 66.7 dBA CNEL.

Potentially Significant Impact	Less Than Significant with Mitigation
	Incorporated

2.b

L_{dn}, the day-night average noise, is a 24-hour average Leg with an additional 10-dBA "penalty" added to noise that occurs between 10 p.m. and 7 a.m. The L_{dn} metric yields values within 1 dBA of the CNEL metric. As a matter of practice, Ldn and CNEL values are considered to be equivalent and are treated as such in this assessment.

Existing Noise

Moreno Valley is subject to typical urban noises such as noise generated by traffic, heavy machinery, and day-to-day outdoor activities. The city of Moreno Valley also has several transportation-related noise sources, including airport activity, railroad operations, major arterials and State Route 60. Noise sources that are not directly related to transportation include commercial and industrial centers, construction, and property maintenance activities.

UltraSystems Environmental Inc. conducted ambient noise sampling at four locations near the project site, as shown in

Figure 36. Table 23 lists the measurement points, sampling locations, and measurement results. Details of the ambient sampling methods and results are provided in Appendix E.

The samples were taken between 10:30 a.m. and 1:42 p.m. on Thursday, October 6, 2022. The 15-minute Leg values ranged from 47.6 to 67.9 dBA. The lowest of these values was measured at Point 3, which is located along Sarah Street. The maximum ambient noise level was recorded at Point 1, which is located in front of a single-family residence along Alessandro Boulevard and north of the project site.

Deint	Data	ata Sampling et Time	Adduces	Sound Level (dBA)			
Point	Set		Address	Leq	Lmax	L90	Notes
1	S014	1055-1110	13916 Flaming Arrow Drive	54.1	70.5	41.3	In front of a single- family residence
2	S015	1123-1138	25265 Old Farm Street	50.2	70.8	41.5	In front of a single - family residence
3	S013	1030-1045	13938 Sarah Street	47.6	62.3	42.7	In front of a single- family residence
4	S017	1236-1251	25480 Alessandro Boulevard	55.3	79.8	46.5	In front of Moreno Valley Public Library
5	S018	1327-1342	25560 Alessandro Boulevard	67.1	86.2	50.2	In front of The Journey School
6	S016	1404-1419	25251 Alessandro Boulevard	67.9	83.0	53.4	In front of a multi- family residence
Source:	UltraSy	stems, 2022.					

Table 23 - Ambient Noise Measurement Results

otentially	
Significant	
Impact	

No Impact

Less Than

Significant

Impact

Figure 36 - Ambient Noise Monitoring Locations



ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact		
Sensitive Land Uses						
Sensitive Land Uses The closest sensitive receivers to the project site include the single-family residences to the west along Flaming Arrow Drive and the single-family neighborhood to the north along Old Farm Street. Sensitive						

receivers are shown in

. Table 24 summarizes information about them.

Table 24 - Sensitive Receivers in Project Area

Description	Location	Distance From Site Boundary (feet) ^a	Nearest Ambient Sampling Points	
Single-Family Residence	13916 Flaming Arrow Drive	67	1	
Single-Family Residence	25265 Old Farm Street	88	2	
Single-Family Residence	13938 Sarah Street	110	3	
Moreno Valley Public Library	25480 Alessandro Boulevard	670	4	
The Journey School	25560 Alessandro Boulevard	1,145	5	
Multi-Family Residence	25251 Alessandro Boulevard	420	6	

a. These are not the distances used for noise exposure calculations. See Figure 36 for locations of ambient noise sampling points.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
Figure 37 - Sensitive Receivers in Project Area					



Potentially Significant Impact Less Than Significant with Mitigation Incorporated

Less Than Significant Impact

an No ant Impact t



Less Than

Significant

with

Mitigation

Incorporated

No

Impact

State of California

The most current guidelines prepared by the state noise officer are contained in Appendix D of the General Plan Guidelines issued by the Governor's Office of Planning and Research in 2017. These guidelines establish four categories for judging the severity of noise intrusion on specified land uses:

- **Normally Acceptable**: Is generally acceptable, with no mitigation necessary.
- **Conditionally Acceptable**: May require some mitigation, as established through a noise study.
- Normally Unacceptable: Requires substantial mitigation.
- **Clearly unacceptable**: Probably cannot be mitigated to a less-than-significant level.

The OPR noise compatibility guidelines assign ranges of CNEL values to each of these categories. The ranges differ for different types of sensitive receivers.

Moreno Valley General Plan Noise and Safety Element

The Moreno Valley General Plan has the following noise-related objectives and policies that apply to the proposed project:

Objective 6.3

Provide noise compatible land use relationships by establishing noise standards utilized for design and siting purposes.

Policies:

6.3.1 The following uses shall require mitigation to reduce noise exposure where current or future exterior noise levels exceed 20 CNEL above the desired interior noise level:

a. Single and multiple family residential buildings shall achieve an interior noise level of 45 CNEL or less. Such buildings shall include sound insulating windows, walls, roofs and ventilation systems. Sound barriers shall also be installed (e.g. masonry walls or walls with berms) between single-family residences and major roadways.

b. New libraries, hospitals and extended medical care facilities, places of worship and office uses shall be insulated to achieve interior noise levels of 50 CNEL or less.

c. New schools shall be insulated to achieve interior noise levels of 45 CNEL or less.

6.3.2 Discourage residential uses where current or projected exterior noise due to aircraft over flights will exceed 65 CNEL.

6.3.3 Where the future noise environment is likely to exceed 70 CNEL due to overflights from the jointuse airport at March, new buildings containing uses that are not addressed under Policy 6.3.1 shall require insulation to achieve interior noise levels recommended in the March Air Reserve Base Air Installation Compatible Use Zone Report.

6.3.4 Encourage residential development heavily impacted by aircraft over flight noise, to transition to uses that are more noise compatible.

6.3.5 Enforce the California Administrative Code, Title 24 noise insulation standards for new multi-family housing developments, motels and hotels.

6.3.6 Building shall be limited in areas of sensitive receptors.

2.b

Objective 6.4

Review noise issues during the planning process and require noise attenuation measures to minimize acoustic impacts to existing and future surrounding land uses.

Policies:

6.4.1 Site, landscape and architectural design features shall be encouraged to mitigate noise impacts for new developments, with a preference for noise barriers that avoid freeway sound barrier walls.

Objective 6.5

Minimize noise impacts from significant noise generators such as, but not limited to, motor vehicles, trains, aircraft, commercial, industrial, construction, and other activities.

Policies:

6.5.1 New commercial and industrial activities (including the placement of mechanical equipment) shall be evaluated and designed to mitigate noise impacts on adjacent uses.

6.5.2 Construction activities shall be operated in a manner that limits noise impacts on surrounding uses.

Moreno Valley Municipal Code

The Moreno Valley Municipal Code has two types of noise exposure limits. One type prohibits noise that can cause permanent hearing loss.¹¹ **Table 25** shows the maximum continuous sound levels and **Table 26** shows the maximum impulsive sound levels for avoiding hearing loss. The other type of limits prohibits sound levels that would create a "noise disturbance," which is defined as any sound that disturbs a reasonable person of normal sensitivities; exceeds certain sound level limits; or is plainly audible at a distance of 200 feet from the real property line of the source of the sound.¹² The limits set to prevent noise disturbances are presented in **Table 27**.

Duration per Day Continuous Hours	Sound Level [dB(A)]
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
0.5	110
C	00/D)/4) Table 44 00 000

Table 25 - Maximum Continuous Sound Levels

Source: MVMC § 11.80.030(B)(1), Table 11.80.030-

^{1.}

¹¹ Moreno Valley Municipal Code § 11.80.030(B)(1).

¹² Moreno Valley Municipal Code § 11.80.020.

Number of Repetitions per 24- Hour Period	Sound level [dB(A)]
1	145
10	135
100	125

Source: MVMC § 11.80.030(B)(1), Table 11.80.030-1A.

Table 27 - Maximum Sound Levels (IN Db(A)) For Source Land Uses^a

Residential	Commercial		
Daytime	Nighttime	Daytime Nighttim	
60	55	65	60

Source: MVMC § 11.80.030(C), Table 11.80.030-2.

^aWhen measured at a distance of 200 feet or more from the real property line of the source of the sound.

Finally, the Moreno Valley Municipal Code prohibits use of construction equipment that creates a noise disturbance between the hours of 8 p.m. on one day and 7 a.m. on the following day.¹³

Significance Thresholds

Two criteria were used for judging noise impacts. First, noise levels generated by the proposed project must comply with all applicable relevant federal, state, and local standards and regulations. Noise impacts on the surrounding community are limited by local noise ordinances, which are implemented through investigations in response to nuisance complaints. It is assumed that all existing regulations for the construction and operation of the proposed project will be enforced. In addition, the proposed project should not produce noise levels that are incompatible with adjacent noise-sensitive land uses.

The second measure of impact used in this analysis is a significant permanent increase in noise levels above existing ambient noise levels as a result of the introduction of a new noise source. An increase in noise level due to a new noise source has a potential to adversely impact people. The proposed project would have a significant noise impact if it would:

- Expose persons to or generate noise levels in excess of standards prescribed by the City of Moreno Valley Municipal Code; or
- Include construction activities within the hours prohibited by the Municipal Code, without a permit; or
- Increase operational exposures at sensitive receivers (mainly because of an increase in traffic flow) by 5 dBA CNEL or more.

Impact Analysis

Less than Significant Impact with Mitigation Incorporated

Noise impacts associated with housing and commercial projects include short term and long-term impacts. Construction activities, especially heavy equipment operation, would create noise effects on and adjacent to the construction site. Long term noise impacts include project generated onsite and offsite operational noise sources. Onsite (stationary) noise sources from the apartments would include operation of mechanical equipment such as air conditioners, landscape and building maintenance. Offsite noise would be attributable to project induced traffic, which would cause an incremental increase in noise levels within and near the project vicinity. This section also evaluates potential ground borne vibration that would be generated from the construction or operation of the proposed project.

ISSUES & SUPPORTING INFORMATION SOURCES:

Less Than Significant with Mitigation Incorporated

Less Than Significant Impact Impact

No

Short-Term Construction Noise

The construction of the proposed project may generate temporary increases in ambient noise levels that exceed the thresholds of significance for this analysis. Noise impacts from construction activities are a function of the noise generated by the operation of construction equipment and onroad delivery and worker commuter vehicles, the location of equipment, and the timing and duration of the noise-generating activities. For the purpose of this analysis, it was estimated that the construction of the proposed project would begin in August 2023 and end in October 2024.

The types and numbers of pieces of equipment anticipated in each phase of construction and development were estimated by running the California Emissions Estimator Model (CalEEMod), Version 2020.4.0, and having the model generate land use-based default values. The CalEEMod equipment default values are based on a construction survey performed by the SCAQMD. Table 28 lists the equipment expected to be used. For each equipment type, the table shows an average noise emission level (in dB at 50 feet, unless otherwise specified) and a "usage factor," which is an estimated fraction of operating time that the equipment would be producing noise at the stated level. Equipment use was matched to phases of the construction schedule. Note that attenuation by existing walls near Receiver 4 (Moreno Valley Public Library) was not estimated, because the unattenuated exposures at that location would be less than significant without the attenuation. (See below.)

Construction Phase	Equipment Type	Number of Pieces	Maximum Sound Level (dBA @ 50 feet)	Usage Factor	Composite Noise (dBA @ 50 feet)	
Site Preparation	Rubber Tired Dozers	3	79	0.4	87.51	
	Tractors/Loaders/Backhoes	4	85	0.37	07.51	
	Excavators	1	80	0.38		
Grading	Graders	1	85	0.41	07 11	
	Rubber Tired Dozers	1	79	0.4	07.41	
	Tractors/Loaders/Backhoes	3	85	0.37		
	Crane	1	83	0.29		
Duilding	Forklift	3	77	0.2		
Building	Generator Sets	1	85	0.7	88.35	
Construction	Tractor/Loader/Backhoe	3	85	0.37		
	Welders	1	74	0.45		
	Paving Equipment	2	75	0.36		
Paving	Pavers	2	77	0.42	79,24	
	Rollers	2	74	0.38		
Architectural Coating	Air Compressor	1	81	0.48	77.81	

Table 28 - Construction Equipment Noise Characteristics

Source: FHWA, 2006.

Results of the construction noise calculations are presented in **Table 30**. The most noise generating construction phase would be building construction, which would result in a maximum hourly Leg of 73.4 dBA Leg (ambient plus contribution from construction) across Sarah Street from the project site.

¹³ Moreno Valley Municipal Code § 11.80.030(D)(7).

Table 29 - Estimated Maximum Construction Noise Exposures at Nearby Sensitive Receivers

Receiver	Ambient dBA L _{eq}	Construction dBA L _{eq}	New Total dBA L _{eq} ^a	Increase dBA L _{eq}
1 - 13916 Flaming Arrow Drive	54.1	73.3	73.4	19.3
2 - 25265 Old Farm Street	50.2	68.4	68.5	18.3
3 - 13938 Sarah Street	47.6	72.1	72.1	24.5
4 - 25480 Alessandro Boulevard (Moreno Valley Public Library)	55.3	57.4	59.5	4.2
5 - 25560 Alessandro Boulevard	67.1	52.8	67.3	0.2
6 - 25251 Alessandro Boulevard	67.9	64.0	69.4	1.5

At sensitive four sensitive receiver locations (1, 2, 3 and 6), noise from construction activities would exceed the residential 60-dBA limit in **Table 30**. However, all of these locations are within 200 feet of the project boundary. At sensitive receiver locations 4 and 5, noise from construction activities would be below the 60-dBA threshold. Therefore, short-term exposures from construction would be less than significant.

Table 31 also shows the increase in short-term exposures due to project construction. The increase ranges from 0.2 to 24.5 dBA L_{eq} . Increases at two other sensitive receivers would also exceed 5 dBA L_{eq} . Short-term increases in noise exposures were not used to determine significance because they are not permanent increases and many people will be absent from their residences during construction hours. Nevertheless, the project is subject to mitigation measures prescribed by the Moreno Valley General Plan Programmatic EIR (PEIR). Implementation of those measures will ensure that short-term impacts will remain less than significant.

Receiver	Ambient dBA L _{eq}	Construction dBA L _{eq}	New Total dBA L _{eq} ª	Increase dBA L _{eq}
1 - 13916 Flaming Arrow Drive	54.1	73.3	73.4	19.3
2 - 25265 Old Farm Street	50.2	68.4	68.5	18.3
3 - 13938 Sarah Street	47.6	72.1	72.1	24.5
4 - 25480 Alessandro Boulevard (Moreno Valley Public Library)	55.3	57.4	59.5	4.2
5 - 25560 Alessandro Boulevard	67.1	52.8	67.3	0.2
6 - 25251 Alessandro Boulevard	67.9	64.0	69.4	1.5

Table 30 - Estimated Increases in CNEL at Residences due to Construction

Short-Term Mitigation Measures

Most of the noise mitigation measures required by the Moreno Valley General Plan PEIR are designed to reduce impacts of the surrounding area upon sensitive receivers in new developments. These do not apply to the proposed project, since CEQA requires analysis of the effects of the project upon the surrounding community. The applicable PEIR mitigation measures (renumbered here) are:

MM N1 Construction activities shall be operated in a manner that limits noise impacts on surrounding uses (Policy 6.5.2).

MM N2 Building construction shall be prohibited between 8 p.m. and 6.am. during the week and 8 p.m. and 7 a.m. weekends and holidays (Policy 6.3.6).

MM N3 Schedule construction so that the minimum number of pieces of equipment would be operating within the same vicinity simultaneously.

MM N4 Stockpiling and vehicle-staging areas shall be located as far as practical from noise-sensitive receptors during construction activities.

MM N5 Where practical, design construction site access such that delivery and dump trucks move through the site in a forward direction, without the need to back up (and activate back-up alarms).

Packet Pg. 202

ISSUES & SUPPORTING INFORMATION SOURCES:	ptentially Significar gnificant with mpact Mitigation	t Less Than Significant Impact	No Impact
---	---	--------------------------------------	--------------

MM N6 Where practical, replace proposed equipment with newer, and presumably quieter, models.

MM N7 Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with an intact and operational muffler of a type recommended by the manufacturer. No internal combustion engine shall be operated on the project without the muffler.

MM N8 Ensure that all equipment items have the manufacturers' recommended noise abatement features, including but not limited to mufflers, engine enclosures, and engine vibration isolators; and that these noise-reducing features are intact and operational.

MM N9 Turn off idling equipment after no more than five minutes.

MM N10 Operate all equipment at the minimum power level needed to get the job done.

MM N11 Operate equipment so as to minimize banging, clattering, and buzzing.

Level of Significance After Mitigation

With implementation of mitigation measures **MM N1** through **MM N11** above, the project would result in less than significant impacts to sensitive receivers.

Operational Noise

<u>Onsite</u>

Onsite noise sources from the proposed rental apartment would include operation of mechanical equipment such as air conditioners, lawnmowers, leaf blowers, and building maintenance equipment; motor vehicles accessing, driving on, and exiting the parking lot; and use of air compressors, power tools and other vehicle maintenance equipment. Much of the vehicle maintenance will be done partly or completely indoors, thus reducing the propagation of noise offsite. Noise levels associated with operation of the project are expected to be comparable to those of nearby land uses. Noise from onsite sources would be less than significant.

Mobile Sources

The principal noise source in the project area is traffic on local roadways. The project may contribute to a permanent increase in ambient noise levels in the project vicinity due to project-generated vehicle traffic on nearby roadways and at major intersections.

The proposed project would generate an estimated 431 new daily vehicle trips. Existing roadway segment average daily traffic (ADT) data were obtained from the City of Moreno Valley.¹⁴ ADT nearest the project is 22,100 trips per day. The project would therefore increase traffic by about 2 percent. Given the logarithmic nature of the decibel, traffic volume needs to be doubled in order for the noise level to increase by 3 dBA, the minimum level perceived by the average human ear. A doubling is equivalent to a 100% increase. Since the maximum increase in traffic in this road segment would be far below 100%, the increase in roadway noise experienced at sensitive receivers would not be perceptible to the human ear. Therefore, roadway noise associated with project operation would not expose a land use to noise levels that are considered incompatible with or in excess of adopted standards, and impacts would be less than significant.

¹⁴ City of Moreno Valley Traffic Counts. 2017. Department of Public Works.

<u>https://moval.gov/departments/public-works/transportation/pdfs/traffic-counts.pdf</u>. Accessed January 12, 2023. ADT value is for Alessandro Boulevard between Perris Boulevard and Kitching Street.

IS IN	SUES & SUPPORTING FORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
b)	Generation of excessive groundborne vibration			\square		

Response:

Less than Significant Impact

Vibration is sound radiated through the ground. Vibration can result from a source (e.g., subway operations, vehicles, machinery equipment, etc.) causing the adjacent ground to move, thereby creating vibration waves that propagate through the soil to the foundations of nearby buildings. This effect is referred to as groundborne vibration. The peak particle velocity (PPV) or the root mean square (RMS) velocity is usually used to describe vibration levels. PPV is defined as the maximum instantaneous peak of the vibration level, while RMS is defined as the square root of the average of the squared amplitude of the level. PPV is typically used for evaluating potential building damage, while RMS velocity in decibels (VdB) is typically more suitable for evaluating human response.

The background vibration velocity level in residential areas is usually around 50 VdB. The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for most people. Most perceptible indoor vibration is caused by sources within buildings such as operation of mechanical equipment, movement of people, or the slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. The range of interest is from approximately 50 VdB to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

Construction Vibration

Construction activities for the project have the potential to generate low levels of groundborne vibration. The operation of construction equipment generates vibrations that propagate though the ground and diminishes in intensity with distance from the source. Vibration impacts can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage of buildings at the highest levels. The construction activities associated with the project could have an adverse impact on both sensitive structures (i.e., building damage) and populations (i.e., annoyance).

The FTA (2006) has published standard vibration levels for construction equipment operations, at a distance of 25 feet. The construction-related vibration levels were calculated at distances of 25 and 54 feet, the latter being the minimum distance from the site boundary to the middle of a nearby residence. Results are listed in **Table 31**. These calculations were based on the geometric mean distances from the construction activity to the closest sensitive receivers.

Equipment	PPV at 25 feet (in/sec)	Vibration Decibels at 25 feet (VdB)	PPV at 54 feet (in/sec)	Vibration Decibels at 54 feet (VdB)
Loaded trucks	0.076	86	0.0326	76
Small bulldozer	0.003	58	0.0013	48
Large bulldozer	0.089	87	0.0381	77
Sources: Data at 25 feet from (ETA 2006 p. 12-12); calculations by				

Table 31 - Vibration Levels of Typical Construction Equipment

Sources: Data at 25 feet from (FTA, 2006, p. 12-12); calculations by UltraSystems.

	L
Potentially	
Significant	
Impact	
	In

ess Than

Significant

with

Mitigation

No

corporated As shown in Table 31, the peak particle velocity (PPV) of construction equipment at the nearest sensitive receiver (54 feet) is at most 0.038 inch per second, which is less than the FTA damage threshold of 0.12 inch per second PPV for fragile historic buildings. The maximum vibration decibels are 68 VdB, which are below FTA threshold for human annoyance of 80 VdB. Vibration impacts would therefore be less than significant. No mitigation is needed.

Operational Vibration

The project involves residential buildings and open spaces and would not involve the use of stationary equipment that would result in high vibration levels, which are more typical for large manufacturing and industrial projects. Groundborne vibrations at the project site and immediate vicinity currently result from heavy-duty vehicular travel (e.g., refuse trucks and transit buses) on the nearby local roadways, and the project would not result in a substantive increase of these heavy-duty vehicles on the public roadways. Therefore, vibration impacts associated with operation of the project would 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:

No Impact

The nearest active public airport is Riverside Municipal Airport, located approximately 9.8 miles to the northwest of the project. Due to the project's distance from the nearest active airport, it is not located within the boundary of an Airport Influence Area (AIA), or within two miles of a public airport or public-use airport. As a result, the project would not expose people to safety hazards due to proximity to a public airport, and no impacts would occur.

Sources:

- 1. California Department of Transportation (Caltrans), 2013. Technical Noise Supplement to the Caltrans Traffic Noise Analysis Protocol. Division of Environmental Analysis, Sacramento, California. https://dot.ca.gov/-/media/dot-media/programs/environmentalanalysis/documents/env/tens-sep2013-a11y.pdf. Accessed on January 12, 2023
- 2. Google Earth Pro V 7.3.2.5491 (December 5, 2022). City of Moreno Valley, Riverside County, 33.918344° - 117.221460°. Eye alt 3972 ft. Available at California, U.S.A. https://earth.google.com/web/. Accessed on December 5, 2022.
- 3. OPR (Governor's Office of Planning and Research), 2017. General Plan Guidelines: 2017 Update. Accessed online at http://opr.ca.gov/planning/general-plan/guidelines.html, accessed on January 13, 2022.
- 4. City of Moreno Valley, 2006. City of Moreno Valley General Plan, Chapter 6 NOISE. Accessed online at http://www.moreno-valley.ca.us/city hall/general-plan/06gpfinal/gp/gp-tot.pdf accessed on January 12, 2022.
- 5. BREEZE Software, 2021. California Emissions Estimator Model. User's Guide, Version 2020.4.0. Prepared for the California Air Pollution Control Officers Association, in collaboration with South Coast Air Quality Management District and the California Air Districts. December 2022.
- 6. RK (RK Engineering Group, Inc.), 2022. Valley Gardens Residential Project Trip Generation & Vehicle Miles Traveled (VMT) Study, City of Moreno Valley, CA. August 26, 2022.
- 7. FTA, 2006. Transit Noise and Vibration Impact Assessment. Accessed online at https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA Noise and Vibration Manual.pdfon December 5, 2022.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING - Wou	Id 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)? 			\square	

Response:

Less than Significant Impact

Existing and forecasted demographic data for the City of Moreno Valley for 2021 and 2045 are shown below in **Table 32**. The population in the city is forecast to increase approximately 27 percent, the number of households is forecast to increase 31 percent, and employment is forecast to increase 50 percent during that period. The estimated total number of housing units in the city as of January 2022 was 58,004, consisting of 46,726 (81 percent of total) single-family detached, 1,127 (2 percent) single-family attached, 8,792 (15 percent) multifamily, and 1,359 (2 percent) mobile homes. The proposed project would accommodate direct population growth with construction of eight residential buildings with a total of 64 two- and three-bedroom units.

Table 32 - City of Moreno Valley Demographic Forecast

	2021	2045	Difference (2045 – 2021)	Percent Difference (2045 – 2021)
Population	209,407	266, 814	57,407	27.4%
Households ¹	58,004	76,199	18,195	31.4%
Employment	43 158 ²	64 916	21 758	50.4%

¹ A household is equivalent to an occupied housing unit

² 2020 data

Sources: CDF, 2022; SCAG, 2016, 2020; US Census Bureau, 2022

The Southern California Association of Governments (SCAG) has established a Regional Housing Needs Assessment (2021 RHNA) for the City of Moreno Valley for the period 2021 to 2029, as enumerated in **Table 33** below. Note that the total RHNA for City of Moreno Valley for the 2021-2029 period is 13, 627 units (1,703 per year average over eight years), which is a considerably faster increase than the 18,195 households forecast to be added over the extended 24-year period 2021-2045 (758 average per year).

Table 33 - Regional Housing Needs Assessment, City of Moreno Valley, 2021-2029

Income Category	Percent of Riverside County Median Income	Units
Very Low Income	<50	3,779
Low Income	50-80	2,051
Moderate Income	80-120	2,165
Above Moderate Income	>120	5,632
Total	Not applicable	13,627
Sources: SCAG 2021	· · · ·	•

The proposed project, consisting of 32 two-bedroom units and 32 three-bedroom units, is estimated to house 237 persons based on the average household size in the city of Moreno Valley of 3.70 persons in 2021.

The City's General Plan Land Use designation and zoning category for the site are Corridor Mixed Use (COMU), which permits a residential density of 15 to 20 units per acre; the proposed density would be approximately 13.9 units per acre. The COMU designation was established as part of the 2040 General Plan update, which was approved by the City Council (including certifying the related Final Program Environmental Impact Report) on June 15, 2021. Changes to the Zoning Ordinance, including establishing the COMU zone (Ordinance No. 981) were adopted on August 3, 2021.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
An adverse population and housing impact is one exceeding the regional forecast for the relevant jurisdiction. The estimated project occupancy at project completion, 237 residents, is approximately 0.4 percent of the forecast population increase of 57,407 persons in the City of Moreno Valley between 2021 and 2045. The proposed 64 residential units would be approximately 0.4 percent of the forecast increase of 18,195 households during the same period. The project is already accounted for in the City's General Plan. Therefore, impacts would be less than significant.					
 b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? 					
Response:					
No Impact No housing exists onsite and no one currently resides displace any housing or people and the project wou housing. No impact would occur. Sources:	on the project ld not necessi	site. Therefor tate the cons	re, the project truction of re	would not placement	
 CDF (California Department of Finance), 202: SCAG, 2016. Demographics & Growth For Plan/Sustainable Communities Strategy. Sour US Census Bureau (USCB), 2022. City and 2022). 	2. Table E-5 P precast: The thern Californi Town Populat	opulation and 2016-2040 R a Association ion Totals: 20	Housing Est Legional Tran of Governme 020-2021 (rev	mates. sportation nts. ised May,	
XV. PUBLIC SERVICES – Would the project:					
 Result in substantial adverse physical impacts a altered governmental facilities, need for new o construction of which could cause significant envir service ratios, response times or other performan 	ssociated with or physically ronmental imp ce objectives f	n the provisio altered gover acts, in order for any of the	n of new or p mental facil to maintain ac public service	ohysically ities, the cceptable s:	
i) Fire protection?					
Response:					
Less than Significant Impact Fire and emergency medical services are provided the contracts with Riverside County and the California Dep for the provision of services as part of an integrated re- response agency for fires, emergency medical services terrorist acts, catastrophic weather events, and tec- provides a full range of fire prevention services including inspection services for new and existing construction, MVFD operates out of seven fire stations, distributed to the project site is Morrison Park Fire Station No. 9 the northeast. Station 99 is a two-bay facility that house the City's two Battalion Chiefs. The Department has not adopted service ratios for perfire Protection Association (NFPA) standards for the operations (NFPA 1710) and adjusts staffing and ex- assessment of activity in the city and calls for service geographically possible to allow for a four-minute trav- Travel time from Station 99 to the project site is approx-	by Moreno Va partment of Fo egional fire pro- es, hazardous hnical rescues ing public educa and fire inves throughout the 9 at 13400 Mo ses one param rsonnel or equi e organization quipment leve e. Existing fac yel time, in according	Iley Fire Dep restry and Fir ptection syste materials inc s for the city ation, code en tigation. city. The nea prrison St, app edic engine c pment but str and deploym is as needed ilities are loca cordance with inutes, within	artment (MVF e Protection (m. MVFD is the idents, traffic . The Depart forcement, plat arest existing the proximately 1. company and ives to achieve nent of fire su , based on a ated strategic NFPA 1710 strategic MVFD's rest	D), under CALFIRE) he primary accidents, ment also an checks, fire station 5 miles to s home to e National ppression n ongoing ally where standards.	

goal. The City's Schedule of City Fees, Charges, and Rates defines the fire development fees for new development within the city. Project development is expected to generate a small increase in calls for fire protection and emergency medical service. The project would pay the appropriate fire development fees required by the City of Moreno Valley.

ISSUES & SUPPORTING INFORMATION SOURCES:

otentially	
Significant	
Impact	
	- h

Less Than

Significant

with

Mitigation

ncorporated

Project operation would increase property tax and sales tax revenues to the city, some of which are expected to be allocated to MVFD. While the addition of eight new residential buildings with a total of 64 two- and three-bedroom units could generate a very slight increase in demands for fire protection and emergency medical services, it would not require the city to build a new or expanded fire station. Impacts related to the construction of new or expanded fire stations would be less than significant.

F

ii)	Police protection?		

Response:

Less than Significant Impact

The Moreno Valley Police Department (MVPD) provides law enforcement services to the City of Moreno Valley. Since incorporation, the City has maintained an annual contract with the Riverside County Sheriff's Department for police protection and crime prevention services. The Sheriff's Department operates under the name of the Moreno Valley Police Department. MVPD is organized into five divisions: Administration, Detective, Patrol, Special Enforcement, and Traffic. The Patrol Division is staffed by nine sergeants, 64 sworn patrol officers, three K-9 teams, and 10 nonsworn officers. The police department provides a full range of protection and prevention services, including general law enforcement, traffic enforcement, investigations, and routine support services such as communications, evidence collection, analysis and preservation, training, administration, and records keeping. The Police Department also provides law enforcement services at the Riverside County Regional Medical Center and schools within Moreno Valley. MVPD operates out of the Moreno Valley Station located in the Civic Center Complex at Alessandro and Frederick, with satellite substations in several other parts of the city. The Department has adopted a zone policing strategy whereby officers are assigned to one of four areas of the city to improve response times to calls for service, help officers become more familiar with the community, and build relationships with local residents and business owners. Additionally, to fight crime and improve public safety, MVPD is increasingly making use of technology. MVPD employs a citywide camera surveillance system, one of the most advanced in the region, to remotely monitor parks and other key locations, permitting the Department to enhance public safety without adding police officers. MVPD also makes use of a computer-aided dispatch and records management system that allows rapid access to crime data, as well as digital cameras and automated license plate readers in patrol cars.

The city is divided into four zones; officers are assigned to specific zones. The boundary between zones 2 and 3 is on Alessandro Boulevard including along the site frontage. The Moreno Valley Police station is at 14177 Frederick Street at the intersection of Frederick Street and Alessandro Boulevard, approximately 2.25 miles from the project site. The city is planning an expansion of the Civic Center complex including a remodeled Public Safety Building capable of accommodating roughly 600 total personnel, as well as a new police substation in the southeastern part of the city to serve new and planned development.

Looking to the future, the city is planning an expansion of the Civic Center Complex that would include a remodeled Public Safety Building capable of accommodating an additional 420 personnel as well as a satellite police substation in the southeastern part of the city to service anticipated demand from new development. Continued investment in technology and resources will allow the Department to expand the camera system, implement advanced license reading applications, and offer video crime reporting services that allow residents to contact the Department and interact with officers in real time. As Moreno Valley grows in the coming years, the challenge will be to remain alert and responsive to changes that influence crime prevention efforts. Design of the built environment can also help prevent crime, reduce the fear of crime, and improve the quality of life in urban areas. Research has shown that the most effective deterrent to criminal activity is the risk of being caught, and the design of public spaces that places more eyes on the street and limit access points can create safer environments. Strategies for Crime Prevention Through Environmental Design (CPTED) include locating windows to overlook sidewalks and parking lots, increasing pedestrian and bicycle traffic, and selectively installing fencing, landscaping, or lighting to control access. Well-maintained buildings and grounds also signal alert, active owners and can deter criminal activity.

Calls to the MVPD are prioritized by urgency, from greatest urgency (Priority 1) through non-emergency calls. Priority 1 calls include emergency calls that require immediate response, when a vehicular pursuit is in process, or when there is reason to believe that an immediate threat to life exists. Priority 2 calls include injured persons, robberies in progress, bomb threats, carjackings, rape, and stolen vehicles. Priority 3 calls include assault, prowlers, disturbances, tampering with vehicles, and burglary alarms.

SSUES & SUPPORTING NFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
---	--------------------------------------	--	------------------------------------	--------------

MVPD response time targets, and actual response times for 2019-the latest year for which data are available-are shown below in Table 34. Impacts related to the construction of new or expanded police stations would be less than significant.

Table 34 - Moreno Valley Police Department Response Time Targets

Call Type	Target	Response Time (2019) Minutes:Seconds
Priority 1	6	6:37
Priority 2	15	22:01
Priority 3	35	42:46
Source: (Recon, 2021)		

III) Schools?		\square	
Response:			

Less than Significant Impact

Publicly funded primary and secondary education in Moreno Valley is provided by the Moreno Valley Unified School District (MVUSD). The MUVSD serves grades Kindergarten through 12th at 39 existing school sites including 23 elementary schools, six middle schools, four high schools, three alternative schools, one preschool, one adult education, and one charter school. The Moreno Valley Unified School District (MVUSD) serves over 35,000 students in a variety of K-12 education and support programs. The project site is located within the boundaries of the three schools described below in Table 35. Butterfield Language Academy Elementary School is located 1.0 miles to the north, Mountain View Middle School is located 1.5 miles to the northeast, and Vista Del Lago High School is located 1.25 miles to the southeast of the project site.

Table 35 - Schools Serving the Project Site	

School Name	Grade Levels	Address	School Year Enrollment 2022-2023	Classroom s ¹	Capacity (Students) ¹	Remainin g Capacity	
Butterfield Language Academy	K-5	13400 Kitching Street	865 ²	48	1,200	335	
Mountain View Middle School	6-8	13130 Morrison Street	1,319 ³	52	1,809	490	
Vista Del Lago High School	9-12	15150 Lasselle Street	2,0284	100	2,700	672	
Sources : ¹ (NTD, 2013), ² (Butterfield, 2022. p. 8), ³ (Mountain View, 2022. p. 12), ⁴ (Vista Del Lago, 2022. p. 5)							

Note: Calculations include portable classroom capacity and classroom quantity

The project is estimated to generate 47 students, as shown below in **Table 36**.

Table 36 - Estimated Project Student Generation

Project Proposed Dwelling Units	School Level	Student Generation per Household ¹	Total Student Generation
64	Elementary (K-5)	0.3314	21
64	Middle (6-8)	0.1702	11
64	High (9-12)	0.2281	15

ISSUES & SUPP	ORTING SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Overall	0	.7297	47	,	
Source: 1(Recon, 2021	. p. 4.15-8)				

After accounting for project student generation, the estimated remaining capacity is 314 at Butterfield Language Academy Elementary School, 479 at Mountain View Middle School, and 657 at Vista Del Lago High School as shown below in **Table 37**.

	Table 37 - Project Impacts on School Capacities							
School	School Year Enrollmen t 2022-2023	Capacity (Student) 1	Remainin g Capacity	Current Enrollment plus Project Student Generation	Remaining Capacity after Project Student Generation			
Butterfield Language Academy	865 ²	1,200	335	886	314			
Mountain View Middle School	1,319 ³	1,809	490	1,330	479			
Vista Del Lago High School	2,0284	2,700	672	2,043	657			
Sources : ¹ (NTD, 2013), ² (Butterfield, 2022. p. 8), ³ (Mountain View, 2022. p. 12), ⁴ (Vista Del Lago, 2022. p. 5)								

The School Facilities Act of 1986 and Senate Bill 50 allow school districts to collect Developer Fees/ School Impact Fees on the new assessable space of residential and commercial construction within the district boundary (pursuant to Education Code § 17620 and Government Code 65995 et al.). These fees may be utilized for the construction and reconstruction of school facilities (subject to limitations) within a district's boundary. In order to collect these fees, a district must "justify" through a detailed analysis utilizing set criteria in the law, that there is a net impact on the school facilities as a result of the new residential or commercial development. There are three levels of fees that can be assessed by the district.

On February 23, 2022, the State Allocation Board ("SAB") authorized an adjustment in the Statutory School Fee amounts for Moreno Valley Unified School District, pursuant to Government Code § 65995(b)(3), to \$4.79 per square foot for assessable space of new residential construction ("Residential Statutory School Fees") and \$0.78 per square foot of chargeable covered and enclosed space for the categories of new commercial/industrial construction ("Commercial/Industrial Fees" and collectively "Statutory School Fees").

MVUSD does charge developer fees (Residential Statutory School Fees) for residential dwelling units per square foot of assessable space, as authorized by California Education Code § 65996. Project impacts on school facilities would be less than significant after payment of developer fees for schools. No mitigation is required.

IV)	Parks?		\square	
• \				

Response:

The City of Moreno Valley Parks and Community Services maintains over 540 acres of parks and trails and hosts multiple programs for youth, adults, and seniors in five city facilities. The Parks and Community Services Department maintains approximately 482 acres of parkland in the city, including seven Community Parks, 24 Neighborhood Parks, four Specialty Parks, and 15 miles of trails and greenways. These facilities offer a variety of amenities from ball fields, basketball courts, and playgrounds to picnic tables, barbecues, and a demonstration garden that showcases sustainable gardening and landscaping practices. The nearest public park to the project site is Woodland Park, approximately 3,400 feet to the southeast as seen in **Figure 38**

ISSUES & SUPPORTING	Potentially	Less Than Significant
INFORMATION SOURCES:	Significant Impact	with Mitigation



Figure 38 - Nearby Parks and Facilities



Potentially	
Significant	
Impoct	
impaci	

Less Than Significant Less Than Significant with Mitigation Incorporated

Impact

No Impact 2.b

The City of Moreno Valley has established a park service standard of 3.0 acres of parkland per 1,000 residents to ensure that access to parks is adequate and commensurate with the size of the community. With 671.28 acres of existing and planned parkland, Moreno Valley currently has 2.66 acres per thousand residents citywide, below the established service ratio. However, the City has identified approximately 67.69 acres of land for new parks, including the Markborough (43.16 acres) and Redlands (6.00 acres) properties, College Park undeveloped area (7.00 acres, dependent upon joint use agreement with Moreno Valley College), Morrison property undeveloped area (8.09 acres), and Rancho Verde Park (3.44 acres). Development of these facilities will provide new recreational open space to satisfy future demand. although with a projected population of over 252,000 in 2040, an additional 85.27 acres of parkland will be required to meet the established standard. New residential developments will be required to dedicate land for new park facilities or pay a fee that can be used for the acquisition of parkland as needed to meet the communitywide standard.

The project would pay Quimby fees as calculated by the schedule defined in Table 38. Furthermore, a city ordinance is enacted to implement the provisions of the Quimby Act which authorizes a city to require the dedication of land for park and recreation facilities, or a payment in-lieu incident to and as a condition of the approval of a tentative tract map, tentative parcel map for residential subdivisions, or a custom home approval.

Land Use	Fee (per Dwelling Unit)
Single-Family Dwelling Units	\$2,124
Multi-Family Dwelling Units	\$1,577
Senior Housing	\$1,106

Table 38 - Quimby Fee Schedule

Source: (Moreno Valley, 2022e)

The proposed project, consisting of 32 two-bedroom units and 32 three-bedroom units, is estimated to house 237 persons based on the average household size in the city of Moreno Valley of 3.70 persons in 2021 (see Section 4.14 Population and Housing), a modest increase in total City population. The ratio of parkland to the population after project development would be very slightly less than the current ratio. Project impacts on park facilities would be less than significant after payment of applicable development impact fees, and no mitigation is required.

V)	Other public facilities?		\times	

Response:

Less Than Significant Impact

Library

The city has made important investments in libraries recently, most notably with the 2020 opening of the Iris Plaza Branch of the Moreno Valley Public Library system. There are three public libraries; the Main Branch, the Mall Branch, and the Iris Plaza Branch. The Main Branch at 25480 Alessandro Boulevard is approximately 700 feet to the east of the project site.

Project development would increase the use of and demand for collection items at the Moreno Valley Public Library. The parks and recreation facilities and related improvements for which dedication of land and/or payment of a fee is required are in accordance with the parks and recreation element of the general plan of the city of Moreno Valley. As a public facility, the library system is considered a strategic priority and would receive a portion of the fees collected under the Quimby Act as detailed in section d) above. The project's impacts on library facilities and services are expected to be less than significant. Hospitals

Moreno Valley has a growing healthcare cluster, anchored by two full-service acute care hospitals, the Riverside University Health System Medical Center Main Campus (RUHS-MC) and Kaiser Permanente. Together, these complexes employ more than 4,900 people with plans for expansion.

The nearest hospital to the project site is RUHS-MC at 26520 Cactus Avenue, a 439-bed Medical Center, about 1.25 miles to the southeast. Project development is estimated to add 237 residents to the city as

SSUES & SUPPORTING NFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

previously discussed in **XIV.** Adequate hospital facilities are present in the project region for project residents, and project development would not require the construction of new or expanded hospitals. Impacts would be less than significant.

Sources:

- 1. Dyett & Bhatia, 2021. City of Moreno Valley-Climate Action Plan. Accessed online at https://www.moval.org/cdd/documents/general-plan-update/draft-docs/ClimateActionPlan/Draft-MV-CAP.pdf, on December 7, 2022.
- Google Earth Pro V 7.3.2.5491 (May 12, 2022). City of Moreno Valley, Riverside County, California, U.S.A. 33°55'05.96"N-117°13'17.22"W. Eye alt 4,843 ft. Available at https://earth.google.com/web/. Accessed on October 20, 2022.
- 3. Dyett & Bhatia, 2021a. City of Moreno Valley General Plan 2040. Dated June 15, 2021. Accessed online at https://www.moval.org/cdd/documents/general-plan-adopted.html on January 27, 2023.
- 4. City of Moreno Valley, 2022b, City of Moreno Valley Zoning Map, Updated August 8, 2022. Accessed online at: https://moval.gov/city_hall/general-plan2040/NewZoning.pdf. Accessed on October 21, 2022.
- 5. RECON Environmental Inc. 2021. MoVal 2040 Draft Environmental Impact Report.
- 6. MVPD, 2022. Moreno Valley Police Department. Accessed online at https://moval.gov/departments/police/index.html on January 27, 2023.
- NDT, 2013. Moreno Valley Unified School District Facilities Master Plan. Dated November 11, 2013. Accessed online at https://www.mvusd.net/apps/pages/index.jsp?uREC_ID=786774&type=d&pREC_ID=1181698 on October 26, 2022.
- 8. Butterfield, 2022. Butterfield Elementary Academy School Plan for Student Achievement Template. Accessed online at https://4.files.edl.io/431c/06/07/22/232332-57782790-42c5-4310-90c0-989eee3ea0c0.pdf on October 26, 2022.
- 9. Mountain View, 2022. Mountain View Middle School Academy School Plan for Student Achievement Template. Accessed online at https://4.files.edl.io/dd5c/06/07/22/231824-cc9d90ce-d886-4bbc-823e-106f65bef741.pdf on October 26, 2022.
- 10. Vista Del Lago, 2022. Vista del Lago High School Plan for Student Achievement Template. Accessed online at https://4.files.edl.io/54d5/06/07/22/232834-381a5181-4901-4b35-bf21-814b0462ce56.pdf on October 26, 2022.
- 11. City of Moreno Valley, 2022f. City of Moreno Valley Municipal Code Section 3.40.010. Accessed online at https://library.qcode.us/lib/moreno_valley_ca/pub/municipal_code/item/title_3-chapter_3_40-3_40_010 on October 27, 2022.
- City of Moreno Valley, 2022e, City of Moreno Valley Quimby Fee Schedule Resolution, Dated April 5, 2022. Accessed online at https://www.moval.org/city_council/pdf/subcom-finan-4b.pdf on October 27, 2022.

XVI. RECREATION – Would the project:

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

|--|--|--|--|

Response:

Less than Significant Impact

Recreational services in the city of Moreno Valley are provided by the City's Parks and Community Services Department, which maintains approximately 482 acres of parkland in the city, including seven Community Parks, 24 Neighborhood Parks, four Specialty Parks and 15 miles of Trails/Greenways. The City's park acreage standard is three acres of public park land per 1,000 residents. The City's most recent (2021) estimated population of 211,600 gives a current service ratio of 2.28 acres per 1,000 residents which is below this performance standard.

Existing parks within one mile of the project site are:

ct

ISSUES & SUPPORTING INFORMATION SOURCES:

entially nificant npact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impa
nificant npact	with Mitigation Incorporated	Significant Impact	Imp

Bayside Park, 24435 Bay Avenue, 0.75 mile to the west spans 2.04 acres; facilities include barbecues, lighted basketball court, horseshoes, picnic tables and playground.

Weston Park, 13170 Lasselle Street, 0.9 mile to the northeast spans 4.14 acres; facilities include barbecues, lighted multi-use athletic fields, picnic tables, playground and lightedsoftball/baseball fields Woodland Park, 25705 Cactus Avenue, 0.6 mile to the southeast spans 9.11 acres; facilities include barbecues, four lit basketball courts, pickleball court, picnic tables, playground, lighted softball/baseball fields fields and four lit tennis courts

Demand for parks is generated by the population in the parks' service areas. The project involves development of a 64-unit apartment complex; at buildout the project has a density of 13.9 dwelling units per acre and is estimated to house 237 persons based on the average household size in Moreno Valley of 3.70 persons in 2022, Therefore project development would create a demand for 0.71 acres of parkland based on the City's three acres per 1,000 residents standard, which would have negligible impact on the overall City service ratio; it would remain at 2.28 acres of parkland per 1000 residents. The project would include 86,302 square feet of usable open space. The proposed open space onsite would not be parkland open to the public and thus is not considered to reduce project-generated demand for parkland.

The city charges development impact fees for park facilities; the fee for multi-family units that have a density below 14 units per acre is \$6,580 per unit. Project impacts on parkland and park facilities would be less than significant after payment of development impact fees for park facilities.

- 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 project includes common and private open space. Project development would not change the service ratio and would not require development of park facilities. Therefore, project impacts would be less than significant.
 Sources:
 - 1. US Census Bureau (USCB), 2022. City and Town Population Totals: 2020-2021 (revised May, 2022)
 - 2. City of Moreno Valley, 2021. City of Moreno Valley General Plan 2040, Adopted June 15, 2021. Accessed online at https://www.moval.org/city_hall/general-plan2040/MV-GeneralPlancomplete.pdf. Accessed on October 21, 2022.
 - 3. City of Moreno Valley Municipal Code, 2022. Accessed online at https://library.qcode.us/lib/moreno_valley_ca/pub/municipal_code , accessed on October 24, 2022.
 - 4. CDF (California Department of Finance), 2022. Table E-5 Population and Housing Estimates.

XVII.TRANSPORTATION – Would the project: a) Conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Response:

The following analysis is based on Valley Gardens Residential Project Trip Generation & Vehicle Miles Traveled (VMT) Study conducted by RK Engineering Group, dated August 26, 2021, for the proposed project (refer to **Appendix J**).

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

ISSUES & SUPPORTING INFORMATION SOURCES:

Potentially	
Significant	
Impact	

Less Than

Significant

with

Mitigation

Incorporated

No Impact

Less Than

Significant

Impact

Less than Significant Impact

Alessandro Boulevard is an east-west roadway designated a Divided Major Arterial Roadway in the City of Moreno Valley General Plan. The intersection of Alessandro Boulevard with Sarah Street is controlled by a stop sign on Sarah Street, an unimproved private drive. Sidewalks are present near the project site on both sides of Alessandro Boulevard; however, sidewalks are absent on Sarah Street as it is not a dedicated local street and is proposed as a private drive.

Alessandro Boulevard is the nearest existing bicycle facility to the project site, mapped in the City's General Plan as existing striped (Class II) bicycle lanes. The nearest public transit to the project site is Riverside Transit Agency (RTA) with a bus stop along Alessandro Boulevard adjacent to the project site. RTA provides routes within the city that connect to major destinations such as the Moreno Valley/March Field Metrolink Station, Perris Station Transit Center, University of California Riverside (UCR), and Moreno Valley Mall. Major Moreno Valley bus routes include routes 11, 16, 18, 19, 19A, 20, and 31. In addition, RTA has one commuter link express bus route. Route 208 connects the cities of Temecula, Murrieta, Perris, Moreno Valley, and Riverside. Commuter link express bus routes 31 also provides connections to Beaumont, Banning, Hemet, and San Jacinto, and passengers can transfer from Beaumont to Sunline Route 10 for service to the Coachella Valley. RTA also provides Dial-A-Ride services for seniors and persons with disabilities.

Applicable Plans, Ordinances, and Policies

Statewide Transportation Improvement Program (STIP)

The Statewide Transportation Improvement Program (STIP) is a multi-year capital improvement program of transportation projects on and off the State Highway System, funded with revenues from the State Highway Account and other funding sources. The proposed project development is not a transportation project and would not conflict with the STIP.

Riverside County Congestion Management Program

The Riverside County Congestion Management Program (CMP) is included as Chapter IX of the Riverside County Long Range Transportation Study issued by the Riverside County Transportation Commission (RCTC) in 2019. The Congestion Management Program Roadway System includes all state highways in Riverside County; routes defined as Principal Arterials by Caltrans; and facilities linking cities/communities, and major activity centers. The RCTC determined that the traffic level of service (LOS) method that incorporated a "delay" analysis was the most applicable for CMP purposes.

As specified in the Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment (TIA Guidelines) a detailed LOS traffic impact analysis would be required if the project is expected to generate 100 or more peak hour trips, or if a major signalized intersection is expected to generate 50 or more project peak hour trips after the trips are distributed to the local roadway network. Based on the net trip generation, the proposed project is not required to prepare a traffic impact analysis and is not expected to result in any significant adverse impacts on the operations of the roadway network and intersections (See **Tables 39 and 40**). Therefore, the proposed project would not conflict with the Riverside County CMP.

	Units	ITE		АМ		РМ			Deiby
Land Use	2	e	In	Out	Total	In	Out	Total	Dally
Multifamily Housing (Low-Rise) – Not Close to Rail Transit	DU	220	0.10	0.30	0.40	0.3 2	0.19	0.51	6.74
¹ Source: ITE Trip Generation Manual (11th Edition, 2021). ² DU = Dwelling Unit									

Table 39 - ITE Trip Generation Rates¹

	Less Than
tentially	Significant
nificant	with
npact	Mitigation
	Incorporated

Po

Siç

Less Than Significant Impact Impact

No

Table 40 - ITE Trip Generation Rates¹

	Quantit	Unit AM		AM			РМ		Dail
Land Use (ITE Code) ¹	У	S ²	In	Ou t	Tota I	In	Ou t	Total	У
Valley Gardens Residential Project (220)	64	DU	6	19	25	21	12	33	431

¹Source: ITE Trip Generation Manual (11th Edition, 2021).

 2 DU = Dwelling Unit

Riverside County Measure A

Measure A was approved by Riverside County voters in November 1988, and re-approved in 2009, authorizing a sales tax to fund a variety of transportation projects in the County. The measure created transportation improvement projects in regard to freeways, streets and roads, transit, and environmental programs. The nearest Measure A project to the proposed project site is the Moreno Valley/March Field Station in Riverside approximately four miles to the west. This station serves Metrolink's 91/Perris Valley Line and is the midpoint between the Perris-Downtown Station and the Riverside-Downtown Station. The proposed project would not impede any Measure A projects and would not conflict with Riverside County Measure A.

City of Moreno Valley General Plan – Circulation Element

The city's circulation element has several goals and policies that apply to the proposed project. Refer to Table 41 below which lists the applicable policies and how the proposed project would comply.

Table 41 - Project Compliance with The City of Moreno Valley General Plan Policies Regarding Mobility and Transportation

General Plan Element	Project Compliance				
Goal C-1: Strengthen connections to the regional transportation network.					
Policy C.1-B: Work with property owners, in cooperation with RCTC, to reserve rights-of-way for freeways, regional arterial projects, transit, bikeways, and interchange expansion and potential Community and Environmental Transportation Acceptability Process (CETAP) corridors through site design, dedication, and land acquisition, as appropriate.	Compliance: Rights-of-way for regional arteria projects, transit, and bikeways along Alessandro Boulevard would be maintained with the proposed project.				
Goal C-2: Plan, design, construct, and maintain a local transportation network that provides safe and efficient access throughout the city and optimizes travel by all modes.					
Policy C.2-5: Prohibit points of access from conflicting with other existing or planned access points. Require points of access to roadways to be separated sufficiently to maintain capacity, efficiency, and safety of the traffic flow.	Compliance: No new points of access are proposed along Alessandro Boulevard with Sarah Street becoming an improved private drive.				
Goal C-3: Manage the City's transportation system to minimize congestion, improve flow and improve air quality					
Policy C.3-4: Require development projects to complete traffic impact studies that conduct vehicle miles traveled analysis and level of service assessment as appropriate per traffic impact study guidelines.	Compliance: Consistent with the City of Moreno Valley Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment the proposed project is screened out from a full VMT analysis. (See Appendix J) .				
Attachment: Exhibit A - Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (6373 : PEN21-0250

Source: (City of Moreno Valley, 2022a)

As detailed above, the proposed project would not conflict with any applicable policies from the city's General Plan addressing circulation system, including transit, roadway, bicycle and pedestrian facilities. Therefore, the project would have a less than significant impact in this regard.

b)	Conflict	or	be	inconsistent	with	CEQA		
	Guideline	es se	ction	15064.3, subd	livision	<u>(b)</u> ?		

Response:

Less than Significant Impact

Starting on July 1, 2020, agencies analyzing the transportation impacts of new projects must now look at a metric known as vehicle miles traveled (VMT) instead of LOS. VMT measures how much actual auto travel a proposed project would create on California roads.

The TIA Guidelines provide recommendations in the form of thresholds of significance and methodology for identifying VMT-related impacts. However, there are three steps of screening that may apply to effectively screen projects from the project level of assessment. These are summarized below:

- Step 1: Transit Priority Area (TPA) Screening
- Step 2: Low VMT Area Screening
- Step 3: Project Type Screening

As detailed in Step 2: Low VMT Area Screening, residential and office projects located within a low VMTgenerating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. A residential project is considered to be in a low VMT area if the project traffic analysis zone's (TAZ) VMT per capita does not exceed the City's Future Buildout VMT per capita.

As detailed below, the proposed project site is located within a Low-VMT Area. The project TAZ baseline VMT per capita was run for the Years 2018 and 2045. The project TAZ's baseline VMT per capita for the Year 2018 is 12.0, which is 8.69% less than the City's Future Buildout VMT per capita of 13.2. The project TAZ's baseline VMT per capita for the Year 2045 is 11.9, which is 9.36% less than the City's Future Buildout VMT per capita of 13.2. The project Buildout VMT per capita of 13.2. As a result, the proposed project can be presumed to have a less than significant impact on VMT under CEQA. Therefore, no further VMT analysis is required.

geometric design feature (e.g., sharp curves or

Response:

Less than Significant Impact

The proposed project would not alter the surrounding roadways. Vehicular access to the project would be provided by two driveways from Sarah Street. The intersections of the two proposed driveways with Sarah Street (private drive) would be perpendicular and would not cause hazards due to a geometric design feature. The project's circulation system, including driveways and parking areas, would be designed to meet the development standards of the city and would not result in uses or design features that would create traffic hazards. Therefore, impacts regarding increases in hazards due to geometric design features or incompatible uses would be less than significant.

d) Result in inadequate emergency access?		\boxtimes	

Response:

Less than Significant Impacts

Construction

Project construction could involve the temporary closure of a segment of a lane on Alessandro Boulevard, Sarah Street, or an entire segment of the roadway. Any plans for construction activity in the roadway rightof-way would require an encroachment permit from the City of Moreno Valley. The City Public Works/Engineering Department would review any encroachment permit applications to ensure that such

Potentially	L
Impact	N Inc

ess Than

ignificant

litigation

with

2.b

corporated construction did not impede emergency response to the project site or nearby properties; and did not create traffic hazards. Compliance with any conditions outlined in an encroachment permit is a condition of the permit. Impacts would be less than significant after City review and after project conformance with conditions outlined in any encroachment permit.

Operation

The project would comply with applicable city regulations, such as the requirement to comply with the City's fire code to provide adequate emergency access, as well as the California Building Standards Code. Prior to the issuance of building permits, the City of Moreno Valley would review project site plans, including the location of all buildings, fences, access driveways, and other features that may affect emergency access. The site design includes access and fire lanes that would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. All onsite access and sight-distance requirements would be in accordance with applicable design requirements. The city's review process and compliance with applicable regulations and standards would ensure that adequate emergency access would be provided. Therefore, the project would not result in inadequate emergency access and there would be less than significant impacts.

Sources:

- 1. RK (RK Engineering Group, Inc.), 2022. Valley Gardens Residential Project Trip Generation & Vehicle Miles Traveled (VMT) Study, City of Moreno Valley, CA. August 26, 2022.
- 2. City of Moreno Valley, 2022a. City of Moreno Valley General Plan Land Use Map, Revised March 3, 2022. Accessed online at: https://moval.gov/city hall/general-plan2040/GP-LandUseMap.pdf. Accessed on October 21, 2022.
- 3. (Waber Consultants, 2022d) Preliminary Site Plan for Valley Gardens. Prepared for Moreno Valley Garden, LLC. October 16, 2022.
- 4. City of Moreno Valley, 2020b. Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment, Dated June 2020. Accessed online at https://www.moval.org/city hall/departments/pub-works/transportation/TIA-Guidelines.pdf on December 19, 2022.
- 5. RCTC (Riverside County Transportation Commission), 2022a. Moreno Valley/March Field Station. Accessed online at https://www.rctc.org/projects/moreno-valley-march-field-stationimprovements on December 19, 2022.
- 6. RCTC (Riverside County Transportation Commission), 2022b. Projects. Accessed online at https://www.rctc.org/projects on December 19, 2022.
- 7. City of Moreno Valley, 2022a. City of Moreno Valley General Plan Land Use Map, Revised March 3, 2022. Accessed online at: https://moval.gov/city hall/general-plan2040/GP-LandUseMap.pdf. Accessed on October 21, 2022.
- 8. OPR (Governor's Office of Planning and Research), 2022. SB 743 Frequently Asked Questions.

XVIII. 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:
- Listed or eligible for listing in the California i) Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or

	\square

Response:

Information from the Phase I Cultural Resources Inventory report, dated January 4, 2023 (see Appendix D), prepared by UltraSystems for the Valley Gardens Apartments Project is included in the analysis below.

Research for the Cultural Resources Inventory included a cultural resources record search at the Eastern Information Center (EIC), a Sacred Lands File (SLF) record search by the Native American Heritage Commission (NAHC), and a pedestrian survey assessment (see Section V). No prehistoric City of Moreno Vallev

	Less Than
Potentially	Significant
Significant	with
Impact	Mitigation
	Incorporate

s Than

No

Impact

rporated archaeological resources were observed during the field survey. The cultural resource records and literature search at the EIC indicated that no prehistoric sites or isolates have been recorded within the project boundary or within the 0.5-mile radius. The cultural resources assessment indicates it is unlikely that prehistoric properties would be adversely affected by construction of the project. The SLF search by the NAHC resulted in negative findings for a traditional cultural resource in the project area.

No Impact

No prehistoric archaeological resources were observed during the archaeological field survey conducted September 13, 2022 as part of the cultural resources investigation (Section 4.3 in Appendix D). The results of the pedestrian assessment indicate that it is unlikely that prehistoric resources will be adversely affected by construction of the project.

No tribal cultural resources onsite are 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 § 5020.1(k). Additionally, the project site has not been recommended for historic designation for prehistoric and tribal cultural resources (TCRs). The SLF search by the NAHC resulted in negative findings for a traditional cultural resource in the project area (see Section 4.2 in Appendix D). No specific tribal resources have been identified by local tribes responding to inquiries for the Cultural Resources Inventory report. Therefore, the project would have no impact in this regard.

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:

Less than Significant Impact with Mitigation Incorporated

Assembly Bill 52 (AB 52) requires meaningful consultation with California Native American Tribes on potential impacts on TCRs, as defined in Public Resources Code § 21074. TCRs are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either eligible or listed in the California Register of Historical Resources or local register of historical resources.

As part of the AB 52 process, Native American tribes must submit a written request to the lead agency to be notified of projects within their traditionally and culturally affiliated area. The lead agency must provide written, formal notification to those tribes within 14 days of deciding to undertake a project. The tribe must respond to the lead agency within 30 days of receiving this notification if they want to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the tribe's request. Consultation concludes when either (1) the parties agree to mitigation measures to avoid a significant effect on a tribal cultural resource, or (2) a party, acting in good faith and after reasonable effort, concludes mutual agreement cannot be reached.

The City of Moreno Valley (the lead agency) initiated AB 52 outreach to local tribes for the Valley Gardens Apartments project. The City Community Development department prepared and sent letters on November 18, 2022 from Julia Descoteaux, Senior Planner, Community Development, to the several tribes on their list for AB 52 contact, informing them of the project (Julia Descoteaux, personal communication, December 14, 2022). The letters were sent via certified mail to the tribes listed below. 2.b

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

The letters conveyed that the recipient has 30 days from the receipt of the letter to request AB 52 consultation regarding the project.

- Agua Caliente Band of Cahuilla Indians
- Morongo Band of Mission Indians
- Pechanga Band of Indians Cultural Resources Department
- Rincon Band of Luiseno Indians
- San Manuel Band of Mission Indians
- Soboba Band of Luiseño Indians
- Torres-Martinez Desert Cahuilla Indians

There were responses from the San Manuel Band of Mission Indians (December 28, 2022) and the Agua Caliente Band of Cahuilla Indians (December 21, 2022) initially stating that that they declined consultation. The Morongo Band of Mission Indians (December 29, 2022), the Pechanga Band of Indians - Cultural Resources Department (January 5, 2023), and the Rincon Band of Luiseño Indians (December 21, 2022) responded requesting consultation. There was no response from the Torres-Martinez Desert Cahuilla Indians or the Soboba Band of Luiseño Indians. (Danielle Harper-Scott, personal communication, January 3, 2023 and January 9, 2023; Descoteaux 2022.)

A copy of the project Cultural Resources Inventory report was requested by Ms. Descoteaux to distribute to consulting tribes if requested; this report was provided by Mr. O'Neil, following final review by the City, on January 4, 2023 to Ms. Harper-Scott for distribution to the tribes.

The Rincon Band reviewed the Cultural Resources Inventory report; the City provided requested background information on January 13, 2023 as available. Rincon provided a letter April 4, 29023 stating: "The Rincon Band has reviewed the provided documents and will defer to the Pechanga Band of Indians and Soboba Band of Luiseño Indians for recommendations pertaining to archaeological and tribal monitoring as both Tribes indicated the cultural-sensitivity of the project site. We do request that the Rincon Band be notified of any changes in project plans. We have no further comments at this time and can conclude consultation." (Danielle Harper-Scott, personal communication, July 7, 2023.)

The Morongo Band received the City's suggested mitigation measures that had been accepted by Pechanga. A meeting was held between Morongo and the City June 1, 2023 at which time the tribe advised the City they wanted to modify the language of the mitigation measures. Morongo then sent red-line of the measures on June 14, 2023.

The Pechanga Band of Indians held a consultation meeting with the City on January 31, 2023 at which time requested information on the origin of fill-soil to be used in the project, and requested that the City apply its standard cultural mitigation measure(s) with language differentiating the western parcel of the project site from the eastern. This information was provided by the City January 13, 2023. (Harper-Scott, personal communication, February 1, 2023.) On April 17, 2023, the tribe accepted the initial suggested mitigation measures provided by the City. Revised measures provided by the City were sent to Pechanga for concurrence on June 15, 2023; these were accepted on July 6, 2023, at which time consultation was concluded. (Danielle Harper-Scott, personal communication, July 6, 2023.)

The Agua Caliente Band responded noting that the project is not within the boundaries of the Agua Caliente reservation. The City provided requested background information as available on January 13, 2023. Agua Caliente closed consultation on March 9, 2023.

The San Manuel Band of Mission Indians stated that the project area was outside of Serrano traditional territory and that they do not request consultation, but did request background information which the city provided January 13, 2023 as available.

The Morongo Band of Mission Indians responded requesting consultation. The City provided Morongo with the suggested mitigation measures that had been approved by the Pechanga Band. A meeting was held between the City and Morongo on June 1, 2023 at which time the tribe advised the City that they would like to modify the language of the mitigation measures. Morongo provided red-line comments on

No

Impact

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Significant with Mitigation	Less Than Significant Impact
		Incorporated	

June 14, 2023 for further clarification. (Danielle Harper-Scott, personal communication, July 6, 2023 and July 7, 2023.)

The City suggested TCR mitigation measures were accepted by Pechanga and Morongo and consultation was concluded.

No prehistoric archaeological resources were observed during the field survey. The cultural resources record search at the EIC found no record of prehistoric resources within the project boundary. The results of the pedestrian assessment were negative for prehistoric resources. The SLF search by the NAHC resulted in negative findings for a traditional cultural resource in the project area. The cultural resource study findings suggest that there is a low potential for finding prehistoric resources at the project site.

Land at the project site has remained relatively undisturbed vacant land from the early 20th century to the present, and the immediate area has been rural farm and broadly spaced residential since the 1950s. No human remains have been previously identified or recorded onsite. Therefore, while the potential for subsurface prehistoric cultural deposits is considered to be low. The region is known to have been heavily used for habitation and natural resource gathering by the local Luiseño tribe (see Section 2.2.2 in Appendix D), suggesting the potential for the presence of cultural material in the project area.

The project proposes to conduct construction-related grading. Grading activities associated with development of the project would involve subsurface disturbance and may result in the unanticipated discovery of TCRs. Implementation of MMs CR-1 through MM CR-9 (see Section V. Cultural Resources above) would ensure the proper identification and subsequent treatment of any significant cultural resources and human remains that may be encountered during ground-disturbing activities associated with Project development. With implementation of the requited mitigation, the Project's potential impact to significant tribal cultural resources would be reduced to less-than-significant.

Level of Significance After Mitigation

With implementation of MM CR-1 through MM CR-7, potential project impacts on TCRs would be less than significant. With implementation of Mitigation Measures MM CR-8 and MM CR-9, the proposed project would result in less than significant impacts to human remains and associated funerary objects.

Sources:

1. California Natural Resources Agency (CNRA), 2022. Tribal Affairs Departmental Overview; California Energy Commission Tribal Consultation Policy. Revised 09.21.2022. Accessed online at: www.resoiurces.ca.gov/initiatives/tribal affairs on November 15, 2022.

XIX. UTILITIES AND SERVICE SYSTEMS – Would the project: a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage. \times power, electric natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Response:

Less than Significant Impact

Water Treatment: The Eastern Municipal Water District (EMWD) supplies water to the project site. EMWD receives imported water from the Metropolitan Water District of Southern California (MWD). MWD delivers supply to member agencies from two sources, the Colorado River Aqueduct, which it owns and operates, and the State Water Project (SWP), owned and operated by the California Department of Water Resources (DWR). The Henry J. Mills (Mills) Water Treatment Plant treats water from Northern California

Attachment: Exhibit A - Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (6373 : PEN21-0250

Potentially	Less Than Significant
Significant	with
Impact	Mitigation
	Incorporate

orated and provides it to EMWD through two connection points located in the northeast portion of EMWD's service area, which has a capacity of 220 million gallons per day. The proposed project would not require new or expanded water treatment facilities. The project would have a less than significant impact in this regard.

Wastewater Treatment: The project site is in the service area of EMWD's Moreno Valley Regional Water Reclamation Facility (RWRF). The RWRF has a capacity of 17,900 acre-feet per year (afy), treated 10,451 afy of wastewater in 2020, and had a residual capacity in 2020 of 7,449 afy.

It is estimated that the 64-unit Project would house approximately 237 persons as the average household size in the City is 3.70 persons. The Project would generate 100 gallons of wastewater per person per day, according to the City of Moreno Valley General Plan EIR. Therefore, the Project would generate about 0.0237 million gallons per day (MGD). The generation of 0.0237 MGD of wastewater is well within the available capacities at EMWD's Moreno Valley Regional Water Reclamation Facility.

Stormwater Drainage: The subject property is located along the north side of Alessandro Boulevard, east of Flaming Arrow Drive. The generally rectangular-shaped parcel is elongated in a north-to-south direction onto Alessandro Boulevard. As previously discussed under Hydrology and Water Quality, under existing conditions, stormwater generated on the project site enters existing municipal storm drain inlets located on Alessandro Boulevard, near the southwest and southeast corners of the project site. This storm drain (Sunnymead Master Drainage Plan Line M-11) flows east into the Kitching Street Channel, which in turn discharges into the Perris Valley Channel approximately three miles south. The Perris Valley Channel is a tributary to the San Jacinto River, and known water of the U.S.

The project proposes onsite drainage improvements including storm drains and storm drain inlets, modular wetland systems, and underground detention systems consisting of plastic pipes. A preliminary WQMP has been prepared for the proposed project site and is included herein as Appendix G1. The MS4 and the associated WQMP require the implementation of Low Impact Development (LID) features to ensure that most stormwater runoff is treated and retained onsite.

The project WQMP includes LID BMPs such as a combination of previous areas, bioretention basins, and a modular wetland system to retain and treat stormwater generated on the project site by the Design Storm for each Drainage Management Area (DMA) within the completed project. These LID BMPs are intended to minimize impervious areas, maximize infiltration capacity, and preserve the existing drainage patterns to mitigate the impacts of runoff and stormwater pollution as close to the source as possible. These facilities are highly effective at removing water pollutants such as sediment, nutrients, trash, metals, bacteria, oil and grease, and organic compounds while reducing the volume and intensity of stormwater flow leaving a site.

Electric Power: Moreno Valley Utility (MVU) provides electricity to the project site. During the fiscal year, 2019/2020 MVU provided approximately 201,765,902 kWh (kilowatt-hour) of electricity to its customers. The project site is in an urbanized area with existing electric distribution lines. The project would be constructed in accordance with all applicable regulations of the 2019 California Green Building Standards Code, Title 24, Part 11 (Title 24), and project development would not require the construction or relocation of electric power facilities. Therefore, a less than significant impact would occur.

Natural Gas: The Southern California Gas Company (SoCalGas) is the primary distributor of retail and wholesale natural gas across Southern California, including the City of Moreno Valley. SoCalGas provides services to residential, commercial, and industrial consumers, and also provides gas for electric generation customers. In its 2020 California Gas Report, SoCalGas analyzed a 16-year demand period, from 2020 to 2035, to determine its ability to meet projected demand.

SoCalGas expects total gas demand to decline 0.74 percent annually from 2020 to 2035 as a result of energy-efficiency standards and programs, renewable electricity goals, modest economic growth in its service region, and advanced metering infrastructure. Therefore, the anticipated natural gas supply is adequate to meet demand in the SoCalGas region, and the proposed project is not expected to impact this determination. Thus, no natural gas facilities would have to be constructed or relocated, and a less than significant impact would occur.

Telecommunications Facilities: Telecommunication services for the project site, including internet, phone, and television, are provided by AT&T, Verizon, Crown Castle, Questar, and Spectrum. The project construction contractor would contact the Underground Service Alert of Southern California ("Digalert") at least two days before beginning soil disturbance, pursuant to California Government Code § 4216. Any relocation of underground utilities onsite-or next to the site for installation of new utility laterals connecting to existing utilities—would be conducted at the expense of the project applicant and under permission

73 : PEN21-0250

	Less Than
Potentially	Significant
Significant	with
Impact	Mitigation
	Incorporated

from the utility's owner. The proposed project would not interfere with the operation of existing utility facilities, and the impacts would be less than significant.

Sig

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

r		
	\boxtimes	

Response:

Less than Significant Impact

Water Supplies and Demands

The Eastern Municipal Water District (EMWD) supplies water to the project site. EMWD's 555-squaremile service area spans much of western Riverside County. EMWD is the retail water purveyor in most of its service areas and also wholesales water to several retail water purveyors in its service area. EMWD water supply in the project region is from northern California and imported via the State Water Project. EMWD imported water supplies, in other portions of its service area, also include water imported from the Colorado River via the Colorado River Aqueduct. EMWD imported water supplies in the project region, approximately the northwest third of EMWD's service area, are only from northern California.

Water is treated at the Metropolitan Water District's Mills Filtration Plant in the City of Riverside, which has a capacity of 220 million gallons per day. EMWD retail water supplies are forecast to increase from 115,916 acre-feet per year (afy) in 2020 to 178,700 afy in 2040, as shown below in Table 42. Water demands for 2025 through 2045 are based on population projections by the Southern California Association of Governments, which in turn are based on general plan land use projections. EMWD forecasts that it will have sufficient water supplies to meet demands in its service area through the 2025-2045 period in single-dry-year and multiple-dry-year conditions, as shown below in Table 43.

Supply Source	2020	2025	2030	2035	2040				
Supplies									
Imported water	62,310	66,447	72,147	70,247	74,747				
Other potable water supplies ¹	22,362	36,153	36,153	44,153	44,153				
Recycled water supply ²	39,642	43,330	49,020	54,500	59,800				
Total	124,314	145,930	157,320	168,900	178,700				
Water Demands									
	115,916	145,930	157,320	168,900	178,700				
Difference	Difference								
	8 308	0	0	0	0				

Table 42 - EMWD Systemwide Retail Water Supplies & Demands, Average Water Conditions

Note: Measurements are done in AFY = Acre-Feet per Year

¹ Other potable water supplies consist of groundwater from the San Jacinto Groundwater Basin, some of which is desalinated at EMWD desalters, and purified water derived from treated wastewater and used as one of the water sources for recharging the San Jacinto Groundwater Basin.

² Non-potable water supplies consist of recycled treated wastewater and brackish groundwater from the San Jacinto Groundwater Basin used to supplement the recycled water system. The recycled quantities shown here are water only. Source: EMWD, 2021, pp. 6-24 and 6-25.

	Normal Year		Single Dry Y	ear	Multiple Dry Years ¹		
	Supply	Demand	Supply	Demand	Supply	Demand	
2025	145,390	145,390	151,130	151,130	140,200	140,200	

63
Program
eporting
ng and R
Monitori
itigation
n and Mi
eclaratio
egative D
igated No
study/Mit
- Initial S
Exhibit A
Attachment: I
~

ISSUES INFORM	& SU ATIO	PPORT	'ING RCES:		Pote Sigr Im	entially lificant pact	Less T Signific with Mitigat	nan ant ion	Less Th Significa Impac	an ant t	No Impact
2030	157	7 320	157 320	162 82	0	162.83	20	150 8	300	150	800
2035	168	3 900	168 900	174 70	0	174 7	10	160 (000	160	000
2040	178	3,000	178 700	184 70	0	184 7	0 0	168 (000	168	000
Note: Mea	sureme	ents are do	ne in $AFY = Ac$	re-Feet	per Ye	ar	50	100,		100	,000
¹ Volumes a Source: El	are for t MWD, 2	he fifth of f 2021 Urbar	ive consecutive Water Manag	e dry yea Jement F	ars. Plan, pp	b. 7.8-7	.10		n far tha		ant site of
Corridor Mix General Plar it will be able conditions ov	ed-Use design to mee ver the	e. Therefore nation was et water de 2025-2040	e, water dema accounted for mands in its se period. Proje	ind by b in EMW ervice ar	ouildou D's wa ea in n opmen	t of the ater den ormal, t would	e project nand fore single-dr	site ecast y-yea uire E	in accord s. EMWD ar, and mu EMWD to	fore lance fore ultipl obta	e with the ecasts that e-dry-year ain new or
increased wa	ater sup	pplies, and	impacts would	be less	than si	gnifica	nt.				
treatmen the proje the proje provider	t provi ct that i ct's pro s existi	der which t has adequ jected dem ng commitr	serves or may uate capacity to and in additior ments?	serve serve to the]			
Response: Less than Significant Impact As described in XVI a) above, the volume of wastewater generated by the project represents only a small fraction of the existing daily capacity of the wastewater treatment facility providing service in the area. Therefore, the wastewater anticipated to be generated by the project would be within the existing capacity											
of the wastewater treatment provider and less than significant impacts would occur. d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the ottainment of aslid waste radiate analyze.											
Response:											
Less than Significant Impact Waste Management, Inc. collects solid waste from businesses and residents in the City of Moreno Valley under contract with the City. In 2019, the latest year for which data are available, approximately 97 percent of solid waste landfilled from the City of Moreno Valley was disposed of at two facilities, Badlands Sanitary Landfill near the City of Moreno Valley and El Sobrante Landfill near the City of Corona. As shown below in Table 44 , the two landfills have a combined residual capacity of approximately 6,500 tons per day.											
			neno valley								
Facility City/Comm	& nunity	Nearest	Remaining Capacity (cubic yards)	Daily Permi Dispo Capac (tons)	tted sal :ity	Actual Daily Disposa I (tons)	R D C C (t	esidual aily isposal apacity ons)	Es Clo Da	timated osing te
Badlands S Moreno Va County	anitary alley,	Landfill Riverside	15,748,799		4,800		2,955	1	,845	202	22
El Sobrante Corona, Riv	e Landfi /erside	ill County	143,977,170		16,054	ł	11,398	4	,656	20	51
Total			159,725,969		20,854	ŀ	14,353	6	,501		

2.b

2.b

ISSUES & SUPPORTING	Potentially	Less Than Significant	Less Than	No
	Significant	with	Significant	Impact

Mitigation

Impact

¹ Daily disposal calculated based on annual disposal tonnage assuming 300 operating days per year (i.e., six days per week less certain holidays).

Impact

Sources: (CalRecycle, 2019), (CalRecycle, 2023a), (CalRecycle, 2023b) (CalRecycle, 2021)

Construction

INFORMATION SOURCES:

Project construction would generate solid waste requiring disposal at local landfills. Materials generated during the construction of the project would include paper, cardboard, metal, plastics, glass, concrete, lumber scraps, and other materials. Section 4.408.1, Construction Waste Reduction, Disposal, and Recycling, of Title 24 requires that at least 65 percent of the nonhazardous construction and demolition waste from residential construction operations be recycled and/or salvaged for reuse. Project construction would include recycling and/or salvaging at least 65 percent of construction and demolition waste in accordance with Title 24, § 4.408.2, 4.408.3, or 4.408.4. Even after the closure of the Badlands Landfill in 2022, sufficient disposal capacity would remain at the El Sobrante Landfill for solid waste generated by project construction. Therefore, construction-related impacts regarding excess solid waste would be less than significant.

Operation

Solid waste generation rates included in the 2006 General Plan EIR (not updated in the 2040 GP EIR), state that multi-family uses such as the Project can produce seven pounds of refuse per dwelling unit per day. It is estimated that 64 multi-family residences would generate about 448 pounds per day or 0.224 tons per day (448 / 2,000 (1 ton) = 0.224 tons), or 81.76 tons per year (7 x 64 x 365 = 163,520 pounds per year / 2,000 = 81.76 tons per year).

As previously stated, solid waste facilities can provide adequate disposal capacity for cumulative demand over at least the next twenty-five years. Combined with the state and City's mandatory source reduction and recycling programs, the Project is not forecast to cause a significant adverse impact on the waste disposal system due to the available capacities at nearby landfills. Therefore, the proposed project would have a less than significant potential to generate solid waste in excess of State or local standards, or over the capacity of local infrastructure, or otherwise, impair the attainment of solid waste reduction goals. Therefore, operational impacts regarding excess solid waste would be less than significant.

e)	Comply managen regulation	with nent ns rela	federa and re ited to so	al, state eduction olid waste	, and statutes ?	local and		\square	

Response:

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

Less Than Significant Impact

Assembly Bill 341 (AB 341; Chapter 476, Statutes of 2011) increases the statewide waste diversion goal to 75 percent by 2020, and mandates recycling for commercial and multi-family residential land uses. The project would include storage areas for recyclable materials in accordance with AB 341.

Assembly Bill 1826 (AB 1826; California Public Resources Code §§ 42649.8 et seq.) requires the recycling of organic matter by businesses and multifamily residences of five or more units generating such wastes in amounts over certain thresholds. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. Multifamily residences are not required to have a food waste diversion program. The project does not propose uses that would generate substantial amounts of food waste, such as grocery retailing or restaurant use. Landscaping waste would be composted in accordance with AB 1826. Therefore, impacts regarding federal, state, and local management and reduction statutes and regulations related to solid waste would be less than significant.

Sources:

- 1. EMWD (Eastern Municipal Water District. 2021. Groundwater Reliability Plus: Securing Our Future [information booklet].
- 2. MWD, 2022, Metropolitan's Treatment Plants, Accessed online at https://www.mwdh2o.com/yourwater/water-quality-and-treatment?keywords=Mills on January 30, 2023.

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact				
 CDF (California Department of Finance), 2022. Table E-5 Population and Housing Estimates. RECON Environmental Inc. 2021. MoVal 2040 Draft Environmental Impact Report. RCFCD (Riverside County Flood Control District). 2022. Master Drainage Plan for Riverside 								
 County. 6. Waber Consultants, Inc. 2022a. Preliminary Water Quality Management Plan for the Valley Gardens Project. Prepared for Moreno Valley Garden, LLC. October 21, 2022. 7. Waber Consultants, Inc. 2022b. Preliminary WQMP Site Plan for the Valley Gardens Project. Prepared for Moreno Valley Garden, LLC. October 18, 2022. 8. (MVU, 2020) Moreno Valley Utility Annual Report 2019-2020. Accessed at https://www.moval.org/mvu/pubs/MVU-2020-AnnualReport/index.html on January 30, 2023. 9. (CGEU, 2020) 2020 California Gas Report. Accessed online at https://www.socalgas.com/sites/default/files/2020-10/2020_California_Gas_Report_Joint_Utility_Biennial_Comprehensive_Filing.pdf on October 27, 2022. 10. CalRecycle, 2019. Jurisdiction Disposal by Facility. Accessed online at https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility on January 30, 2023. 11. CalRecycle. 2021. Solid Waste Landfill Data. Accessed online at https://www2.calrecycle.ca.gov/LandfillTipFees on January 30, 2023. 12. CalRecycle. 2023a. Badlands Sanitary Landfill SWIS. Accessed online at https://www.solaga.com/Landfill SWIS. Accessed online at https://www.solaga.com/LandfillTipFees.com/Landfill SWIS. Accessed online at https://www.solaga.com/Landfill SWIS. Accessed online at https								
30, 2023. 13. CalRecycle. 2023b. Badlands Sanitary https://www2.calrecycle.ca.gov/SolidWaste/Si 30, 2023.	 Landfill teActivity/Deta 	SWIS. / ails/2245?site	Accessed o ID=2367 on	nline at January				
 XX. WILDFIRE – If located in or near state responses hazard severity zones, would the project: a) Substantially impair an adopted emergency 	nsibility areas	or lands class	sified as very	high fire				
response plan or emergency evacuation plan?								
No Impact The project site is not located in a Very High Fire Hazard Severity Zone (VHFHSZ) within a Local Responsibility Area (LRA), that is, where cities or counties are responsible for the costs of wildfire prevention and suppression. The nearest VHFHSZ in LRA to the project site is about 2.1 miles to the east in the city of Moreno Valley. The project site is not located in a State Responsibility Area (SRA), i.e., where the State is responsible for the costs of wildfire prevention and suppression. The nearest Curve project site is in unincorporated Riverside County approximately three miles to the north. Therefore, the proposed project would have no impact in this regard.								
 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: c) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project 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?								
No Impact As indicated under item a) above, the project site is n LRA. Therefore, the proposed project would not, "d	ot located in o lue to slope,	or near a SRA prevailing wi	or a VHFHS	Z within a er factors,				

2.b

ISSUES & SUPPORTING INFORMATION SOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact				
exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire" and as such would have 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 SRA, nor is the project site in or near a VHFHSZ. The project would not require the installation or maintenance of infrastructure that may exacerbate fire risk. Therefore, the proposed project would have no impact in this regard.								
 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? 								
As indicated under item a) above the project site is not located in or near a SRA or a VHFHSZs within a LRA. Therefore, the proposed project would not, "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" and as such would have no impact.								
Sources.								
 CAL FIRE, 2022, Fire Hazard Severity Zones. Accessed at https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildfire- preparedness/fire-hazard-severity-zones/ on September 13, 2022 City of Moreno Valley, 2022g, MV Current Projects. Accessed at: https://www.moval.org/cdd/documents/about- projects.html#:~:text=Moreno%20Valley%20Mall%20Redevelopment&text=Remodeling%20the %20overall%20mall%20site,building%20of%20approximately%2060%2C000SF. Accessed on November 3, 2022. 								
XXI. MANDATORY FINDINGS OF SIGNIF	ICANCE							
 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								

Page 149

Attachment: Exhibit A - Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (6373 : PEN21-0250 -

Potentially	
Significant	
Impact	
	1

Less Than

Significant

with

Mitigation

Less Than Significant Impact 2.b

The project site is located in an urbanized area and provides generally low-quality habitat for special status plant and wildlife species. The project site itself has a relatively flat topography, with elevations ranging from 1,560 feet to 1,568 feet above mean sea level (AMSL). The project site is currently undeveloped. Two land cover types occur within the BSA and they are each described later in **IV**. The project area has

I wo land cover types occur within the BSA and they are each described later in **IV**. The project area has been mowed or disked regularly to maintain its cleared condition. There is evidence of dumping and vehicle use across the site. Several ornamental trees are distributed in the offsite residential areas in the BSA. Plant and wildlife species were recorded during the habitat assessment survey and other surveys (see Attachment G of **Appendix C1**, *Plant and Wildlife Species Recorded During the Field Surveys*).

To maintain compliance with the MSHCP, the project proponent will implement mitigation measure **BIO-**1, to survey the site for the presence of burrowing owls (BUOW) prior to the commencement of construction activities. If any BUOW is observed during the focused BUOW survey then the project proponent will confer with the City of Moreno Valley, the County of Riverside Environmental Programs Department (EPD), and CDFW to determine how to minimize impacts to existing BUOW. Implementation of mitigation measure **BIO-1** would reduce impacts to BUOW to a less than significant level.

Areas of the project site within the biological study area (BSA) contain large ornamental trees that could potentially provide suitable nesting habitats for bird species (year-round residents, seasonal residents, and migrants). A majority of the birds observed during the field surveys and those birds that could potentially breed within the BSA are protected by the MBTA and Fish and Game Code § 3503, § 3503.5, and § 3513. Refer to the recommended mitigation measures referenced below which would reduce potential project impacts on biological resources. It is anticipated that vibration, dust, and other disturbances resulting from the project activities could adversely affect the nesting behaviors of these birds. Implementation of **BIO-2**, to conduct a focused BUOW survey as required by the MSHCP, would reduce impacts on BUOW to a less than significant level. Implementation of **BIO-3** and **BIO-4** would provide for a qualified biologist to monitor project activities and implementation of best management practices, as required by the MSHCP. Implementation of mitigation measures **BIO-1** thru **BIO-4** would reduce impacts to biological resources to less than significant.

Impacts on archaeological resources that may be buried in site soils were determined to be significant without mitigation. Such impacts would be less than significant after the implementation of mitigation measure **CUL-1**. Impacts on human remains that may be buried in site soils were determined to be significant without mitigation. Implementation of mitigation measure **CUL-2** would reduce that impact to less than significant.

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

In the short term, there would be a potential for cumulative effects on traffic, air quality, and noise if other development projects were implemented concurrently with the project. However, there are no development projects within 0.5 miles of the project site listed on the City of Moreno Valley Community Development Current Project webpage.

c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	\square	
Re	snonse'		

Less than Significant Impact with Mitigation Incorporated

ISSUES & SUPPORTING INFORMATION SOURCES:

Potentially	Less T Signifi
Significant	wit
Impact	Mitiga
	Incorpo

han

cant

tion

rated

Less Than Significant Impact

The project geotechnical evaluation report determined that the site is located in an area of expansive clay soils. Project impacts arising from expansive soils would be significant without mitigation. Mitigation measure **GEO-1** requires the implementation of applicable recommendations provided in the Preliminary Geotechnical Evaluation Report. Impacts related to unstable soils would be less than significant after the implementation of mitigation measure **GEO-1**.

Project construction would generate noise at nearby residences exceeding the City of Moreno Valley Municipal Code limits. Implementation of mitigation measures **N-1** and **N-10**, the project would result in less than significant impacts to sensitive receivers.

Tribal cultural resources could be buried in site soils. Project site grading and project construction could damage such resources. Implementation of mitigation measures **TCR-1** through **TCR-9** would reduce these impacts to less than significant. The AB 52 Process with the Native American tribes has been completed; all Native American concerns have been addressed by the City's nine Cultural Resource mitigation measures.

2.b

Packet Pg. 229

<u>Exhibit B</u>

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

CITY OF MORENO VALLEY NOTICE OF INTENT MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the City of Moreno Valley is considering a recommendation that the project herein identified will have no significant environmental impact in compliance with Section 15070 of the CEQA guidelines. A copy of the **MITIGATED NEGATIVE DECLARATION** and the **ENVIRONMENTAL CHECKLIST**, which supports the proposed findings, are on file at the City of Moreno Valley.

Project:	Plot Plan (PEN21-0250)
	Tentative Parcel Map (PEN21-0251)
Applicant:	Irwin Partners Architects
Owner:	Tran Chung and Mai-Anh Chung
Location:	13989 Moreno Rose Place (APN: 479-220-024)
Proposal:	Plot Plan for a 64-unit apartment complex and a Tentative Parcel Map to subdivide an 8.99-acre site into two parcels.

Council District: 3

This Notice of Intent (NOI) has been prepared to notify agencies and interested parties that the City of Moreno Valley, as the Lead Agency, has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) pursuant to the requirements of the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with construction and operation of the project as described below.

<u>Project Description</u>: The applicant proposes a Plot Plan for a 64-unit apartment complex and a Tentative Parcel Map to subdivide an 8.99-acre site into two parcels, located on the north side of Alessandro Boulevard and east of Flaming Arrow Drive in the COMU - Corridor Mixed-Use District.

The Project site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

<u>Document Availability:</u> The Initial Study/Mitigated Negative Declaration, and all documents incorporated and/or referenced therein, can be reviewed during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and Friday, 7:30 a.m. to 4:30 p.m.) at the City of Moreno Valley Planning Division counter, located at 14177 Frederick Street, Moreno Valley, CA 92553. The documents may also be reviewed on the City's website at <u>http://www.moreno-valley.ca.us/cdd/documents/about-projects.html.</u>

<u>Potential Environmental Impacts</u>: The City of Moreno Valley has prepared an Initial Study to determine the environmental effects associated with the above actions and finds the issuance of a Mitigated Negative Declaration is the appropriate level of environmental review. The Initial Study/Mitigated Negative Declaration concludes that all potentially significant impacts of the Project would be mitigated to a less than significant level.

<u>Comment Deadline:</u> Pursuant to Section 15105(b) of the CEQA Guidelines, the City has established a 20-day public review period for the Initial Study/Mitigated Negative Declaration, which begins August 31, 2023, and ends September 20, 2023. Written comments on the Initial Study/Mitigated Negative Declaration must be received at the City of Moreno Valley Community Development Department by no later than the conclusion of the 20-day review period, 5:30 p.m. on September 20, 2023. Written comments on the Initial Study/Mitigated Negative Declaration should be addressed to:

Danielle Harper-Scott, Associate Planner 14177 Frederick Street Post Office Box 88005 Moreno Valley, California 92552 Phone: (951) 413-3206 Email: planningnotices@moval.org

Sean Kelleher Community Development Director Community Development Department Press-Enterprise Newspaper August 31, 2023

Date of Publication

Exhibit C

FINAL MITIGATION MONITORING AND REPORTING PROGRAM

2.d

Attachment: Exhibit C - Final Mitigation Monitoring and Reporting Program (6373 : PEN21-0250 - Valley Gardens Apartments)

MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the CEQA Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon a Mitigated Negative Declaration or an Environmental Impact Report. The MMRP ensures implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to: (1) provide a framework to document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those Mitigation Measures that are within the responsibility of the City and/or Applicant to implement.

The following table lists impacts, mitigation measures adopted by the City of Moreno Valley in connection with approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented.

Only those environmental topics for which mitigation is required are listed in this Mitigation Monitoring and Reporting Program.

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.4 Biological Resource	es			
a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	 MM BIO-1: Burrowing Owl The project area is located within an MSHCP Burrowing Owl Survey Area and contains suitable habitat to potentially support BUOW in the future. Therefore, focused BUOW surveys, census, and mapping are required by the MSHCP. A qualified biologist would conduct focused BUOW surveys in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area (MSHCP Survey Guidelines; Riverside County TLMA, 2006) during the burrowing owl nesting season. In addition, a preconstruction survey shall also be conducted within 30 days prior to the commencement of ground disturbing activities including vegetation clearing, grubbing, tree removal, or site watering. Following the completion of the focused BUOW survey, the biologist would prepare a letter report in accordance with the MSHCP Survey Guidelines summarizing the results of the survey. The report would be submitted to the City of Moreno Valley prior to initiating any ground disturbance activities. If no BUOWs or signs of BUOW are observed during the survey and concurrence is received from EPD and CDFW, project activities may begin. Additionally, if ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey shall again be necessary to minimize the possibility burrowing owl have not colonized the site since it was last disturbed. If burrowing owls are found, the same coordination described above shall be necessary. If BUOW or signs of BUOW are observed during the survey, the site would be considered occupied. The biologist would implement protection measures listed below and contact the City, EPD, and CDFW to assist in the development of avoidance, minimization, and mitigation measures (a Burrowing Owl Plan), prior to commencing project activities. The list of measures to avoid and minimize impacts to BUOWs described in the section below would be implemented. Pre-Construction BUO	Project Applicant and Qualified Biologist	Field Verification	 City of Moreno Valley City of Moreno Valley Before Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	CDFW. If no burrowing owls are observed during the survey, site preparation and construction activities may begin.			
	BUOW Protection Measures: If BUOWs or signs of BUOW are observed during the survey, then the site would be considered occupied and the biologist shall contact the City of Moreno Valley, EPD, US Fish and Wildlife Service (USFWS), and CDFW to assist in the development of avoidance, minimization, and mitigation measures discussed below, prior to commencing project activities (Riverside County TLMA, 2006). CDFW shall be sent written notification within 48 hours of detection of burrowing owls. If active nests are identified on an implementing project site during the pre-construction survey, the Project applicant shall not commence activities until no sign is present that the burrows are being used by adult or juvenile owls or following CDFW approval of a Burrowing Owl Plan as described below. If owl presence is difficult to determine, a qualified biologist shall monitor the burrows with motion- activated trail cameras for at least 24 hours to evaluate burrow occupancy. The onsite qualified biologist will verify the nesting effort has finished according to methods identified in the Burrowing Owl Plan.			
	The qualified biologist and Project Applicant shall coordinate with the City, RCA, CDFW, and USFWS to develop a Burrowing Owl Plan to be approved by the City, CDFW, and USFWS prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, relocation, monitoring, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites and details on proposed buffers if avoiding the burrowing owls or information on the adjacent or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls shall also be included in the Burrowing Owl Plan. The City will implement the Burrowing Owl Plan following CDFW, RCA, and USFWS review and approval. Construction BUOW Protection Measures: A biological monitor will be onsite to monitor any BUOW or signs of BUOW. If burrowing owls are observed within Project Site(s) during Project implementation and construction, the Project applicant shall notify CDFW immediately in writing within 48 hours of detection. A Burrowing Owl Plan will be submitted to CDFW for review and approval within			

Attachment: Exhibit C - Final Mitigation Monitoring and Reporting Program (6373 : PEN21-0250 - Valley

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	 two weeks of detection and no Project activity will continue within 1000 feet of the burrowing owls until CDFW approves the Burrowing Owl Plan. The City shall be responsible for implementing appropriate avoidance and mitigation measures, including burrow avoidance, passive or active relocation, or other appropriate mitigation measures as identified in the Burrowing Owl Plan. A final report shall be prepared by a qualified biologist documenting the results of the burrowing owl surveys and detailing avoidance, minimization, and mitigation measures. The final report will be submitted to the City and CDFW within 30 days of completion of the survey and burrowing monitoring for mitigation measures. 			
	 MM BIO-2: Pre-Construction Breeding Bird Survey To maintain compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels. Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts on migratory non-game breeding bird season to avoid potential direct impacts on migratory non-game breeding bird season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities. If project activities cannot be avoided during February 15 through September 15, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance. 	Project Applicant and Qualified Biologist	Field Verification	 City of Moreno Valley City of Moreno Valley Before and During Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	 If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required. If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no-activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have fledged, the young are no longer being cycle has finished, project activities may begin within the buffer zone. If listed bird species are observed within the project site during the preconstruction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency. Birds or their active nests will not be disturbed, captured, handled or moved. Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined inactive by a qualified biologist. 			
	 MM BIO-3: Biological Monitor As per the MSHCP requirements stated in Volume 1, Appendix C2 of the MSHCP, a qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint (Riverside County, 2003). A biological monitor shall monitor activities that result in tree or vegetation removal to minimize the likelihood of inadvertent impacts on nesting birds and special-status wildlife species, with special attention given to any protected species observed during the pre-construction breeding bird 	Project Applicant and Qualified Biologist	Field Verification	 City of Moreno Valley City of Moreno Valley During Construction

5

City of Moreno Valley

Packet Pg. 237

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	 surveys. Monitoring shall also be conducted periodically during construction activities to ensure no new nests are built during any vegetation removal or building demolition activities between February 1 and August 31. The biological monitor shall ensure that all BMPs, avoidance, protection and mitigation measures described in the relevant project permits and reports are in place and are adhered to. The biological monitor shall have the authority to temporarily halt all construction activities and all non-emergency actions if sensitive species and/or nesting birds are identified and would be directly affected. The monitor shall notify the appropriate resource agency and consult if needed. If necessary, the biological monitor shall relocate the individual outside of the work area where it will not be harmed. Work can continue at the location if the applicant and the consulted resource agency determine that the activity will not result in adverse effects on the species. The appropriate agencies shall be notified if a dead or injured protected species is located within the project site. Written notification shall be made within 15 days of the date and time of the finding or incident (if known) and must include; location of the carcass, a photograph, cause of death (if known), and other pertinent information. 			
	 MM BIO-4: Construction Best Management Practices Project work crews will be directed to use BMPs where applicable. These measures will be identified prior to construction and incorporated into the construction operations. Implementation of this conservation measure will help to avoid, eliminate or reduce impacts on sensitive biological resources, such as special-status terrestrial wildlife species, to less than significant levels. Standard BMPs as outlined in the MSHCP (MSHCP, Volume 1, Appendix C3) and that apply to construction of this project, and that are not incorporated to other mitigation measures proposed for this project are as follows: Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements. Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials 	Project Applicant and Construction Contractor	Field Verification	 City of Moreno Valley City of Moreno Valley During Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	 shall be reported to appropriate entities including but not limited to applicable jurisdictional city, FWS, and CDFW, RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas. The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these BMPs. 			
4.5 Cultural Resources				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to <u>§15064.5</u> ?	MM 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 located on Parcel 1 of Parcel Map 38599. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) including Pechanga Band of Indians, Morongo Band of Mission Indians, the contractor, and the City, shall develop a Cultural Resources Monitoring Plan (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 Consulting Tribal representatives; 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	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities
	MM CR 2 Native American Monitoring. Prior to the issuance of a grading permit(s), the Developer shall secure agreements with the Pechanga Band of Indians and Morongo Band of Mission 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 pregrading 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.	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities

2.d

7

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	 MM CR 3 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. The protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, human remains/cremations, sacred and ceremonial items, including any newly discovered cultural resource deposits that shall be subject to a cultural resource valuation. f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items. g. Contact information of relevant individuals for the Project. 	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities
	 MM CR 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: 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 	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities

City of Moreno Valley

Attachment: Exhibit C - Final Mitigation Monitoring and Reporting Program (6373 : PEN21-0250 - Valley

Packet Pg. 240

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	 the integrity of the resources. ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-3. 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. 			
	MM CR 5The 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 and/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.	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities
	MM CR 6 Inadvertent Finds . If potential historic or cultural resources are uncovered during excavation or construction activities at the project site (Parcel 1 of Parcel Map 38599) 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's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until a treatment plan has been prepared and approved by all Consulting Parties, then work may resume after the treatment plan has been completed. Work shall be	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities

City of Moreno Valley

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	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-3 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 and Consulting Tribes for their review and approval prior to implementation of the said plan. MM CR 7 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's 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 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). Level of Significance After Mitigation With implementation of mitigation measures MM CUL-1 through MM CUL-7 described above, the project would result in less than signific			

10

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
c) Disturb any human remains, including those interred outside of formally dedicated cemeteries?	 MM CR 8 Human Remains. If human remains and/or cremations are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. a. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98. b. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5. c. The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PC §5097.98 No photographs are to be taken except by the coroner, with written approval by the consulting TribeIs1. 	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction activities
	MM CR 9 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,	Qualified Archaeologist and Project Construction Contractor	Field Verification	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department

2.d

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	 pursuant to the specific exemption set forth in California Government Code 6254 (r). Level of Significance After Mitigation With adherence to applicable codes and regulations protecting cultural resources and with implementation of mitigation measures MM CUL-8 and MM CUL-9 described above, the proposed project would result in less than significant impacts to human remains. 			3. During construction activities
4.7 Geology and Soils				
Threshold 4.7d): Would the project be located on expansive soil, as defined in Table 18-1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	MM GEO-1 Incorporation of and compliance with the Conclusions and Recommendations detailed in the Preliminary Geotechnical Engineering Investigation. All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical report on the project site that has been prepared by NorCal Engineering, titled Preliminary Geotechnical Engineering Investigation (NorCal, 2020). Design, grading, and construction shall be performed in accordance with the requirements of the City of Moreno Valley and the California Building Code (CBC) applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review by the City of Moreno Valley Community Development Department, or designee, prior to commencement of grading activities.	Project Applicant, Project Architect, and Project Construction Contractor	Implement Recommendati ons	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During project design and project construction activities
Threshold 4.7 f): Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	MM GEO-2 Prior to the issuance of the grading permit, the applicant shall provide a letter to the City of Moreno Valley Planning Department, or designee, from a qualified paleontologist stating that the paleontologist has been retained to provide services for the project. The paleontologist shall develop, as needed, a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist on site for review and approval by the City. The PRIMP shall require that the paleontologist perform paleontological monitoring of any ground-disturbing activities within undisturbed native sediments during mass grading, site preparation, and underground utility installation. The project paleontologist may reevaluate the necessity for paleontological monitoring after 50 percent or greater of the excavations have been completed. In the event paleontological resources	Project Applicant, Qualified Paleontologist, and Construction Contractor	Monitoring, Assessment, Recovery, and Curation	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During project construction activities

City of Moreno Valley

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. Criteria for discard of specific fossil specimens will be made explicit. If the qualified paleontologist determines that impacts on a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if a significant fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage, and treatment shall be done at the Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.			
4.13 Noise				
Threshold 4.13 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?	 MM N-1 The following noise control measures shall be applied to new single-family dwellings exposed to noise along major roadways: a. Install sound barriers (masonry walls or walls with earth berms) between residences and noise sources. b. Install double-paned or similar sound rated windows. c. Provide sound insulating exterior walls and roofing systems. d. Locate and/or design attic vents to minimize sound propagation into each home. e. Provide forced-air ventilation systems. f. Place dwellings as far as practical from the noise source. MM N-2 Acoustical analyses shall be conducted for new residential development along State Route 60. Noise control measures shall be required to reduce the amount of noise to acceptable levels (limit interior noise levels with doors and windows closed to 45 CNEL). MM N-3 Discourage residential uses where current or projected exterior noise due to aircraft over flights will exceed 65 CNEL (Policy 6.3.2).	Project Applicant and Project Construction Contractor	Contract Specifications	 City of Moreno Valley Planning Department City of Moreno Valley Planning Department During construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	MM N-4 New commercial and industrial activities (including the placement of mechanical equipment) shall be evaluated and designed to mitigate noise impacts on adjacent uses (Policy 6.5.1). MM N-5			
	Construction activities shall be operated in a manner that limits noise impacts on surrounding uses (Policy 6.5.2). MM N-6 The City shall re-evaluate designated truck routes in terms of noise impact on			
	existing land uses to determine if those established routes and the hours of their use should be adjusted to minimize exposure to truck noise (Program 6-3). MM N-7 The following uses shall require mitigation to reduce noise exposure where aurrent or future exterior point layers and 20 CNEL above the desired interior.			
	 noise level (Policy 6.3.1): a. New single-family and multiple-family residential buildings shall be insulated to achieve an interior noise level of 45 CNEL or less. Such buildings shall include sound-insulating windows, walls, roofs and ventilation systems. Sound barriers shall also be installed (e.g., masonry walls or walls with berms) between single-family residences and major roadways. 			
	 b. New libraries, hospitals and extended medical care facilities, places of worship and office uses shall be insulated to achieve interior noise levels of 50 CNEL or less. c. New schools shall be insulated to achieve interior noise levels of 45 CNEL or less. 			
	MM N-8 Where the future noise environment is likely to exceed 70 CNEL due to overflights from the joint-use airport at March, new buildings containing uses that are not addressed under Policy 6.3.1 shall require insulation to achieve interior noise levels recommended in the March Air Reserve Base Air Installation Compatible Use Zone Report (Policy 6.3.3).			
	MM N-9 The City shall enforce the California Administrative Code, Title 24 noise insulation standards for new multi-family housing developments, motels and hotels (Policy 6.3.5). MM N-10			

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	Building construction shall be prohibited between 8 p.m. and 6.am. during the week and 8 p.m. and 7 a.m. weekends and holidays (Policy 6.3.6).			







PROPERTY DATA & INFORMATION

ASSESSORS PARCEL NUMBER:

479-220-024

LEGAL DESCRIPTION:

LOT 7 IN BLOCK 101 OF THE LANDS OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED RECORDED NOVEMBER 27, 1979 AS INSTRUMENT NO. 251543 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA. ALSO EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF MORENO VALLEY BY DEED RECORDED JUNE 16, 1989 AS INSTRUMENT NO. 89-198172 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

SCOPE OF WORK:

PROPOSED 2 STORY APARTMENT BUILDINGS, COMMUNITY SPACES AND NECESSARY HARDSCAPE AND LANDSCAPE.

PROPOSED LAND USE - RENTAL APARTMENTS

<u>SITE DATA</u> ZONING SITE AREA DENSITY

COMU 4.6 ACRES/ 200,519 SF (gross area) 15-25 DU / ACRE REQUIRED

OPEN SPACE (300 sf/unit)

TOTAL BUILDING FOOTPRINT LOT COVERAGE

TOTAL BUILDING AREA TOTAL PROPOSED DWELLING UNITS 13.91 DU /ACRE PROVIDED

64 x 300 = 19,200 REQ'D 86,302 SF PROVIDED 35,555 SF 35,555 SF/200,519 =**18%** 70,731 SF 64 UNITS/ 69,984 SF

PROJECT DATA

BUILDING CONSTRUCTION

OCCUPANCY TYPES	R-2							
CONSTRUCTION TY	/PE:	TYPE V-B						
SPRINKLERS:			S13R					
ALLOWABLE BUILD	ING HEIGH	Г:	2 STORIES					
			40'					
PROPOSED BUILDI	NG HEIGHT		2 STORIES					
			28'-11"					
ACTUAL BUILDING	AREA:		70,731 SF					
Building Breako	Building Breakdown							
BLDG 1 (2 STORY) 10,242	SF	(5,121 SF PER FLOOR)					
BLDG 2 (2 STORY) 10,242	SF	(5,121 SF PER FLOOR)					
BLDG 3 (2 STORY) 8,288	SF	(4,144 SF PER FLOOR)					

BLDG 2 (2 STORY)	10,242	SF	(5,121 SF PER FLOOR)
BLDG 3 (2 STORY)	8,288	SF	(4,144 SF PER FLOOR)
BLDG 4 (2 STORY)	8,288	SF	(4,144 SF PER FLOOR)
BLDG 5 (2 STORY)	8,288	SF	(4,144 SF PER FLOOR)
BLDG 6 (2 STORY)	8,288	SF	(4,144 SF PER FLOOR)
BLDG 7 (2 STORY)	10,242	SF	(5,121 SF PER FLOOR)
BLDG 8 (2 STORY)	10,242	SF	(5,121 SF PER FLOOR)

NOTE: PER CBC TABLE 506.2 THE ALLOWABLE AREA FACTOR FOR AN R-2 TYPE V-B BUILDING EQUIPPED WITH AN S13R SPRINKLER SYSTEM IS 7,000 SF PER FLOOR. SEE BREAKDOWN OF SF PER FLOOR ABOVE - ALL BUILDINGS IN COMPLIANCE.



245 Fischer Avenue, Suite B-2 Costa Mesa CA 92626 (714) 557 2448 www.ipaoc.com ARCHITECTURE PLANNING CONSULTING

Valley Gardens Moreno Valley Gardens LLC

UNIT MIX						
	Unit Name	Unit Type	Beds	Qty	Area (SF)	Total (SF)
First Floor						
	2A- ADA	2-Bed Apartment	2	8	963	7,704
	2A- ADA	2-Bed Apartment	2	8	987	7,896
	3 A - ADA	3-Bed Apartment	3	16	1,212	19,392
			80	32		34,992 sq ft
Second Floor						
	2A	2-Bed Apartment	2	8	963	7,704
	2A	2-Bed Apartment	2	8	987	7,896
	3 A	3-Bed Apartment	3	16	1,212	19,392
			80	32		34,992 sq ft
			160	64		69,984 sq ft

PROJECT TEAM

OWNER

TRAN AND MAI-ANH CHUNG MORENO VALLEY GARDENS, LLC 39903 Camden Court Temecula, CA, 92591 (917) 838-9869

ARCHITECT

IRWIN PARTNERS ARCHITECTS 245 FISCHER AVE, SUITE B-2 COSTA MESA, CA 92626 Contact: 714-557-2448 SHERRY BRAUN

CIVIL ENGINEER

WABER CONSULTANTS, INC. 19210 S. VERMONT AVENUE, STE. A115 GARDENA, CA 90248 Contact: 424-344-2464 MAHIR WABER

LANDSCAPE DESIGNER

JESSICA CENTENO ISA Certified Arborist WE-8131a Centeno's Landscaping Company, Inc. C-27 869199 Centeno's Nursery and Landscaping, Inc. 17514 S. Figueroa Street Gardena, CA 90248 Office: (310) 768-4089 Fax: (310) 719-7147

Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553

SHEET INDEX

TITLE T Title Sheet

<u>CIVIL</u>

- Site Plan 1 2
- Preliminary Grading Plan Preliminary Grading Plan Preliminary WQMP Site Plan 4 5 Tentative Parcel Map

Architectural

- A0 Site Plan
- First Floor Plan A1
- A2 Second Floor Plan
- A3 Roof Plan
- A4 Enlarged Unit Plans A5 Enlarged Unit Plans
- OFFICE/ MAIL ROOM A6
- 3 BR Exterior Elevations: Type 1 A7
- 3 BR Exterior Elevations: Type 2 A8
- 2 BR Exterior Elevations: Type 1 A9
- A10 2 BR Exterior Elevations: Type 2 A11 Exterior Elevations: Street Views
- A12 3D View
- A13 Site Photos

LANDSCAPE

CS Cover Sheet L-1 Conceptual Landscape Plan







2.s





OWNER / DEVELOPER:

MORENO VALLEY GARDEN, LLC CONTACT: MR.TRAN CHUNG 39903 CAMDEN COURT TEMECULA, CA 92591 P (917)-838-9869 EMAIL: IBTCHUNG@GMAIL.COM

🗯 APPLICANT / CIVIL ENGINEER

WABER CONSULTANTS, INC. CONTACT: MAHIR WABER, PE. 19210 S.VERMONT AVE., GARDENA, CA 90248 P (424) 344-2464 F (562) 372-3282 EMAIL: MWABER@WABERCONSULTANTS.COM

PROJECT DESCRIPTION

SUBDIVIDING 1 PARCEL (APN: 479-220-024) INTO 2 ₽ PARCELS. PARCEL 1 IS UNDEVELOPED SITE. CONSTRUCTION OF EIGHT 2-STORY APARTMENT BUILDINGS WITHIN PARCEL 1. PARCEL 2 TO BE 읍 LEFT AS IS.

OWNERSHIP STATEMENT:

TENTATIVE MAP INCLUDES THE ENTIRE CONTIGUOUS OWNERSHIP OF THE LAND DIVIDER

LEGAL DESCRIPTION:

LOT 7 IN BLOCK 101 OF THE LANDS OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED RECORDED NOVEMBER 27, 1979 AS INSTRUMENT NO. 251543 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; ALSO EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF MORENO VALLEY BY DEED RECORDED JUNE 16, 1989 AS INSTRUMENT NO. 89-198172 OF OFFICIAL ≝ RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

APN 479-220-024

VICINITY MAP SCALE 1" = 1 MILE SITE STATISTICS:

ADDRESS APN LAND USE ZONING PROPOSED LAND USE FEMA FLOOD ZONE GROSS AREA: NET AREA:

BUILDINGS:

BLDG 1 - 2 STORY BLDG 2 - 2 STORY BLDG 3 - 2 STORY BLDG 4 - 2 STORY BLDG 5 - 2 STORY BLDG 6 - 2 STORY BLDG 7 - 2 STORY BLDG 8 - 2 STORY TOTAL BUILT UP AREA TOTAL LOT COVERAGE

OPEN SPACE REQUIRED (300 sf/ unit)

PROPOSED FAR

PARKING:

= 64 REQ'D SPACES 32 (2-BRD) x 2 PER UNIT 32 (2-BRD) x 2.5 PER UNIT = 80 REQ'D SPACES 64 (2-BRD) x .25 PER UNIT = 16 REQ'D SPACES TOTAL 160 SPACES REQUIRED 160 SPACES PROVIDED COVERED PARKING REQ'D : = 32 REQ'D SPACES 32 (2-BRD) x 1 32 (3-BRD) x 2 = 64 REQ'D SPACES

96 COVERED SPACES REQUIRED 103 COVERED SPACES PROVIDED

13989 MORENO ROSE PLACE, MORENO VALLEY, CA 92553

479-220-024

RENTAL APARTMENT

391,435 SF (8.99 ACRES)

391.275 SF (8.98 ACRES)

COMU

ZONE X

10,242 SF

10,242 SF

8,288 SF

8,288 SF

8,288 SF

8,288 SF

10,242 SF

10,242 SF

69,600 SF

37,381 SF

19% FAR

= 64 x 300 = 19,200 REQ'D

86,302 SF / 43.0% PROVIDED

ACCESSIBLE SPACES REQUIRED:

No. of Automobile Spaces required per 1109A.4 2% of 72 Spaces Assigned to Covered Dwelling Units = 1.44 = 2 5% of 16 Unassigned Spaces= 0.8 = 1

PRELIMINARY SITE PLAN

VALLEY GARDENS

13989 MORENO ROSE PLACE, MORENO VALLEY, CA 92553

Total Required Accessible Spaces 3

Total Provided Accessible Spaces 4 ADA PROVIDED (1 VAN ACCESSIBLE 1 COVERED)

EV FUTURES REQUIRED PER CALGREEN (10% OF TOTAL PARKING) = 160 x .10 = 16

16 FUTURE EV REQ'D / 16 FUTURE EV PROVIDED ADA VAN ADA 16 STALLS PROVIDED 16 STALLS REQUIRED (10% OF FEV TOTAL PARKING COVERED TOTAL PARKING 160 STALLS PROVIDED **BUILDING CONSTRUCTION** TYPE V-B CONSTRUCTION TYPE: ALLOWABLE BUILDING HEIGHT: 2 STORIES 40' PROPOSED BUILDING HEIGHT: 2 STORIES 28'-11" **CITY RECORD NUMBER PEN21-0251** SCALE: 1" = 30'

PLANNING CIVIL ENGINEERING SURVEYING

JOB NO.

SHEET

21036

6/12/2023

OF 5 SHEETS

Packet Pg. 250



PRELIMINARY GRADING PLAN VALLEY GARDENS

13989 MORENO ROSE PLACE, MORENO VALLEY, CA 92553

OWNER / DEVELOPER:

MORENO VALLEY GARDEN, LLC CONTACT: MR.TRAN CHUNG 39903 CAMDEN COURT TEMECULA, CA 92591 P (917)-838-9869 EMAIL: IBTCHUNG@GMAIL.COM

APPLICANT / CIVIL ENGINEER:

WABER CONSULTANTS, INC. CONTACT: MAHIR WABER, PE. 19210 S.VERMONT AVE., GARDENA, CA 90248 P (424) 344-2464 F (562) 372-3282 EMAIL: MWABER@WABERCONSULTANTS.COM

PROJECT DESCRIPTION

SUBDIVIDING 1 PARCEL (APN: 479-220-024) INTO 2 PARCELS. PARCEL 1 IS UNDEVELOPED SITE. CONSTRUCTION OF EIGHT 2-STORY APARTMENT BUILDINGS WITHIN PARCEL 1. PARCEL 2 TO BE LEFT AS IS.

OWNERSHIP STATEMENT:

TENTATIVE MAP INCLUDES THE ENTIRE CONTIGUOUS OWNERSHIP OF THE LAND DIVIDER

LEGAL DESCRIPTION:

LOT 7 IN BLOCK 101 OF THE LANDS OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE COUNTY OF RIVERSIDE BY DEED RECORDED NOVEMBER 27, 1979 AS INSTRUMENT NO. 251543 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA; ALSO EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF MORENO VALLEY BY DEED RECORDED JUNE 16, 1989 AS INSTRUMENT NO. 89-198172 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

TOPOGRAPHY

APN 479-220-024

TOPOGRAPHICAL SURVEY WAS PERFORMED ON AUGUST 17TH, 2021 BY WABER CONSULTANTS, INC.

UTILITY COMPANIES

BOX SPRINGS MUTUAL WATER COMPANY CHARTER SPECTRUM EASTERN MUNICIPAL WATER DIST EDGEMONT COMMUNITY SERVICES DISTRICT FRONTIER COMMUNICATION SC EDISON COMPANY SC GAS COMPANY SUNESYS RIVERSIDE TRANSIT AGENCY UNDERGROUND SERVICE ALERT MORENO VALLEY UTILITY ADMINISTRATION SPECIAL DISTRICTS ADMINISTRATION TRAFFIC SIGNAL MAINTENANCE (CITY)

VERIZON WIRELESS



SECTION C-C

SCALE: 1" = 5'

No. C69050

Exp. 6/30/22



SECTION B-B SCALE: 1" = 5'

THE CENTERLINE OF ALESSANDRO BOULEVARD SHOWN AS N 89° 33' 15" W, ON TRACT MAP NO. 10056, AS FILED IN BOOK 102, PAGES 67 THROUGH 73 OF MAPS, RECORDS OF RIVERSIDE COUNTY,

BASIS OF BEARINGS

CALIFORNIA, WAS USED AS THE BASIS OF BEARINGS.

LEGEND:



ABBREVIATIONS:

AC	ASPHALT CONCRETE
CF	CURB FACE
EX.	EXISTING
FF	FINISHED FLOOR
FL	FLOW LINE
MAX.	MAXIMUM
MIN.	MINIMUM
P/L	PROPERTY LINE
PCC	PORTLAND CEMENT CONCRETE
R/\//	RIGHT OF WAY

RIGHT OF WAY R/ VV **RIDGE LINE** RL

SITE STATISTICS:

LAND USE ZONING

FEMA FLOOD ZONE

GROSS AREA:

PARCEL:1

BUILDINGS:

BLDG 1 - 2 STORY

BLDG 2 - 2 STORY

BLDG 3 - 2 STORY

BLDG 4 - 2 STORY

BLDG 5 - 2 STORY

BLDG 6 - 2 STORY

BLDG 7 - 2 STORY

BLDG 8 - 2 STORY

PROPOSED FAR

PARCEL:2

TOTAL BUILT UP AREA

TOTAL LOT COVERAGE

BUILDING CONSTRUCTION

EXISTING RESIDENCE HOMES

CONSTRUCTION TYPE:

OPEN SPACE REQUIRED (300 sf/ unit)

NET AREA:

PROPOSED LAND USE

ADDRESS

APN

13989 MORENO ROSE PLACE, MORENO VALLEY, CA 92553 479-220-024 COMU RENTAL APARTMENT ZONE X

391,435 SF (8.99 ACRES) 391.275 SF (8.98 ACRES)

200,519 SQ. FT. (4.60 AC)

10,242 SF 10,242 SF 8,288 SF 8,288 SF 8,288 SF 8,288 SF 10,242 SF 10,242 SF

69,600 SF 37,381 SF

= 64 x 300 = 19,200 REQ'D 86,302 SF / 43.9% PROVIDED

19% FAR

TYPE V-B ALLOWABLE BUILDING HEIGHT: 2 STORIES 40' PROPOSED BUILDING HEIGHT: 2 STORIES 28'-11"

190,916 SQ. FT. (4.38 AC)

ESTIMATED EARTHWORK QUANTITIES 1,112 CY CUT 7,626 CY FILL 6,514 CY IMPORT EXPORT -EARTHWORK QUANTITIES SHOWN ARE RAW ESTIMATES ONLY INTENDED FOR ESTABLISHING GOVERNING AGENCY FEES.

CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE QUANTITIES FOR BID PURPOSES AND ANY EXPORT OR IMPORT REQUIRED TO BALANCE THE SITE.



EMERGENCY NUMBERS

(951) 653-6419

(877) 906-9121

(951) 928-3777

(951) 784-2632

(800) 921-8101

(800) 655-4555

(800) 427-2200

(951) 278-0400

(951) 565-5164

(800) 227-2600

(951) 413-3500

(951) 413-3480

(951) 413-3140

(800) 922-0204

CITY RECORD NUMBER PEN21-0251

PRELIMINARY GRADING PLAN

JOB NO. 21036	GARDI
 DATE: 6/12/2023	TORY
SHEET 2	21-036 VIC
OF 5 SHEETS	<.∖

Packet Pg. 251

VALLEY GARDENS 13989 MORENO ROSE PLACE, MORENO VALLEY, CA 92553



2.s


PRELIMINARY WQMP SITE PLAN

LEGEND: PROPOSED PERVIOUS AREA SOURCE CONTROL **ON-SITE STORM DRAIN INLETS** PROPOSED IMPERVIOUS AREA INDOOR & STRUCTURAL PEST CONTROL LANDSCAPE/OUTDOOR PESTICIDE USE PROPOSED BIORETENTION BASIN **REFUSE AREAS** 4 DRAINAGE BOUNDARY (A)STENCIL "NO DUMPING" SIGN NOTE BIORETENTION BASIN SHALL BE IN COMPLIANCE WITH LETTER PREPARED BY NORCAL ENGINEERING DATED MAY 9,2023, PROJECT NUMBER 22686-21 BIORETENTION BASIN AREA SHOULD ONLY BE VEGETATED BY THE APPROVED WQMP BMP VEGETATION LIST. VARIES (PER PLAN) - WATER SURFACE 4" OVERFLOW -LEVEL FREEBOARD DRAIN WITH · 3" MULCH ATRIUM GRATE LAYER 4:1 MAX. SLOPE 4:1 MAX. SLOPE \sim 3'-0" TOP SOIL7 PLANTER MIX - IMPERMEABLE NON-WOVEN GEOTEXTILE MEMBRANE 11-3" RESERVOIR COURSE IMPERMEABLE NON-WOVEN - 3" FILTER WASHED GRAVEL LAYER GEOTEXTILE MEMBRANE COURSE (ASTM #57) 6" PERFORATED -PVC PIPE SCH 40 IMPERMEABLE NON-WOVEN INVERT PER GEOTEXTILE MEMBRANE GRADING PLAN (TYP.) BIORETENTION BASIN TYPICAL SECTION SCALE: 1" = 2'-0" A_{REQUIRED} (SF) A_{PROVIDED} (SF) BMP TYPE DMA 72 AREA - 1 **BIORETENTION BASIN** 80 AREA - 2 **BIORETENTION BASIN** 154 168 AREA - 3 83 98 **BIORETENTION BASIN**

AREA - 16	BIORETENTION BASIN	92	97
AREA - 15	BIORETENTION BASIN	240	238
AREA - 14	BIORETENTION BASIN	119	118
AREA - 13	BIORETENTION BASIN	164	192
AREA - 12	BIORETENTION BASIN	98	104
AREA - 11	BIORETENTION BASIN	67	67
AREA - 10	BIORETENTION BASIN	72	81
AREA - 9	BIORETENTION BASIN	158	159
AREA - 8	BIORETENTION BASIN	145	149
AREA - 7	BIORETENTION BASIN	79	81
AREA - 6	BIORETENTION BASIN	78	81
AREA - 5	BIORETENTION BASIN	1071	1151
AREA - 4	BIORETENTION BASIN	448	453





PRELIMINARY WQMP SITE PLAN VALLEY GARDENS



2.s

13989 MORENO ROSE PLACE, MORENO VALLEY, CA 92553



	R/W OR P/L
	EASEMENT LINE
	SETBACK LINE
	PROPOSED CON
1561	EXISTING CONT
	PROPOSED IMPI
	EXISTING IMPRO

	Easement for Pu Book 734 of Deed In Favor of:	BLIC UTILITIES AND INC S, PAGE 520. MIDLAND SCHOOL DI
12	EASEMENT FOR PU BOOK 744 OF DEED IN FAVOR OF:	BLIC UTILITIES AND INC S, PAGE 133. MIDLAND SCHOOL DI
13	EASEMENT FOR PU BOOK 1991, PAGE 4 IN FAVOR OF:	BLIC UTILITIES AND IN 57 OF OFFICIAL RECOR CALIFORNIA ELECTR TELEPHONE COMPAN
Λ	EASEMENT FOR PU	BLIC UTILITIES AND INC



13989 MORENO ROSE PLACE, MORENO VALLEY, CA 92553

lessandro B/v

2.s

86,302 SF / 43.9% PROVIDED

6/12/2023

6.79'



RD \mathbf{O} ALES



245 Fischer Avenue, Suite B-2 Costa Mesa CA 92626 (714) 557 2448 www.ipaoc.com ARCHITECTURE PLANNING CONSULTING

Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553

PROJECT DATA & INFORMATION

SITE DATA ASSESOR PARC	EL NUMBEF	R	479-220-024				
ZONING			COMU				
SITE AREA			4.6 ACRES/ 200,5	519 SF	(gross a	area)	
DENSITY			15-25 DU / ACRE	REQUIRE	ED	,	
			13.91DU /ACRE	PROVIDE	D		
OPEN SPACE (300) sf/unit)		64 x 300 = 19,200	REQ'D			
	,		86,302	2 SF PRC	OVIDED		
	FOOTPRINT	Г	35,555 SF				
LOT COVERAGE			35,555 SF/200,519	9 = 18%			
TOTAL BUILDING A	AREA D DWELLIN(G UNITS	70,731 SF 64 UNITS/ 69,984	SF			
PARKING ANALYS	SIS :						
32 (2-BRD) x 2 PEF	R UNIT	= 64 REQ'D	SPACES				
32 (3-BRD) x 2.5 P	ER UNIT	= 80 REQ'D	SPACES				
<u>64 (GUEST) x .25 F</u>	<u>PER UNIT</u>	<u>= 16 REQ'D</u>					
IUIAL		160 SPACE 160 SPACE	ES REQUIRED				
	NG REQ'D :						
32 (2-BRD) x 1	= 3	32 REQ'D SPAC	ES				
<u>32 (3-BRD) x 2</u>	= 6	34 REQ'D SPAC	<u>ES</u>				
	9 1	୬୦ COVERED SF I 03 COVERED S	PACES REQUIRED)			
ACCESSIBLE SPA	CES REQUI	IRED:					
No. of Automobile (Spaces requi	ired per 11004 /	-				
2% of 72 Spaces A	ssigned to C	overed Dwelling	y Units = 1.44 = 2				
5% of 16 Unassigne	ed Spaces=	0.8 = 1					
Total Required Ac	cessible Sp	aces 3					
Total Provided Acce	essible Spac	es 4 ADA PRO '	VIDED (1 VAN ACC	ESSIBLE	1 COV	ERED)	
= 16 FUTURES REG	201RED PEF REQ'D / 16	FUTURE EV PI	ROVIDED	(KING) =	160 X .	10 = 16	
	.Y Otv						
	<u></u>	EV = FUTURE ELE	CTRIC VEHICLE SPAC	E			
ADA	Р З дг	= STANDARD F	PARKING SPACE				
EV	16 ^C	= COMPACT P	ARKING SPACE				
)	55						
C	85						
	160						
1 ADA COVERED							
16 COVERED FEV	KING:102						
BUILDING CONSTRUC	CTION						
CONSTRUCTION TYPE:		TYPE V-B					
LLOWABLE BUILDING F	HEIGHI: 2	2 STORIES 40'					
ROPOSED BUILDING HI	EIGHT: 2	2 STORIES					
	2	28'-11"					
	/N						
BLDG 2 (2 STORY) 1	0,242 SF ((5,121 SF PER FLC	JOR)				
BLDG 3 (2 STORY)	8,288 SF	(4,144 SF PER FLC	DOR)				
BLDG 4 (2 STORY)	8,288 SF ((4,144 SF PER FLC)OR)				
BLDG 6 (2 STORY)	0,200 SF (8,288 SF ((4,144 SF PER FLC) DOR)				
BLDG 7 (2 STORY) 1	0,242 SF	(5,121 SF PER FLC) DOR)				
BLDG 8 (2 STORY) 1	0,242 SF ((5,121 SF PER FLC)OR)				
IOTE: PER CBC TABLE ! SUILDING EQUIPPED WI	506.2 THE ALLO ITH AN S13R SI PER FLOOR AF	OWABLE AREA FAC PRINKLER SYSTEM BOVE - ALL BUIL איזס וו	TOR FOR AN R-2 TYPE V IS 7,000 SF PER FLOOR VGS IN COMPLIANCF	/-В			
-		-					
JNIT MIX				Dede	01		Total /SI
First Floor		опи туре		Deus	હાપ્ર		
	2A- ADA	2-Bed Apartme	nt	2	8	963	7,70
:	2A- ADA	2-Bed Apartme	nt	2	8	987	7,89
	3 A - ADA	з-вед Apartme	nt	3 80	16 32	1,212	19,39 34,992 sa 1
							· •
Second Floor							
Second Floor	2A 2A	2-Bed Apartme	nt	2	8 8	963 987	7,70
Second Floor	2A 2A 3 A	2-Bed Apartme 2-Bed Apartme 3-Bed Apartme	nt nt	2 2 3	8 8 16	963 987 1.212	7,70 7,89 19 39
Second Floor	2A 2A 3 A	2-Bed Apartme 2-Bed Apartme 3-Bed Apartme	nt nt	2 2 3 80	8 8 16 32	963 987 1,212	7,70 7,89 19,39 34,992 sa 1
Second Floor	20	2 Rod Anautra	nt	0	0	060	



Site Plan

SCALE: 1" = 30'







Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553

2.s

A











Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553





Overall Second Floor SCALE: 1" = 20'





PROJECT NO: 210 PLOT DATE: 11/30/2022 21011 Moreno Valley SD-Alternate Povised plp Packet Pg. 257



















<u>3 1/2 : 12</u> <u>3 1/2 : 12</u>

Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553















Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553

2.s

PROJECT NO: 210 PLOT DATE: 11/30/2022 21011 Moreno Valley SD-Alternate Povised plp Packet Pg. 259

A٠







Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553













Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553

COLOR SCHEME 1:

OFFICE/ MAIL ROOM A











Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553

COLOR SCHEME 1:

2

<u>COLOR 2:</u>

1 <u>COLOR 1 :</u> DUNN EDWARDS DE 340 WHISPER

+19'-4"

3 Roof

+10'-3" 2 Second Floor

1 First Floor

DUNN EDWARDS DE 6298 AGATE GREEN

3 FASCIA, TRIM: DUNN EDWARDS DE 791 CLOUD

+19'-4" 3 Roof

+10'-3" 2 Second Floor

±0" 1 First Floor 3 BR - Rear Elevation



4

ACCENT / SHUTTERS:

DUNN EDWARDS DET 580 MIDNIGHT SUN

OWENS CORNING COOL ROOF ASPHALT SHINGLES COLOR: NIGHT SKY





PROJECT NO: 210 PLOT DATE: 11/30/2022 21011 Moreno Valley SD-Alternate Povised plp Packet Pg. 262













245 Fischer Avenue, Suite B-2 Costa Mesa CA 92626 (714) 557 2448 www.ipaoc.com ARCHITECTURE PLANNING CONSULTING



SCALE: 1/8" = 1'-0"

Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553





2.s











Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553

COLOR SCHEME 1:

1 <u>COLOR 1 :</u> DUNN EDWARDS DE 340 WHISPER

2 <u>COLOR 2:</u> DUNN EDWARDS DE 6298 AGATE GREEN

> 3 FASCIA, TRIM: DUNN EDWARDS DE 791 CLOUD

DUNN EDWARDS DET 580 MIDNIGHT SUN

4 ACCENT / SHUTTERS:





ROOFING:

OWENS CORNING COOL ROOF ASPHALT SHINGLES COLOR: NIGHT SKY









____ · ___ · ___ · ___

2 BR - Front Elevation SCALE: 1/8" = 1'-0"





2 BR - Side Elevation SCALE: 1/8" = 1'-0"

Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553

A1(

2 BR Exterior Elevations: Type

COLOR SCHEME 2:

<u>COLOR 1 :</u> DUNN EDWARDS DE 6183 HOME PLATE

2 <u>COLOR 2:</u> DUNN EDWARDS DEC 750 BISON BEGE

3 DUNN EDWARDS DET 625 RECLAIMED WOOD

FASCIA, TRIM:

4 ACCENT / SHUTTERS: DUNN EDWARDS DET 580 MIDNIGHT SUN

±0" 1 First Floor

+10'-3" 2 Second Floor

+19'-4" 3 Roof

2 BR - Rear Elevation SCALE: 1/8" = 1'-0"



ROOFING:

OWENS CORNING COOL ROOF ASPHALT SHINGLES COLOR: NIGHT SKY





1

+19'-4" 3 Roof

+10'-3" 2 Second Floor

±0" 1 First Floor

2.s











ļIJ

Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553 2.s



PROJECT NO: 210 PLOT DATE: 11/30/2022 21011 Moreno Valley SD-Alternate Provised pln Packet Pg. 266

Exterior Elevations: Street View

SARAH ST SCALE: 1/16" = 1'-0"











Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553



PROJECT NO: 210 PLOT DATE: 11/30/2022 21011 Moreno Valley SD-Alternate Povieed plp Packet Pg. 267









Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553



PROJECT NO: 210 PLOT DATE: 11/30/2022 21011 Moreno Valley SD-Alternate Povised pla Packet Pg. 268





Valley Gardens

Moreno Valley Gardens LLC Alessandro Blvd, Sarah St Moreno Valley,CA 92553



SCALE: 1" = 30'



PROJECT NO: 210 PLOT DATE: 11/30/2022 21011 Moreno Valley SD-Alternate Poviced plp Packet Pg. 269



2.s



					1
					1
					i
					1
					i
					i
					1



PLANT	SCHEDULE

SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	<u>QTY</u>	WATER USE	MATURE HEIGHT	MATURE WIDTH
£+	Agave attenuata	Foxtail Agave	5 gal.	67	Low	18 - 6' ht.	3 - 6ft. w.
$\langle \Sigma \rangle$	Arbutus unedo 'Oktoberfest'	Oktoberfest Strawberry Tree	15 gal.	27	Low - Medium	6 - 10ft. ht.	
200 - 5- 5- 5- 5- 5- 5- 5- 5- 5- 5- 5- 5- 5	Caesalpinia pulcherrima	Red Bird Of Paradise	5 gal.	111	Low - Medium	6 - ' ht.	6 - ' w.
\bigoplus	Dianella caerulea 'DBB03' TM	Cassa Blue Flax Lily	5 gal.	93	Medium	6 - 18in. ht.	1 - 3ft. w.
	Dietes vegeta 'Variegata'	Variegated African Iris	5 gal.	250	Medium	18 - 36in. ht.	1 - 3ft. w.
\bigcirc	Lomandra longifolia 'Breeze' TM	Breeze Mat Rush		231	Low	18 - 36in. ht.	1 - 3ft. w.
$\bigcirc \bigcirc$	Muhlenbergia capillaris 'Pink Cloud'	Pink Cloud Pink Muhly Grass	1 gal.	122	Low - Medium	3 - 6ft. ht.	3 - 6ft. w.
\	Muhlenbergia rigens	Deer Grass	5 gal.	174	Low - Medium	3 - 6ft. ht.	3 - 6ft. w.
$\langle \cdot \rangle$	Olea europaea 'Little Ollie' TM	Little Ollie Olive	5 gal.	116	Very low - Low	3 - 6ft. ht.	3 - 6ft. w.
\bigcirc	Phormium tenax 'Bronze Baby'	Bronze Baby New Zealand Flax	5 gal.	166	Low - Medium	18 - 36in. ht.	1 - 3ft. w.
\bigcirc	Rhaphiolepis umbellata 'Minor'	Dwarf Yedda Hawthorne Standard	5 gal.	33	Low - Medium	3 - 6ft. ht.	3 - 6ft. w.
\bigcirc	Salvia clevelandii 'Allen Chickering'	Allen Chickering Cleveland Sage	1 gal.	18	Very low - Low	3 - 6ft. ht.	3 - 6ft. w.
	Strelitzia reginae	Bird Of Paradise	15 gal.	31	Medium	< - 6' ht.	3 - 6ft. w.

PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER		<u>QTY</u>	WATER USE	MATURE HEIGHT	MATURE WIDTH
<	Cercidium x 'Desert Museum'	Desert Museum Palo Verde	15 gal.			4	Very low	15 - ' ht.	15 - ' w.
Ð	Lagerstroemia indica x fauriei 'Natchez' Standard Form	Natchez Crape Myrtle	36"			20	Low - Medium	15 - 25ft. ht.	15 - 25ft. w.
£ • • • • • • • • • • • • • • • • • • •	Laurus x 'Saratoga'	Saratoga Hybrid Laurel	15 gal.			70	Low - Medium	25 - 40ft. ht.	15 - 25ft. w.
	Lophostemon confertus	Brisbane Box	15 gal.			13	Medium	25 - ' ht.	15 - 25ft. w.
	Olea europaea 'Fruitless' Multi-branching	Fruitless Olive	24"	Box		21	Very low - Low	15 - 25ft. ht.	15 - 25ft. w.
	Pistacia chinensis 'Sarah's Radiance' TM	Chinese Pistache	15 gal.			31	Low - Medium	25 - 40ft. ht.	
GROUND COVERS	BOTANICAL NAME	COMMON NAME	SIZE		SPACING	<u>QTY</u>	WATER USE	MATURE HEIGHT	MATURE WIDTH
	Stenotaphrum x 'Sunclipse'	Sunclipse St. Augustine Grass	sod			6,241 sf			



CONCEPTUAL LANDSCAPE PLAN



0.310.768.4089 f.310.719.7147 info@centenos-inc.com DIAL BEFORE YOU DIG DIGALER SERVING NINE SOUTHERN CALIFORNIA COUNTIES

СП ОЗЗ

 \triangleleft

GARDENS NO ROSE F LEY, CA 92

VALLEY G/ 13989 MORENC MORENO VALLE ^PN: 479-

MORENO VALLEY GARDENS, LLO I 3989 MORENO ROSE PLACE MORENO VALLEY, CA 92553 APN: 479-220-024

Date

06-17-22

||-||-22

OWNER:

Revision

Date: 10-04-21

Scale: AS NOTED

Sheet: CONCEPTUAL

-

LANDSCAPE PLAN

Drawn by: JC

Г

С

4

 \sim

Q 1 \bigcirc

~ (\

Centeno's

Landscaping Co. Inc.

2.s

From:	Rehrer, Katrina@Wildlife
То:	Danielle Harper-Scott
Cc:	OPR State Clearinghouse; Beck, Carly@Wildlife; Karin Cleary-Rose
Subject:	Mitigated Negative Declaration, Valley Garden Apartments Project (SCH 2023090006)
Date:	Wednesday, September 20, 2023 8:59:02 AM
Attachments:	image001.png 2023090006 MND City of Moreno Valley Valley Gardens Apartment Project.pdf

Warning: External Email – Watch for Email Red Flags!

Good morning Danielle,

The California Department of Fish and Wildlife (CDFW) received a Mitigated Negative Declaration from the City of Moreno Valley for the Valley Gardens Project (SCH 2023090006) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines. Thank you for the opportunity to provide comments and recommendations regarding those activities described in the Project that may affect California fish and wildlife.

To assist the City in adequately mitigating the Project's potentially significant impacts to biological resources, CDFW offers the comments and recommendations presented in the attached letter.

Please feel free to contact me should you have any questions.

Best, Katrina

Katrina Rehrer

Environmental Scientist Inland Deserts Region California Department of Fish and Wildlife 3602 Inland Empire Blvd., Suite C-220 Ontario, CA 91764 (909) 260-1998 (cell)



CHARLTON H. BONHAM, Director



2.t



State of California – Natural Resources Agency DEPARTMENT OF FISH AND WILDLIFE Inland Deserts Region 3602 Inland Empire Boulevard, Suite C-220 Ontario, CA 91764 www.wildlife.ca.gov

September 19, 2023

Ms. Danielle Harper-Scott Associate Planner 14177 Frederick Street Moreno Valley, CA 92553 danielleh@moval.org

Subject: Draft Mitigated Negative Declaration, Valley Garden Apartments Project, State Clearinghouse No. 2023090006, City of Moreno Valley, Riverside County

Dear Ms. Harper-Scott:

The California Department of Fish and Wildlife (CDFW) received a Mitigated Negative Declaration (MND) from the City of Moreno Valley (City) for the Valley Garden Apartments Project (Project) for the Project Applicant/Proponent (Tran & Mai-Anh Chung) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect state fish and wildlife resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Attachment: Public Comment Letters (6373 : PEN21-0250 - Valley Gardens Apartments)

Ms. Danielle Harper-Scott City of Moreno Valley September 19, 2023 Page 2 of 14

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 *et seq.*). Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

CDFW issued Natural Community Conservation Plan approval and take authorization in 2004 for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), as per Section 2800, et seq., of the California Fish and Game Code. The MSHCP established a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. CDFW is providing the following comments as they relate to the Project's consistency with the MSHCP and CEQA.

PROJECT DESCRIPTION AND SUMMARY

Description: The City of Moreno Valley (City; Lead Agency) and the Project Applicant (Tran & Mai-Anh Chung) are proposing the Valley Gardens Apartments Project (Project). The proposed Project will consist of the subdivision of an 8.99-acres parcel into two parcels to construct a 64-unit apartment complex composed of eight two-story buildings on approximately 4.6-acres.

Location: The Project site is located north of Alessandro Boulevard, east of Flaming Arrow Drive, south of Old Farm Street, and west of Moreno Rose Place within the City of Moreno Valley, Riverside County, California, in Township 3 South, Section 8, Range 3 West, of the U.S. Geological Survey 7.5", California topographic quadrangle map; Assessor's Parcel Number 479-220-024.

COMMENTS AND RECOMMENDATIONS

Based on the documents for review, CDFW offers the comments and recommendations below to assist the City in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions are also be included to improve the environmental document. CDFW recommends the measures or revisions below be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's CEQA mitigation, monitoring and reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

Western Riverside County Multiple Species Habitat Conservation Plan

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the CEQA document discuss any inconsistencies between a proposed project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements. The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP.

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. To be considered a covered activity, Permittees need to demonstrate that proposed actions are consistent with the MSHCP, the Permits, and the Implementing Agreement. The City is the Lead Agency and is signatory to the Implementing Agreement of the MSHCP. To demonstrate consistency with the MSHCP, as part of the CEQA review, the City shall ensure the Project pays Local Development Mitigation Fees and other relevant fees as set forth in Section 8.5 of the MSHCP; and demonstrates compliance with: 1) the policies set forth in Section 6.3.2; and 2) the Best Management Practices and the siting, construction, design, operation and maintenance guidelines as set forth in Section 7.0 and Appendix C of the MSHCP.

Specific Comments

Comment #1: Burrowing Owl

Issue: The Project may have a significant impact on burrowing owl (*Athene cunicularia*), a Species of Special Concern (SSC).

Specific impacts: Project construction and activities may result in injury or mortality of burrowing owl, disrupt natural burrowing owl breeding behavior, and reduce reproductive capacity. Also, the Project may impact breeding, wintering, and foraging habitat for the species. Habitat loss could result in local extirpation of the species and contribute to local, regional, and State-wide declines of burrowing owl.

Why impacts would occur: The MND identifies that the "project area is located within an MSHCP Burrowing Owl Survey Area and contains suitable habitat to potentially support BUOW in the future. Therefore, a focused BUOW survey is required by the MSHCP." The protocol burrowing owl focused surveys of the Project site have yet to be completed, as described in the 2006 Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area. The "Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area" specify that focused surveys for burrowing owl should be conducted, and a written report must be provided detailing results of the survey, with photographs. Without information regarding occupancy of the site and how the site may be used by owls (e.g., breeding, overwintering, foraging, etc.), the MND may not be able to determine whether the project can mitigate it's impacts to less than significant. CDFW recommends the MND be revised and circulated to provide this information. However, if the City chooses not to collect and disseminate this information, then the mitigation measure should be updated, as provided below, to address a scenario in which the site is determined to be occupied.

There is insufficient information provided to determine if the proposed avoidance and minimization measures will mitigate Project impacts below a level of significance. BIO-1 would require a no-work buffer of 50 meters around occupied burrowing owl burrows, both during the nesting season and outside breeding season to be determined by the biologist. However, this buffer may be insufficient to protect occupied burrows from the types of disturbance associated with the Project. Burrowing owls could react to low level disturbances such as surveys, drive by, or minimal ground disturbance/excavation (Environment Canada 2009). The Project could generate noise and ground vibrations more consistent with medium to high level disturbance. Project construction would generate noise and ground vibrations during daytime and nighttime earthmoving activities, demolition, tunneling, spoils hauling, and operation of large machinery. These types of disturbances could result in burrowing owls abandoning active nests, potentially causing loss of eggs or developing young, and noise could cause birds to avoid suitable nesting habitat.

Evidence impact would be significant: Burrowing owl is a SSC, an SSC is a species, subspecies, or distinct population of an animal native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

- is extirpated from the State or, in the case of birds, is extirpated in its primary season or breeding role;
- is listed as ESA-, but not CESA-, threatened, or endangered; meets the State definition of threatened or endangered but has not formally been listed;
- is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status; and/or,
- has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for CESA threatened or endangered status (CDFW 2022b). CEQA provides protection not only for ESA and CESA-listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). In addition, migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Code of Federal Regulations, Title 50, § 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds

and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). It is unlawful to take, possess, or needlessly destroy the nest or eggs of any raptor.

In California, burrowing owls are in decline primarily because of habitat loss, as well as disease, predation, and drought. Burrowing owls require specific soil and microhabitat conditions, occur in few locations within a broad habitat category of grassland and some forms of agricultural land, require a relatively large home range to support their life history requirements, occur in relatively low numbers, and are semi-colonial.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: To avoid take of active burrowing owl burrows (nests), CDFW requests the City include the following mitigation measures in the MND per below (edits are in strikethrough and **bold**), and also included in Attachment 1 "Mitigation Monitoring and Reporting Program.

MM-Bio 1: The project area is located within an MSHCP Burrowing Owl Survey Area and contains suitable habitat to potentially support BUOW in the future. Therefore, focused BUOW surveys, census, and mapping are required by the MSHCP. A qualified biologist would conduct focused BUOW surveys in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area (MSHCP Survey Guidelines; Riverside County TLMA, 2006) during the burrowing owl nesting season. In addition, a pre-construction survey shall also be conducted within 30 days prior to ground disturbance to the commencement of ground disturbing activities including vegetation clearing, grubbing, tree removal, or site watering.

Following the completion of the focused BUOW survey, the biologist would prepare a letter report in accordance with the MSHCP Survey Guidelines summarizing the results of the survey. The report would be submitted to the City of Moreno Valley prior to initiating any ground disturbance activities. If no BUOWs or signs of BUOW are observed during the survey and concurrence is received from EPD and CDFW, project activities may begin. and no further mitigation would be required. Additionally, if grounddisturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey shall again be necessary to minimize the possibility burrowing owl have not colonized the site since it was last disturbed. If burrowing owls are found, the same coordination described above shall be necessary.

If BUOW or signs of BUOW are observed during the survey, the site would be considered occupied. The biologist would implement protection measures listed below and contact the eCity, EPD, and CDFW to assist in the

development of avoidance, minimization, and mitigation measures (a **Burrowing Owl Plan**), prior to commencing project activities. The list of potential measures to avoid and minimize impacts to BUOWs described in the above section **below** would be implemented.

Planning BUOW Protection Measures: Grading, construction, and other project activities on all grassland habitat will be delayed until the qualified biologist has implemented burrow exclusion and closure. No grounddisturbing activities within 50 meters (165 feet) of an active BUOW burrow will be permitted until burrow exclusion and closure have been implemented. No destruction of foraging habitat will be permitted until burrow exclusion and closure have been implemented.

Pre-Construction BUOW Protection Measures: Prior to the initiation of grading and construction activities, a preconstruction survey for burrowing owl shall be conducted within 3 days prior to initiation of Project activities and reported to CDFW. If no burrowing owls are observed during the survey, site preparation and construction activities may begin. the biologist shall implement passive relocation of an active BUOW burrow by installing a one-way door and then permanently excluding the BUOW from returning once it is confirmed that no BUOW individuals remain in the burrow. A biological monitor will visit the site daily to verify that the burrow is empty by monitoring and scoping the burrow. Considering that there is not adequate BUOW habitat of at least 6.6 acres to which an excluded BUOW pair can relocate, the project applicant shall pay a Local Development Mitigation Fee to the County of Riverside to offset the impacts to the BUOW. All surveys and reporting required by the MSHCP will be complied with including a focused BUOW survey.

BUOW Protection Measures: If BUOWs or signs of BUOW are observed during the survey, then the site would be considered occupied and the biologist shall contact the City of Moreno Valley, EPD, **US Fish and Wildlife Service (USFWS),** and CDFW to assist in the development of avoidance, minimization, and mitigation measures discussed below, prior to commencing project activities (Riverside County TLMA, 2006). **CDFW shall** be sent written notification within 48 hours of detection of burrowing owls. If active nests are identified on an implementing project site during the pre-construction survey, the Project applicant shall not commence activities until no sign is present that the burrows are being used by adult or juvenile owls or following CDFW approval of a Burrowing Owl Plan as described below. If owl presence is difficult to determine, a qualified biologist shall monitor the burrows with motionactivated trail cameras for at least 24 hours to evaluate burrow occupancy. The onsite qualified biologist will verify the nesting effort has finished according to methods identified in the Burrowing Owl Plan.

The qualified biologist and Project Applicant shall coordinate with the City, CDFW, and USFWS to develop a Burrowing Owl Plan to be approved by the City, RCA, CDFW, and USFWS prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, relocation, monitoring, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites and details on proposed buffers if avoiding the burrowing owls or information on the adjacent or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls shall also be included in the Burrowing Owl Plan. The City will implement the Burrowing Owl Plan following CDFW, RCA, and USFWS review and approval.

Construction BUOW Protection Measures: A biological monitor will be onsite to monitor any BUOW or signs of BUOW. If any BUOW are observed then the biologist will consult with the County EPD and CDFW to determine the appropriate measures. If burrowing owls are observed within Project Site(s) during Project implementation and construction, the Project applicant shall notify CDFW immediately in writing within 48 hours of detection. A Burrowing Owl Plan will be submitted to CDFW for review and approval within two weeks of detection and no Project activity will continue within 1000 feet of the burrowing owls until CDFW approves the Burrowing Owl Plan. The City shall be responsible for implementing appropriate avoidance and mitigation measures, including burrow avoidance, passive or active relocation, or other appropriate mitigation measures as identified in the Burrowing Owl Plan.

A final report shall be prepared by a qualified biologist documenting the results of the burrowing owl surveys and detailing avoidance, minimization, and mitigation measures. The final report will be submitted to the City and CDFW within 30 days of completion of the survey and burrowing monitoring for mitigation monitoring compliance record keeping.

Additional Recommendations

Weed Management Plan. A weed management plan should be developed for the Project site and implemented during the duration of this long-term Project. On-going soil disturbance promotes establishment and growth of non-native weeds. As part of the Project, non-native weeds should be prevented from becoming established. The

Projects site should be monitored via mapping for new introductions and expansions of non-native weeds.

Mitigation and Monitoring Reporting Plan

CDFW recommends updating the MND's proposed Biological Resources Mitigation Measures to include mitigation measures recommended in this letter. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments [(Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15126.4(a)(2)]. As such, CDFW has provided comments and recommendations to assist the City in developing mitigation measures that are (1) consistent with CEQA Guidelines section 15126.4; (2) specific; (3) detailed (i.e., responsible party, timing, specific actions, location), and (4) clear for a measure to be fully enforceable and implemented successfully via mitigation, monitoring, and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097). The City is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided the City with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan (MMRP; Attachment 1).

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNNDB field survey form can be filled out and submitted online at the following link: <u>https://wildlife.ca.gov/Data/CNDDB/Submitting-Data</u>. The types of information reported to CNDDB can be found at the following link: <u>https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals</u>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND for the Valley Garden Apartments Project, State Clearinghouse No. 2023090006 to assist in identifying and

Ms. Danielle Harper-Scott City of Moreno Valley September 19, 2023 Page 9 of 14

mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts. CDFW requests that the City of Moreno Valley addresses CDFW's comments and concerns prior to adoption of the MND for the Project.

Questions regarding this letter or further coordination should be directed to Katrina Rehrer, Environmental Scientist, at katrina.rehrer@wildlife.ca.gov.

Sincerely,

DocuSigned by:

kim Freeburn -84F92FFEEFD24C8...

Kim Freeburn Environmental Program Manager

ec: California Department of Fish and Wildlife

Carly Beck, Senior Environmental Scientist Supervisor Carly.Beck@wildlife.ca.gov

U.S. Fish and Wildlife Service Karin Cleary-Rose Karin_Cleary-Rose@fws.gov

Office of Planning and Research, State Clearinghouse, Sacramento <u>state.clearinghouse@opr.ca.gov</u>.

REFERENCES

- California Department of Fish and Game (CDFG). 2012. Staff report on burrowing owl mitigation. State of California, Natural Resources Agency. Available for download at: <u>https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline=true</u>
- Francis, C.D., C.P. Ortega, and A. Cruz. 2009. Noise Pollution Changes Avian Communities and Species Interactions. Current Biology 19:1415–1419.
- Halfwerk, W., L.J.M. Holleman, C. M Lessells, H. Slabbekoorn. 2011. Negative Impact of Traffic Noise on Avian Reproductive Success. Journal of Applied Ecology 48:210–219.
- Kleist, N. J., R. P. Guralnick, A. Cruz, C. A. Lowry, and C. D. Francis. 2018. Chronic Anthropogenic Noise Disrupts Glucocorticoid Signaling and has Multiple Effects on Fitness in an Avian Community. Proceedings of the National Academy of Sciences 115: E648–E657.
- Western Riverside County Multiple Species Habitat Conservation Plan (RCA). 2006. Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area. Available for download at: https://www.wrcca.org/species/survey_protocols/burrowing_owl_survey_instructions.pdf

GAVIN NEWSOM, Governor

CHARLTON H. BONHAM, Director 🖉



CALIFORNIA PERMITMENT OF WILDLIFE WILDLIFE State of California – Natural Resources Agency DEPARTMENT OF FISH AND WILDLIFE Inland Deserts Region 3602 Inland Empire Boulevard, Suite C-220 Ontario, CA 91764 www.wildlife.ca.gov

Attachment A: Draft Mitigation and Monitoring Reporting Plan

CDFW recommends the following language to be incorporated into a future environmental document for the Project. A final MMRP shall reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.

Biological Resources (BIO)					
	Mitigation Measure (MM)	Timing	Responsible Party		
Burrowing Owl	 MM BIO-1: The project area is located within an MSHCP Burrowing Owl Survey Area and contains suitable habitat to potentially support BUOW in the future. Therefore, focused BUOW surveys, census, and mapping are required by the MSHCP. A qualified biologist would conduct focused BUOW surveys in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area (MSHCP Survey Guidelines; Riverside County TLMA, 2006) during the burrowing owl nesting season. In addition, a pre- construction survey shall also be conducted within 30 days prior to to the commencement of ground disturbing activities including vegetation clearing, grubbing, tree removal, or site watering. Following the completion of the focused BUOW survey, the biologist would prepare a letter report in accordance with the MSHCP Survey Guidelines summarizing the results of the survey. The report would be submitted to the City of Moreno Valley prior to initiating any ground disturbance activities. If no BUOWs or signs of BUOW are observed during the survey and concurrence is received from EPD and CDFW, project activities may begin. Additionally, if ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey shall again be necessary to minimize the possibility burrowing owl 	Prior to commencing ground- or vegetation disturbing activities	Project Proponent		

2.t

0	
	have not colonized the site since it was last disturbed. If burrowing owls are found, the same coordination described above shall be necessary.
	If BUOW or signs of BUOW are observed during the survey, the site would be considered occupied. The biologist would implement protection measures listed below and contact the City, EPD, and CDFW to assist in the development of avoidance, minimization, and mitigation measures (a Burrowing Owl Plan), prior to commencing project activities. The list of measures to avoid and minimize impacts to BUOWs described in the section below would be implemented.
	Pre-Construction BUOW Protection Measures : Prior to the initiation of grading and construction activities, a preconstruction survey for burrowing owl shall be conducted within 3 days prior to initiation of Project activities and reported to CDFW. If no burrowing owls are observed during the survey, site preparation and construction activities may begin.
	BUOW Protection Measures: If BUOWs or signs of BUOW are observed during the survey, then the site would be considered occupied and the biologist shall contact the City of Moreno Valley, EPD, US Fish and Wildlife Service (USFWS), and CDFW to assist in the development of avoidance, minimization, and mitigation measures discussed below, prior to commencing project activities
	(Riverside County TLMA, 2006). CDFW shall be sent written notification within 48 hours of detection of burrowing owls. If active nests are identified on an implementing project site during the pre-construction survey, the Project applicant shall not commence activities until no sign is present that the burrows are being used by adult or juvenile owls or following CDFW approval of a Burrowing Owl Plan

as described below. If owl presence is difficult to determine,	
a qualified biologist shall monitor the burrows with motion-	
activated trail cameras for at least 24 hours to evaluate	
burrow occupancy. The onsite qualified biologist will verify	
the nesting effort has finished according to methods	
identified in the Burrowing Owl Plan.	
The gualified biologist and Project Applicant shall	
coordinate with the City, RCA, CDFW, and USFWS to	
develop a Burrowing Owl Plan to be approved by the City,	
CDFW, and USFWS prior to commencing Project activities.	
The Burrowing Owl Plan shall describe proposed	
avoidance, relocation, monitoring, minimization, and/or	
mitigation actions. The Burrowing Owl Plan shall include	
the number and location of occupied burrow sites and	
details on proposed buffers if avoiding the burrowing owls	
or information on the adjacent or nearby suitable habitat	
available to owls for relocation. If no suitable habitat is	
available nearby for relocation, details regarding the	
creation and funding of artificial burrows (numbers,	
location, and type of burrows) and management activities	
for relocated owls shall also be included in the Burrowing	
Owl Plan. The City will implement the Burrowing Owl Plan	
following CDFW, RCA, and USFWS review and approval.	
Construction BUOW Protection Measures: A biological	
monitor will be onsite to monitor any BLIOW or signs of	
BLIOW If burrowing owls are observed within Project	
Site(s) during Project implementation and construction the	
Project applicant shall notify CDFW immediately in writing	
within 48 hours of detection. A Burrowing Owl Plan will be	
submitted to CDFW for review and approval within two	
weeks of detection and no Project activity will continue	
within 1000 feet of the burrowing owls until CDFW	
approves the Burrowing Owl Plan. The City shall be	
approved the Darrowing Own han. The Only shall be	

Ms. Danielle Harper-Scott City of Moreno Valley September 19, 2023 Page 14 of 14

responsible for implementing appropriate avoidance and mitigation measures, including burrow avoidance, passive or active relocation, or other appropriate mitigation measures as identified in the Burrowing Owl Plan.	
A final report shall be prepared by a qualified biologist documenting the results of the burrowing owl surveys and detailing avoidance, minimization, and mitigation measures. The final report will be submitted to the City and CDFW within 30 days of completion of the survey and burrowing monitoring for mitigation monitoring compliance record keeping.	

Warning: External Email – Watch for Email Red Flags!

Hello Ms. Harper-Scott,

Thank you for including Riverside Transit Agency in the development review of the proposed residential project on Alessandro Blvd. After reviewing the plans, there are no comments to submit for this particular project at this time.

Thank you,

Mauricio Alvarez, MBA

Planning Analyst Riverside Transit Agency p: 951.565.5260 | e: <u>malvarez@riversidetransit.com</u> <u>Website | Facebook | Twitter | Instagram</u> 1825 Third Street, Riverside, CA 92507