

Moreno Valley Business Park  
Building 5

Draft Environmental  
Impact Report

Prepared for  
City of Moreno Valley

January 10, 2025

**DRAFT ENVIRONMENTAL IMPACT REPORT**

for the

**Moreno Valley Business Park Building 5**

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# **1.0 EXECUTIVE SUMMARY**

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# 1.0 EXECUTIVE SUMMARY

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## 1.1 BACKGROUND

On or about February 2, 2021, the City Council approved the Moreno Valley Business Park (“District Project”) located on 9.98 acres of mostly vacant land at the southeast corner of Heacock Street and Ironwood Avenue in the City of Moreno Valley (“Original Project Site”). The District Project included a single industrial building of approximately 220,390 square feet.

The land use entitlements approved for the District Project included the following: a) Resolution No. 2021-07 certifying a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring Plan for the District Project pursuant to CEQA; b) Resolution No. 2021-08 approving a General Plan Amendment (PEN20-0139) changing the land use designation of the Project Site from “Commercial” to “Business Park”; c) Ordinance No. 978 approving Specific Plan Amendment 205 (PEN20-0138) to change the land use designation of the District Project Site from “Retail Commercial” to “SP205 Mixed Use”; d) Resolution No. 2021-11 approving Plot Plan (PEN20-0137) for a 220,390-square-foot light industrial building; and e) a Zone Change to change the District Project Site’s zoning designation from “Regional Commercial” to “Mix of Uses.” The Sierra Club filed a lawsuit challenging the City’s approval of the Mitigated Negative Declaration for the District Project, along with the foregoing land use approvals.

On or about October 14, 2024, the Court issued a Peremptory Writ of Mandate (“Writ”), as stipulated by the parties, in which the Court ordered the City to set aside and vacate the following approvals for the District Project: a) Resolution 2021-07 adopting a Mitigated Negative Declaration and Mitigation Monitoring Plan; b) Resolution No. 2021-08 approving General Plan Amendment PEN20-0139; c) Resolution No. 2021-11

approving Plot Plan PEN20-0137; and d) Ordinance No. 978 adopting Specific Plan Amendment PEN20-0138. The Writ further ordered the City to proceed in a manner consistent with the Writ and CEQA in connection with any “reconsideration” or “re-approval” of the District Project. The City was granted up to one-hundred eighty (180) days to file and serve a return to the Writ (“Return”) and, if necessary, to file and serve any subsequent Returns every 90 days thereafter. The purpose of the Return is to memorialize with the Court the actions taken by the City to comply with the terms and conditions of the Writ.

The Applicant, LGC 10MV, LLC, has submitted entitlement applications to develop the Project. The Project is subject to review under this Draft Environmental Impact Report (“DEIR”) pursuant to CEQA and the *CEQA Guidelines*, and as applicable, consistent with the terms and conditions of the Writ.

## **1.2 PROJECT DESCRIPTION**

Pursuant to the requirements of the California Environmental Quality Act (CEQA), this DEIR evaluates and discloses the potential environmental effects resulting from the construction and operation of the "Project", located generally at the southeast corner of Ironwood Avenue and Heacock Street (“Project Site”). The Project, consists of the following: a) a General Plan Amendment (Land Use Element) redesignating the Project Site’s General Plan Land Use Designation from “Commercial” to “Business Park/Light Industrial”; b) a Specific Plan Amendment amending the Moreno Valley Festival Specific Plan (Specific Plan No. 205), as amended by Amendment No. 1, to accommodate the development of Business Park/Light Industrial uses on the Project Site; c) related amendments to the City’s Zoning Atlas to be consistent with changes made to the Project Site’s land use designations as set forth in the 2006 General Plan and Specific Plan No 205; d) a Lot Line Adjustment or Parcel Map to combine and reconfigure the existing parcels within the Project Site to accommodate the proposed use of the Project Site; e) a Site Plan/Plot Plan addressing design and layout of the proposed uses of the Project Site; and f) Infrastructure Improvement Plans including, but not limited to, roads, sewer, water, storm water management system, and dry utilities plans.

The Moreno Valley Festival Specific Plan (Specific Plan No. 205) was adopted by the City of Moreno Valley circa 1987 (the “Original Specific Plan”). The Original Specific Plan encompassed approximately 73.74 acres located at the southeast corner of Ironwood Avenue (E – W) and Heacock Street (N – S).

The Original Specific Plan was first amended in 2018, which is known as “Specific Plan No. 205, Amendment No. 1” or “1<sup>st</sup> Amendment.” The 1<sup>st</sup> Amendment provided a wider range of land uses and development types than permitted in the Original Specific Plan, which was a response to the then current development trends. The 1<sup>st</sup> Amendment revised the land uses and development standards affecting approximately 64 acres within the Original Specific Plan area. The 1<sup>st</sup> Amendment specifically excluded properties located at the southeast corner of Ironwood Avenue at Heacock Street, which otherwise remain in Specific Plan No. 205.<sup>1</sup> The expanded range of allowable uses approved under the 1<sup>st</sup> Amendment included commercial/retail development, retail uses, and open space designations. The 1<sup>st</sup> Amendment also facilitated the extension of Davis Street north to connect with the segment of Davis Street that extends north of Ironwood Avenue.

The Project will amend the Specific Plan No. 205’s “Land Use Plan” for those properties (consisting of approximately 9.98 acres) that were excluded under the 1<sup>st</sup> Amendment. (See Figure 1.2-1, *Project Location*.) The Project will redesignate the 9.98 acres from “Retail Commercial” to “Mix of Uses,” to accommodate the development of Building 5, which will consist of up to 220,390 square feet of light industrial uses.

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<sup>1</sup> “The Specific Plan Amendment [No. 1] will not apply to the parcels at the southeast of [*sic*] corner of Ironwood Avenue and Heacock Street as identified in the Land Use Plan exhibit on page 21 of the Specific Plan Amendment [No. 1] text...” (City of Moreno Valley Ordinance No. 935, May 1, 2018, p. 2).



NOT TO SCALE  
Source: Google Earth; Applied Planning, Inc.

Figure 1.2-1  
Project Location

To maintain consistency between the changes to the Specific Plan No. 205's Land Use Plan, the Land Use Designations of the applicable 2006 General Plan will be amended to redesignate the Project Site's General Plan Land Use Designation from "Commercial" to "Business Park/Light Industrial." <sup>2</sup> This is the Land Use Designation needed to accommodate manufacturing, research and development, warehousing and distribution, as well as office and support commercial activities.

As discussed in the City General Plan, "The zoning regulations shall identify the particular uses permitted on each parcel of land. Development intensity should not exceed a Floor Area Ratio [FAR] of 1.00 and the average floor area ratio should be significantly less . . ." (City of Moreno Valley General Plan, p. 2-14). The Project will include approximately 220,390 square feet of light industrial uses within an approximately 9.98-acre (434,730 square feet) Project Site – yielding an FAR of approximately 0.51. The Project's light industrial uses are consistent with uses allowed under the Business Park/Light Industrial General Plan Land Use designation. The Project's FAR (0.51) is consistent with and would not exceed the General Plan FAR (1.0) established for the Business Park/Light Industrial General Plan Land Use designation. The Project uses would be implemented consistent with zoning established under Specific Plan No. 205, as amended herein.

This Section identifies Project background issues, provides an overview of the Project and its Objectives, and summarizes the potential environmental impacts of the Project. Table 1.14-1, *Impacts and Mitigation Summary*, presented at the conclusion of this Section, lists these impacts and presents the mitigation measures recommended to eliminate or reduce the effects of those impacts which have been determined to be potentially significant. For a full description of the Project, its impacts, recommended mitigation measures, and considered Alternatives, please see EIR Sections 3.0, 4.0, and 5.0, respectively.

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<sup>2</sup> In May 2024, the Riverside County Superior Court issued a Judgment and Writ ("Writ") directing that the City set aside certification of the 2040 General Plan EIR due to inadequacies identified in the Final Program EIR as to the issues of baseline greenhouse gas emissions (GHG), air quality, and energy use and to set aside approval of the 2040 General Plan and related Zoning Amendments. This had the effect of reviving the City's 2006 General Plan and associated zoning which applies to the Project.

### **1.3 PROJECT ELEMENTS**

Primary elements comprising the Project are summarized below. Please refer also to the expanded characterization of Project facilities and operations presented at EIR Section 3.0, *Project Description*.

#### **1.3.1 Site Preparation**

The Project area would be cleared of all surface features, grubbed, rough-graded, and fine-graded in preparation of building construction. Any debris generated during site preparation activities would be disposed of and/or recycled consistent with the City's Source Reduction and Recycling Element (SRRE). Existing grades within the Project site would be modified to establish suitable building pads and to facilitate site drainage.

#### **1.3.2 Development Concept**

The Project proposes the construction of approximately 220,390 square feet of light industrial uses within an approximately 9.98-acre site. The Project Site Plan Concept is presented at Figure 1.3-1. Final designs of all Project elements will be realized consistent with design requirements and standards identified within the Specific Plan No. 205, Amendment No. 2 document. Where the Specific Plan No. 205, Amendment No. 2 document is silent, Project designs and development shall comply with applicable provisions of the City of Moreno Valley Municipal Code.

#### **1.3.3 Access and Circulation**

Under the Project Site Plan Concept, primary access to the Project would be provided by two driveways onto Heacock Street, the site's west boundary; and one driveway onto Ironwood Avenue, the site's north boundary. The Project would also construct all site-adjacent roadway improvements as summarized below, and/or as otherwise required pursuant to the Project Conditions of Approval.

- Roadways adjacent to the Project, site access points and site-adjacent intersections would be designed and constructed consistent with City of Moreno Valley General Plan Circulation Element roadway classifications and respective cross-sections.

- On-site traffic signing and striping plans would be submitted concurrent with submittal of Project construction plans; and would be subject to City review and approval.
- Sight distance at each Project access point would conform to Caltrans and City of Moreno Valley sight distance standards; and would be subject to City review and approval.

It is anticipated that 90 percent of the Project traffic would access the Project site via the Project's Heacock Street driveway(s); and approximately 10 percent of the Project traffic would access the Project site via the Project's Ironwood Avenue driveway. Trucks accessing the Project site would travel along designated truck routes. Heacock Street and Ironwood Avenue adjacent to the Project site are both designated truck routes.

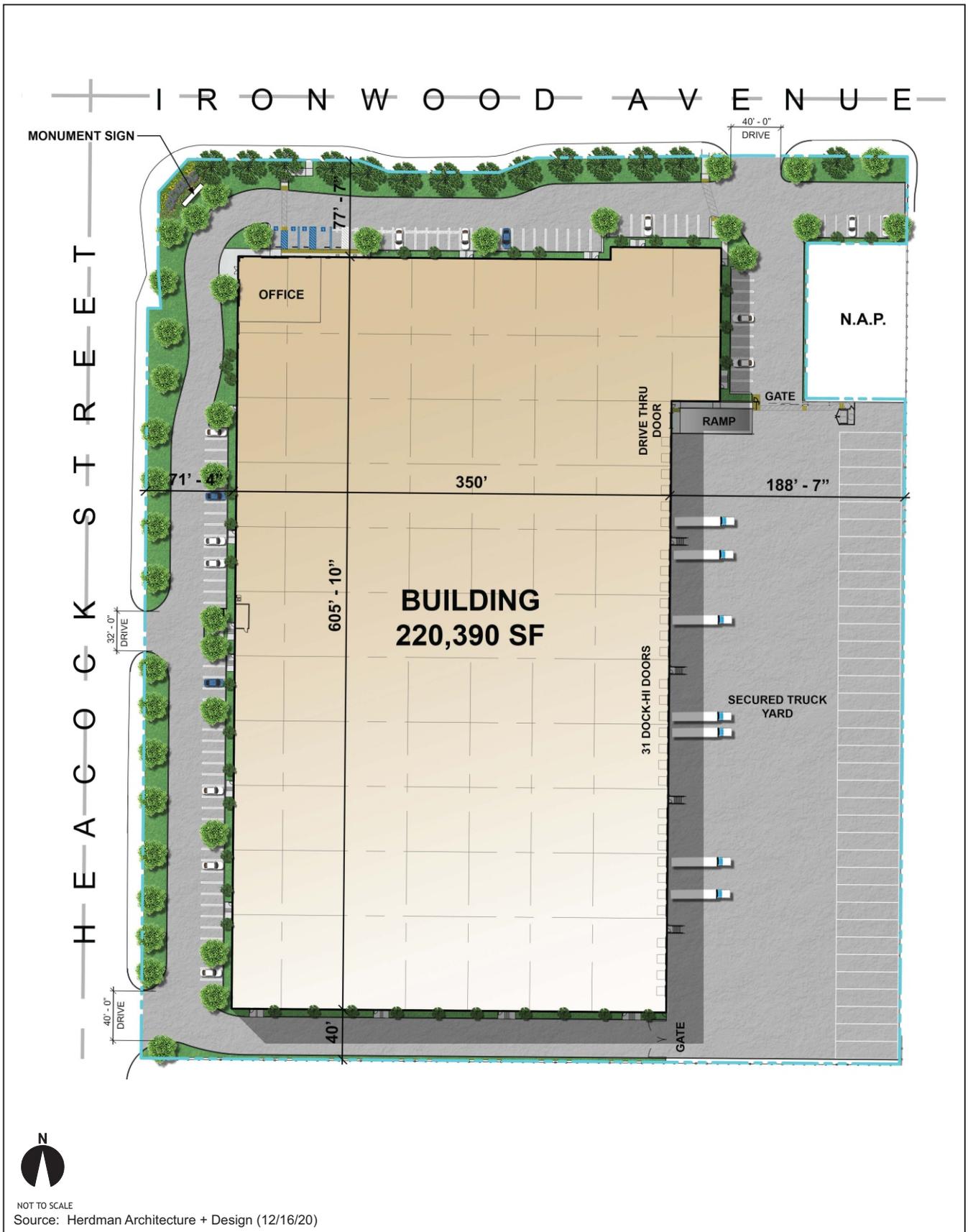
#### **1.3.4 Landscape/Hardscape**

The Project would incorporate perimeter and interior landscaping and streetscape elements, acting to generally enhance the Project's visual qualities. Proposed landscaping includes varied trees, shrubs, and ground cover. Design accents, including all landscape/hardscape designs and features are subject to City review and approval. Final design of the Project's landscaping and hardscape are subject to the City's Design Review processes.

#### **1.3.5 Walls/Screening**

Approximately 20-to-30-foot-wide landscape setbacks would be provided along the Project site's Heacock Street and Ironwood Avenue frontages, acting to screen Project parking areas and generally enhance public views of the Project site. Additionally, landscape treatments would be provided along the Project building public-facing facades acting to further screen and enhance views of the Project site. Internal site features and appurtenances including, but not limited to, loading dock areas, trash collection areas, and utility pedestals/surface utility boxes, would also be screened.

Project screening elements, including all screening walls, would be architecturally compatible with other Project facilities. Final design of all proposed screening elements are subject to City Design Review and Approval processes.



NOT TO SCALE  
 Source: Herdman Architecture + Design (12/16/20)

Figure 1.3-1  
 Site Plan Concept

### **1.3.4 Landscape/Hardscape**

The Project would incorporate perimeter and interior landscaping and streetscape elements, acting to generally enhance the Project's visual qualities. Proposed landscaping includes varied trees, shrubs, and ground cover. Design accents, including all landscape/hardscape designs and features are subject to City review and approval. Final design of the Project's landscaping and hardscape are subject to the City's Design Review processes.

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Internal site features and appurtenances including, but not limited to, loading dock areas, trash collection areas, and utility pedestals/surface utility boxes, would also be screened.

Project screening elements, including all screening walls, would be architecturally compatible with other Project facilities. Final design of all proposed screening elements are subject to City Design Review and Approval processes.

### **1.3.6 Lighting**

All Project lighting would be designed and implemented in a manner that precludes potential adverse effects of light overspill consistent with requirements identified at City Municipal Code Section 9.10.110, "Light and Glare." Municipal Code Section 9.16.280, "Applications for Lighting, General Requirements," subsection A. states:

Lighting serves both safety and aesthetic purposes, illuminating dark areas and providing for highlights and accents. Effective lighting would highlight building features, add emphasis to important spaces and create an ambience of vitality and security. The intent of these guidelines is to encourage

effective and innovative lighting to be incorporated as an integral component of a project.

Potential light overspill is addressed through Municipal Code Section 9.10.110, “Performance Standards, Light and Glare,” and would be minimized through limited use of freestanding lighting and use of fixed and shielded directional wall-mounted fixtures. The Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations.

Final design of the Project lighting plan including locations, heights, and performance standards for all Project lighting features and fixtures is subject to the City’s Design Review processes. Detailed lighting plans would be prepared in conjunction with building plan submittals, and would be subject to City Design Review and Approval processes prior to issuance of building permits.

### **1.3.7 Signs**

All signs implemented by the Project would be required to conform to a Sign Program as reviewed and approved by the City. The Sign Program would provide detailed guidelines and requirements for facility and informational signs and other graphic displays within the Project area. The Sign Program would afford prospective tenants with the maximum possible exposure in a manner that is consistent with the encompassing Project design concept, and responsive to community visual and aesthetic sensibilities.

### **1.3.8 Parking**

Parking would be provided pursuant to City parking requirements. No off-site parking is proposed, nor would it be required. Final design of parking areas would be reviewed and approved by the City through the City’s Design Review processes.

### **1.3.9 Infrastructure/Utilities**

The Project site is served by existing mainline utilities services. Primary utilities services are described below.

### **1.3.9.1 Water/Sewer Services**

Water and sewer services would be provided to the Project by the Eastern Municipal Water District (EMWD). It is anticipated that water service to the Project would be provided by connection to existing EMWD water lines located in Davis Street, and/or Heacock Street. Similarly, it is anticipated that sanitary sewer services to the Project would be provided by connection to the existing sewer main located in Davis Street, and/or Heacock Street. Alignment of service lines, and connection to existing services would be as required by EMWD. Wastewater would be conveyed from the Project for treatment at the Perris Valley Regional Water Reclamation Facility (PVRWRF).

### **1.3.9.2 Storm Water Management Systems**

All Project stormwater management systems would be subject to review and approval by the City. The implemented stormwater management system(s) would comprehensively include proposed drainage improvements, and facilities and programs which act to control and treat stormwater pollutants.

The Project would implement a Storm Water Pollution Prevention Plan (SWPPP), and Water Quality Management Plan (WQMP) consistent with City requirements. In this manner, the Project would also comply with requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit and other water quality requirements or storm water management programs specified by the Regional Water Quality Control Board (RWQCB). In combination, implementation of the Project SWPPP, WQMP, and compliance with NPDES Permit and RWQCB requirements acts to protect City and regional water quality by preventing or minimizing potential pollutant discharges to the watershed.

### **1.3.9.3 Solid Waste Management**

It is anticipated that Project-generated solid waste would be conveyed by Waste Management of the Inland Empire to one of three nearby landfills. Solid waste generated by the Project, and related potential effects on landfill capacities, are minimized through compliance with the City's Source Reduction and Recycling Element (SRRE) and incumbent CalRecycle requirements.

#### **1.3.9.4 Electricity**

Electrical service within the City is provided by Southern California Edison (SCE) and the Moreno Valley Electric Utility (MVU). SCE would provide service to the Project site. New lines installed by the Project would be placed underground. Alignment of service lines and connection to existing services would be as required by SCE. Any necessary surface-mounted equipment, such as transformers, meters, service cabinets, and the like, would be screened and would conform to building setback requirements.

To allow for, and facilitate Project development, provision of temporary SCE electrical services improvements may be required. The scope of such temporary improvements is considered be consistent with and reflected within the total scope of development proposed by the Project. Similarly, impacts resulting from the provision of temporary SCE services would not be substantively different from, or greater than, impacts resulting from development of the Project in total.

#### **1.3.9.5 Natural Gas**

Natural gas service would be provided by the Gas Company. Existing service lines would be extended to the Project uses. Alignment of service lines and connection to existing services would be as required by the Gas Company.

To allow for, and facilitate Project development, provision of temporary Gas Company services improvements may be required. The scope of such temporary improvements is considered consistent with and reflected within the total scope of development proposed by the Project. Similarly, impacts resulting from the provision of temporary Gas Company services would not be substantively different from, or greater than, impacts resulting from development of the Project in total.

#### **1.3.9.6 Communications Services**

Communications services, including wired and wireless telephone and internet services, are available through numerous private providers and would be provided on an as-needed basis. As with electrical service lines, all existing and proposed wires, conductors, conduits, raceways, and similar communications improvements within the Project area

would be installed underground. Any necessary surface-mounted equipment, e.g., terminal boxes, transformers, meters, service cabinets, etc., would be screened and would conform to building setback requirements.

To allow for, and facilitate Project development, provision of temporary communication services improvements may be required. The scope of such temporary improvements is considered consistent with and reflected within the total scope of development proposed by the Project. Similarly, impacts resulting from the provision of temporary communication services would not be substantively different from, or greater than, impacts resulting from development of the Project in total.

### **1.3.10 Energy Efficiency/Sustainability**

Consistent with the City of Moreno Valley Climate Action Plan, energy-saving and sustainable design features and operational programs would be incorporated into all facilities developed pursuant to the Project. As reviewed and approved by the City, the Project would be designed and constructed in a manner that achieves Leadership in Energy and Environmental Design (LEED) “Silver” equivalency. Preliminary Project concepts incorporate and express the following design features and attributes promoting energy efficiency and sustainability:

- The Project design concept allows for inclusion of a photo-voltaic electrical generation system (PV system) capable of generating sufficient power to serve all Project office areas. Alternatively, as a Condition of Approval, the Project would be required to obtain an equivalent amount of electricity from a utility provider that receives its energy from renewable (non-fossil fuel) sources and provide documentation to this effect to the City.
- All on-site cargo handling equipment (CHE) would be powered by non-diesel fueled engines.
- Regional vehicle miles traveled (VMT) and associated vehicular-source emissions are reduced by the following Project design features/attributes:

- Sidewalk improvements generally facilitate pedestrian access and encourage people to walk instead of drive. The Project would not impose barriers to pedestrian access and interconnectivity.
- Light industrial/warehouse uses proposed by the Project act to reduce truck travel distances and truck trips within the region by consolidating and reducing requirements for single-delivery vendor truck trips.
- To reduce water demands and associated energy use, development proposals within the Project site would be required to implement a Water Conservation Strategy and demonstrate a minimum 20% reduction in indoor water usage when compared to baseline water demand (total expected water demand without implementation of the Water Conservation Strategy).<sup>3</sup> Development proposals within the Project site would also be required to implement the following:
  - Landscaping palette emphasizing drought-tolerant plants;
  - Use of water-efficient irrigation techniques;
  - Use of EPA-Certified WaterSense labeled or equivalent faucets, high-efficiency toilets (HETs), and other plumbing fixtures.

#### **1.4 PROJECT OPERATIONS**

For analytic purposes, the following Project operational characteristics are assumed:

- The Project will be complete and fully operational by 2026, the Project Opening Year;
- The Project will be open and operational year-round, 24 hours per day, 7 days per week;

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<sup>3</sup> Reduction of 20% indoor water usage is consistent with the current CalGreen Code performance standards for residential and non-residential land uses. Per CalGreen, the reduction shall be based on the maximum allowable water use per plumbing fixture and fittings as required by the California Building Standards Code.

- A maximum of 15 percent of the Project gross floor area (33,060 square feet) will comprise refrigerated warehouse uses;
- A maximum of 15 percent of the Project gross floor area (33,060 square feet) will comprise manufacturing/fabrication uses;
- Unless otherwise noted herein, all Project operations would occur internal to the Project main building.

Project operations would also include on-site cargo handling. The most common type of cargo handling equipment is the yard truck designed for moving cargo containers. Yard trucks are also known as yard goats, utility tractors (UTRs), hustlers, yard hostlers, and yard tractors. Any yard trucks based at the Project site would be non-diesel (e.g., gasoline and/or electric-powered).

Project tenants are not yet known, and the number of jobs that the Project would generate cannot therefore be precisely determined. The City of Moreno Valley General Plan does not provide employment estimates by land use category. The City of Moreno Valley lies within Riverside County – and the Riverside County General Plan does provide employment estimates by land use type. For purposes of this analysis, employment estimates were calculated using data and average employment factors presented in the Riverside County General Plan. The Riverside County General Plan estimates that light industrial land uses, such as the Project, would employ one worker for every 1,030 SF of building area (Riverside County General Plan, Appendix E-2, Table E-5). See: <https://planning.rctlma.org/>. On this basis, it is preliminarily estimated that the Project's 220,390 square feet of light industrial uses would generate an estimated 214 jobs.

## **1.5 PROJECT OPENING YEAR**

The Project would be developed in a manner responsive to market conditions and in concert with availability of necessary infrastructure and services. The anticipated Project Opening Year is 2026.

## 1.6 PROJECT OBJECTIVES

The primary goal of the Project is to develop high quality light industrial uses accommodating a variety of prospective tenants. Complementary Project Objectives include the following:

- Implement the City Plan (General Plan) through development that is consistent with the General Plan Land Use Element as amended herein and applicable General Plan Goals, Objectives, Policies and Programs;
- Implement Specific Plan No. 205, as amended herein, through development that is consistent with the amended Specific Plan land uses and development concepts, and in total supports the Specific Plan Vision;
- Provide adequate roadway and wet and dry utility infrastructure to serve the Project;
- Accommodate light industrial uses that are compatible with adjacent land uses;
- Provide an attractive, efficient and safe environment for light industrial uses that is cognizant of natural and man-made conditions;
- Accommodate light industrial uses responsive to current and anticipated market demands;
- Establish new development that would increase locally available employment opportunities and would further the City's near-term and long-range fiscal goals and objectives; and
- Establish new development that would increase locally available employment opportunities thereby improving jobs/housing balance within the City and surrounding areas.

## 1.7 PROJECT DISCRETIONARY ACTIONS, PERMITS, CONSULTATIONS

Discretionary actions, permits and related consultation(s) necessary to approve and implement the Project include, but are not limited to, the following.

### 1.7.1 Lead Agency Discretionary Actions and Permits

*CEQA Guidelines* Section 15124 states in pertinent part that if “a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed . . .”

Requested Lead Agency decisions, or discretionary actions necessary to realize the Project would include the following:

- Certification of the Project EIR;
- Approval of a General Plan Amendment (Land Use Element), redesignating the Project site General Plan Land Use from Commercial to Business Park/Light Industrial;
- Adoption of Specific Plan No. 205, Amendment No. 2; and related amendment(s) to City Zoning Atlas;
- Approval of a Lot Line Adjustment or Parcel Map to combine and reconfigure existing parcels comprising the Project site;
- Site Plan/Plot Plan Approval(s);
- Approval of Infrastructure Improvement Plans including, but not limited to, roads, sewer, water, storm water management system, and dry utilities plans.

### 1.7.2 Other Consultation and Permits

*CEQA Guidelines* Section 15124 also states that the EIR should, to the extent known, include a list of all the agencies expected to use the EIR in their decision-making (Responsible Agencies, Trustee Agencies), and a list of other permits or approvals required to implement the Project. Based on the current Project design concept, anticipated permits necessary to realize the proposal would likely include, but are not limited to, the following:

- Tribal Resources consultation with requesting Tribes as provided for under *AB 52, Gatto. Native Americans: California Environmental Quality Act*; and *SB 18, Burton. Traditional tribal cultural places*;

- Permitting may be required by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit;
- Permitting may be required by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented within the Project area; and
- Various construction, grading, and encroachment permits allowing implementation of the Project facilities.

## **1.8 INITIAL STUDY**

The City of Moreno Valley, through the Initial Study process, has determined that the Project has the potential to cause or result in significant environmental impacts, and warranted further analysis, public review, and disclosure through the preparation of an EIR. The Initial Study (IS) and associated EIR Notice of Preparation (NOP), dated August 17, 2023, were forwarded to the California Office of Planning and Research, State Clearinghouse (SCH), and circulated for public review and comment. The State Clearinghouse established the public comment period for the NOP/IS as August 17, 2023 through September 18, 2023. The assigned State Clearinghouse reference for the Project is SCH No. 2023080366. The Initial Study, NOP, and NOP Responses are presented at Appendix A of this Draft EIR.

## **1.9 IMPACTS NOT FOUND TO BE POTENTIALLY SIGNIFICANT**

The following discussions identify and list those environmental issues that have been determined pursuant to the IS/NOP and associated public review processes to pose no potentially significant impacts, or where compliance with standard mitigation or conditions of approval would reduce certain potentially significant impacts to levels that are less-than-significant. The specific issues listed are not substantively discussed within the body of this EIR. Please refer also to related discussions and analyses presented within the Initial Study, EIR Appendix A.

### 1.9.1 Aesthetics

The Project site is located in an urbanized area. Implementation of the Project would not affect scenic vistas or scenic resources within the vicinity of a designated scenic highway. There are no designated scenic resources within or proximate to the Project site. The Project does not require or propose facilities or operations that would adversely affect any off-site scenic resources.

State Route 60 (SR-60) is identified as a scenic corridor within the Moreno Valley General Plan. The Project site is visually separated from SR-60 by intervening development and would not substantively affect views from SR-60.

Transition of the site from its current disturbed and vacant state to a site developed with uses proposed by the Project would tend to enhance the visual character and quality of the site and vicinity through the introduction of light industrial structures and associated landscape/streetscape elements.

All Project lighting would comply with Specific Plan and City requirements and would be designed and implemented in a manner that ensures adequate site illumination; minimizes or precludes light overspill and glare; and that would not otherwise result in potentially adverse impacts.

As supported by the preceding discussions, the Project would have less-than-significant impacts for the following aesthetic considerations:

- Substantial adverse effects on a scenic vista;
- Substantial damage to scenic resources, including, but not limited to, trees, rocks, outcroppings, and historic buildings within a state scenic highway;
- Substantial degradation of the existing visual character or quality of the site and its surroundings; and

- Creation of a new source of substantial light or glare, which would adversely affect the day or nighttime views in the area.

### **1.9.2 Agriculture and Forest Resources**

The Project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; nor are any portions of the Project site subject to, or otherwise affected by, Williamson Act contracts. Further, there are no lands within the City of Moreno Valley that qualify, or are designated, as forest land or timberland. As such, the Project will have no impact for the following considerations:

- Conversion of 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; and
- Conflict with existing zoning for agricultural use, or a Williamson Act contract;
- Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production;
- Result in the loss of forest land or conversion of forest land to non-forest use; or
- 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.

### **1.9.3 Air Quality**

The Project does not propose facilities or on-going operations that would create objectionable odors affecting a substantial number of people. On this basis, the Project would have a less-than-significant impact regarding the following consideration:

- Result in other emissions adversely affecting a substantial number of people.

#### **1.9.4 Biological Resources**

The Project would adhere to all applicable General Plan Policies, specifically compliance with the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) area. There are no other known local ordinances protecting biological resources within the City. On this basis, the Project would have a less-than-significant impact in regard to the following considerations:

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

#### **1.9.5 Cultural Resources**

As required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by state law. As such, the Project will have a less-than-significant impact for the following cultural resources consideration:

- Disturbance of any human remains, including those interred outside of formal cemeteries.

#### **1.9.6 Geology and Soils**

The Project site is located in a region known to be seismically active, and seismic ground-shaking may be expected during an earthquake. However, the subject property is

not located within an Alquist-Priolo Earthquake Fault Zone, and there are no known or suspected faults or fault traces within the site.

As implemented through the City's standard review and approval processes, a site and use-specific geotechnical study has been prepared for the Project, subject to review and approval by the City Engineer. In general, the geotechnical study addresses and reflects California Building Code design, engineering and construction requirements that act to minimize the effects of earthquakes and other geologic or soils conditions on structures. The Project would comply with the approved geotechnical study pursuant to City development permit review processes.

The Project site evidences no substantive internal elevation differences and, as such, is not internally susceptible to landsliding.

Construction activities associated with the Project would temporarily expose underlying soils, thereby increasing their interim susceptibility to erosion, until the Project is fully implemented. Potential erosion impacts incurred during construction activities are reduced below the level of significance through preparation of, and compliance with, a Storm Water Pollution Prevention Plan (SWPPP). In this regard, the Project proponent is required to file an approved SWPPP prior to initiation of construction activities. Compliance with the SWPPP is realized through ongoing inspection and monitoring of the subject site as provided for under the City's established building permit and site inspection processes.

The Project Geotechnical Study provides Preliminary Recommendations that would ensure the Project would not be adversely affected by any unstable soils that may be encountered during the course of Project development. Further, the Project would be required to comply with the requirements of a Final City-approved Geotechnical Investigation, and applicable provisions of the Uniform Building Code (UBC) and California Building Code (CBC) that would act to minimize any unstable soil concerns that may be encountered.

The Project site is currently provided sewer services. No septic tanks or other alternative wastewater disposal systems are proposed.

Based on the preceding, the Project would result in less-than-significant impacts, or have no impact, for the following geology and soils considerations:

- Exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure; or landslides;
- Substantial soil erosion or the loss of topsoil;
- Location on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;
- Location on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; or
- Soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

### **1.9.7 Hazards and Hazardous Materials**

The Project does not propose uses or activities that would require atypical transportation, use, storage, or disposal of hazardous or potentially hazardous materials not addressed under current regulations and policies. Mandated compliance with existing regulations also reduces the potential for risk of accidental explosion or release of hazardous substances.

*Phase I Environmental Site Assessment, Undeveloped Vacant Land, Southeast Corner Heacock Street and Ironwood Avenue, Moreno Valley, California 92557* (Project Phase I ESA, IS Appendix B) concludes that there is no evidence or indication of RECs, or conditions indicative of releases or threatened releases of hazardous substances at the Project site.

There are no known or proposed schools located within one-quarter mile of the Project site. Accordingly, the Project would have no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The Project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Neither would the Project potentially affect, or be affected by, off-site locations listed pursuant to Government Code Section 65962.5.

The Project site is not located within two miles of an airport. The March Air Reserve Base is located approximately three miles southwest of the site. According to the Land Use Compatibility Plan that was prepared for March Air Reserve Base, the Project site is not located within the Runway Protection Zone (RPZ) for March Air Reserve Base.

The Project does not propose or require designs or activities that would interfere with any identified emergency response or emergency evacuation plan. Emergency procedures or design features required by County, State and Federal guidelines will be implemented during construction and during operation of the Project. Temporary alterations to vehicle circulation routes associated with Project construction are addressed through City-mandated construction traffic management plans. Ongoing coordination with the local fire and police departments during construction will ensure that potential interference with emergency response and evacuation efforts are avoided.

The Project site is located in an urbanized area, with no proximate wildlands. Moreover, the Project site and surrounding areas are currently provided fire protection and emergency response services by the Moreno Valley Fire Department. Development fees

and taxes paid by the Project act to offset its incremental demands for fire protection services.

Based on the preceding, the Project would have no or less-than-significant impacts under the following considerations:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment;
- 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 for the people residing or working in the project area;
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and
- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

### **1.9.8 Hydrology and Water Quality**

Consistent with City requirements, a water quality management plan (WQMP) and Storm Water Pollution Prevention Plan (SWPPP) would be prepared for the Project. City review and approval of these documents is required prior to issuance of Grading Permits. The Project would also be required to comply with City standard conditions of approval addressing water quality standards and waste discharge requirements; and with current water quality standards and stormwater discharge requirements established by the City and the Regional Water Quality Control Board (RWQCB).

Groundwater which may be consumed by the Project and the City as a whole is recharged pursuant to the Eastern Municipal Water District policies and programs. The Project would not impinge on, nor would otherwise affect, designated recharge areas.

Direct additions or withdrawals of groundwater are not proposed by the Project. Further, construction proposed by the Project will not involve substructures at depths or other subsurface features that would significantly impair or alter the direction or rate of flow of groundwater.

The Project would not substantially alter the existing drainage pattern of the site. The Project would be required to comply with construction drainage and surface runoff controls pursuant to the provisions of City grading permit(s) and connect to available storm drains. Consistent with NPDES requirements, post-development runoff quantities would not be permitted to substantially increase as a result of the Project. The Project site does not lie within an identified 100-year flood hazard zone. The Project site is not otherwise adversely affected by flood flows. The Project does not propose or require facilities or operations that would redirect flood flows and thereby result in potentially significant hydrology/water quality impacts.

The Project site is located outside the identified Lake Perris Dam Potential Inundation Area. The Project site is not otherwise subject to potential flood hazards or inundation hazards. The Project site is not located proximate to coastal waters, and as such, is not

subject to tsunami hazards. The Project site is not located near any bodies of water or water storage facilities that would be considered susceptible to seiche.

The Project does not propose or require uses or facilities that would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Based on the preceding discussion, the Project would result in less-than-significant impacts, or have no impact for the following hydrology and water quality considerations:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality;
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin;
- 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: result in a substantial erosion or siltation on- or off-site, 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; or impede or redirect flood flows;
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan;

### **1.9.9 Land Use and Planning**

No established communities exist within the Project site, nor does the Project propose or require elements or operations that would divide an off-site community. As such, the Project would have less-than-significant impacts for the following land use consideration:

- Physically divide an established community;

### **1.9.10 Mineral Resources**

There are no mineral resources known to exist within the Project site that would be of value to the region and the residents of the state. As such, the Project would result in no impacts for the following mineral resources considerations:

- Loss of availability of a known mineral resource that would be of value to the region and to the residents of the state; and
- Loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

### **1.9.11 Noise**

The Project site is not located within the vicinity of a private airstrip or an airport land use plan or within two miles of a public airport or public use airport. The nearest airport, March Air Reserve Base/Inland Port Airport (MARB/IPA), is located approximately three miles southwest of the Project site. As such, the Project would result in no impact for the following noise consideration:

- For a project within the vicinity of a private airstrip, expose people residing or working in the Project area to excessive noise levels.

### **1.9.12 Population and Housing**

The Project does not propose new residential development and would not directly contribute to population growth within the City. Project-related employment demands would likely be filled by the existing personnel pool within the City and neighboring

communities, with little or no measurable increase in the City resident population. Significant population growth is therefore not anticipated to occur as a direct result of Project implementation.

The Project is located within an urbanized area that is already served by roadways, utilities, and other infrastructure. The Project does not propose or require infrastructure improvements that would encourage or facilitate unanticipated population growth.

No housing exists within the Project site, and the Project does not propose uses or activities that would otherwise displace housing assets or persons.

On the basis of the preceding discussion, the Project would have less-than-significant or no impacts for the following population and housing considerations:

- Induce substantial population growth in the area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure); and
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

### **1.9.13 Public Services, Recreation**

Employment opportunities created by the Project may result in increased secondary impacts to school and park facilities. Both the Moreno Valley Unified School District (MVUSD) and the Val Verde Unified School District (VVUSD) provide educational facilities and services to the City of Moreno Valley. Increased student population could result from requests for Intra-District Transfers from employees of the Project wanting to enroll their children in schools closer to their place of employment. Yet any impacts from such school transfers would be minimal. The Project does not propose elements (e.g., residential development) that would result in substantial increased demands for neighborhood or regional parks or other recreational facilities. The Project would pay

required school impact fees, acting to offset any incremental effects to area school services and school facilities.

Development of the Project would require established public agency oversight including, but not limited to, plan check and permitting actions by the City Planning Division, City Public Works Department, Moreno Valley Police Department, and the Moreno Valley Fire Department. These actions typically fall within routine tasks of these agencies and are paid for via plan check and inspection fees.

Based on the preceding, the Project would have less-than-significant or no impacts for the following public services and recreation considerations:

- Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, schools, parks, or other public facilities;
- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated; and
- Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

#### **1.9.14 Utilities and Service Systems**

All necessary public services, infrastructure systems, and utilities are currently available to the Project site. No major new infrastructure or utilities improvements are proposed by the Project, nor are any required. The Project will implement necessary utilities improvements to include connections to existing services, and/or necessary realignment

or modification of existing service lines. All connections to, and modification of, utilities necessary to serve the Project will be accomplished consistent with City and purveyor requirements. As discussed in the Initial Study, the Project would have less-than-significant impacts in regard to the following considerations:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects;
- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;
- Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;
- Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; and
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

### **1.9.15 Wildfire**

The Project site and surrounding areas are not located within a designated Fire Hazard Severity Zone. The Project does not propose or require facilities or operations that would obstruct evacuation routes documented in the Moreno Valley Local Hazard Mitigation Plan (LHMP). The Project would be required to adhere to the Municipal Code requirements and policies included in the General Plan Safety Element addressing disaster response and emergency evacuation. Compliance with Municipal Code regulations and local disaster prevention plans, as well as conformance with General Plan policies, would

ensure that the Project would not result in or exacerbate wildfire risks, or increase the risk of exposure to pollutant concentrations associated with wildfires.

The Project site is served by major roadways and is located within an existing built environment that is served by storm water, sewer, electricity, potable water distribution, and communications systems infrastructure. The Project does not propose or require facilities or operations requiring the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

Based on the preceding, the Project would have less-than-significant impacts for the following wildfire considerations:

- Substantially impair an adopted emergency response plan or emergency evacuation plan;
- 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;
- 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; or
- 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.

**1.10 AREAS OF CONCERN OR CONTROVERSY**

Section 15123 of the *CEQA Guidelines* requires that the EIR summary identify areas of potential concern or controversy known to the lead agency, including issues raised by other agencies and the public. Issues of concern were identified by the Lead Agency, through responses to the Project Initial Study/Notice of Preparation (NOP), and other communications addressing the Project and the Project EIR.

Responses received pursuant to distribution of the NOP and Public Scoping Meeting are presented at EIR Appendix A. Table 1.10-1 presents a list of NOP respondents, and a corresponding summary of NOP comments, indicated by *italicized text*. Responses to comments, together with correlating EIR references are indicated in subsequent statements. Unless otherwise noted, all NOP respondent comments are addressed within the body of the EIR.

**Table 1.10-1  
List of NOP/AB 52 Consultation Respondents and Summary of Comments**

Respondent	Summary of Comments
<b>State Agencies</b>	
State of California Office of Planning and Research, State Clearinghouse (SCH)	<p><i>SCH provided receipt and record of distribution of the NOP and established the NOP review and comment period of August 17, 2023 through September 18, 2023.</i></p> <p>EIR Appendix A includes a copy of the Project NOP and NOP Responses.</p>
State of California, Department of Justice (DOJ)	<p><i>DOJ notes various potential environmental impacts that may be associated with warehouse projects, including potential air quality impacts, noise impacts, transportation/traffic impacts, and land use/planning impacts.</i></p> <ul style="list-style-type: none"> <li>• Potential air quality impacts are evaluated at EIR Section 4.3, <i>Air Quality</i> and are substantiated to be less-than-significant. See also EIR Appendix D, <i>Air Quality Impact Analysis</i>.</li> <li>• Potential noise impacts are evaluated at EIR Section 4.6, <i>Noise</i> and are substantiated to be less-than-significant. See also EIR Appendix G, <i>Noise Impact Analysis</i>.</li> <li>• Potential transportation impacts are evaluated at EIR Section 4.2, <i>Transportation</i> and are substantiated to be less-than-significant. See also EIR Appendix C, <i>Traffic Impact Analysis</i>.</li> <li>• Potential land use and planning impacts are evaluated at EIR Section 4.1, <i>Land Use and Planning</i> and are substantiated to be less-than-significant.</li> </ul>

**Table 1.10-1**  
**List of NOP/AB 52 Consultation Respondents and Summary of Comments**

<b>Respondent</b>	<b>Summary of Comments</b>
State of California, Native American Heritage Commission (NAHC)	<p><i>NAHC provides procedural guidance in evaluating and determining potential impacts to cultural resources and Tribal Cultural Resources (TCRs).</i></p> <p>The EIR evaluates potential impacts to cultural resources consistent with NAHC guidelines and requirements. Please refer to EIR Section 4.8, <i>Cultural Resources/Tribal Cultural Resources</i> and the Project Cultural Resources Assessment presented at EIR Appendix I.</p>
<b><u>Regional and County Agencies</u></b>	
Eastern Municipal Water District (EMWD)	<p><i>EMWD notes that prior to final design and plan check for the Project, consultation with EMWD and development of an approved Plan of Services would be required.</i></p> <p>The Project Applicant would comply with all EMWD consultation requirements and would implement an EMWD-approved Plan of Services.</p>
Riverside County Airport Land Use Commission (ALUC)	<p><i>ALUC notes that the Project lies outside ALUC jurisdiction.</i></p> <p>ALUC's determination that the Project is located outside their jurisdiction is noted.</p>
Riverside County Flood Control and Water Conservation District (RCFCWCD)	<p><i>RCFCWCD (District) outlines drainage fee requirements and an encroachment permit requirement that would apply to the Project.</i></p> <p><i>The District presents general information addressing National Pollutant Discharge Elimination System (NPDES), Federal Emergency Management Agency (FEMA), California Department of Fish and Wildlife (CDFW), Clean Water Act (CWA), and Army Corps of Engineers (ACOE) requirements and responsibilities.</i></p> <p>The Project Applicant would comply with all District drainage fee requirements pursuant to the Lead Agency Conditions of Approval. Applicable federal, state, and local regulatory requirements addressing hydrology, stormwater management, natural watercourses and related concerns are discussed within the EIR.</p>
South Coast Air Quality Management District (SCAQMD)	<p><i>SCAQMD provides detailed guidance in regard to the preparation of the Project air quality impact analysis and greenhouse gas analysis, and requests that modeling data and electronic copies of air quality technical studies accompany submittal of the Draft EIR to SCAQMD.</i></p> <p>The Project Air Quality Impact Analysis (AQIA) and Greenhouse Gas Analysis (GHGA) are presented at EIR Appendices D and E, respectively. Specific topics referenced by SCAQMD in their NOP response are addressed at EIR Sections 4.3, <i>Air Quality</i>; and 4.4, <i>Greenhouse Gas Emissions and Global Climate Change</i>.</p>

**Table 1.10-1  
List of NOP/AB 52 Consultation Respondents and Summary of Comments**

Respondent	Summary of Comments
	Modeling data files, technical studies and supporting air quality documentation have been provided to SCAQMD in electronic format(s) as requested.
<b>Individuals and Local Agencies</b>	
Californians Allied for a Responsible Economy (CARE CA)	<p><i>CARE CA notes various potential environmental impacts that may be associated with warehouse projects, including potential air quality and associated health risk impacts, greenhouse gas (GHG) impacts, and potential cumulative impacts. CARE CA cites mitigation and disclosure parameters.</i></p> <ul style="list-style-type: none"> <li>• Potential air quality and health risk impacts are evaluated at EIR Section 4.3, <i>Air Quality</i> and are substantiated to be less-than-significant. See also EIR Appendix D, <i>Air Quality Impact Analysis</i>.</li> <li>• Potential GHG impacts are evaluated at EIR Section 4.4, <i>Greenhouse Gas Emissions/Global Climate Change</i> and are substantiated to be less-than-significant. See also EIR Appendix E, <i>Greenhouse Gas Analysis</i>.</li> <li>• Potential cumulative impacts are evaluated at EIR Section 5.0, <i>Other CEQA Considerations</i>, and are substantiated to be less-than-significant.</li> <li>• Mitigation has been incorporated consistent with CEQA requirements</li> <li>• Disclosure has been provided as required under CEQA.</li> </ul>
Sierra Club, San Geronio Chapter	<ul style="list-style-type: none"> <li>• <i>Sierra Club offers alternative title(s) for the EIR document.</i></li> <li>• <i>Sierra Club notes a water tank has been removed from the site and speculates on impacts related to its removal.</i></li> <li>• <i>Sierra Club notes cumulative impact analysis requirements, and speculates on various traffic impacts.</i></li> <li>• <i>Sierra Club speculates on unspecified impacts “on people and the environment” and offers various measures to mitigate unspecified speculative impacts.</i></li> <li>• <i>Sierra Club attaches California AG Guidelines for Warehouse Project Best Practices and Mitigation Measures.</i></li> </ul> <p>Alternative EIR document titles offered by Sierra Club are noted. The current Project EIR title is considered to accurately represent the Project. No revision proposed.</p> <p>Water tank removal has been accomplished under separate action and permit approved by the City. This has no material effect on the EIR analysis, findings, or conclusions.</p> <p>Potential transportation impacts are evaluated at EIR Section 4.2, <i>Transportation</i> and are substantiated to be less-than-significant. See also EIR Appendix C, <i>Traffic Impact Analysis</i>.</p>

**Table 1.10-1  
List of NOP/AB 52 Consultation Respondents and Summary of Comments**

Respondent	Summary of Comments
	<p>The EIR has examined the available evidence, relevant information, reasonable inferences, and the record as a whole, and in this manner has substantiated and addressed potential environmental impacts that could result from the Project. As substantiated in the EIR, all Project impacts would be less-than-significant or less-than-significant as mitigated Speculative impacts offered by Sierra Club and measures to reduce impacts are noted. As noted at <i>CEQA Guidelines</i> 15384 (e) (2), “argument, speculation, unsubstantiated opinion or narrative” such as is offered by Sierra Club does not constitute substantial evidence. See also <i>CEQA Guidelines</i> Section 15145. <i>Speculation</i>.</p> <p>California AG Guidelines for Warehouse Project Best Practices and Mitigation Measures are noted. The Project incorporates design features and operational measures acting to preclude or minimize environmental effects. See also EIR Section 3.4.2, <i>Project Development Concept</i>.</p>

**1.11 EIR TOPICAL ISSUES**

Based on the Initial Study analysis, and comments received pursuant to circulation of the NOP, the EIR analyses have been focused on the following topics:

- Air Quality;
- Biological Resources;
- Cultural Resources/Tribal Cultural Resources;
- Energy;
- Geology & Soils;
- Greenhouse Gas (GHG) Emissions/Global Climate Change;
- Land Use & Planning;
- Noise; and
- Transportation.

Additionally, EIR Section 5.0, *Other CEQA Considerations*, presents discussions of other mandatory CEQA topics, including:

- Cumulative Impact Analysis;
- Alternatives Analysis;

- Growth-Inducing Impacts of the Proposed Action;
- Significant Environmental Effects;
- Significant and Irreversible Environmental Changes; and
- Energy Conservation.

## **1.12 SUMMARY OF SIGNIFICANT PROJECT IMPACTS**

All potential environmental effects of the Project are determined to be less-than-significant as substantiated within this EIR and accompanying Initial Study, or are reduced below levels of significance with application of mitigation measures identified herein. A summary of all Project impacts and proposed mitigation measures is presented at EIR Section 1.14, *Summary of Impacts and Mitigation Measures*.

## **1.13 ALTERNATIVES TO THE PROJECT**

Consistent with provisions of the *CEQA Guidelines*, the EIR Alternatives Analysis (EIR Section 5.2) presents and evaluates alternatives to the Project that would lessen its significant environmental effects while allowing for attainment of the basic Project Objectives. The rationale underlying the selection of alternatives is presented together with a summary description of each alternative. Merits of the alternatives compared with the Project are described and evaluated. Alternatives considered in this EIR include:

- No Project Alternatives (No Build Scenario, and Commercial Development Scenario); and
- Reduced Intensity Alternative.

The above-listed Alternatives are summarized below, and are described in greater detail at Section 5.2.2, *Description of Alternatives*.

### **1.13.1 No Project Alternative**

#### **Overview**

The *CEQA Guidelines* specifically require that an EIR include evaluation of a No Project Alternative. The No Project Alternative should make a reasoned assessment as to future

disposition of the subject site should the Project under consideration not be developed. In this latter regard, the *CEQA Guidelines* state in pertinent part:

“If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the “no project” alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this “no project” consequence should be discussed. In certain instances, the no project alternative means “no build” wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project’s non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment.” (CEQA Guidelines, Section 15126.6 (e)(3)(B)).

Within this document, two No Project Scenarios are considered – “No Build” and “Commercial Development Scenario.”

#### **No Project Alternative: No Build Scenario**

The No Project Alternative: No Build Scenario assumes the site remains in its current undeveloped condition. If a No Build Scenario were maintained, its comparative environmental impacts would replicate the existing conditions discussions for each of the environmental topics evaluated in this EIR; and comparative impacts of the Project would be as presented under each of the EIR environmental topics.

#### **No Project Alternative: Commercial Development Scenario**

The No Project Alternative: Commercial Development Scenario assumes development of the subject site with a building area equal to that of the Project (220,390 total square feet).

The No Project Alternative: Commercial Uses Development Scenario would comprise commercial uses only, rather than the light industrial uses assumed under the Project.

### **1.13.2 Reduced Intensity Alternative**

#### **Overview**

The Project would not result in any significant environmental impacts. The Reduced Intensity Alternative considered in this EIR would diminish the Project's already less-than-significant impacts.

For illustrative purposes, the Reduced Intensity Alternative considers a development scenario representing a 25 percent reduction in development that would otherwise result from the Project. When compared to the Project scope (220,390 square feet), the Reduced Intensity Alternative would realize approximately 165,293 square feet of light industrial uses. All other aspects of the Reduced Intensity Alternative (building configuration, allocation of internal space, opening year, hours/days of operation, all operations internal to the building) would be consistent with the Project.

### **1.13.3 Environmentally Superior Alternative**

The *CEQA Guidelines* require that the environmentally superior alternative (other than the No Project Alternatives) be identified among the Project and other Alternatives considered in an EIR.

With exclusion of the No Project Alternatives as provided under CEQA, the Reduced Intensity Alternative would likely result in a general reduction in environmental effects when compared to the Project. For the purposes of CEQA, the Reduced Intensity Alternative is identified as the "environmentally superior alternative." It is however noted that the Project would not result in any significant environmental impacts. The Reduced Intensity Alternative is presented for illustrative purposes only and is not required or proposed as a means of reducing the Project's environmental effects.

## **1.14 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Table 1.14-1 summarizes potential impacts resulting from implementation and operations of the Project. The impacts identified at Table 1.14-1 correspond with environmental topics and impacts discussed at EIR Section 4.0, *Environmental Impact Analysis*. Table 1.14-1 also lists measures proposed to mitigate potentially significant environmental impacts of the Project, and indicates the level of significance after application of proposed mitigation.

**Table 1.14-1  
Summary of Impacts and Mitigation**

**General Note:** To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.

<b>Impact</b>	<b>Level of Significance Without Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance With Mitigation</b>
<b>4.1 Land Use and Planning</b>			
Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	Less-Than-Significant	No mitigation is required.	Not Applicable
<b>4.2 Transportation</b>			
Result in or contribute substantial adverse induced VMT impacts.	Less-Than-Significant	No mitigation is required.	Not Applicable
Potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.	Less-Than-Significant	No mitigation is required.	Not Applicable
Potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access.	Less-Than-Significant	No mitigation is required.	Not Applicable
<b>4.3 Air Quality</b>			
Conflict with or obstruct implementation of the applicable air quality plan.	Less-Than-Significant	No mitigation is required.	Not Applicable
Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-	Less-Than-Significant	No mitigation is required.	Not Applicable

**Table 1.14-1  
Summary of Impacts and Mitigation**

**General Note:** To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
attainment under an applicable federal [national] or state ambient air quality standard.			
Expose sensitive receptors to substantial pollutant concentrations.	Less-Than-Significant	No mitigation is required.	Not Applicable
<b>4.4 Greenhouse Gas Emissions and Global Climate Change</b>			
Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	Less-Than-Significant	No mitigation is required.	Not Applicable
Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	Less-Than-Significant	No mitigation is required.	Not Applicable
<b>4.5 Energy</b>			
Cause or result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.	Less-Than-Significant	No mitigation is required.	Not Applicable
Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.	Less-Than-Significant	No mitigation is required.	Not Applicable

**Table 1.14-1  
Summary of Impacts and Mitigation**

**General Note:** *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
<b>4.6 Noise</b>			
Project construction activities and associated noise could result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Less-Than-Significant	No mitigation is required.	Not Applicable
Project operational noise could result in exposure of persons to, or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Less-Than-Significant	No mitigation is required.	Not Applicable
The Project could result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise.	Less-Than-Significant	No mitigation is required.	Not Applicable
<b>4.7 Biological Resources</b>			
Substantially affect, either directly or through habitat modifications, any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife (CDFW, formerly California	Potentially Significant (potential impacts to nesting birds and the burrowing owl).	<p>4.7.1 <i>To avoid impacts to nesting birds and to comply with the federal Migratory Bird Treaty Act of 1918 (MBTA):</i></p> <p><i>If possible, all vegetation removal activities shall be scheduled from August 1 to February 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.</i></p>	Less-Than-Significant

**Table 1.14-1  
Summary of Impacts and Mitigation**

**General Note:** To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
Department of Fish and Game) or United States Fish and Wildlife Service (USFWS).		<p><i>If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat shall be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.</i></p> <p><i>4.7.2 Within 30 days prior to disturbance at the project site, a pre-construction survey will be conducted for burrowing owl (<i>Athene cunicularia</i>). If owls are present, they shall be relocated following accepted protocols to comply with the MSHCP.</i></p> <p><i>4.7.3 All temporary work areas, including stockpiles, will be located outside any sensitive biological resources.</i></p> <p><i>4.7.4 The limits of the work will be flagged prior to start of work.</i></p>	
Have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or California plans, policies or regulations or by the California Department of Fish and Wildlife	Less-Than-Significant	No mitigation is required.	Not Applicable

**Table 1.14-1  
Summary of Impacts and Mitigation**

**General Note:** *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

<b>Impact</b>	<b>Level of Significance Without Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance With Mitigation</b>
(CDFW) or the United States Fish and Wildlife Service (USFWS); Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.			
Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites.	Less-Than-Significant	No mitigation is required.	Not Applicable
<b>4.8 Cultural Resources</b>			
Cause a substantial adverse change in the significance of a historic or archaeological resources as defined in §15064.5	Potentially Significant	<p>4.8.1 <i>Prior to the issuance of the first grading permit, the Applicant shall provide a letter to the City of Moreno Valley Planning Department, or designee, from a qualified professional archaeologist stating that they have been retained to provide on-call services in the event archaeological or historical resources are encountered.</i></p> <p><i>In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and the qualified archaeologist shall be contacted to assess the significance of the find. The qualified archaeologist would have the</i></p>	Less-Than-Significant

**Table 1.14-1  
Summary of Impacts and Mitigation**

**General Note:** To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<p><i>authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register, plans for the evaluation and treatment, evaluation of the find shall be developed.</i></p>	
<p>Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p>	<p>Potentially Significant</p>	<p>4.8.2 Prior to the issuance of the first grading permit, the Applicant shall provide a letter to the City of Moreno Valley Planning Department, or designee, from a qualified professional paleontologist (Project Paleontological Monitor) stating that the Project Paleontological Monitor has been retained to provide on-call services in the event paleontological resources are encountered.</p> <p>Should resources be discovered, the Project Paleontological Monitor shall develop an acceptable monitoring and fossil remains treatment plan (Paleontological Management Treatment Plan - PMTP) for construction-related activities that could disturb potential unique paleontological resources within the Project area. Minimum provisions of the PMTP are outlined below:</p> <ul style="list-style-type: none"> <li>• Paleontological monitoring shall be conducted during all grading and trenching operations. Monitoring shall be conducted intermittently during initial cuts until early Holocene or Late Pleistocene period deposits (if any) are encountered. Once (if) early Holocene or Late Pleistocene period deposits</li> </ul>	<p>Less-Than-Significant</p>

**Table 1.14-1  
Summary of Impacts and Mitigation**

**General Note:** To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<p>are identified, paleontological monitoring shall be conducted on a full-time basis.</p> <ul style="list-style-type: none"> <li>• The Project Paleontological Monitor shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediment that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if they are present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.</li> <li>• Recovered specimens shall be prepared to a point of identification and permanent preservation, including screen-washing sediments to recover small invertebrates and vertebrates if indicated by the results of test sampling.</li> <li>• All recovered fossils shall be deposited in an accredited institution (university or museum) that maintains collections of paleontological materials. All costs of the paleontological monitoring and mitigation program, including any one-time charges by the receiving institution, shall be the responsibility of the developer(s).</li> </ul>	

**Table 1.14-1  
Summary of Impacts and Mitigation**

**General Note:** To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<ul style="list-style-type: none"> <li>• Within 60 days of completion of grading, excavation and ground-disturbing activities at the site, the Project Paleontological Monitor shall prepare a Final Mitigation and Monitoring Report (Final Report). The Final Report shall identify findings and significance of findings, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). A letter documenting receipt and acceptance of all fossil collections by the receiving institution shall be included in the Final Report. The Final Report, when submitted to and accepted by the Lead Agency (City of Moreno Valley), shall signify satisfactory completion of mitigation of potential impacts to paleontological resources.</li> </ul>	
Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074.	Potentially Significant	4.8.3 Archaeological Monitoring. Prior to the issuance of a grading permit, the Project Applicant shall retain a professional archaeologist to conduct monitoring of all ground-disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s) <sup>1</sup> including the Pechanga Band of Indians and the Morongo Band of Indians, the contractor, and the City, shall develop a CRMP as defined in	Less-Than-Significant

<sup>1</sup> A Consulting Tribe is defined as a Tribe that has initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB 52 consultation process, and has completed AB 52 consultation with the City as provided for at Cal Pub Res Code Section 21080.3.2(b)(1) of AB 52.

**Table 1.14-1  
Summary of Impacts and Mitigation**

**General Note:** To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<p>Mitigation Measure 4.8.5. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager, and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth-moving activities in the affected area in the event that suspected archaeological resources are unearthed.</p> <p>4.8.4 Native American Monitoring. Prior to the issuance of a grading permit, the Project Applicant shall secure agreements with the Pechanga Band of Indians and the Morongo Band of Mission Indians for tribal monitoring. The Project Applicant is also required to provide a minimum of 30 days advance notice to the Tribes of all ground-disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth-moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager, and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.</p> <p>4.8.5 Cultural Resource Monitoring Plan (CRMP). The Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City,</p>	

**Table 1.14-1  
Summary of Impacts and Mitigation**

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<p>shall develop a CRMP in consultation pursuant to the definition in AB52 to address the details, timing, and responsibility of all archaeological and cultural monitoring activities that will occur on the Project site. The CRMP shall include:</p> <ul style="list-style-type: none"> <li>a. Project description and location;</li> <li>b. Project grading and development scheduling;</li> <li>c. Roles and responsibilities of individuals on the Project;</li> <li>d. Pre-grading meeting and Cultural Resources Worker Sensitivity Training details;</li> <li>e. Protocols and stipulations that the contractor, City, Consulting Tribe (s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits subject to a cultural resources evaluation;</li> <li>f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items; and</li> <li>g. Contact information of relevant individuals for the Project.</li> </ul> <p>4.8.6 Cultural Resource Disposition. In the event that Native American cultural resources are encountered during the course of ground-disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p>	

**Table 1.14-1  
Summary of Impacts and Mitigation**

**General Note:** To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
		<p>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:</p> <ul style="list-style-type: none"> <li>i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.</li> <li>ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CR-3 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.</li> </ul> <p>Additionally, the City shall verify that the following note is included on all Grading Plans:</p>	

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Summary of Impacts and Mitigation**

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<b>Impact</b>	<b>Level of Significance Without Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance With Mitigation</b>
		<p><i>“If any suspected archaeological resources are encountered during ground-disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find.”</i></p> <p><i>4.8.7 Inadvertent Finds. If previously unevaluated potential cultural resources are encountered during Project excavation or construction activities, all ground-disturbing activities within 100 feet of the encountered resource (the find) shall cease immediately. A qualified person meeting the Secretary of the Interior’s standards (Code of Federal Regulations, Title 36, Section 61), Tribal Representatives, and all site monitors per these mitigation measures shall consult with the City to evaluate the find, and appropriate measures to avoid, minimize, or mitigate potential negative effects to the find shall be implemented. Further ground disturbance shall not resume within the area of the find (the buffer area) until an agreement has been reached by all parties as to the appropriate measures to be implemented. Determinations and recommendations regarding the agreed upon measures shall be immediately submitted to the Planning Division for consideration, and the agreed upon measures shall be implemented as deemed</i></p>	

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Summary of Impacts and Mitigation**

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<b>Impact</b>	<b>Level of Significance Without Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance With Mitigation</b>
		<p><i>appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and Consulting Tribes as defined in Mitigation Measure 4.8.4 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the find is not feasible, a Phase III Data Recovery Plan (Plan) shall be prepared by the Project Archeologist, in consultation with Consulting Tribe(s). The Plan shall be submitted to the City for review and approval prior to implementation of the Plan.</i></p> <p><i>Work outside of the buffer area shall be allowed to continue and such work shall be monitored per the CRMP.</i></p> <p><i>4.8.8 Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the “most likely descendant.” The “most likely descendant” shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). No photographs are to be taken except by the Coroner, with written approval by the consulting Tribe[s].</i></p>	

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Summary of Impacts and Mitigation**

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<b>Impact</b>	<b>Level of Significance Without Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance With Mitigation</b>
		<p>4.8.9 <i>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).</i></p> <p>4.8.10 <i>Archeology Report - Phase III and IV. Prior to final inspection, the Project Applicant/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</i></p>	

**Table 1.14-1  
Summary of Impacts and Mitigation**

**General Note:** *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

<b>Impact</b>	<b>Level of Significance Without Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance With Mitigation</b>
		<i>of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).</i>	

## **2.0 INTRODUCTION**

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## 2.0 INTRODUCTION

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### 2.1 OVERVIEW

This Draft Environmental Impact Report (Draft EIR, DEIR, EIR) evaluates and discloses potential environmental impacts of the Project, known as the “Moreno Valley Business Park Building 5,” located generally at the southeast corner of Ironwood Avenue and Heacock Street (“Project Site”). In summary, the Project proposes approximately 220,390 square feet of light industrial uses within an approximately 9.98-acre site.

The Project, consists of the following: a) a General Plan Amendment (Land Use Element) redesignating the Project Site’s General Plan Land Use Designation from “Commercial” to “Business Park/Light Industrial”; b) a Specific Plan Amendment amending the Moreno Valley Festival Specific Plan (Specific Plan No. 205), as amended by Amendment No. 1, to accommodate the development of Business Park/Light Industrial uses on the Project Site; c) related amendments to the City’s Zoning Atlas to be consistent with changes made to the Project Site’s land use designations as set forth in the 2006 General Plan and Specific Plan No 205; d) a Lot Line Adjustment or Parcel Map to combine and reconfigure the existing parcels within the Project Site to accommodate the proposed use of the Project Site; e) a Site Plan/Plot Plan addressing design and layout of the proposed uses of the Project Site; and f) Infrastructure Improvement Plans including, but not limited to, roads, sewer, water, storm water management system, and dry utilities plans.

The Project is more particularly described at Draft EIR Section 3.0, *Project Description*.

## 2.2 BACKGROUND

On or about February 2, 2021, the City Council approved the Moreno Valley Business Park (“District Project”) located on 9.98 acres of mostly vacant land at the southeast corner of Heacock Street and Ironwood Avenue in the City of Moreno Valley (“Original Project Site”). The District Project included a single industrial building of approximately 220,390 square feet.

The land use entitlements approved for the District Project included the following: a) Resolution No. 2021-07 certifying a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring Plan for the District Project pursuant to CEQA; b) Resolution No. 2021-08 approving a General Plan Amendment (PEN20-0139) changing the land use designation of the Project Site from “Commercial” to “Business Park”; c) Ordinance No. 978 approving Specific Plan Amendment 205 (PEN20-0138) to change the land use designation of the Project Site from “Retail Commercial” to “SP205 Mixed Use”; d) Resolution No. 2021-11 approving Plot Plan (PEN20-0137) for a 220,390-square-foot light industrial building; and e) a Zone Change to change the District Project Site’s zoning designation from “Regional Commercial” to “Mix of Uses.” The Sierra Club filed a lawsuit challenging the City’s approval of the Mitigated Negative Declaration for the District Project, along with the foregoing land use approvals.

On or about October 14, 2024, the Court issued a Peremptory Writ of Mandate (“Writ”), as stipulated by the parties, in which the Court ordered the City to set aside and vacate the following approvals for the District Project: a) Resolution 2021-07 adopting a Mitigated Negative Declaration and Mitigation Monitoring Plan; b) Resolution No. 2021-08 approving General Plan Amendment PEN20-0139; c) Resolution No. 2021-11 approving Plot Plan PEN20-0137; and d) Ordinance No. 978 adopting Specific Plan Amendment PEN20-0138. The Writ further ordered the City to proceed in a manner consistent with the Writ and CEQA in connection with any “reconsideration” or “re-approval” of the District Project. The City was granted up to one-hundred eighty (180) days to file and serve a return to the Writ (“Return”) and, if necessary, to file and serve any subsequent Returns every 90 days thereafter. The purpose of the Return is to

memorialize with the Court the actions taken by the City to comply with the terms and conditions of the Writ.

The Applicant, LGC 10MV, LLC, has submitted entitlement applications to develop the "Project." The Project is subject to review under this Draft Environmental Impact Report ("DEIR") pursuant to CEQA and the *CEQA Guidelines*, and as applicable, consistent with the terms and conditions of the Writ.

### **2.3 AUTHORIZATION**

An EIR is an informational document intended to apprise decision-makers and the general public of potentially significant environmental impacts of a project. An EIR also proposes mitigation to preclude or minimize significant impacts, and describes reasonable alternatives to the Project that may also reduce or avoid significant impacts. Having the authority to take action on the Project, the City of Moreno Valley will consider the information in this EIR in their evaluation of the proposal. Findings and conclusions of the EIR do not control the City's discretion to approve, deny, or modify the Project, but instead are presented as information to aid the decision-making process.

This EIR has been prepared by the City of Moreno Valley pursuant to *Guidelines for the Implementation of the California Environmental Quality Act (Guidelines)*, (§§ 15000–15387, California Code of Regulations). The proposed Moreno Valley Business Park Building 5 is a "project," as defined at § 15378 of the *Guidelines*. The *Guidelines* stipulate that an EIR must be prepared for any project that may have a significant impact on the environment. The City has determined that the Project may have one or more significant impacts on the environment and, therefore, the preparation of an EIR is required.

### **2.4 LEAD AND RESPONSIBLE AGENCIES**

CEQA defines a "lead agency" as the public agency which has the principal responsibility for carrying out or approving a Project which may have a significant effect upon the environment. Other agencies, e.g., the California Department of Transportation (Caltrans), the South Coast Air Quality Management District (SCAQMD) or the Regional Water Quality Control Board (RWQCB), which also have some authority or responsibility

to issue permits for Project implementation, are designated as “responsible agencies.” Both the lead agency and responsible agencies must consider the information contained in the EIR prior to acting upon or approving the Project. The City of Moreno Valley is the Lead Agency for the Project. Contact information for the Lead Agency is presented below.

**Lead Agency:** City of Moreno Valley, Community Development Department  
14177 Frederick Street  
Moreno Valley, CA 92552

**Contact:** Danielle Harper-Scott, Senior Planner  
Phone: (951) 413-3206  
Email: [planningnotices@moval.org](mailto:planningnotices@moval.org)

## 2.5 PROJECT APPLICANT

Contact information for the Project Applicant is presented below.

**Applicant:** LCG 10MV LLC.  
11759 San Vicente Boulevard, Suite 100  
Los Angeles, CA 90049

**Contact:** Ryan Martin

## 2.6 THE EIR PROCESS

When a public agency determines that there is substantial evidence that a Project may have a significant effect on the environment, the agency must prepare an EIR before a decision is made to approve or deny the Project. The purpose of the EIR is to disclose a project's potential environmental impacts and recommend measures to reduce or avoid significant impacts. The basic content of an EIR includes: a description of the project under consideration and its objectives; a description of the existing environmental conditions; a discussion of the potentially significant environmental effects of the project; recommended measures for reducing these effects; and identification and evaluation of feasible alternatives to the project which may also reduce potentially significant impacts of the proposal.

Typically, EIRs consist of two documents: a Draft EIR, distributed by the lead agency for review and comment by the general public and any interested governmental agencies; and a Final EIR, which consists of responses to comments received on, together with any necessary modifications to, the Draft EIR. After the Draft EIR has been circulated for review and the Final EIR has been prepared, the EIR must be certified by the lead agency as having complied with CEQA and considered by the agency's decision-making body before any action can be taken on a project.

When a public agency receives a complete project application or decides to undertake a project of its own, it first determines if the project is subject to environmental review under CEQA and, if it is, the agency then typically prepares an Initial Study (IS) to determine if the project under consideration has the potential to cause significant adverse environmental effects. The IS serves as a tool to help the agency determine if an EIR is required, and if so, the focal issues to be examined in the EIR. The lead agency may skip the Initial Study process if it is evident that a project could result in significant environmental effects and that an EIR will be required.

The EIR process is initiated by the distribution of a Notice of Preparation (NOP). Together with the Initial Study (if prepared), the NOP is sent to agencies and interested individuals as notice of commencement of the EIR process, and to solicit their suggestions for

appropriate EIR issues and topical analyses. The completed Draft EIR is then circulated to responsible agencies, other affected or interested agencies, and interested members of the public for review and comment. The review period for a Draft EIR is typically 45 days. To provide for appropriate consideration and inclusion in the Final EIR, all comments and concerns regarding the Draft EIR should be received by the lead agency during this 45-day period.

Responses to comments received on the Draft EIR are prepared by the lead agency and included in the Final EIR. The Final EIR may also contain additional information about the project's potential impacts and minor corrections or modifications to the Draft EIR. The Final EIR must be certified by the lead agency's decision-making body before, or in conjunction with, any action to approve a project. Customarily, EIR certification coincides with City Planning Commission and/or City Council public hearing(s).

CEQA requires that the EIR address only significant adverse impacts. The *CEQA Guidelines* suggest thresholds or standards which define the significance of various types of impacts. The *CEQA Guidelines* also state that the significance of impacts should be considered in relation to their severity and probability of occurrence. However, ultimately, the determination of the significance of impacts is at the discretion of the lead agency. The identification of significant impacts in the EIR does not prevent an agency from approving a project. A project may be approved if the lead agency determines that impacts cannot be feasibly mitigated below a level of significance and if the agency determines that there are important overriding considerations, such as social and economic benefits, which are sufficient to justify approval of the considered project.

## **2.7 EIR CONTENT AND FORMAT**

This Draft EIR is organized into seven Chapters or Sections, each addressing a separate aspect of the required content of an EIR as described in the *Guidelines*. A summary of the Project's impacts and recommended mitigation measures is provided at Chapter 1.0. An introduction and general overview of the environmental process and the format of this EIR are presented in this Chapter 2.0. Chapter 3.0 contains a complete description of the Project, including its location, objectives, and physical and operational characteristics.

The complete and detailed environmental impact analysis is presented at Chapter 4.0. The topical issues mandated by CEQA dealing with cumulative impacts, alternatives, long-term implications of the Project, and energy conservation are found at Chapter 5.0. Chapter 6.0 lists and defines the acronyms and abbreviations contained in this document. Chapter 7.0 lists the information sources and persons consulted during the environmental analysis process, and presents a list of the persons who prepared the Draft EIR. The Initial Study and responses to the NOP, with supporting technical studies, are appended to the body of the EIR document.

Chapter 4.0, *Environmental Impact Analysis*, is the focal component of the Draft EIR. The environmental impact analysis has been organized into a series of sections, each addressing an environmental topic or area of concern identified through the Initial Study process (e.g., Land Use and Planning, Traffic and Circulation, Air Quality, Noise, etc.). To assist the reader in understanding the organization and basis of the analysis, the sections covering each individual environmental topic are typically divided into the following subsections:

- **Reader's Abstract:** An introductory reader's abstract, summarizing content and findings, is provided at the beginning of each topical section.
- **Introduction:** The introduction summarizes the content of the section and references other important studies and reports, such as technical studies appended to the EIR.
- **Setting:** This subsection describes baseline environmental conditions which may be subject to change as a result of implementation of the Project. Separate descriptions of existing environmental conditions are provided for each environmental topic.
- **Existing Policies and Regulations:** Various relevant policies, regulations, and programs related to the environmental topic are briefly described. Often, these

existing policies and regulations serve to reduce or avoid potential environmental impacts.

- **Standards (Thresholds) of Significance:** Before potential impacts are evaluated, the standards which will serve as the basis for judging significance are presented.
- **Potential Impacts and Mitigation Measures:** This subsection states and explains potential impacts caused by the Project. Based on the standards of significance, impacts are categorized as either potentially significant or less-than-significant. If the impacts are considered to be potentially significant, mitigation measures are proposed to reduce the impacts. At the conclusion of each discussion for a potentially significant impact, a determination is made as to whether the impact can be reduced to a less-than-significant level with the application of proposed mitigation measures. Impacts that cannot be reduced to levels that are less-than-significant are identified as “significant and unavoidable.”

The summary presented at Chapter 1.0 provides a comprehensive overview of the Project’s impacts. For a more detailed description of Project impacts, it is recommended that the reader review the Project description (Chapter 3.0), and then read the sections on the topics of interest in the environmental impact analysis (Chapter 4.0).

## 2.8 INTENDED USE OF THIS EIR

This EIR addresses the potential environmental effects of the implementation and operation of the proposed Moreno Valley Business Park Building 5. The City of Moreno Valley (City) is the Lead Agency for the purposes of CEQA because it has the principal responsibility and authority for deciding whether or not to approve the Project, and how it will be implemented. As the Lead Agency, the City is also responsible for preparing environmental documentation for the Project in compliance with CEQA.

The Lead Agency will employ this EIR in its evaluation of potential environmental impacts resulting from, or associated with, approval and implementation of the Project, to include potential effects of the Project’s component elements. This EIR will also be used

by various Responsible Agencies, e.g., Air Quality Management District(s), California Department of Transportation, Regional Water Quality Control Board(s), *et al.*; as well as utilities and service providers when such entities issue permits necessary to carry out the project. For example, if this EIR and/or its Mitigation Measures require encroachment permits from Caltrans, this EIR will serve as the environmental assessment for such improvements. (Please refer to California Code of Regulations, sections 15050 and 15162.)

In employing this EIR, the City and other agencies need recognize that Project plans and development concepts identified herein are just that, plans and concepts which are subject to refinement as the Project is further defined. Recognizing the potential for these future minor alterations to the Project, this EIR in all instances evaluates likely maximum impact scenarios that would account for these minor alterations. These refinements and/or minor revisions to development proposals do not typically warrant modified or revised environmental documentation. Notwithstanding, at the discretion and direction of the City, substantive modifications to the Project described herein may warrant additional environmental evaluation.

## **2.9 DOCUMENTS INCORPORATED BY REFERENCE**

Section 15150 of the *Guidelines* permits and encourages an environmental document to incorporate, by reference, other documents that provide relevant information. The documents summarized below are incorporated by reference, and the pertinent material is summarized throughout this EIR, where that information is relevant to the analysis of potential impacts of the Project. All documents incorporated by reference are available for review at, or can be obtained through, the City of Moreno Valley Community Development Department. Technical studies cited below were specifically developed in conjunction with the Project, and are appended to the body of the Draft EIR.

### **2.9.1 City of Moreno Valley General Plan**

The City of Moreno Valley General Plan (General Plan) establishes Goals and Policies and provides guidance for future development of the City. The General Plan, which was

adopted in 2006, incorporates and relies upon its Implementation Plan to provide the guidance necessary for successful implementation of General Plan Goals and Policies.<sup>1</sup>

The General Plan includes seven elements: “Community Development”; “Economic Development”; “Parks, Recreation and Open Spaces”; “Circulation”; “Safety”; “Conservation”; and “Housing.” All proposed development projects (inclusive of the Project) are evaluated for consistency with the intent and purpose of the applicable General Plan land use designation(s) and related General Plan Goals, Policies and Implementation Plan actions. Physical development within the General Plan Area will be shaped by the General Plan’s Goals, Policies and Programs integral to each of the General Plan Elements.

### **2.9.2 City of Moreno Valley Municipal Code**

The City of Moreno Valley Municipal Code (Municipal Code) codifies and complements the City General Plan. The Municipal Code, in effect, provides the mechanism to implement and enforce the goals, objectives, policies and programs articulated in the General Plan. Many of the potential environmental concerns considered in this EIR are adequately addressed through application of existing guidelines and regulations contained in the Municipal Code.

### **2.9.3 Project Technical Studies/EIR Appendices**

Following are summary descriptions of documents and supporting technical studies which are appended to the main body of the Draft EIR. Working titles of these documents generically refer to the Project and its physical attributes, and may not necessarily reflect the currently assigned “Moreno Valley Business Park Building 5” development title.

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<sup>1</sup> In May 2024, the Riverside County Superior Court issued a Judgment and Writ (“Writ”) directing that the City set aside certification of the 2040 General Plan EIR due to inadequacies identified in the Final Program EIR as to the issues of baseline greenhouse gas emissions (GHG), air quality, and energy use and to set aside approval of the 2040 General Plan and related Zoning Amendments. This had the effect of reviving the City’s 2006 General Plan and associated zoning which applies to the Project.

### **2.9.3.1 Initial Study, NOP, and NOP Responses - EIR Appendix A**

The EIR Initial Study (IS), Notice of Preparation (NOP) and responses received pursuant to distribution of the IS/NOP are presented at EIR Appendix A. Based on the Initial Study and responses to the NOP, this EIR addresses the following environmental topics:

- Air Quality;
- Biological Resources;
- Cultural Resources/Tribal Cultural Resources;
- Energy;
- Greenhouse Gas (GHG) Emissions/Global Climate Change;
- Land Use and Planning;
- Noise; and
- Transportation.

### **2.9.3.2 Specific Plan - EIR Appendix B**

Detailed information regarding land uses and development that would be allowed under the Project is presented within *Moreno Valley Festival Amendment to Specific Plan 205* (Blodgett Baylosis Environmental Planning) January 19, 2021.

### **2.9.3.3 Vehicle Miles Traveled (VMT) Analysis - EIR Appendix C**

A detailed analysis of the Project's potential VMT impacts is presented in *Moreno Valley Business Park - Phase II, Vehicle Miles Traveled (VMT) Analysis* (Urban Crossroads, Inc.) January 3, 2022. EIR Appendix C also presents the Project Transportation Analysis Scoping Agreement.

### **2.9.3.4 Air Quality Impact Analyses - EIR Appendix D**

Air quality impact analyses prepared for the Project include: *Moreno Valley Business Park - Phase II, Air Quality Impact Analysis, City of Moreno Valley* (Urban Crossroads, Inc.) January 17, 2022; and *Moreno Valley Business Park - Phase II, Mobile Source Health Risk Assessment, City of Moreno Valley* (Urban Crossroads, Inc.) January 17, 2022.

### **2.9.3.5 Greenhouse Gas Analysis - EIR Appendix E**

Detailed analysis of the Project's potential Greenhouse Gas impacts are presented in *Moreno Valley Business Park - Phase II, Greenhouse Gas Analysis, City of Moreno Valley* (Urban Crossroads, Inc.) January 17, 2022.

### **2.9.3.6 Energy Assessment - EIR Appendix F**

Project energy consumption is quantified in: *Moreno Valley Business Park - Phase II, Energy Tables* (Urban Crossroads, Inc.) January 17, 2022.

### **2.9.3.7 Noise Impact Analysis - EIR Appendix G**

Potential noise impacts of the Project, including construction-source and operational-source noise impacts are assessed within *Moreno Valley Business Park - Phase II, Noise Impact Analysis, City of Moreno Valley* (Urban Crossroads, Inc.) May 16, 2023.

### **2.9.3.8 Biological Resources Assessment - EIR Appendix H**

Biological resources potentially affected by the Project are assessed in: *Western Riverside County Multiple Species Habitat Conservation Plan [MSHCP], Consistency Analysis Report for the Specific Plan No. 205, Amendment No. 2 Project* (Harmsworth Associates) November 2021.

### **2.9.3.9 Cultural Resources Investigation - EIR Appendix I**

A cultural resources investigation was also prepared for the Project: *Phase I Cultural Resources Assessment, 9.98 Acre Property, Moreno Valley, City of Moreno Valley, Riverside County, California* (BCR Consulting LLC) April 26, 2024.

An assessment of the soils and geological conditions affecting the Project site and vicinity properties is presented in: *Report of Geotechnical Investigations & Soil Infiltration Testing, Proposed Heacock Industrial Development* (Soils Southwest, Inc.) August 5, 2020.

## **3.0 PROJECT DESCRIPTION**

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## 3.0 PROJECT DESCRIPTION

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### 3.1 BACKGROUND AND PROJECT OVERVIEW

On or about February 2, 2021, the City Council approved the Moreno Valley Business Park (“District Project”) located on 9.98 acres of mostly vacant land at the southeast corner of Heacock Street and Ironwood Avenue in the City of Moreno Valley (“Original Project Site”). The District Project included a single industrial building of approximately 220,390 square feet.

The land use entitlements approved for the District Project included the following: a) Resolution No. 2021-07 certifying a Mitigated Negative Declaration (“MND”) and Mitigation Monitoring Plan for the District Project pursuant to CEQA; b) Resolution No. 2021-08 approving a General Plan Amendment (PEN20-0139) changing the land use designation of the Project Site from “Commercial” to “Business Park”; c) Ordinance No. 978 approving Specific Plan Amendment 205 (PEN20-0138) to change the land use designation of the District Project Site from “Retail Commercial” to “SP205 Mixed Use”; d) Resolution No. 2021-11 approving Plot Plan (PEN20-0137) for a 220,390-square-foot light industrial building; and e) a Zone Change to change the District Project Site’s zoning designation from “Regional Commercial” to “Mix of Uses.” The Sierra Club filed a lawsuit challenging the City’s approval of the Mitigated Negative Declaration for the District Project, along with the foregoing land use approvals.

On or about October 14, 2024, the Court issued a Peremptory Writ of Mandate (“Writ”), as stipulated by the parties, in which the Court ordered the City to set aside and vacate the following approvals for the District Project: a) Resolution 2021-07 adopting a Mitigated Negative Declaration and Mitigation Monitoring Plan; b) Resolution No. 2021-08 approving General Plan Amendment PEN20-0139; c) Resolution No. 2021-11 approving Plot Plan PEN20-0137; and d) Ordinance No. 978 adopting Specific Plan

Amendment PEN20-0138. The Writ further ordered the City to proceed in a manner consistent with the Writ and CEQA in connection with any “reconsideration” or “re-approval” of the District Project. The City was granted up to one-hundred eighty (180) days to file and serve a return to the Writ (“Return”) and, if necessary, to file and serve any subsequent Returns every 90 days thereafter. The purpose of the Return is to memorialize with the Court the actions taken by the City to comply with the terms and conditions of the Writ.

The Applicant, LGC 10MV, LLC, has submitted entitlement applications to develop the proposed Moreno Valley Building No. 5 Project (Project). The Project is subject to review under this Draft Environmental Impact Report (“DEIR”) pursuant to CEQA and the CEQA Guidelines, and as applicable, consistent with the terms and conditions of the Writ.

Pursuant to the requirements of the California Environmental Quality Act (CEQA), this DEIR evaluates and discloses the potential environmental effects resulting from the construction and operation of the proposed Moreno Valley Business Park Building 5 Project (Project), located generally at the southeast corner of Ironwood Avenue and Heacock Street (“Project Site”). The Project, consists of the following: a) a General Plan Amendment (Land Use Element) redesignating the Project Site’s General Plan Land Use Designation from “Commercial” to “Business Park/Light Industrial”; b) a Specific Plan Amendment amending the Moreno Valley Festival Specific Plan (Specific Plan No. 205), as amended by Amendment No. 1, to accommodate the development of Business Park/Light Industrial uses on the Project Site; c) related amendments to the City’s Zoning Atlas to be consistent with changes made to the Project Site’s land use designations as set forth in the 2006 General Plan and Specific Plan No 205; d) a Lot Line Adjustment or Parcel Map to combine and reconfigure the existing parcels within the Project Site to accommodate the proposed use of the Project Site; e) a Site Plan/Plot Plan addressing design and layout of the proposed uses of the Project Site; and f) Infrastructure Improvement Plans including, but not limited to, roads, sewer, water, storm water management system, and dry utilities plans.

The Moreno Valley Festival Specific Plan (Specific Plan No. 205) was adopted by the City of Moreno Valley circa 1987 (the “Original Specific Plan”). The Original Specific Plan encompassed approximately 73.74 acres located at the southeast corner of Ironwood Avenue (E – W) and Heacock Street (N – S).

The Original Specific Plan was first amended in 2018, which is known as “Specific Plan No. 205, Amendment No. 1” or “1<sup>st</sup> Amendment.” The 1<sup>st</sup> Amendment provided a wider range of land uses and development types than permitted in the Original Specific Plan, which was a response to the then current development trends. The 1<sup>st</sup> Amendment revised the land uses and development standards affecting approximately 64 acres within the Original Specific Plan area. The 1<sup>st</sup> Amendment specifically excluded properties located at the southeast corner of Ironwood Avenue at Heacock Street, which otherwise remain in Specific Plan No. 205.<sup>1</sup> The expanded range of allowable uses approved under the 1<sup>st</sup> Amendment included commercial/retail development, retail uses, and open space designations. The 1<sup>st</sup> Amendment also facilitated the extension of Davis Street north to connect with the segment of Davis Street that extends north of Ironwood Avenue.

### **3.2 PROJECT LOCATION AND BOUNDARIES**

Specific Plan No. 205 is located north of SR-60 (E – W) at Heacock Street (N – S) in the northwest portion of the City of Moreno Valley, in western Riverside County. The Project considered herein comprises approximately 9.98 acres within Specific Plan No. 205, located immediately southeast of Ironwood Avenue (E – W) at Heacock Street (N – S). Please refer to Figure 3.2-1, *Project Location*.

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<sup>1</sup> “The Specific Plan Amendment [No. 1] will not apply to the parcels at the southeast of [sic] corner of Ironwood Avenue and Heacock Street as identified in the Land Use Plan exhibit on page 21 of the Specific Plan Amendment [No. 1] text...” (City of Moreno Valley Ordinance No. 935, May 1, 2018, p. 2).



NOT TO SCALE  
Source: Google Earth; Applied Planning, Inc.

Figure 3.2-1  
Project Location

### **3.3 EXISTING LAND USES AND LAND USE DESIGNATIONS**

#### **3.3.1 Existing Land Uses**

Project site and vicinity land uses are denoted at Figure 3.3-1 and are described below. Representative photos of the Project site are presented at Figure 3.3-2.

##### **3.3.1.1 Project Site Land Use**

The Project site is a roughly rectangular-shaped parcel, totaling 9.98 acres. The Project site comprises current Assessor's Parcel Numbers (APNs) 481-020-013, -029, -030, -034, -035, and -038. The Project site is essentially level, evidencing elevations generally ranging from 1,640 feet above mean sea level (MSL) to approximately 1,650 feet MSL. The site is heavily disturbed, characterized by graded areas and sparse areas of non-native vegetation. The site evidences two empty above-ground storage tanks (ASTs) and fenced area (former gravel parking lot). One of these ASTs was previously used for water storage. These ASTs and all surface features will be demolished/removed as part of the Project site preparation activities.

##### **3.3.1.2 Vicinity Land Uses**

North of the Project site, across Ironwood Avenue, is an SCE substation and residential uses. West of the Project site, across Heacock Street, properties are developed with commercial/service uses. South and east adjacent to the Project site are light industrial uses similar to those proposed by the Project.



NOT TO SCALE  
Source: Google Earth; Applied Planning, Inc.

Figure 3.3-1  
Existing Land Uses



Source: LCG 10MV LLC.

### 3.3.2 Land Use Designations

#### 3.3.2.1 General Plan Land Use

The existing 2006 General Plan Land Use Designation of the Project site is “Commercial.” To allow for the Project light industrial uses and maintain consistency between the site’s Specific Plan Land Use and General Plan Land Use designations, the Project proposes a General Plan Land Use Amendment. The proposed General Plan Land Use Amendment would redesignate the Project site General Plan Land Use from “Commercial” to “Business Park/Light Industrial.”<sup>2</sup> Existing and proposed General Plan Land Use Designations are presented at Figure 3.3-3. The Project would be allowed under the proposed Business Park/Light Industrial General Plan Land Use designation. More specifically, as described in the General Plan, “[t]he primary purpose of areas designated Business Park/Industrial is to provide for manufacturing, research and development, warehousing and distribution, as well as office and support commercial activities. The zoning regulations shall identify the particular uses permitted on each parcel of land. Development intensity should not exceed a Floor Area Ratio [FAR] of 1.00 and the average floor area ratio should be significantly less . . .” (City of Moreno Valley General Plan, p. 2-14).

The Project will include approximately 220,390 square feet of light industrial uses within an approximately 9.98-acre (434,730 square feet) Project Site – yielding an FAR of approximately 0.51. The Project’s light industrial uses are consistent with uses allowed under the Business Park/Light Industrial General Plan Land Use designation. The Project’s FAR (0.51) is consistent with and would not exceed the General Plan FAR (1.0) established for the Business Park/Light Industrial General Plan Land Use designation. The Project uses would be implemented consistent with zoning established under Specific Plan No. 205, as amended herein.

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<sup>2</sup> In May 2024, the Riverside County Superior Court issued a Judgment and Writ (“Writ”) directing that the City set aside certification of the 2040 General Plan EIR due to inadequacies identified in the Final Program EIR as to the issues of baseline greenhouse gas emissions (GHG), air quality, and energy use and to set aside approval of the 2040 General Plan and related Zoning Amendments. This had the effect of reviving the City’s 2006 General Plan and associated zoning which applies to the Project.

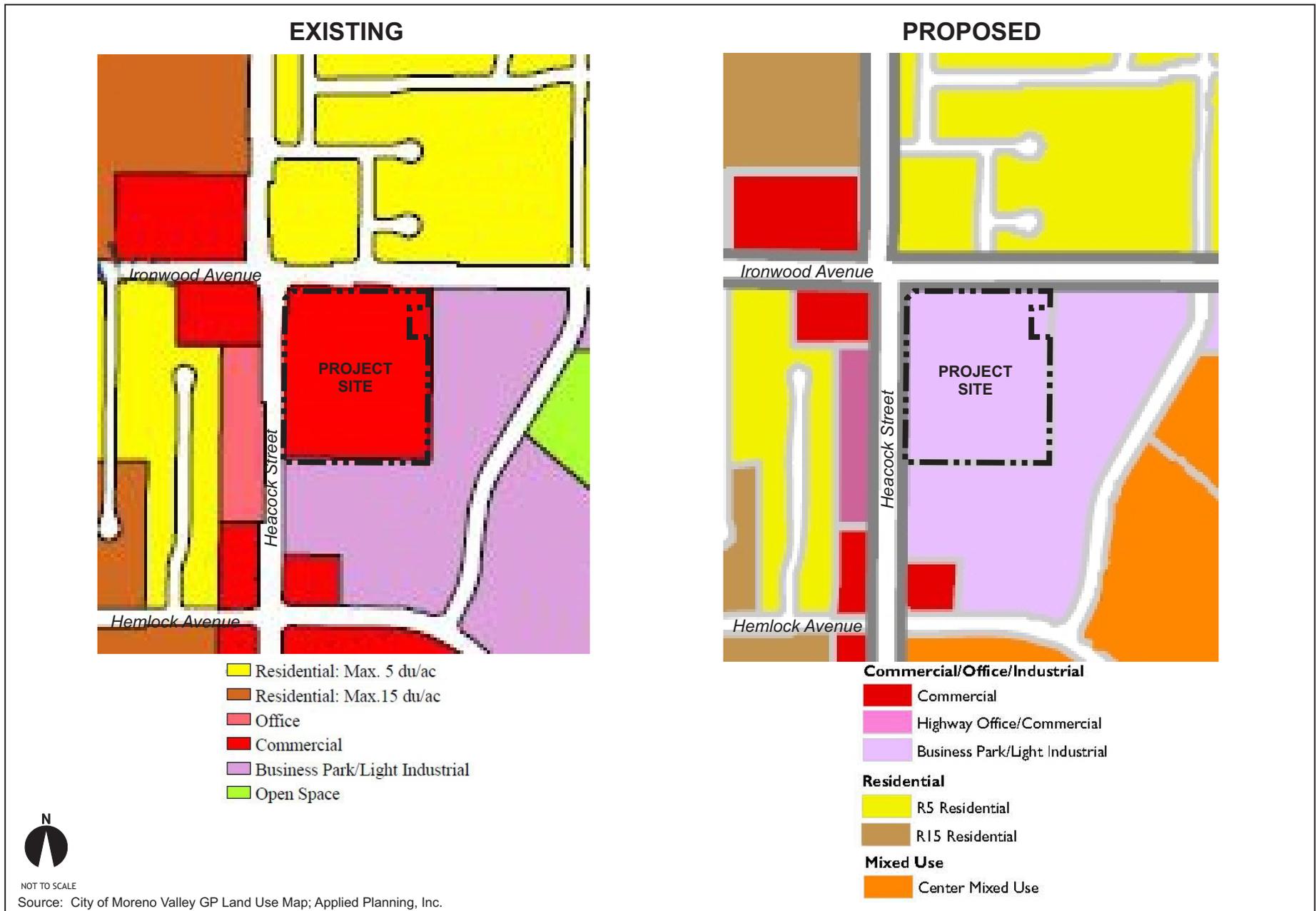


Figure 3.3-3  
Existing & Proposed General Plan Land Use Designations

The General Plan land use designations of properties abutting the Project site to the south and east are Business Park/Light Industrial. West of the Project site, across Heacock Street, General Plan Land Use designations of properties are “Commercial” and “Office.” North of the Project site, across Ironwood Avenue, the General Plan Land Use designation of properties is “R5, Residential.” The Project does not propose or require amendment of off-site General Plan Land Use designations.

### **3.3.2.2 Zoning**

Current zoning of the Project site and abutting properties to the south and east is established under Specific Plan No. 205 (SP No. 205), Moreno Valley Festival Specific Plan. As proposed under the Project, the Specific Plan Land Use designation for the Project site would be changed from “Commercial/Retail” to “Mix of Uses.” The Project would not otherwise affect Specific Plan No. 205 land use designations. Existing and proposed zoning designations are presented at Figure 3.3-4.

West of the Project site, across Heacock Street, properties are zoned “Commercial” and “Office.” North of the Project site, across Ironwood Avenue, properties are zoned “Residential R5.” The Project does not propose or require amendment of off-site zoning designations.

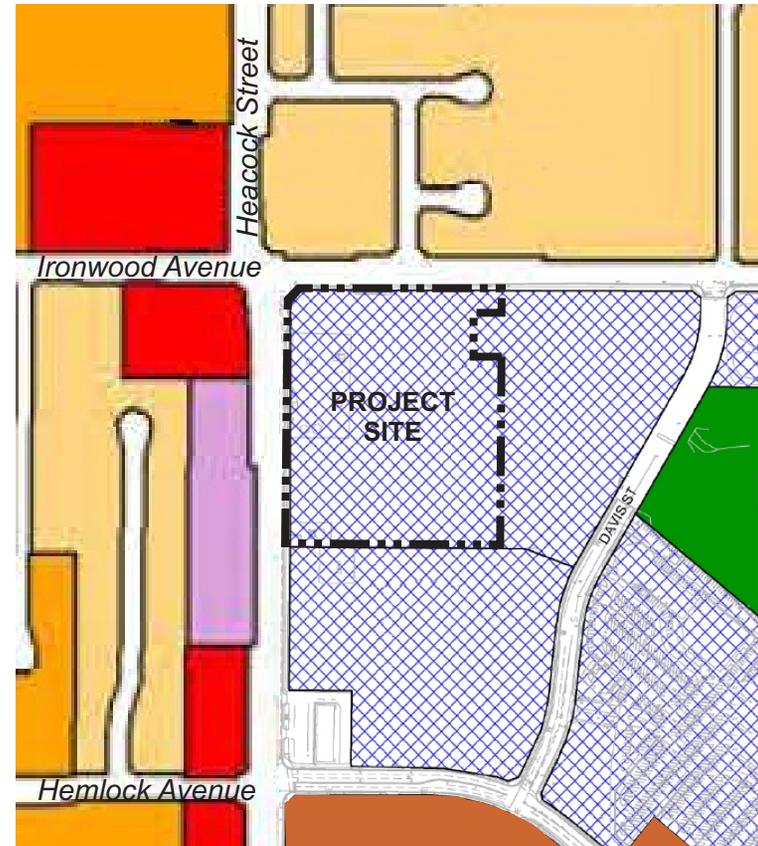
### EXISTING



#### Zoning

- Commercial
- Office
- Suburban Residential (R5)
- SP No. 205 - Mix of Uses
- SP No. 205 - Commercial/Retail

### PROPOSED



#### Zoning

- Commercial
- Office
- Suburban Residential (R5)
- SP No. 205 - Mix of Uses
- SP No. 205 - Commercial/Retail



NOT TO SCALE

Source: City of Moreno Valley Zoning Map; Specific Plan No. 205 Land Use Plan; Applied Planning, Inc.

Figure 3.3-4  
Existing & Proposed Zoning Designations

## **3.4 PROJECT ELEMENTS**

### **3.4.1 Site Preparation**

The Project area would be cleared of all surface features, grubbed, rough-graded, and fine-graded in preparation of building construction. Any debris generated during site preparation activities would be disposed of and/or recycled consistent with the City's Source Reduction and Recycling Element (SRRE). Existing grades within the Project site would be modified to establish suitable building pads and to facilitate site drainage.

### **3.4.2 Development Concept**

The Project proposes the construction of approximately 220,390 square feet of light industrial uses within an approximately 9.98-acre site. The Project Site Plan Concept is presented at Figure 3.4-1. Final designs of all Project elements will be realized consistent with design requirements and standards identified within the Specific Plan No. 205, Amendment No. 2 document. Where the Specific Plan No. 205, Amendment No. 2 document is silent, Project designs and development shall comply with applicable provisions of the City of Moreno Valley Municipal Code.

### **3.4.3 Access and Circulation**

Under the Project Site Plan Concept, primary access to the Project would be provided by two driveways onto Heacock Street, the site's west boundary; and one driveway onto Ironwood Avenue, the site's north boundary. The Project would also construct all site-adjacent roadway improvements as summarized below, and/or as otherwise required pursuant to the Project Conditions of Approval.

- Roadways adjacent to the Project, site access points and site-adjacent intersections would be designed and constructed consistent with City of Moreno Valley General Plan Circulation Element roadway classifications and respective cross-sections.
- On-site traffic signing and striping plans would be submitted concurrent with submittal of Project construction plans; and would be subject to City review and approval.



- Sight distance at each Project access point would conform to Caltrans and City of Moreno Valley sight distance standards; and would be subject to City review and approval.

Trucks accessing the Project site would travel along designated truck routes. Heacock Street and Ironwood Avenue adjacent to the Project site are both designated truck routes.

#### **3.4.3.1 Construction Traffic Management Plan**

Temporary and short-term traffic detours and traffic disruptions could result during Project construction activities including implementation of access and circulation improvements noted above. Accordingly, the Project Applicant would be responsible for the preparation and submittal of a construction area traffic management plan (Plan) to be reviewed and approved by the City Public Works Department. Typical elements and information incorporated in the Plan would include, but would not be limited to:

- **Name of on-site construction superintendent and contact phone number.**
- **Identification of Construction Contract Responsibilities** - For example, for excavation and grading activities, describe the approximate depth of excavation and quantity of soil import/export (if any).
- **Identification and Description of Truck Routes** - to include the number of trucks and their staging location(s) (if any).
- **Identification and Description of Material Storage Locations (if any).**
- **Location and Description of Construction Trailer (if any).**
- **Identification and Description of Traffic Controls** - Traffic controls shall be provided per the Manual of Uniform Traffic Control Devices (MUTCD) if the occupation or closure of any traffic lanes, parking lanes, parkways or any other public right-of-way is required. If the right-of-way occupation requires configurations or controls not identified in the MUTCD, a separate traffic control

plan must be submitted to the City for review and approval. All right-of-way encroachments would require permitting through the City.

- **Identification and Description of Parking** - Estimate the number of workers and identify parking areas for their vehicles.
- **Identification and Description of Maintenance Measures** - Identify and describe measures taken to ensure that the work site and public right-of-way would be maintained (including dust control).

The Plan must be reviewed and approved by the City prior to the issuance of the building permit. The Plan and its requirements would also be required to be provided to all contractors as one component of building plan/contract document packages.

#### **3.4.4 Landscape/Hardscape**

The Project would incorporate perimeter and interior landscaping and streetscape elements, acting to generally enhance the Project's visual qualities. Proposed landscaping includes varied trees, shrubs, and ground cover. Design accents, including all landscape/hardscape designs and features, are subject to City review and approval. Final design of the Project's landscaping and hardscape are subject to the City's Design Review processes.

#### **3.4.5 Walls/Screening**

Approximately 20-to-30-foot-wide landscape setbacks would be provided along the Project site's Heacock Street and Ironwood Avenue frontages, acting to screen Project parking areas and generally enhance public views of the Project site. Additionally, landscape treatments would be provided along the Project building public-facing facades acting to further screen and enhance views of the Project site.

Internal site features and appurtenances including, but not limited to, loading dock areas, trash collection areas, and utility pedestals/surface utility boxes, would also be screened.

Project screening elements, including all screening walls, would be architecturally compatible with other Project facilities. Final design of all proposed screening elements is subject to City Design Review and Approval processes.

### **3.4.6 Lighting**

All Project lighting would be designed and implemented in a manner that precludes potential adverse effects of light overspill consistent with requirements identified at City Municipal Code Section 9.10.110, “Light and Glare.” Municipal Code Section 9.16.280, “Applications for Lighting, General Requirements,” subsection A. states:

Lighting serves both safety and aesthetic purposes, illuminating dark areas and providing for highlights and accents. Effective lighting would highlight building features, add emphasis to important spaces and create an ambience of vitality and security. The intent of these guidelines is to encourage effective and innovative lighting to be incorporated as an integral component of a project.

Potential light overspill is addressed through Municipal Code Section 9.10.110, “Performance Standards, Light and Glare,” and would be minimized through limited use of freestanding lighting and use of fixed and shielded directional wall-mounted fixtures. The Project lies within 45 miles of the Mt. Palomar Observatory and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations.

Final design of the Project lighting plan including locations, heights, and performance standards for all Project lighting features and fixtures is subject to the City’s Design Review processes. Detailed lighting plans would be prepared in conjunction with building plan submittals and would be subject to City Design Review and Approval processes prior to issuance of building permits.

### **3.4.7 Signs**

All signs implemented by the Project would be required to conform to a Sign Program as reviewed and approved by the City. The Sign Program would provide detailed guidelines and requirements for facility and informational signs and other graphic displays within the Project area. The Sign Program would afford prospective tenants with the maximum possible exposure in a manner that is consistent with the encompassing Project design concept, and responsive to community visual and aesthetic sensibilities.

### **3.4.8 Parking**

Parking would be provided pursuant to City parking requirements. No off-site parking is proposed, nor would it be required. Final design of parking areas would be as reviewed and approved by the City through the City's Design Review processes.

### **3.4.9 Infrastructure/Utilities**

The Project site is served by existing mainline utilities services. Primary utilities services are described below.

#### **3.4.9.1 Water/Sewer Services**

Water and sewer services would be provided to the Project by the Eastern Municipal Water District (EMWD). It is anticipated that water service to the Project would be provided by connection to existing EMWD water lines located in Davis Street, and/or Heacock Street. Similarly, it is anticipated that sanitary sewer services to the Project would be provided by connection to the existing sewer main located in Davis Street, and/or Heacock Street. Alignment of service lines, and connection to existing services would be as required by EMWD. Wastewater would be conveyed from the Project for treatment at the Perris Valley Regional Water Reclamation Facility (PVRWRF).

#### **3.4.9.2 Storm Water Management Systems**

All Project stormwater management systems would be subject to review and approval by the City. The implemented stormwater management system(s) would comprehensively include proposed drainage improvements, and facilities and programs which act to control and treat stormwater pollutants.

The Project would implement a Storm Water Pollution Prevention Plan (SWPPP), and Water Quality Management Plan (WQMP) consistent with City requirements. In this manner, the Project would also comply with requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit and other water quality requirements or storm water management programs specified by the Regional Water Quality Control Board (RWQCB). In combination, implementation of the Project SWPPP, WQMP, and compliance with NPDES Permit and RWQCB requirements acts to protect City and regional water quality by preventing or minimizing potential pollutant discharges to the watershed.

#### **3.4.9.3 Solid Waste Management**

It is anticipated that Project-generated solid waste would be conveyed by Waste Management of the Inland Empire to one of three nearby landfills. Solid waste generated by the Project, and related potential effects on landfill capacities, are minimized through compliance with the City's Source Reduction and Recycling Element (SRRE) and incumbent CalRecycle requirements.

#### **3.4.9.4 Electricity**

Electrical service within the City is provided by Southern California Edison (SCE) and the Moreno Valley Electric Utility (MVU). SCE would provide service to the Project site. New lines installed by the Project would be placed underground. Alignment of service lines and connection to existing services would be as required by SCE. Any necessary surface-mounted equipment, such as transformers, meters, service cabinets, and the like, would be screened and would conform to building setback requirements.

To allow for and facilitate Project development, provision of temporary SCE electrical services improvements may be required. The scope of such temporary improvements is considered consistent with, and reflected within the total scope of development proposed by the Project. Similarly, impacts resulting from the provision of temporary SCE services would not be substantively different from, or greater than, impacts resulting from development of the Project in total.

#### **3.4.9.5 Natural Gas**

Natural gas service would be provided by the Southern California Gas Company (SoCalGas). Existing service lines would be extended to the Project uses. Alignment of service lines and connection to existing services would be as required by SoCalGas.

To allow for and facilitate Project development, provision of temporary SoCalGas services improvements may be required. The scope of such temporary improvements is considered consistent with, and reflected within, the total scope of development proposed by the Project. Similarly, impacts resulting from the provision of temporary SoCalGas services would not be substantively different from, or greater than, impacts resulting from development of the Project in total.

#### **3.4.9.6 Communications Services**

Communications services, including wired and wireless telephone and internet services, are available through numerous private providers and would be provided on an as-needed basis. As with electrical service lines, all existing and proposed wires, conductors, conduits, raceways, and similar communications improvements within the Project area would be installed underground. Any necessary surface-mounted equipment, e.g., terminal boxes, transformers, meters, service cabinets, etc., would be screened and would conform to building setback requirements.

To allow for and facilitate Project development, provision of temporary communication services improvements may be required. The scope of such temporary improvements is considered consistent with, and reflected within, the total scope of development proposed by the Project. Similarly, impacts resulting from the provision of temporary communication services would not be substantively different from, or greater than, impacts resulting from development of the Project in total.

### 3.4.10 Energy Efficiency/Sustainability

Consistent with the City of Moreno Valley Climate Action Plan,<sup>3</sup> energy-saving and sustainable design features and operational programs would be incorporated into all facilities developed pursuant to the Project. As reviewed and approved by the City, the Project would be designed and constructed in a manner that, at a minimum, achieves Leadership in Energy and Environmental Design (LEED) “Silver” equivalency. Preliminary Project concepts incorporate and express the following design features and attributes promoting energy efficiency and sustainability:

- The Project design concept allows for inclusion of a photo-voltaic electrical generation system (PV system) capable of generating sufficient power to serve all Project office areas. Alternatively, as a Condition of Approval, the Project would be required to obtain an equivalent amount of electricity from a utility provider that receives its energy from renewable (non-fossil fuel) sources and provide documentation to this effect to the City.
- All on-site cargo handling equipment (CHE) would be powered by non-diesel fueled engines.
- Regional vehicle miles traveled (VMT) and associated vehicular-source emissions are reduced by the following Project design features/attributes:
  - Sidewalk improvements generally facilitate pedestrian access and encourage people to walk instead of drive. The Project would not impose barriers to pedestrian access and interconnectivity.
  - Light industrial/warehouse uses proposed by the Project act to reduce truck travel distances and truck trips within the region by consolidating and reducing requirements for single-delivery vendor truck trips.
- To reduce water demands and associated energy use, development proposals within the Project site would be required to implement a Water Conservation

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<sup>3</sup> City of Moreno Valley Climate Action Plan, Adopted June 15, 2021. See also: [https://moval.gov/city\\_hall/general-plan2040/MV-CAP.pdf](https://moval.gov/city_hall/general-plan2040/MV-CAP.pdf)

Strategy and demonstrate a minimum 20% reduction in indoor water usage when compared to baseline water demand (total expected water demand without implementation of the Water Conservation Strategy).<sup>4</sup> Development proposals within the Project site would also be required to implement the following:

- o Landscaping palette emphasizing drought-tolerant plants;
- o Use of water-efficient irrigation techniques;
- o Use of EPA-Certified WaterSense labeled or equivalent faucets, high-efficiency toilets (HETs), and other plumbing fixtures.

### 3.5 PROJECT OPERATIONS

For analytic purposes, the following Project operational characteristics are assumed:

- The Project will be complete and fully operational by 2026, the Project Opening Year;
- The Project will be open and operational year-round, 24 hours per day, 7 days per week;
- A maximum of 15 percent of the Project gross floor area (31,847 square feet) will comprise refrigerated warehouse uses;
- A maximum of 15 percent of the Project gross floor area (31,847 square feet) will comprise manufacturing/fabrication uses;
- Unless otherwise noted herein, all Project operations would occur internal to the Project main building.

Project operations would also include on-site cargo handling. The most common type of cargo handling equipment is the yard truck designed for moving cargo containers. Yard

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<sup>4</sup> Reduction of 20% indoor water usage is consistent with the current CalGreen Code performance standards for residential and non-residential land uses. Per CalGreen, the reduction shall be based on the maximum allowable water use per plumbing fixture and fittings as required by the California Building Standards Code.

trucks are also known as yard goats, utility tractors (UTRs), hustlers, yard hostlers, and yard tractors. Any yard trucks based at the Project site would be non-diesel (e.g., gasoline and/or electric-powered).

Project tenants are not yet known, and the number of jobs that the Project would generate cannot therefore be precisely determined. The City of Moreno Valley General Plan does not provide employment estimates by land use category. The City of Moreno Valley lies within Riverside County – and the Riverside County General Plan does provide employment estimates by land use type. For purposes of this analysis, employment estimates were calculated using data and average employment factors presented in the Riverside County General Plan. The Riverside County General Plan estimates that light industrial land uses, such as the Project, would employ one worker for every 1,030 square feet of building area (Riverside County General Plan, Appendix E-2, Table E-5). See: <https://planning.rctlma.org/>. On this basis, it is preliminarily estimated that the Project's 220,390 square feet of light industrial uses would generate an estimated 214 jobs.

### **3.6 PROJECT OPENING YEAR**

The Project would be developed in a manner responsive to market conditions and in concert with availability of necessary infrastructure and services. The anticipated Project Opening Year is 2026.

### **3.7 PROJECT OBJECTIVES**

The primary goal of the Project is to transition available underutilized vacant property to productive high quality light industrial uses. Complementary Project Objectives include the following:

- Implement the City Plan (General Plan), as amended herein, through development that is consistent with the General Plan Land Use Element and applicable General Plan Goals, Objectives, Policies and Programs;

- Implement Specific Plan No. 205, as amended herein, through development of new light industrial uses that are consistent with the amended Specific Plan land uses and development concepts, and in total supports the Specific Plan Vision;
- Provide roadway and wet and dry utility infrastructure adequate to serve the Project;
- Implement light industrial uses that are compatible with adjacent land uses;
- Implement light industrial uses in a manner that is cognizant of natural and man-made conditions and that minimizes potential adverse environmental effects;
- Implement light industrial uses that are responsive to current and anticipated market demands;
- Implement light industrial development that would increase locally available construction employment opportunities;
- Implement light industrial development that would increase locally available long-term employment opportunities;
- Attract new light industrial uses businesses and jobs and thereby foster economic growth.

### **3.8 PROJECT DISCRETIONARY ACTIONS, PERMITS, CONSULTATIONS**

Discretionary actions, permits and related consultation(s) necessary to approve and implement the Project include, but are not limited to, the following.

#### **3.8.1 Lead Agency Discretionary Actions and Permits**

*CEQA Guidelines* Section 15124 states in pertinent part that if “a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed . . .”

Requested Lead Agency decisions, or discretionary actions necessary to realize the Project would include the following:

- Certification of the Project EIR;
- Approval of a General Plan Amendment (Land Use Element), redesignating the Project site General Plan Land Use from Commercial to Business Park/Light Industrial;
- Adoption of Specific Plan No. 205, Amendment No. 2; and related amendment(s) to City Zoning Map(s);
- Approval of a Lot Line Adjustment or Parcel Map to combine and reconfigure existing parcels comprising the Project site;
- Site Plan/Plot Plan Approval(s);
- Approval of Infrastructure Improvement Plans including, but not limited to, roads, sewer, water, storm water management system, and dry utilities plans.

### **3.8.2 Other Consultation and Permits**

*CEQA Guidelines* Section 15124 also states that the EIR should, to the extent known, include a list of all the agencies expected to use the EIR in their decision-making (Responsible Agencies, Trustee Agencies), and a list of other permits or approvals required to implement the Project. Based on the current Project design concept, anticipated permits necessary to realize the proposal would likely include, but are not limited to, the following:

- Tribal Resources consultation with requesting Tribes as provided for under *AB 52, Gatto. Native Americans: California Environmental Quality Act*; and *SB 18, Burton. Traditional tribal cultural places*;

- Permitting may be required by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit;
- Permitting may be required by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented within the Project area; and
- Various construction, grading, and encroachment permits allowing implementation of the Project facilities.

## **4.0 ENVIRONMENTAL IMPACT ANALYSIS**

## **4.0 ENVIRONMENTAL IMPACT ANALYSIS**

This chapter of the EIR analyzes and describes the potential environmental impacts associated with the adoption and implementation of the Moreno Valley Business Park Building 5 (Project). The environmental impact analysis has been organized into a series of sections, each addressing a separate environmental topic. Environmental topics addressed in this EIR are presented in the following sections:

<b><u>Section</u></b>	<b><u>Topic</u></b>
4.1	Land Use and Planning
4.2	Transportation
4.3	Air Quality
4.4	Greenhouse Gas Emissions/Global Climate Change
4.5	Energy
4.6	Noise
4.7	Biological Resources
4.8	Cultural Resources/Tribal Cultural Resources

Within each of the above topical Sections, the discussion is typically divided into subsections which: summarize the findings of the section; present the framework for the discussion by listing the sources of information used in the section; describe the “setting” or existing environmental conditions; identify regulations and policies, which through their observance typically resolve many potential environmental concerns; identify thresholds of significance applicable to potential environmental effects of the Project; describe the significance of Project-related environmental effects in the context of applicable significance thresholds; and for impacts which are potentially significant or significant, recommend mitigation measures to eliminate or reduce these impacts. In this latter regard, it is recognized that the intent of the California Environmental Quality

Act (CEQA) is to focus on significant, or potentially significant adverse effects of the Project, and therefore, mitigation is proposed only for potential impacts of this magnitude.

As noted above, before potential impacts are evaluated, the standards or thresholds which will serve as the basis for judging the relative significance of impacts are presented. Often thresholds serve as a general guide or gauge for determining an impact's potential relative significance, rather than defining its absolute effects. Subsequent to identification of relevant significance thresholds, potential Project-related effects and impacts are identified and explained. If an impact is considered to be potentially significant, mitigation measures are proposed to avoid the impact, or reduce its effects to the extent feasible. In determining the potential significance of impacts, the adequacy of existing policies and regulations in addressing each impact is taken into consideration. At the conclusion of each discussion for a potentially significant impact, a determination is made as to whether the impact can be reduced to a less-than-significant level with the application of mitigation measures.

In the environmental analysis, the following terms are used to describe the potential effects of the Project:

- **Less-Than-Significant Impacts:** Minor changes or effects on the environment caused by the Project which do not meet or exceed the criteria, standards, or thresholds established to gauge significance are considered to be less-than-significant impacts. Less-than-significant impacts do not require mitigation. In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation.

- **Potentially Significant Impacts:** Potentially significant impacts are defined as a substantial, or potentially substantial, adverse change in the environment. The CEQA Guidelines and various responsible agencies provide guidance for determining the significance of impacts. However, the determination of impact significance is ultimately based on the judgment of the lead agency. Similarly, the establishment of any criteria to be used in evaluating the significance of impacts is the responsibility of the lead agency. Wherever possible, mitigation is proposed in the EIR to avoid or reduce the magnitude of potentially significant impacts.
- **Significant Impacts:** Impacts identified in the EIR which cannot be mitigated below thresholds of significance through the application of feasible mitigation measures are categorized as “significant.”
- **Cumulative Impacts:** A discussion of cumulative impacts is provided in Section 5.0 of this environmental analysis. Cumulative impacts refer to the impacts of the Project as they are combined or interact with anticipated impacts of other vicinity projects and physical effects of projected ambient regional growth.

## **4.1 LAND USE AND PLANNING**

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## 4.1 LAND USE AND PLANNING

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### *Abstract*

*This Section assesses potential land use and planning impacts that may result from land use and planning decisions necessary to implement Moreno Valley Business Park Building 5. Specifically, the discussions in this Section evaluate the potential for the Project to:*

- 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.*

*As supported by the analysis presented in this Section, potential land use and planning impacts of the Project would be less-than-significant.*

### 4.1.1 INTRODUCTION

The Land Use and Planning Section of the EIR focuses on the Project's consistency with applicable land use plans, policies, and regulations; and evaluates the Project's compatibility with existing and proposed vicinity development. Discussions and analysis within this Section are based on and supported by the following documents and source information:

- City of Moreno Valley 2006 General Plan and its associated General Plan Environmental Impact Report (SCH No. 200091075). These documents are available through the City of Moreno Valley or are accessible at: [http://www.moval.org/city\\_hall/general-plan.html](http://www.moval.org/city_hall/general-plan.html);
- The City of Moreno Valley Municipal Code, Title 9, *Planning and Zoning*, available through the City of Moreno Valley, or accessible at: <https://ecode360.com/MO4973>

- *Regional Transportation Plan/Sustainable Communities Strategy* available through the Southern California Association of Governments (SCAG) or can be accessed at: <https://scag.ca.gov/connect-socal>; and
- The *Moreno Valley Festival Amendment to Specific Plan 205* (Blodgett Baylosis Environmental Planning) January 19, 2021, Adopted February 16, 2021; City of Moreno Valley Ordinance 978 (Specific Plan No. 205, Amendment No. 2) included at EIR Appendix B.

## 4.1.2 SETTING

### 4.1.2.1 Project Overview and Location

The Project considered herein amends the Specific Plan No. 205 Land Use Plan for those properties (approximately 9.98 acres) that were excluded under Specific Plan No. 205, Amendment No. 1. The Project would redesignate the Specific Plan Land Use for these 9.98 acres from “Commercial/Retail” to “Mix of Uses,” and would allow for implementation of up to 220,390 square feet of light industrial uses. The Project responds to evolving community and market demands within the City and region.

Final designs of all Project elements will be realized consistent with design requirements and standards identified within the Specific Plan No. 205, Amendment No. 2 document. Where the Specific Plan No. 205, Amendment No. 2 document is silent, Project designs and development shall comply with applicable provisions of the City of Moreno Valley Municipal Code.

For analytic purposes, the following Project operational characteristics are assumed:

- The Project will be complete and fully operational by 2026, the Project Opening Year;
- The Project will be open and operational year-round, 24 hours per day, 7 days per week;
- A maximum of 15 percent of the Project gross floor area (31,847 square feet) will comprise refrigerated warehouse uses;
- A maximum of 15 percent of the Project gross floor area (31,847 square feet) will comprise manufacturing/fabrication uses;
- Unless otherwise noted herein, all Project operations would occur internal to the Project main building.

Detailed information regarding land uses and development that would be allowed under the Project is presented within *Moreno Valley Festival Amendment to Specific Plan 205* (Blodgett Baylois Environmental Planning) January 19, 2021 (Specific Plan document). The Specific Plan document in total is included at Appendix B.

Analyses within this EIR reflect the Project design and development concepts summarized at EIR Section 3.0, *Project Description*. Should future development proposals differ substantially from the development concepts analyzed herein, the Lead Agency would comply with CEQA in consideration of those proposals.

#### **4.1.2.1 Existing Land Uses**

The Project site is a roughly rectangular-shaped parcel, totaling 9.98 acres. The Project site comprises current Assessor's Parcel Numbers (APNs) 481-020-013, -029, -030, -034, -035, and -038. The Project site is essentially level, with elevations generally ranging from 1,640 feet above mean sea level (MSL) to approximately 1,650 feet MSL. The site is heavily disturbed, characterized by graded land and sparse areas of non-native vegetation. The site evidences two empty above-ground storage tanks (ASTs). Additionally, a fenced area (former gravel parking lot) exists along the Project site east boundary. ASTs and all surface features will be demolished/removed as part of the Project site preparation activities. Existing land uses are illustrated at Figure 4.1-1.

North of the Project site, across Ironwood Avenue, are an SCE substation and residential uses. West of the Project site, across Heacock Street, properties are developed with commercial/service uses. South and east of the Project site are light industrial uses similar to those proposed by the Project.

#### **4.1.2.2 General Plan Land Use and Zoning Designations**

The existing General Plan Land Use Designation of the Project site is "Commercial." Current zoning of the Project site is SP No. 205 "Retail Commercial." The Project proposes amendments to these land use designations, as subsequently discussed.



NOT TO SCALE  
Source: Google Earth; Applied Planning, Inc.

Figure 4.1-1  
Existing Land Uses

### **4.1.3 LAND USE PLANS, GOALS, POLICIES, AND REGULATIONS**

#### **4.1.3.1 Regional Planning**

The Southern California Association of Governments (SCAG) is the federally recognized metropolitan planning organization (MPO) for this region, which encompasses over 38,000 square miles, and comprises representatives of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their potential impacts on regional planning programs. As Southern California's MPO, SCAG cooperates with the Mojave Desert Air Quality Management District (MDAQMD), the California Department of Transportation (Caltrans), and other agencies in preparing regional planning documents.

The SCAG *Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)* is a long-range plan that is supported by transportation and land use strategies intended to achieve California's greenhouse gas emission reduction goals and federal Clean Air Act requirements. The RTP/SCS also supports regional planning objectives addressing public health, roadway safety, regional goods movement, and efficient use of resources.

#### **4.1.3.2 Local Planning**

The Project would be subject to, and would be required to comply with, applicable land use plans, goals, policies, and regulations, including the City of Moreno Valley General Plan and City of Moreno Valley Municipal Code, Title 9, *Planning and Zoning*. In many instances, compliance with existing policies and regulations eliminates, or substantially reduces, potential environmental effects. Existing policies and regulations, to some extent, also indicate community and regional values and prerogatives relative to environmental concerns.

#### 4.1.4 STANDARDS OF SIGNIFICANCE

Appendix G of the California Environmental Quality Act Guidelines (*CEQA Guidelines*), as applied by the City of Moreno Valley, indicates that a Project will normally have a significant effect related to land use if it would:

- Physically divide an established community;
- 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.

#### 4.1.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

##### 4.1.5.1 Introduction

The following discussions focus on those areas where it has been determined that the Project may result in potentially significant land use and planning impacts, based on the previous discussions included within this Section and analysis presented within the EIR Initial Study (EIR Appendix A). The Initial Study discussions substantiate that the Project would not physically divide an established community. This potential impact is therefore not discussed further within this Section. Please refer also to Initial Study Checklist Item XI. *Land Use and Planning*.

##### 4.1.5.2 Impact Statements

**Potential Impact:** *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.*

**Impact Analysis:** Land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating environmental effects are established under the RTP/SCS, City of Moreno Valley General Plan, and SPA No. 205.

### **RTP/SCS Consistency**

The existing General Plan Land Use Designation of the Project site is “Commercial.” The RTP/SCS reflects the site’s current General Plan “Commercial” Land Use Designation. To allow for the Project industrial uses, a General Plan Land Use Amendment is proposed that would redesignate the Project site General Plan Land Use from Commercial to “Business Park/Light Industrial.” The Project would be allowed under the proposed Business Park/Light Industrial General Plan Land Use designation. Existing and proposed General Plan Land Use designations are presented at Figure 4.1-2.

The change in General Plan Land Use proposed by the Project (from Commercial to Light Industrial/Business Park) would likely result in a net reduction in total criteria air pollutant emissions. This is due primarily to the net reduction in traffic and mobile-source air pollutant emissions that would be generated by the Project light industrial uses when compared to traffic and mobile-source emissions that would result from commercial development of the subject site.

Trip generation (traffic) is a general proxy that broadly represents relative air quality impacts of development proposals. Trip generation resulting from the Project Business Park/Light Industrial uses would likely be reduced when compared to trip generation resulting from development of the site allowed under the site’s current General Plan Commercial Land Use. In this regard, trip generation for general commercial uses is approximately 35.86 average daily trips (ADT) per thousand square feet (TSF).<sup>1</sup> In comparison, the Project would generate approximately 2.25 ADT per TSF.<sup>2</sup>

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<sup>1</sup> Land Use 820 (General Commercial Shopping Center) Trip Generation rate from ITE Trip Generation Manual, 11<sup>th</sup> Edition. Trip generation rate reflects pass-by trip reduction of 25 percent.

<sup>2</sup> Project Trip Generation from *Moreno Valley Business Park – Phase II Vehicle Miles (VMT) Analysis* (Urban Crossroads) January 3, 2022.

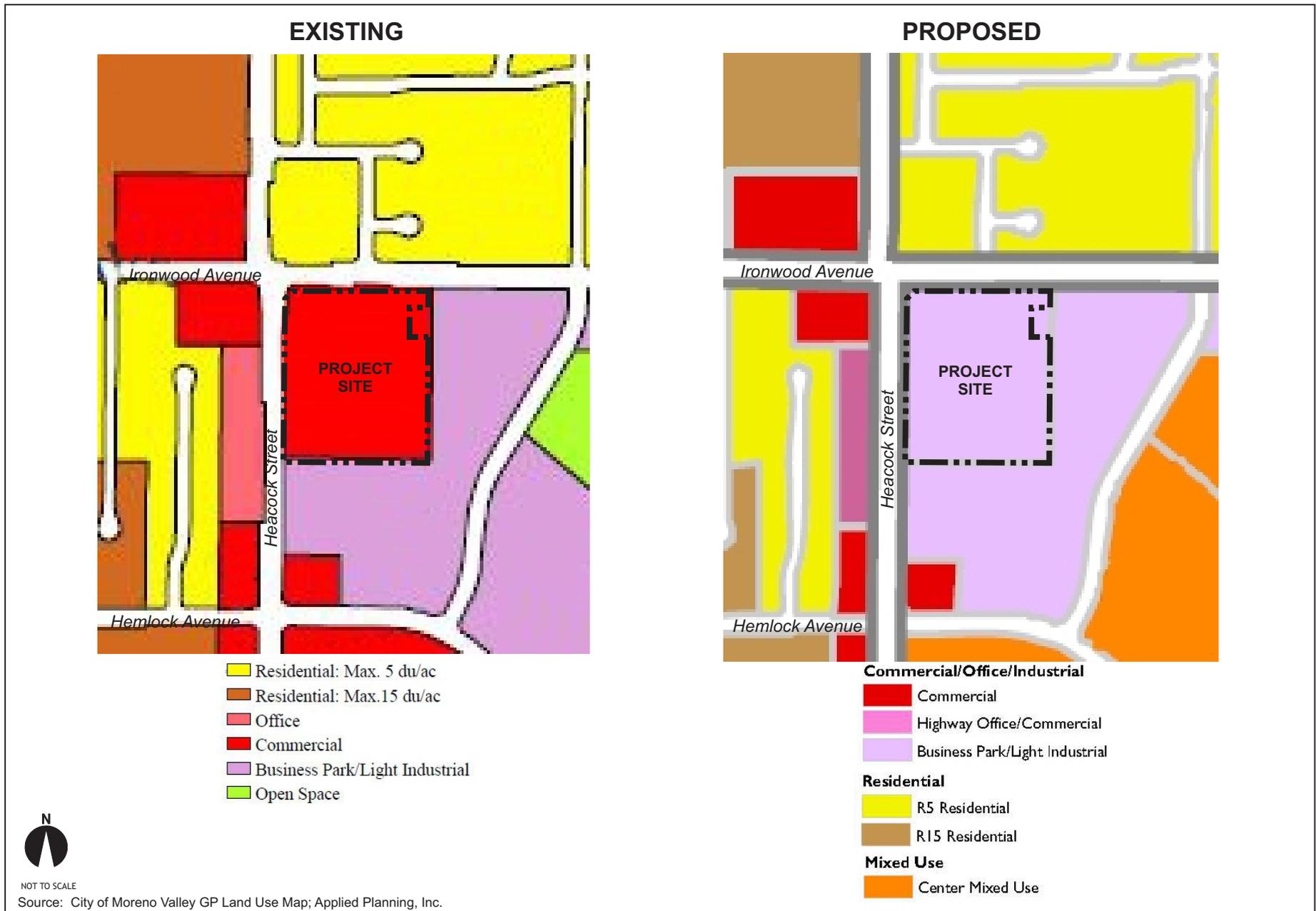


Figure 4.1-2  
Existing & Proposed General Plan Land Use Designations

On this basis, impacts resulting from the Project would not exceed assumptions reflected in the RTP/SCS. Moreover, the Project is not of a type, or of sufficient scope or scale to be considered regionally significant under CEQA,<sup>3</sup> and would not discernibly affect regional goals and policies established under the RTP/SCS. Based on the preceding discussion, the Project is determined to be consistent with the RTP/SCS.

### **General Plan Consistency**

The existing General Plan Land Use Designation of the Project site is “Commercial.” To allow for the Project light industrial uses and maintain consistency between the site’s Specific Plan Land Use and General Plan Land Use designations, the Project proposes a General Plan Land Use Amendment. The proposed General Plan Land Use Amendment would redesignate the Project site General Plan Land Use from “Commercial” to “Business Park/Light Industrial.”<sup>4</sup> The Project would be allowed under the proposed Business Park/Light Industrial General Plan Land Use designation. More specifically, as described in the General Plan, “[t]he primary purpose of areas designated Business Park/Industrial is to provide for manufacturing, research and development, warehousing and distribution, as well as office and support commercial activities. The zoning regulations shall identify the particular uses permitted on each parcel of land. Development intensity should not exceed a Floor Area Ratio [FAR] of 1.00 and the average floor area ratio should be significantly less . . .” (City of Moreno Valley General Plan, p. 2-14).

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<sup>3</sup> Specifically, *CEQA Guidelines* Section 15206 identifies the types of projects considered to be of statewide, regional, or areawide significance, which include:

- Proposed residential developments over a certain number of dwelling units
- Projects with the potential for causing significant environmental effects that extend beyond the city or county where the project is located
- Projects for the expansion or construction of water resources facilities beyond a single city or county
- Projects with the potential to adversely impact prime agricultural lands or facilities included in the State Clearinghouse Handbook

<sup>4</sup> In May 2024, the Riverside County Superior Court issued a Judgment and Writ (“Writ”) directing that the City set aside certification of the 2040 General Plan EIR due to inadequacies identified in the Final Program EIR as to the issues of baseline greenhouse gas emissions (GHG), air quality, and energy use and to set aside approval of the 2040 General Plan and related Zoning Amendments. This had the effect of reviving the City’s 2006 General Plan and associated zoning which applies to the Project.

The Project will include approximately 220,390 square feet of light industrial uses within an approximately 9.98-acre (434,730 square feet) Project Site – yielding an FAR of approximately 0.51. The Project’s light industrial uses are consistent with uses allowed under the Business Park/Light Industrial General Plan Land Use designation. The Project’s FAR (0.51) is consistent with and would not exceed the General Plan FAR (1.0) established for the Business Park/Light Industrial General Plan Land Use designation.

As summarized above, the Project uses and development concepts would be consistent with the proposed Business Park/Light Industrial General Plan Land Use designation.

Project consistency with applicable land use and planning provisions of the City of Moreno Valley General Plan is further substantiated at Table 4.1-1.

**Table 4.1-1  
Consistency with City of Moreno Valley General Plan Land Use Policies**

Land Use Policy	Remarks
<p><b>2.5.1</b> The primary purpose of areas designated “Business Park/Industrial” is to provide for manufacturing, research and development, warehousing and distribution, as well as office and support commercial activities. The zoning regulations shall identify the particular uses permitted on each parcel of land. Development intensity should not exceed a Floor Area Ratio of 1.0 and the average floor area ratio should be significantly less.</p>	<p><b>Consistent.</b> The Project proposes light industrial/warehouse uses allowed under the site’s proposed Business Park/Industrial General Plan Land Use Designation. The Project would be required to comply with the “Mix of Uses” zoning regulations that would be implemented under proposed SP No. 205 Amendment No. 2. The Project proposes 220,390 square feet of light industrial uses within an approximately 9.98-acre site, yielding a Floor Area Ratio (FAR) of approximately 0.51, substantially less than the permitted FAR of 1.0.</p>
<p><b>2.5.2</b> Locate manufacturing and industrial uses to avoid adverse impacts on surrounding land uses.</p>	<p><b>Consistent.</b> As substantiated herein, the Project would not result in any adverse impacts to surrounding land uses.</p>
<p><b>2.5.3</b> Screen manufacturing and industrial uses where necessary to reduce glare, noise, dust, vibrations and unsightly views.</p>	<p><b>Consistent.</b> The Project uses are located and oriented so as to screen/block potentially unsightly views of the Project as seen from off-site vantages. The proposed building’s public facing facades reflect contemporary light industrial designs. As substantiated herein, the</p>

**Table 4.1-1  
Consistency with City of Moreno Valley General Plan Land Use Policies**

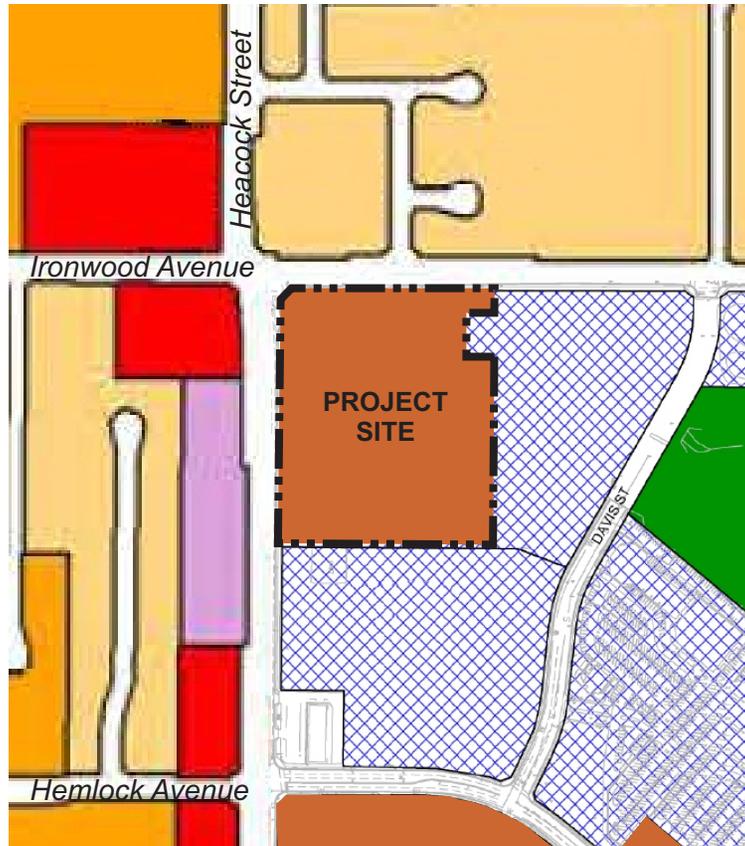
Land Use Policy	Remarks
	Project would not result in potentially adverse glare, noise, dust, or vibration impacts.
2.5.4 Design industrial developments to discourage access through residential areas.	<b>Consistent.</b> The Project would be directly accessible from abutting Ironwood Avenue and Heacock Street. The Project does not propose or require access that would direct or encourage traffic through residential areas.

Sources: Policy Statements from: City of Moreno Valley General Plan (2006); Remarks by Applied Planning, Inc.

**SPA No. 205 Consistency**

Current zoning of the Project site and abutting properties to the south and east is established under Specific Plan No. 205. The Project considered herein amends the Specific Plan No. 205 Land Use Plan for those properties (approximately 9.98 acres) that were excluded under Specific Plan No. 205, Amendment No. 1. The Project would redesignate the Specific Plan Land Use for these 9.98 acres from “Commercial/Retail” to “Mix of Uses.” Additionally, the Amendment would allow, and the Project proposes, development of up to 220,390 square feet of light industrial uses (Building 5). The Project uses would conform to SPA No. 205 as amended under the Project. Existing and proposed zoning designations are presented at Figure 4.1-3.

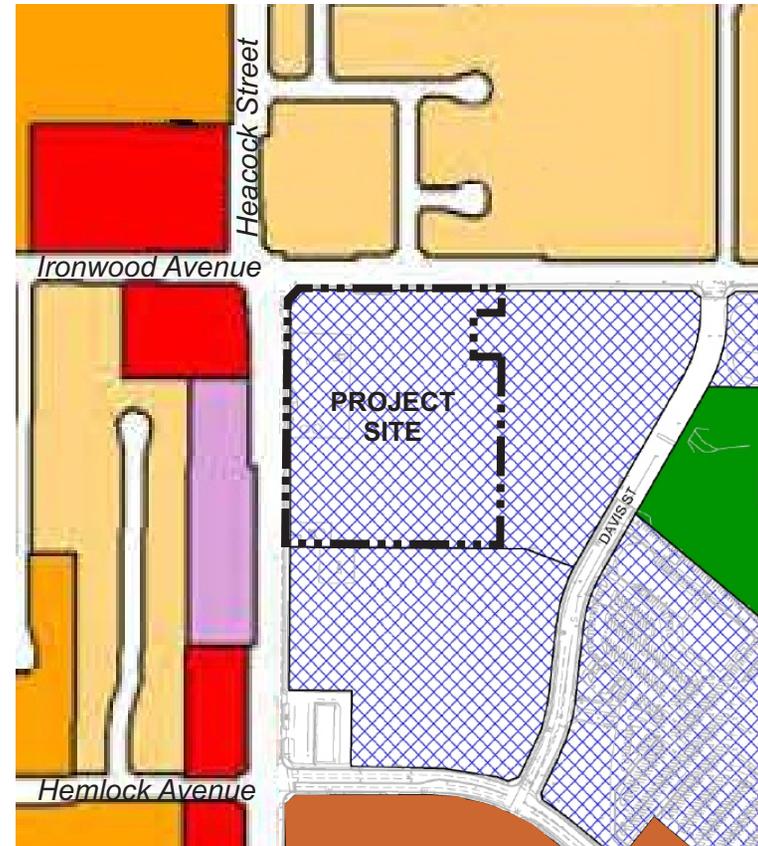
**EXISTING**



**Zoning**

-  Commercial
-  Office
-  Suburban Residential (R5)
-  SP No. 205 - Mix of Uses
-  SP No. 205 - Commercial/Retail

**PROPOSED**



**Zoning**

-  Commercial
-  Office
-  Suburban Residential (R5)
-  SP No. 205 - Mix of Uses
-  SP No. 205 - Commercial/Retail



NOT TO SCALE

Source: City of Moreno Valley Zoning Map; Specific Plan No. 205 Land Use Plan; Applied Planning, Inc.

Figure 4.1-3  
Existing & Proposed Zoning Designations

## **Summary and Conclusion**

The Project 's proposed land use amendments would achieve land use designations that best represent the development and land use activities contemplated by the Project. When a project includes an amendment to the applicable land use designation, inconsistency with the existing designation is an element of the project itself, which then requires a legislative policy decision of the agency. The request and subsequent approval of a change in designation in this regard does not signify a potential environmental effect. Environmental impacts of the Project's proposed land use amendments would therefore be less-than-significant. The Project light industrial/warehouse development is consistent with the "Business Park/Industrial" General Plan Land Use Designation proposed by the Project. The Project would be required to comply with zoning regulations and requirements of SP No. 205 as amended under the Project. Additionally, the Project would be consistent with goals presented within the General Plan and established under the RTP/SCS.

The Project land uses, development concepts, and operations would conform to all governing land use plans (as amended). The Project concepts conform to regulations and standards established by the City. The City would ensure compliance of the Project final designs with applicable regulations and standards through established design and development review processes.<sup>5</sup>

On this basis, the potential for the Project to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect is considered less-than-significant.

**Level of Significance:** Less-Than-Significant.

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<sup>5</sup> See: <https://www.moreno-valley.ca.us/cdd/documents/approval-process.html>

## **4.2 TRANSPORTATION**

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## 4.2 TRANSPORTATION

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### **Abstract**

*This discussion of potential transportation impacts is organized under the following headings:*

- *Vehicle Miles Traveled Analysis; and*
- *Other Transportation Topics.*

*A summary of the analysis and findings under these topical headings is presented below.*

### **Vehicle Miles Traveled (VMT) Analysis**

*The City specifically recognizes that vehicle delay (Level of Service, LOS) deficiencies are no longer environmental impacts under CEQA.<sup>1</sup> Additionally, the City has determined that the Project screens out from further LOS analysis under the City's LOS Assessment criteria.<sup>2</sup> The Project's potential LOS deficiencies are therefore not further evaluated here.*

*CEQA Guidelines Section 15064.3 (statute effective July 1, 2020) requires analysis of the Project's potential vehicle miles traveled (VMT) impacts. Detailed analysis of the Project's potential VMT impacts is presented in Moreno Valley Business Park – Phase II, Vehicle Miles Traveled (VMT) Analysis (Urban Crossroads, Inc.) January 3, 2022 (Project VMT Analysis). Findings and conclusions of the Project VMT Analysis are summarized in this Section and the Project VMT Analysis in total is presented at EIR Appendix C.*

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<sup>1</sup> CEQA Guidelines Section 15064.3, effective January 1, 2019, "describes specific considerations for evaluating a project's transportation impacts" and provides that, except for roadway capacity projects, "a project's effect on automobile delay (or LOS) shall not constitute a significant environmental impact." (CEQA Guidelines, § 15064.3, subd. (a).)

<sup>2</sup> The Project would generate fewer than 100 peak hour trips (actual vehicles and Passenger Car Equivalent [PCE]). Per the City of Moreno Valley *Transportation Impact Analysis Preparation Guide* "projects that generate 100 or less trips typically do not affect LOS significantly once distributed to the local roadway network." The City has, on this basis, determined that LOS analysis is not required for the Project. See also: *Moreno Valley Business Park - Phase II (SPA No. 2) (Project) Traffic Impact Preparation Guide Scoping Form* presented in EIR Appendix C and on file with the City of Moreno Valley.

*The Project VMT Analysis estimates the Project VMT per employee and compares Project VMT per employee to applicable City VMT per employee thresholds. Project VMT per employee that would exceed the City VMT per employee threshold would be considered a potentially significant VMT impact. As substantiated herein, Project VMT per employee would not exceed the City's Base Year (2012) Condition or Cumulative Year (2040) Condition VMT per employee thresholds. On this basis, Project VMT impacts would be individually and cumulatively less-than-significant. As also substantiated herein, the Project would not result in potentially significant VMT inducement impacts.*

### **Other Transportation Topics**

*Consistent with CEQA Guidelines Appendix G Transportation subjects as implemented by the City, other transportation topics evaluated in this Section include the following:*

- *Potential to conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities;*
- *Potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and*
- *Potential to result in inadequate emergency access.*

*The analysis presented here substantiates that Project impacts under the preceding "Other Transportation Topics" would be less-than-significant.*

## **4.2.1 VMT Analysis**

### **4.2.1.1 Background**

Transportation impact analyses prepared by the City have historically been based on level of service (LOS) and similar vehicle delay/congestion metrics. The LOS analytic model provides a reasonable assessment of vehicle congestion and driving conditions that may result from a given development project. LOS analyses do not, however, evaluate the range and magnitude of other environmental effects attributable to development traffic, including fuel consumption, criteria air pollutant emissions, and

greenhouse gas emissions. In response to these latter concerns and to comprehensively evaluate environmental impacts of development traffic, *CEQA Guidelines* Section 15064.3 establishes Vehicle Miles Traveled (VMT) as the appropriate metric for evaluation of project transportation impacts.

Consistent with *CEQA Guidelines* Section 15064.3 requirements, an analysis of the Project's potential VMT impacts is presented below. Please refer also to: *Moreno Valley Business Park – Phase II, Vehicle Miles Traveled (VMT) Analysis* (Urban Crossroads, Inc.) January 3, 2022 (Project VMT Analysis) presented at EIR Appendix C.

The Project VMT Analysis substantiates the potential for the Project to conflict with or be inconsistent with *CEQA Guidelines* Section 15064.3, subdivision (b). For ease of reference, *CEQA Guidelines* Section 15064.3, subdivision (b) is presented below.

**§ 15064.3. Determining the Significance of Transportation Impacts.**

**(b) Criteria for Analyzing Transportation Impacts.**

(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

(2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional

transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.

(3) **Qualitative Analysis.** If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

(4) **Methodology.** A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

#### **4.2.1.2 Methodology**

As provided at *CEQA Guidelines* Section 15064.3 (b) (4) "[a] lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure." Appropriate means to develop and implement VMT analysis methodologies are expressed in the Governor's Office of Planning and Research (OPR) *Technical Advisory on Evaluating Transportation Impacts in CEQA* (December of 2018) (Technical Advisory). Consistent with guidance presented in the Technical Advisory, the City of Moreno Valley has implemented VMT analysis methodologies in *Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment*

(City of Moreno Valley Transportation Engineering Division) June 2020 (City Transportation Impact Analysis Preparation Guide).

The Project VMT analysis presented here conforms to the VMT methodology established under the City Transportation Impact Analysis Preparation Guide. Further detail regarding the Project VMT Analysis methodology is provided below.

### **Project Screening**

Consistent with criteria established under the City Transportation Impact Analysis Preparation Guide, projects that meet certain screening thresholds based on their location and project type may be presumed to result in a less-than-significant VMT impact. Consistent with the screening criteria recommended in OPR's Technical Advisory, the City of Moreno Valley employs the following project-level VMT screening criteria:

- Transit Priority Area (TPA) Screening;
- Low VMT Area Screening; and
- Project Type Screening.

A land use project need qualify under only one of the above screening criteria to result in a less than significant impact. Development proposals that do not qualify under one of the above-listed screening criteria are required to prepare a project-level VMT analysis. The Project considered herein does not qualify under the any of the City's VMT screening criteria (Project VMT Analysis, pp. 2, 3). Accordingly, a Project-level VMT analysis has been prepared.

### **Project VMT**

The City Transportation Impact Analysis Preparation Guide identifies the Riverside County Transportation Analysis Model (RIVTAM), and the Riverside County Model (RIVCOM) as appropriate tools for conducting VMT analysis for land development projects in the City of Moreno Valley. Based on discussion with City staff, it was determined that the Project VMT Analysis would be prepared based on an unmodified version of RIVTAM for the Base Year (2012) Condition and a modified version of

RIVTAM inclusive of the 2040 City of Moreno Valley General Plan Update for the Cumulative Year Condition.

Project VMT estimates were developed by translating the Project land use and development scope to correlating socio-economic data (SED) (e.g., population, households, employment, etc.). The resulting SED was then input to the RIVTAM model, yielding an estimated total Project VMT. RIVTAM modeling of Project VMT is summarized at Table 4.2-1.

**Table 4.2-1  
Project VMT Estimates**

	<b>Base Year (2012) Condition</b>	<b>Cumulative Year (2040) Condition</b>
Total VMT (Home-Based Work [HBW]) <sup>3</sup>	1,751	2,475

*Source: Moreno Valley Business Park – Phase II, Vehicle Miles Traveled (VMT) Analysis (Urban Crossroads, Inc.) January 3, 2022.*

Alternative transportation modes and facilities (e.g., bus service, bicycle routes, pedestrian paths) are generally available within the Study Area and could potentially reduce the Project VMT. However, the VMT-reducing potential of alternative travel modes were not considered in the Project VMT Analysis. Project VMT estimates considered in this analysis therefore represent the likely maximum Project VMT impact conditions.

**Project Employees**

Project tenants are not yet known, and the number of jobs that the Project would generate cannot therefore be precisely determined. The City of Moreno Valley is located within Riverside County. The City of Moreno Valley has not established employment factors by land use type. For purposes of this analysis, employment estimates were calculated using data and average employment factors presented in the Riverside County General Plan (County General Plan). The County General Plan estimates that industrial land uses, such as the Project, would employ one worker for every 1,030 SF of building area (Riverside

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<sup>3</sup> HBW VMT is a measure of all employee auto trips between home and work, and appropriately does not include heavy duty truck trips or freight transport. This is consistent with OPR direction and City Transportation Impact Analysis Preparation Guide protocols for estimating project-level VMT.

County General Plan, Appendix E-2, Table E-5). See: <https://planning.rctlma.org/>. On this basis, the Project’s approximately 220,390 square feet of light industrial uses would generate an estimated 214 jobs.

**Project VMT per Employee**

Reflecting the preceding VMT and Employee estimates, Project VMT per employee estimates are summarized at Table 4.2-2.

**Table 4.2-2  
Project VMT per Employee**

	<b>Base Year (2012) Condition</b>	<b>Cumulative Year (2040) Condition</b>
Total VMT	1,751	2,475
Project Employees	214	214
Project VMT per Employee	8.18	11.57

**Source:** *Moreno Valley Business Park – Phase II, Vehicle Miles Traveled (VMT) Analysis* (Urban Crossroads, Inc.) January 3, 2022.

**VMT Significance Thresholds**

Per the City Transportation Impact Analysis Preparation Guide, for projects that are office and industrial land use types, VMT per employee is the appropriate VMT metric. The Project is an industrial/warehouse land use and has therefore been evaluated based on the VMT per employee metric. The City Transportation Impact Analysis Preparation Guide establishes the following significance thresholds for VMT analyses:<sup>4</sup>

- A project would have a significant VMT impact if, in the Existing Plus Project scenario (the Base Year Condition described herein), its net VMT per capita (for residential projects) or per employee (for office and industrial projects) exceeds the per capita [or per employee] VMT for Moreno Valley. For all other uses, a net increase in VMT would be considered a significant impact.

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<sup>4</sup> City Transportation Impact Analysis Preparation Guide, p. 26.

- If a project is consistent with the regional RTP/SCS, then cumulative VMT impacts would be considered less-than-significant, subject to consideration of other substantial evidence. If a project is not consistent with the RTP/SCS, then it would have a significant VMT impact if, for office and industrial projects, its net VMT per employee exceeds the VMT per employee for Moreno Valley in the RTP/SCS horizon year. In this case, the RTP/SCS horizon year is consistent with the City of Moreno Valley 2040 General Plan Buildout condition as evaluated in the City of Moreno Valley 2040 General Plan Update EIR.

### **Base Year (2012) Condition Threshold**

The City of Moreno Valley is a member agency of the Western Region Council of Governments (WRCOG). WRCOG publishes jurisdictional VMT per employee averages for use by its member agencies. For the Base Year Condition, the WRCOG VMT per employee average for the City of Moreno Valley is 11.01, and for the purposes of this analysis establishes the Base Year Condition VMT impact significance threshold.

### **Cumulative Year (2040) Condition Threshold**

As discussed in the Project VMT Analysis, to evaluate cumulative VMT impacts, a Cumulative Year Condition, “no project” RIVTAM model run was performed. The “no project” RIVTAM model run reflects buildout of the City per the 2040 General Plan Update, and analysis presented in the City of Moreno Valley 2040 General Plan Update EIR. The 2040 General Plan Update EIR indicates that City of Moreno Valley citywide average VMT per employee under the Cumulative Year Condition is 14.40,<sup>5</sup> and for the purposes of this analysis establishes the Cumulative Year Condition VMT impact significance threshold.

### **Project VMT Impact**

Table 4.2-3 compares Project VMT per employee to the Base Year Condition VMT impact significance threshold and Cumulative Year Condition VMT impact significance threshold. As indicated at Table 4.2-3, Project VMT per employee would not exceed either

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<sup>5</sup> It is noted here that the 2006 General Plan VMT estimate for the Cumulative Year (2040) Condition is 14.51 VMT per employee. The 14.40 VMT per employee Cumulative Year (2040) Condition threshold employed in this analysis is more restrictive than that reflected in the 2006 General Plan and establishes the likely maximum impact scenario.

threshold. On this basis, Project-level and cumulative VMT impacts are considered less-than-significant.

**Table 4.2-3  
Project VMT Impact**

	<b>Base Year (2012) Condition</b>	<b>Cumulative Year (2040) Condition</b>
VMT Threshold (VMT per Employee)	11.01	14.40
Project VMT per Employee	8.18	11.57
<b>Threshold Exceeded?</b>	NO	NO

**Source:** *Moreno Valley Business Park – Phase II, Vehicle Miles Traveled (VMT) Analysis* (Urban Crossroads, Inc.) January 3, 2022.

**Level of Significance:** Less-Than-Significant.

**Induced VMT Analysis**

Use of VMT as an environmental impact metric for Transportation Projects is discretionary, per Section 15064.3 (b) (2) of the *CEQA Guidelines*, below:

*(2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.*

The Technical Advisory states that building new roadways, adding roadway capacity in congested areas, or adding roadway capacity to areas where congestion is expected in the future, typically induces additional vehicle travel. The addition of through lanes on existing or new highways, including general purpose lanes, HOV lanes, peak period lanes, auxiliary lanes, or lanes through grade-separated interchanges as project types that would likely lead to a measurable and substantial increase in induced vehicle travel. The Technical Advisory also recognizes that addition of capacity on local or collector streets (provided the project also substantially improves conditions for pedestrians, cyclists,

and, if applicable, transit) would not likely lead to a substantial or measurable increase in vehicle travel, and therefore generally should not require an induced travel analysis.

The Project would construct site adjacent roadway improvements consistent with City requirements. Construction of these site adjacent roadway facilities consistent with City requirements would not significantly alter regional or interregional travel. The potential for the Project to result in or contribute substantial adverse induced VMT impacts is therefore considered less-than-significant.

**Level of Significance:** Less-Than-Significant.

#### 4.2.2 OTHER TRANSPORTATION TOPICS

Other transportation topics evaluated below include:

- *Potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;*
- *Potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and*
- *Potential to result in inadequate emergency access.*

**Potential Impact:** *Potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.*

**Impact Analysis:** The analysis presented here considers the degree to which the Project may hinder the safe and comfortable access to the Project site from other locations, with a special focus on people relying on transit services or active transportation modes such as biking or walking.

The Project does not propose elements or aspects that would conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway,

bicycle and pedestrian facilities. In this respect, the Project is designed to accommodate pedestrians via sidewalks provided along adjacent public roadways. Landscaping would be installed along the Project's perimeter, separating and defining the adjacent public roadway rights-of-way (and their associated streetscapes and sidewalks) from the Project interior spaces, minimizing or avoiding conflict between Project operations and pedestrian traffic. Additionally, all Project site design features including, but not limited to, sidewalk designs and driveway access to adjacent streets would be subject to review and approval by the City of Moreno Valley at the time improvement plans are submitted. Established City review processes ensure that Project driveway access control and sight distance standards conform to City safety standards, acting to minimize potential pedestrian/vehicle conflicts at the Project driveway intersections with adjacent sidewalks.

The City of Moreno Valley Bicycle Master Plan (Bicycle Master Plan), *Existing Bicycle Facilities* is reproduced at Figure 4.2-1. In the Project vicinity, a Class 3 Bike Route exists along Ironwood Avenue (E – W), the northern Project boundary; and a Class 2 Bike Lane exists along Heacock Street (N – S), the western Project boundary.

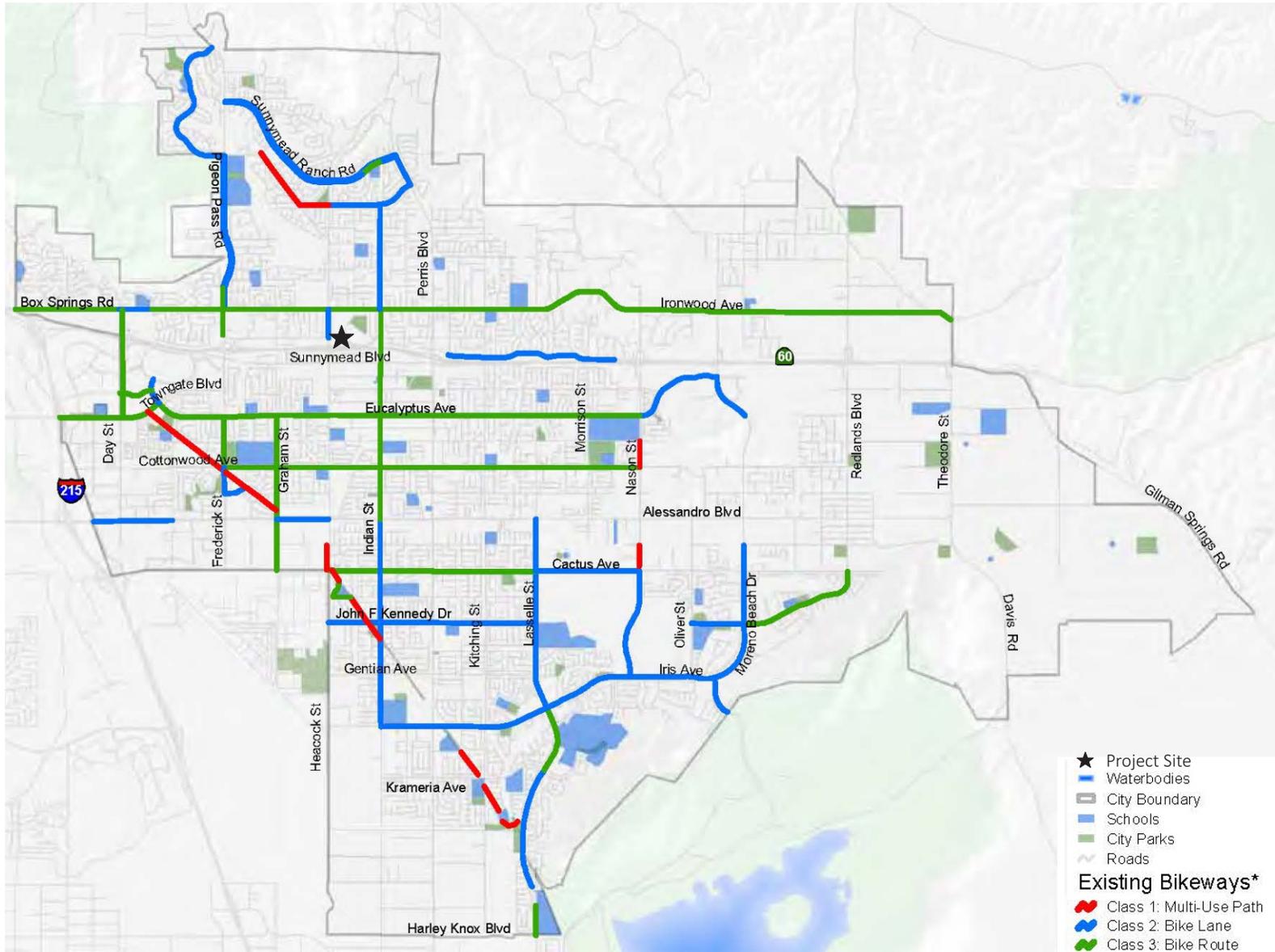
Bicycle Master Plan recommended improvements in the Project vicinity include a Class 2 Bike Lane along Ironwood Avenue; and a Class 3 Bike Route along Davis Street. Davis Street traverses SP No. 205 along a N – S orientation approximately 100 feet east of the Project site. Consistent with City requirements, the Project would design and construct adjacent roadway sections, including any bicycle master plan improvements and/or incorporation of bicycle master plan easements.

The Project would also provide on-site bicycle amenities (e.g., designated/secured bicycle parking) consistent with City requirements.

Based on the preceding, the potential for the Project to conflict with or obstruct provision of bicycle facilities is considered less-than-significant.

Bus service to the Project area is provided by the Riverside Transit Authority (RTA). RTA Route 11 exists along Ironwood Avenue (E – W), the northern Project boundary.

Complete RTA route and schedule information can be accessed at: <https://www.riversidetransit.com/index.php/maps-schedules>. The Project does not propose or require facilities or uses that would conflict with or obstruct the provision of RTA bus services. The City and the Applicant would consult with RTA regarding potential bus service amenities and improvements that could further provision of bus services to the Project.



NOT TO SCALE

Source: City of Moreno Valley; Applied Planning, Inc.

Figure 4.2-1  
City of Moreno Valley Existing Bicycle Facilities

On a long-term basis, the Project may result in increased demand for public transportation as increased employment opportunities become available on-site. Transit agencies routinely review and adjust their ridership schedules to accommodate public demand. Based on the preceding, the potential for the Project to conflict with or obstruct provision of bus services is considered less-than-significant.

Trucks accessing the Project site would be required to travel along designated truck routes. Heacock Street and Ironwood Avenue adjacent to the Project site are both designated truck routes. Mandatory use of designated truck routes would minimize potential conflicts between truck traffic and other motorized and non-motorized transportation modes.

Based on the preceding, the potential for the Project to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities is considered less-than-significant.

**Level of Significance:** Less-Than-Significant.

**Potential Impact:** *Potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access.*

**Impact Analysis:** The final design of the Project site plan and all Project traffic improvements would be subject to review and approval by the City, thereby ensuring conformance of the Project improvements with City design and safety standards. In addition, representatives of the Moreno Valley Police Department<sup>6</sup> and Moreno Valley Fire Department would review the Project's plans to ensure that emergency access is provided consistent with Department(s) requirements. Efficient and safe access within, and access to, the Project is provided by the site plan design concept, site access improvements, and site adjacent roadway improvements included as components of the

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<sup>6</sup> The City of Moreno Valley contracts police services from the Riverside County Sheriff's Department.

Project. On-site traffic signing and striping would be implemented in conjunction with detailed construction plans for the Project site. Sight distance at each Project access point would be reviewed to ensure conformance with City sight distance standards at the time of preparation of final grading, landscape and street improvement plans.

Based on the preceding, the implemented Project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access.

It is also recognized that temporary and short-term traffic detours and traffic disruption could result during Project construction activities. Management and control of construction traffic would be addressed through the preparation of a construction area traffic management plan to be submitted to the City prior to or concurrent with Project building plan review(s). The Project Construction Traffic Management Plan (Plan), summarized within the EIR Project Description, would identify traffic controls for any street closures, detours, or other potential disruptions to traffic circulation during Project construction. The Plan would also be required to identify construction vehicle access routes, and hours of construction traffic.

As supported by the preceding discussions and information presented in the EIR Project Description, the potential for the Project to substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access is considered less-than-significant.

**Level of Significance:** Less-Than-Significant.

## **4.3 AIR QUALITY**

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## 4.3 AIR QUALITY

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### *Abstract*

*This Section identifies and addresses potential air quality impacts that may result from construction and implementation of the Project. More specifically, the air quality analysis presented here evaluates the potential for the Project to result in the following impacts:*

- Conflict with or obstruct implementation of the applicable air quality plan.*
- 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.*
- Expose sensitive receptors to substantial pollutant concentrations.*

*As substantiated by the analysis presented here, Project-source air quality impacts would be less-than-significant.*

### 4.3.1 INTRODUCTION

This Section presents existing air quality conditions and identifies potential air quality impacts resulting from construction and operations of the Project. Local and regional climate, meteorology and air quality are discussed, as well as existing federal, state and regional air quality regulations. The information presented in this Section is summarized from: *Moreno Valley Business Park – Phase II, Air Quality Impact Analysis, City of Moreno Valley* (Urban Crossroads, Inc.) January 17, 2022 (Project AQIA); and *Moreno Valley Business Park – Phase II, Mobile Source Health Risk Assessment, City of Moreno Valley* (Urban

Crossroads, Inc.) January 17, 2022 (Project HRA). The Project AQIA, Project HRA and all supporting modeling data are presented at EIR Appendix D.

#### **4.3.2 AIR QUALITY FUNDAMENTALS**

Air pollution comprises many substances generated from a variety of sources, both man-made and natural. Industrialization occurring in the twentieth century, and especially activities relying on the burning of fossil fuels, creates air pollution. Most air pollutant contaminants are wasted energy in the form of unburned fuels or by-products of the combustion process. Motor vehicles are by far the most significant source of air pollutants in urban areas, emitting photochemically reactive hydrocarbons (unburned fuel), carbon monoxide, and oxides of nitrogen. These primary pollutants chemically react in the atmosphere with sunlight and the passage of time to form secondary pollutants such as ozone.

Air pollutants are generally classified as either primary or secondary pollutants. Primary pollutants are generated daily and emitted directly from the source, whereas secondary pollutants are created over time and occur within the atmosphere as chemical and photochemical reactions take place. Examples of primary pollutants include carbon monoxide (CO), oxides of nitrogen (NO<sub>2</sub> and NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), and various hydrocarbons or reactive organic gases (ROG). Examples of secondary pollutants include ozone (O<sub>3</sub>), which is a product of the reaction between NO<sub>x</sub> and ROG in the presence of sunlight. Other secondary pollutants include photochemical aerosols.

To aid in the review of discussions presented subsequently in this Section, recurring terms, abbreviations, and acronyms are defined as follows: PPM - Parts per Million; µg/m<sup>3</sup> - Micrograms Per Cubic Meter; PM<sub>10</sub> - Particulate Matter Less Than 10 Microns in Diameter; PM<sub>2.5</sub> - Particulate Matter Less Than 2.5 Microns In Diameter.

#### **4.3.2.1 Criteria Air Pollutants**

Criteria air pollutants are those air contaminants for which air quality standards currently exist. Currently, state and federal air quality standards exist for ozone, nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), carbon monoxide (CO), suspended particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), and lead. California has also set standards for visibility, sulfates, hydrogen sulfide, and vinyl chloride. Evaluated criteria air contaminants, or their precursors, typically also include reactive organic gases (ROG), oxides of nitrogen (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), and respirable particulate matter (PM<sub>10</sub>, PM<sub>2.5</sub>). Pollutant characteristics, mechanisms of pollutant origination and potential health effects of air pollutants are described below.

#### **Carbon Monoxide**

##### *Properties and Sources*

Carbon monoxide (CO) is a colorless, odorless, toxic gas formed by incomplete combustion of fossil fuels. CO levels tend to be highest during the winter mornings, when little to no wind and surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, motor vehicles operating at slow speeds are the primary source of CO in the Basin. The highest CO concentrations are generally found near congested transportation corridors and intersections. Other sources include aircraft, off-road vehicles, stationary equipment (e.g., fuel-fired furnaces, gas water heaters, fireplaces, gas stoves, gas dryers, charcoal grills), and landscape maintenance equipment such as lawnmowers and leaf blowers.

##### *Human Health Effects*

A consistent association between increased ambient CO levels and higher-than-average rates of hospital admissions for heart diseases (such as congestive heart failure) has been observed. Carbon monoxide can cause decreased exercise capacity, and adversely affects conditions with an increased demand for oxygen supply (fetal development, chronic hypoxemia, anemia, and diseases involving the heart and blood vessels). Exposure to CO can cause impairment of time interval estimation and visual function.

## **Ozone**

### ***Properties and Sources***

Ozone (O<sub>3</sub>) is a highly reactive and unstable gas that is formed when volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>), which are both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of the pollutant.

### ***Human Health Effects***

Short-term exposure to ozone can cause a decline in pulmonary function in healthy individuals including breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue and immunological changes. Additionally, an increase in the frequency of asthma attacks, cough, chest discomfort and headache can result.

A correlation has been reported between elevated ambient ozone levels and increases in daily hospital admission rates and mortality because of long-term ozone exposure. A risk to public health implied by altered connective tissue metabolism and host defense in animals has also been reported.

## **Oxides of Nitrogen**

### ***Properties and Sources***

Oxides of nitrogen (NO<sub>x</sub>) are integral to the process of photochemical smog production. During combustion, oxygen reacts with nitrogen to produce NO<sub>x</sub>. Two major forms of NO<sub>x</sub> are nitric oxide (NO) and nitrogen dioxide (NO<sub>2</sub>). Natural causal sources or originators of NO<sub>x</sub> include lightning, soils, wildfires, stratospheric intrusion, and the oceans. Natural sources accounted for approximately seven percent of 1990 emissions of NO<sub>x</sub> for the United States (EPA 1997). Atmospheric deposition of NO<sub>x</sub> occurs when

atmospheric or airborne nitrogen is transferred to water, vegetation, soil, or other materials. Acid deposition involves the deposition of nitrogen and/or sulfur acidic compounds that can harm natural resources and materials. The major source of NO<sub>x</sub> in the Basin is on-road vehicles. Stationary commercial and service source fuel combustion are other contributors.

### ***Human Health Effects***

Exposure to NO<sub>x</sub> may alter sensory responses or impair pulmonary function and may increase incidence of acute respiratory disease including infections and respiratory symptoms in children. Difficulty in breathing in healthy individuals as well as bronchitic groups may also occur. NO<sub>x</sub> is also a precursor to ozone and PM<sub>10</sub>/PM<sub>2.5</sub>. As noted above, health effects of ground-level ozone include: aggravated asthma; reduced lung capacity; increased respiratory illness susceptibility; increased respiratory and cardiovascular hospitalizations; and premature deaths.

### **Sulfur Dioxide**

#### ***Properties and Sources***

Sulfur dioxide (SO<sub>2</sub>) is a colorless, pungent gas. At levels greater than 0.5 ppm, SO<sub>2</sub> has a strong odor. Sulfuric acid is formed from sulfur dioxide, which is an aerosol particle component that affects acid deposition. Anthropogenic, or human-caused, sources include fossil-fuel combustion, mineral ore processing, and chemical manufacturing. Volcanic emissions are a natural source of sulfur dioxide. SO<sub>2</sub> is a precursor to sulfates and PM<sub>10</sub>.

#### ***Human Health Effects***

Health effects of SO<sub>2</sub> include higher frequencies of acute respiratory symptoms (including airway constriction in some asthmatics and reduction in breathing capacity leading to severe difficulties) and diminished ventilatory function in children. Extreme exposure can cause lung edema (fluid accumulation), lung tissue damage, and damage to the lining of the respiratory tract.

## **Particulate Matter**

### *Properties and Sources*

Particulate matter is a generic term that defines a broad group of chemically and physically different particles (either liquid droplets or solids) that can exist over a wide range of sizes. Examples of atmospheric particles include those produced from combustion (diesel soot or fly ash), light (urban haze), sea spray (salt particles), and soil-like particles from re-suspended dust. Fugitive dust is defined as any solid particulate matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly because of human activities (Rule 403, Fugitive Dust, SCAQMD).

Within air quality analyses, particulate matter is categorized by diameter: PM<sub>10</sub> and PM<sub>2.5</sub>. PM<sub>10</sub> refers to particulate matter that is 10 microns or less in diameter (1 micron is one millionth of a meter, or one micrometer [ $\mu\text{m}$ ]). PM<sub>2.5</sub> refers to particulate matter that is 2.5 microns or less in diameter. The size of particles can determine the residence time of the material in the atmosphere. PM<sub>2.5</sub> has a longer atmospheric lifetime than PM<sub>10</sub> and, therefore, can be transported over longer distances.

Particulate matter originates from a variety of stationary and mobile sources. Stationary sources that generate particulate matter include: fuel combustion for electric utilities, residential space heating, and industrial processes; construction and demolition; metals, minerals, and petrochemicals; wood products processing; mills and elevators used in agriculture; erosion from tilled lands; waste disposal and recycling. Mobile or transportation-related sources that generate particulate matter include highway vehicles, non-road vehicles and fugitive dust from paved and unpaved roads.

### *Human Health Effects*

A consistent correlation between elevated ambient PM<sub>10</sub> levels and an increase in mortality rates, respiratory infections, number and severity of asthma attacks and the number of hospital admissions has been observed.<sup>1</sup>

Diesel Particulate Matter (DPM), a subcategory of particulate matter, is a mixture of many exhaust particles and gases that is produced when an engine burns diesel fuel. Many compounds found in diesel exhaust are carcinogenic, including sixteen compounds that are classified as possibly carcinogenic by the International Agency for Research on Cancer. DPM includes the particle-phase constituents in diesel exhaust. Some short-term (acute) effects of diesel exhaust include eye, nose, throat and lung irritation, as well as coughs, headaches, light-headedness and nausea. Diesel exhaust is a major source of ambient particulate matter pollution, and numerous studies have linked elevated particle levels in the air to increased hospital admission, emergency room visits, asthma attacks, and premature deaths among those suffering from respiratory problems. DPM in the Basin poses the greatest cancer risk of all identified toxic air pollutants.

Valley Fever may also be transmitted through PM<sub>10</sub> and PM<sub>2.5</sub> emissions. “Valley Fever is a fungal infection caused by coccidioides organisms. It can cause fever, chest pain and coughing, among other signs and symptoms. Two species of coccidioides fungi cause valley fever. These fungi are commonly found in the soil in specific areas and can be stirred into the air by anything that disrupts the soil, such as farming, construction and wind. The fungi can then be breathed into the lungs and cause valley fever, also known as acute coccidioidomycosis. Mild cases of valley fever usually resolve on their own. In more severe cases, doctors prescribe antifungal medications that can treat the underlying infection.”<sup>2</sup>

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<sup>1</sup> [www.aqmd.gov/docs/default-source/planning/air-quality-guidance/appendix-c.pdf](http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/appendix-c.pdf)

<sup>2</sup> Mayo Clinic Staff. “Diseases and Conditions-Valley Fever.” *Mayo Clinic*. n.p., 27 May 2015. Web. 13 Oct. 2015.

## Reactive Organic Gases

### *Properties and Sources*

Reactive Organic Gases (ROGs) (also termed Volatile Organic Compounds [VOCs]) are defined as any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. There is no state or national ambient air quality standard for ROGs because they are not classified as criteria pollutants. They are regulated, however, because a reduction in ROG emissions reduces certain chemical reactions that contribute to the formulation of ozone. ROGs are also transformed into organic aerosols in the atmosphere, which contribute to higher PM<sub>10</sub> and lower visibility. The major sources of ROGs in the Basin are on-road motor vehicles and solvent evaporation. ROGs are also an ozone and PM<sub>10</sub>/PM<sub>2.5</sub> precursor.

### *Human Health Effects*

As described previously, health effects of ground-level ozone include: aggravated asthma; reduced lung capacity; increased respiratory illness susceptibility; increased respiratory and cardiovascular hospitalizations; and premature deaths.

Benzene is a reactive organic compound and a known carcinogen. Typical sources of benzene emissions include: gasoline service stations (fuel evaporation), motor vehicle exhaust, tobacco smoke, and oil and coal incineration. Benzene is also sometimes employed as a solvent for paints, inks, oils, waxes, plastic, and rubber. It is used in the extraction of oils from seeds and nuts. It is also used in the manufacture of detergents, explosives, dyestuffs, and pharmaceuticals. Short-term (acute) exposure to high doses from inhalation of benzene may cause dizziness, drowsiness, headaches, eye irritation, skin irritation, and respiratory tract irritation, and at higher levels, unconsciousness can occur. Long-term (chronic) occupational exposure to high doses by inhalation has caused blood disorders, including aplastic anemia and lower levels of red blood cells.

### 4.3.3 SETTING

#### 4.3.3.1 Local and Regional Climate

The Project site is located in the South Coast Air Basin (SCAB, Basin) within the jurisdiction of SCAQMD. The SCAQMD was created by the 1977 Lewis-Presley Air Quality Management Act, which merged four county air pollution control bodies into one regional district. Under the Act, the SCAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and state air quality standards. The SCAQMD has jurisdiction over an area of approximately 10,743 square miles, consisting of the four-county Basin (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino Counties), and the Riverside County portions of the Salton Sea Air Basin and Mojave Desert Air Basin.

The 6,745-square-mile SCAB is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The Los Angeles County portion of the Mojave Desert Air Basin is bounded by the San Gabriel Mountains to the south and west, the Los Angeles/Kern County border to the north, and the Los Angeles/San Bernardino County border to the east. The Riverside County portion of the Salton Sea Air Basin is bounded by the San Jacinto Mountains in the west and spans eastward up to the Palo Verde Valley.

Persistent climatic conditions and variations in temperature, wind, humidity, precipitation, and ambient sunshine significantly influence air quality in the SCAB. Annual average temperatures throughout the SCAB vary from the low to mid 60s (degrees Fahrenheit). Due to a decreased marine influence, easterly portions of the SCAB exhibit greater variability in average annual temperatures. January is the coldest month throughout the SCAB, with average minimum temperatures ranging from 47°F in central Los Angeles to 36°F in San Bernardino. All portions of the SCAB have recorded maximum temperatures exceeding 100°F.

Although the climate of the SCAB can be characterized as semi-arid, the air near the land surface is quite moist on most days because of the presence of a marine layer. This shallow layer of sea air is an important modifier of SCAB climate. Humidity restricts visibility in the SCAB, and the conversion of sulfur dioxide to sulfates is heightened in air with high relative humidity. The marine layer provides an environment for that conversion process, especially during the spring and summer months. The annual average relative humidity within the SCAB is 71 percent along the coast and 59 percent inland. Since the ocean effect is dominant, periods of heavy early morning fog are frequent and low stratus clouds are a characteristic feature. It should be noted that these effects decrease with distance from the coast.

More than 90 percent of the SCAB's rainfall occurs from November through April. The annual average rainfall varies from approximately nine inches in Riverside to fourteen inches in downtown Los Angeles. Monthly and yearly rainfall totals are extremely variable. Summer rainfall usually consists of widely scattered thunderstorms near the coast and slightly heavier shower activity in the eastern portion of the SCAB, with frequency being higher near the coast.

Due to its generally clear weather, about three-quarters of available sunshine is received in the SCAB. The remaining one-quarter is absorbed by clouds. The ultraviolet portion of this abundant radiation is a key factor in photochemical reactions. On the shortest day of the year there are approximately 10 hours of possible sunshine, and on the longest day of the year there are approximately 14-½ hours of possible sunshine.

The importance of wind to air pollution is considerable. The direction and speed of the wind determines the horizontal dispersion and transport of the air pollutants. During the late autumn to early spring rainy season, the SCAB is subjected to wind flows associated with the traveling storms moving through the region from the northwest. This period also brings five to ten periods of strong, dry offshore winds, locally termed "Santa Anas," each year. During the dry season, which coincides with the months of maximum

photochemical smog concentrations, the wind flow is bimodal, typified by a daytime onshore sea breeze and a nighttime offshore drainage wind.

Summer wind flows are created by the pressure differences between the relatively cold ocean and the unevenly heated and cooled land surfaces that modify the general northwesterly wind circulation over southern California. Nighttime drainage begins with the radiational cooling of the mountain slopes. Heavy, cool air descends the slopes and flows through the mountain passes and canyons as it follows the lowering terrain toward the ocean. Another characteristic wind regime in the SCAB is the “Catalina Eddy,” a low level cyclonic (counterclockwise) flow centered over Santa Catalina Island which results in an offshore flow to the southwest. On most spring and summer days, some indication of an eddy is apparent in coastal areas.

In the SCAB, there are two distinct temperature inversion structures that control vertical mixing of air pollution. During the summer, warm high-pressure descending (subsiding) air is undercut by a shallow layer of cool marine air. The boundary between these two layers of air is a persistent marine subsidence/inversion. This boundary prevents vertical mixing which effectively acts as an impervious lid to pollutants over the entire SCAB. The mixing height for the inversion structure is normally situated 1,000 to 1,500 feet above mean sea level.

A second inversion-type forms in conjunction with the drainage of cool air off the surrounding mountains at night followed by the seaward drift of this pool of cool air. The top of this layer forms a sharp boundary with the warmer air aloft and creates nocturnal radiation inversions. These inversions occur primarily in the winter, when nights are longer and onshore flow is weakest. They are typically only a few hundred feet above mean sea level. These inversions effectively trap pollutants, such as NO<sub>x</sub> and CO from vehicles, as the pool of cool air drifts seaward. Winter is therefore a period of high levels of primary pollutants along the coastline.

The distinctive climate of the Project area and the SCAB is determined by its terrain and geographical location. The Basin is located 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. Wind patterns across the south coastal region are characterized by westerly and southwesterly on-shore winds during the day and easterly or northeasterly breezes at night. Winds are characteristically light although the speed is somewhat greater during the dry summer months than during the rainy winter season.

#### **4.3.3.2 Existing Air Quality**

Existing air quality is measured at established SCAQMD air quality monitoring stations. Monitored air quality is evaluated in the context of ambient air quality standards (National Ambient Air Quality Standards [NAAQS] and California Ambient Air Quality Standards [CAAQS]). These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. For further information regarding NAAQS and CAAQS currently in effect, please refer to the Project Air Quality Impact Analysis (Project AQIA), Table 2-2, *Ambient Air Quality Standards*; and <http://www.arb.ca.gov/research/aaqs/aaqs.htm>. The determination of whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to the state and federal standards.

The determination of whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to the state and federal standards. The air quality in a region is considered to be in attainment by the state if the measured ambient air pollutant levels for O<sub>3</sub>, CO, SO<sub>2</sub>, NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are not equaled or exceeded at any time in any consecutive three-year period, and the federal standards (other than O<sub>3</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and those based on annual averages or arithmetic mean) are not exceeded more than once per year. The O<sub>3</sub> standard is attained when the fourth highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM<sub>10</sub>, the 24-hour standard is attained when 99 percent of the daily concentrations, averaged over three years, are equal to or less than the standard.

## Regional Air Quality

The SCAQMD monitors regional air quality through measurement and quantification of various criteria pollutants at 30 monitoring stations located throughout the air district. Criteria pollutant attainment status designations for the SCAB are provided at Table 4.3-1.

**Table 4.3-1**  
**Criteria Pollutant Attainment Status Designations**

Criteria Pollutant	State Designation	Federal Designation
O <sub>3</sub> – 1-hour standard	Nonattainment	--
O <sub>3</sub> – 8-hour standard	Nonattainment	Nonattainment
PM <sub>10</sub>	Nonattainment	Attainment
PM <sub>2.5</sub>	Nonattainment	Nonattainment
CO	Attainment	Unclassifiable/Attainment
NO <sub>2</sub>	Attainment	Unclassifiable/Attainment
SO <sub>2</sub>	Unclassifiable/Attainment	Unclassifiable/Attainment
Lead	Attainment	Unclassifiable/Attainment

**Source:** *Moreno Valley Business Park – Phase II, Air Quality Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.)*  
January 17, 2022.

## Local Air Quality

Relative to the Project site, the nearest long-term air quality monitoring site for Ozone (O<sub>3</sub>) and Particulate Matter ≤ 10 Microns (PM<sub>10</sub>) is the SCAQMD Perris monitoring station (SRA 24), located approximately 10.9 miles north of the Project site. Data for Carbon Monoxide (CO), Nitrogen Dioxide (NO<sub>2</sub>), and Particulate Matter ≤ 2.5 Microns (PM<sub>2.5</sub>) was obtained from the Metropolitan Riverside County 2 monitoring station (SRA 23), located approximately 10.5 miles northwest of the Project site. Data from the Metropolitan Riverside County 2 monitoring station was utilized in lieu of the Perris monitoring station only where data was not available from the nearest monitoring site.

The most recent three years of monitoring data available is presented at Table 4.3-2, and identifies the number of days ambient air quality standards were exceeded for the study area, which was considered to be representative of the local air quality at the Project

site (data for SO<sub>2</sub> has been omitted as attainment is regularly met in the South Coast Air Basin and few monitoring stations measure SO<sub>2</sub> concentrations).

**Table 4.3-2  
Project Area Air Quality Monitoring Summary**

Pollutant	Standard	Year		
		2018	2019	2020
O <sub>3</sub>				
Maximum Federal 1-Hour Concentration (ppm)		0.117	0.118	0.125
Maximum Federal 8-Hour Concentration (ppm)		0.103	0.095	0.106
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	31	26	34
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	67	64	74
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	2.2	1.5	1.9
Maximum Federal 8-Hour Concentration	> 20 ppm	2.0	1.2	1.4
NO <sub>2</sub>				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.055	0.056	0.066
Annual Federal Standard Design Value		0.014	0.014	0.014
PM <sub>10</sub>				
Maximum Federal 24-Hour Concentration (µg/m <sup>3</sup> )	> 150 µg/m <sup>3</sup>	64	97	77
Annual Federal Arithmetic Mean (µg/m <sup>3</sup> )		29.7	25.3	35.9
Number of Days Exceeding Federal 24-Hour Standard	> 150 µg/m <sup>3</sup>	0	0	0
Number of Days Exceeding State 24-Hour Standard	> 50 µg/m <sup>3</sup>	3	4	6
PM <sub>2.5</sub>				
Maximum Federal 24-Hour Concentration (µg/m <sup>3</sup> )	> 35 µg/m <sup>3</sup>	50.70	46.70	41.00
Annual Federal Arithmetic Mean (µg/m <sup>3</sup> )	> 12 µg/m <sup>3</sup>	12.41	11.13	12.63
Number of Days Exceeding Federal 24-Hour Standard	> 35 µg/m <sup>3</sup>	2	4	4

**Source:** *Moreno Valley Business Park – Phase II, Air Quality Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.)* January 17, 2022.

#### 4.3.3.3 Air Quality Improvement Trends

Discussions below have been excerpted and summarized from the Project AQIA. Please refer also to the Project AQIA at Section 2.9, *Regional Air Quality Improvement*.

The Project lies within the jurisdiction of the SCAQMD. In 1976, California adopted the Lewis Air Quality Management Act which created SCAQMD from a voluntary association of air pollution control districts in Los Angeles, Orange, Riverside, and San Bernardino counties. SCAQMD develops comprehensive plans and regulatory programs for the South Coast Air Basin (SCAB) that will attain federal air quality standards by dates specified by law. SCAQMD is also responsible for meeting State air quality standards by the earliest date achievable.

SCAQMD rule development through the 1970s and 1980s resulted in dramatic improvement in SCAB air quality. Nearly all control programs developed through the early 1990s relied on (i) the development and application of cleaner technology; (ii) add-on emission controls, and (iii) uniform CEQA review throughout the SCAB. Industrial emission sources have been significantly reduced by this approach and vehicular emissions have been reduced by technologies implemented at the state level by the California Air Resources Board (CARB).

SCAQMD has implemented Air Quality Management Plans (AQMPs) providing a regional blueprint for achieving healthful air within the SCAB. The 2012 AQMP attributes the historical improvement in air quality since the 1970s as the direct result of Southern California's comprehensive, multi-year strategy of reducing air pollution from all sources as outlined in its AQMPs.

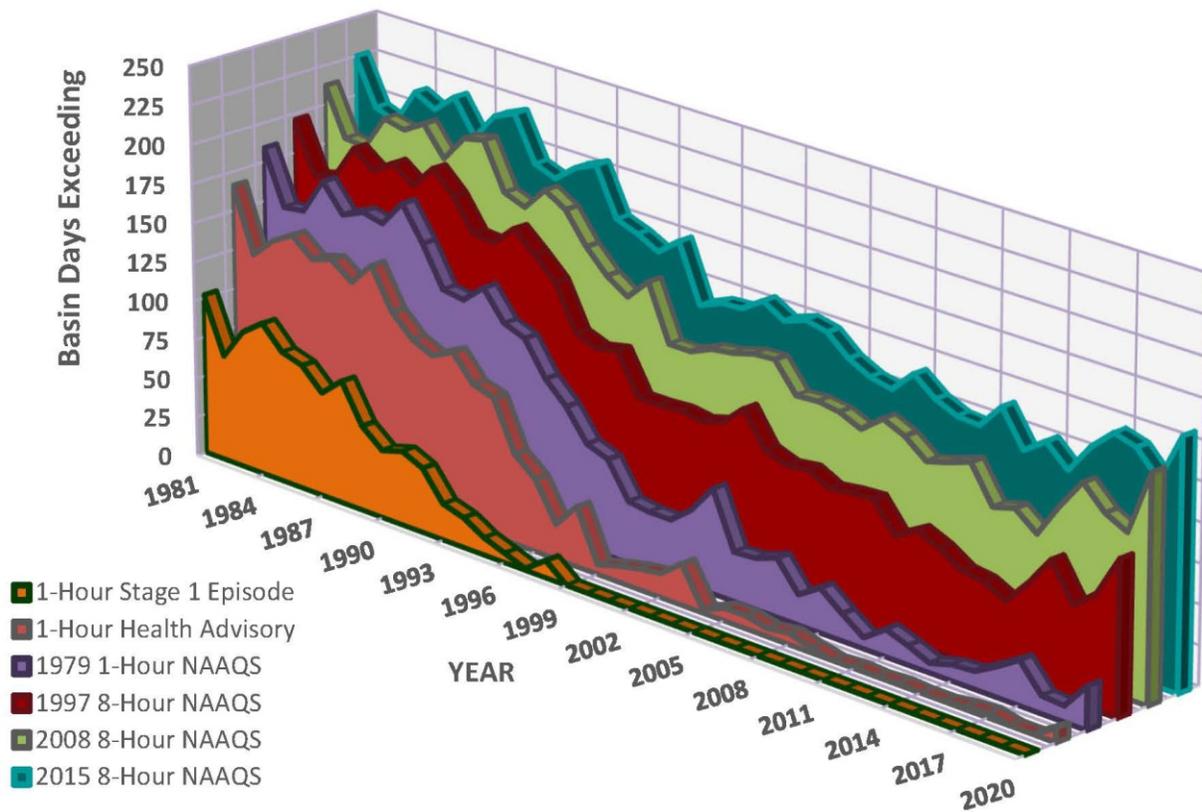
Emissions of O<sub>3</sub>, NO<sub>x</sub>, VOC, and CO have been decreasing in the SCAB since 1975 and are projected to continue to decrease through 2020. These decreases result primarily from motor vehicle controls and reductions in evaporative emissions. Although vehicle miles traveled (VMT) in the SCAB continue to increase, NO<sub>x</sub> and VOC levels are decreasing because of the mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. NO<sub>x</sub> emissions from electric utilities have also decreased due to use of cleaner fuels and renewable energy. O<sub>3</sub> contour maps show that the number of days exceeding the 8-hour NAAQS has decreased between 1997 and 2007. In the 2007 period, there was an overall decrease in exceedance days compared

with the 1997 period. However, as shown on Figure 4.3-1, O<sub>3</sub> levels have recently increased in the due to higher temperatures and stagnant weather conditions. Notwithstanding, O<sub>3</sub> levels in the SCAB have decreased substantially over the last 30 years with the current maximum measured concentrations being approximately one-third of concentrations within the late 70s.

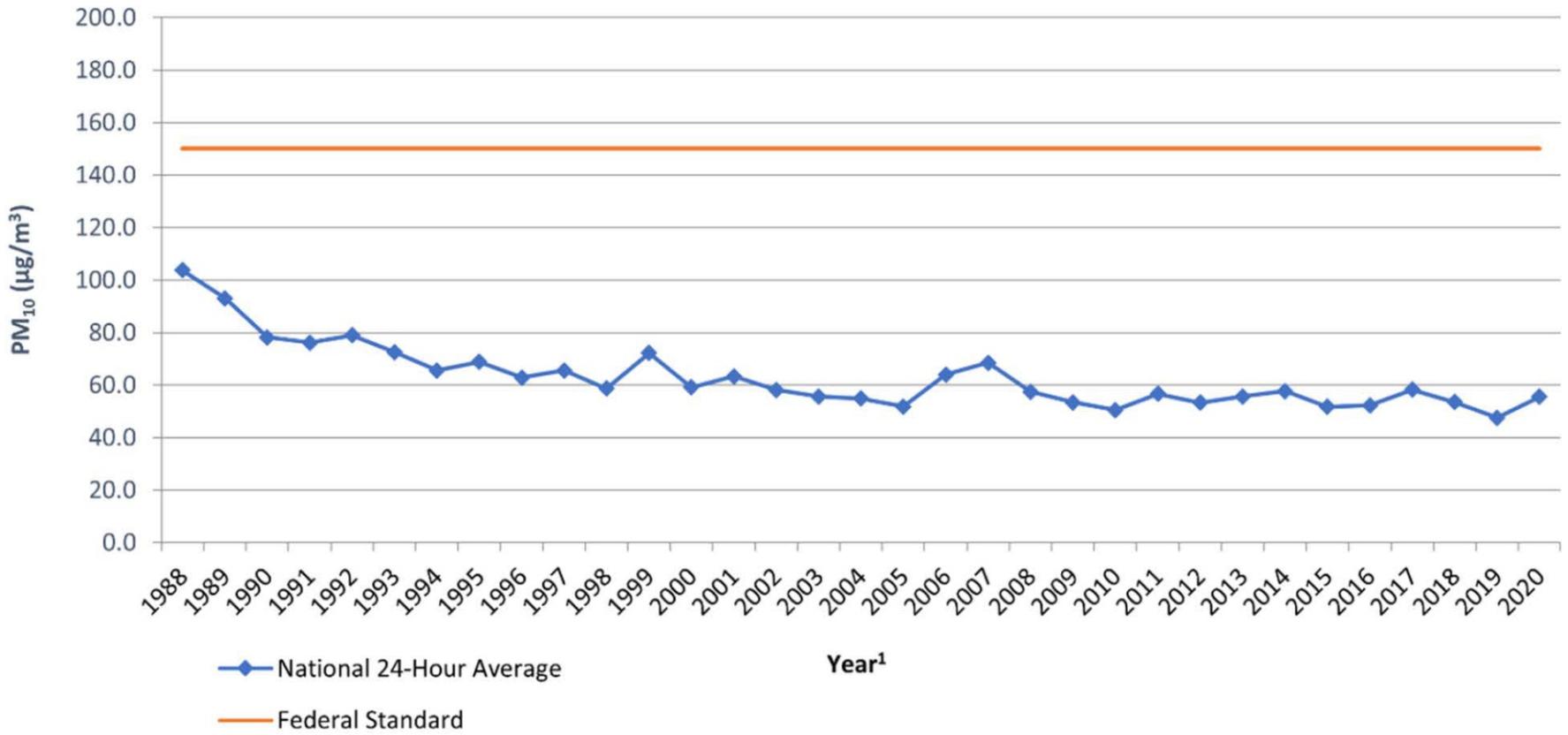
Ambient PM<sub>10</sub> and PM<sub>2.5</sub> levels in the SCAB have also trended downward and show an overall improvement since 1975. Direct emissions of PM<sub>10</sub> have remained somewhat constant in the SCAB and direct emissions of PM<sub>2.5</sub> have decreased slightly since 1975. Area wide sources (fugitive dust from roads, dust from construction and demolition, and other sources) contribute the greatest amount of particulate matter emissions.

PM<sub>10</sub> improvements in the context of federal and state standards are illustrated at Figures 4.3-2, 4.3-3. During the period for which data are available, the 24-hour annual average concentration for PM<sub>10</sub> decreased by approximately 46 percent, from 103.7 µg/m<sup>3</sup> in 1988 to 55.5 µg/m<sup>3</sup> in 2020. Although the values are below the federal standard, it should be noted that there are days within the year where the concentrations continue to exceed the threshold. The annual average for emissions for PM<sub>10</sub>, have decreased by approximately 64 percent since 1989. Although data in the late 1990s show some variability, this is probably due to the advances in meteorological science rather than a change in emissions. The number of days above the 24-hour PM<sub>10</sub> standards has also shown an overall decrease.

Figures 4.3-4 and 4.3-5 present 24-hour and annual average PM<sub>2.5</sub> concentrations in the SCAB for the period 1999 – 2020. In the context of federal and state standards, PM<sub>2.5</sub> concentrations have decreased by almost 50 percent and 31 percent respectively. The SCAB is currently designated as nonattainment for the state and federal PM<sub>2.5</sub> standards.

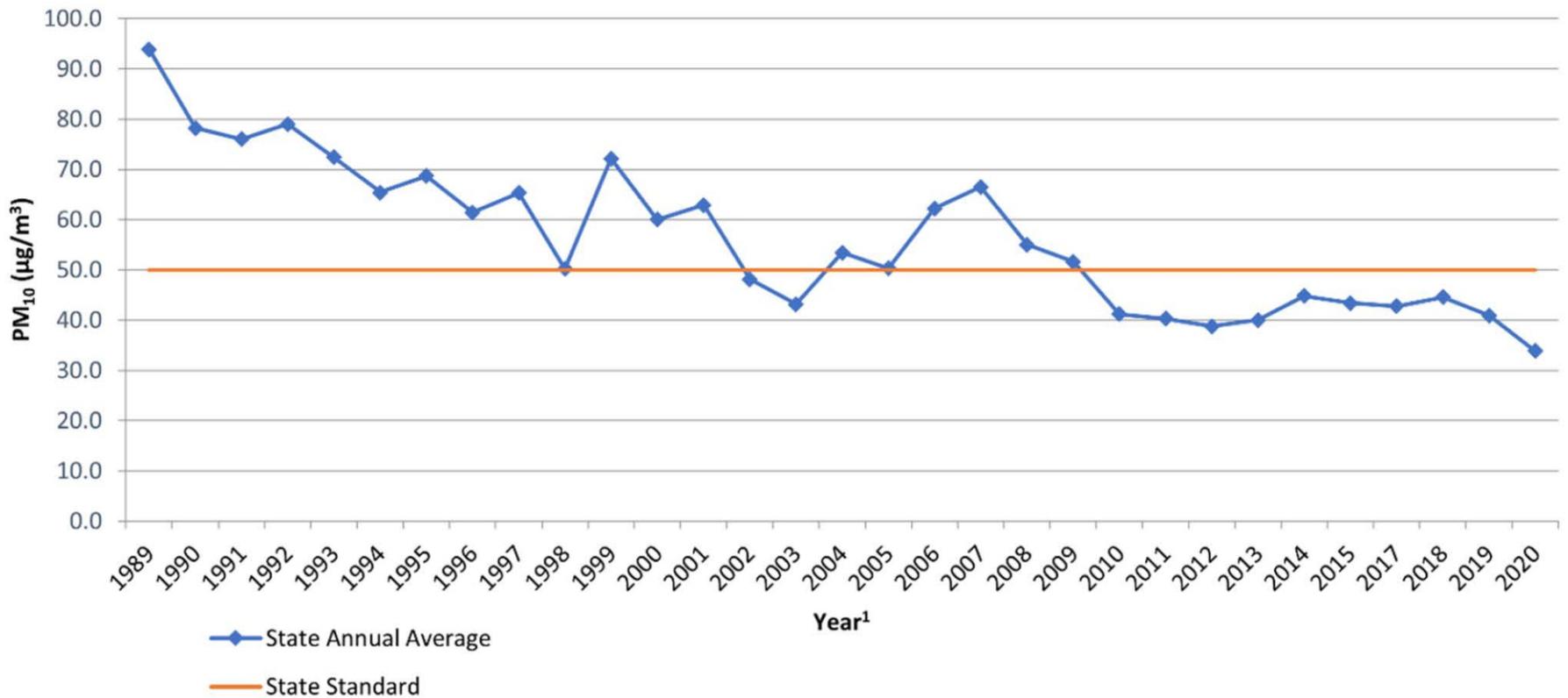


Source: Urban Crossroads, Inc.



Source: Urban Crossroads, Inc.

<sup>1</sup> Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.



Source: Urban Crossroads, Inc.

<sup>1</sup> Some years have been omitted from the table as insufficient data (or no) data has been reported. Years with reported value of "0" have also been omitted.

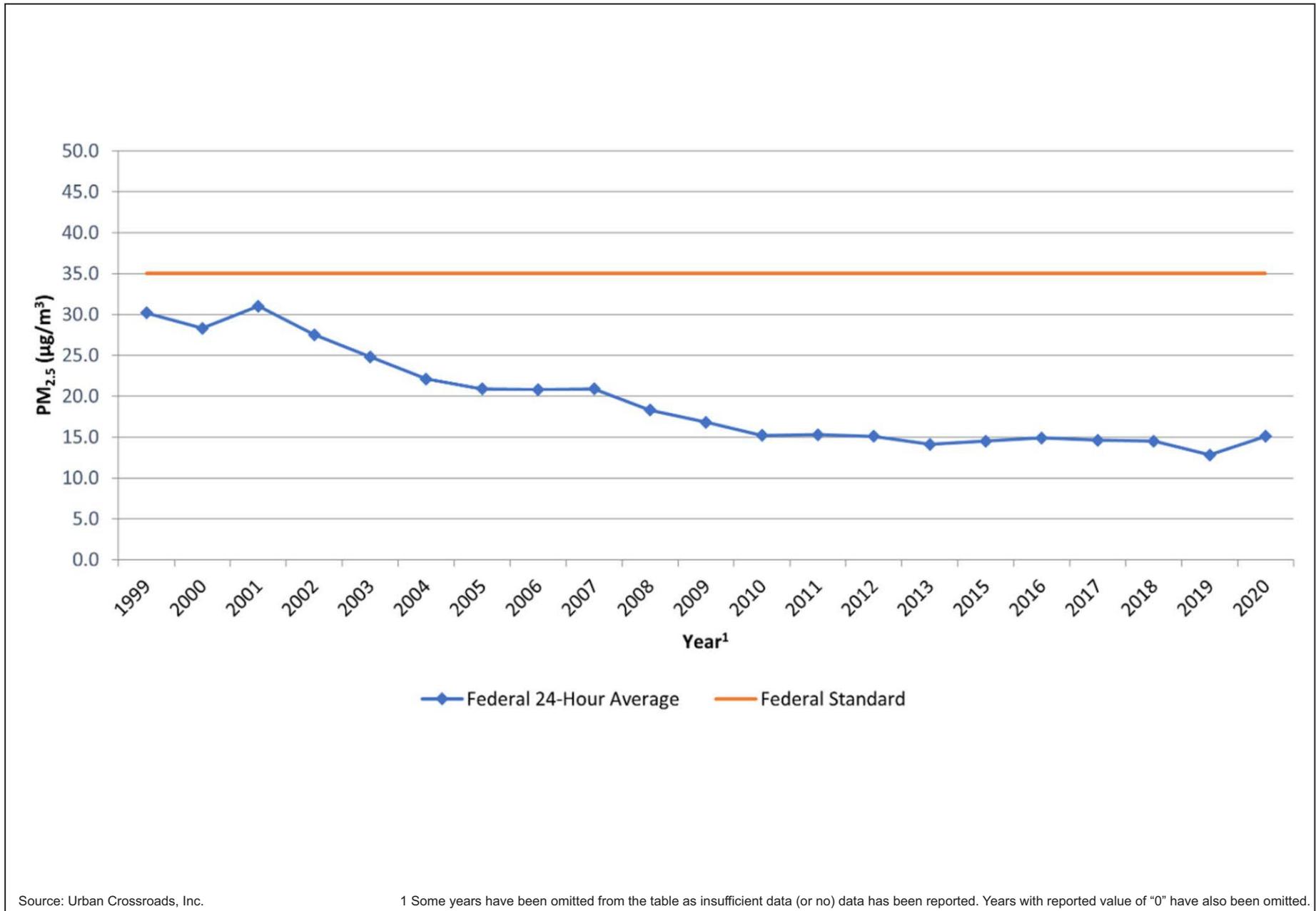


Figure 4.3-4  
SCAB 24-Hour Average Concentration PM<sub>2.5</sub> Trend vs. Federal Standard

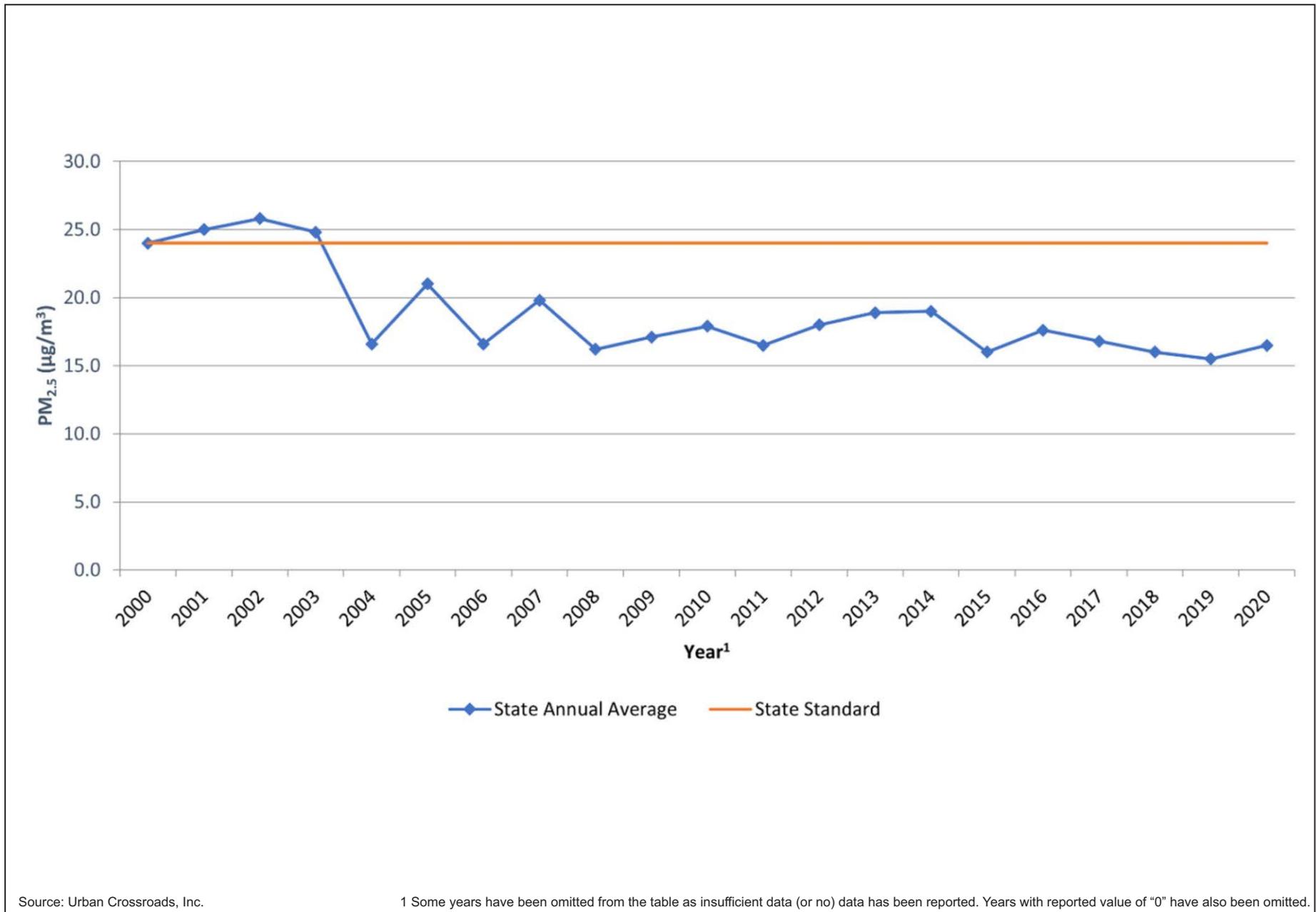


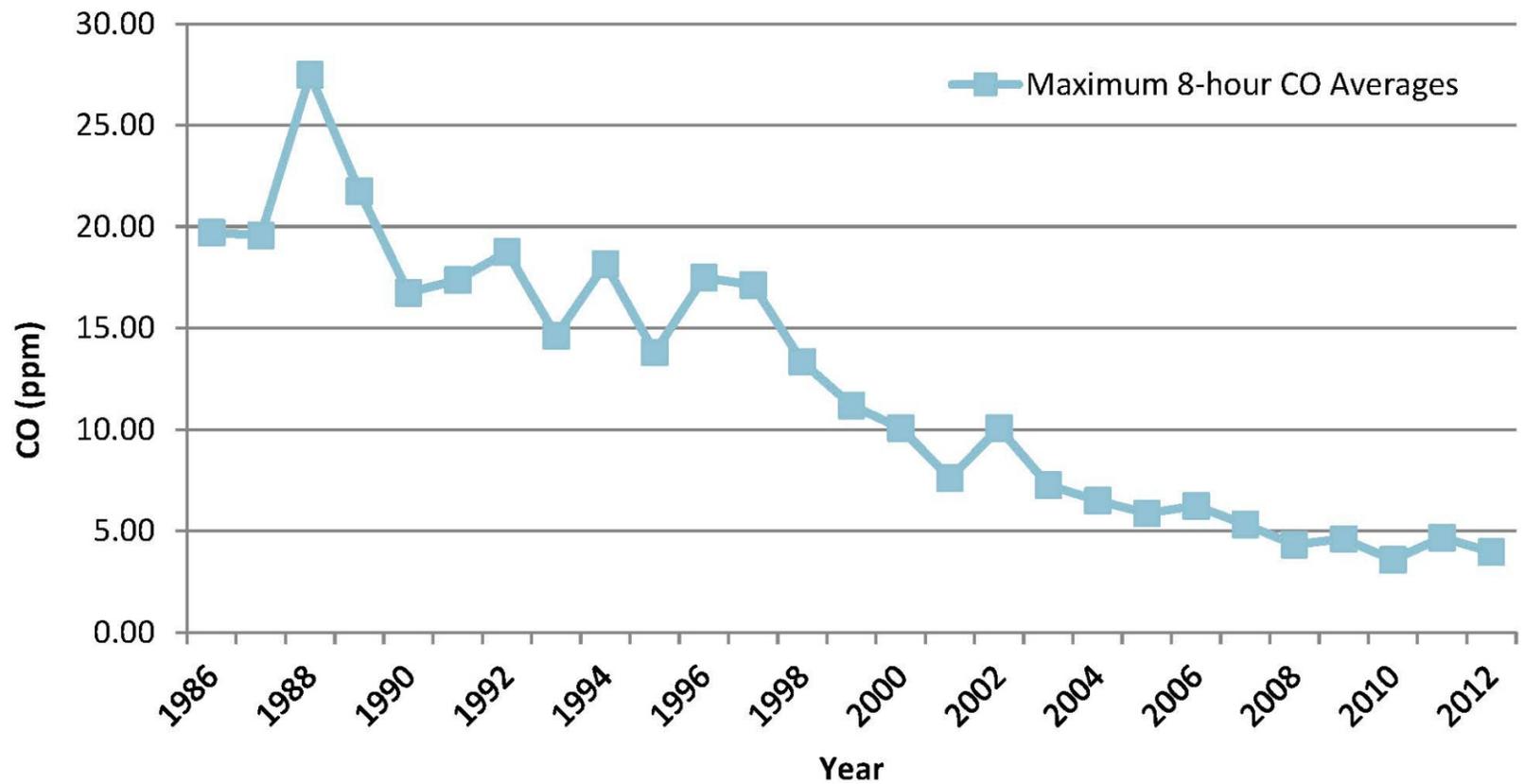
Figure 4.3-5  
 SCAB Annual Average Concentration PM<sub>2.5</sub> Trend vs. State Standard

While the 2012 AQMP PM<sub>10</sub> attainment demonstration and the 2015 associated supplemental SIP submission indicated that attainment of the 24-hour standard was predicted to occur by the end of 2015, it could not anticipate the effect of the ongoing drought on the measured PM<sub>2.5</sub>.

The 2006 – 2010 base period employed in the 2012 attainment demonstration had near-normal rainfall. While the trend of PM<sub>2.5</sub>-equivalent emission reductions continued through 2015, severe drought conditions with the state contributed to PM<sub>2.5</sub> increases observed after 2012. As a result of the disrupted progress toward attainment of the federal 24-hour PM<sub>2.5</sub> standard, SCAQMD submitted a request and the EPA approved, in January 2016, a “bump up” to the nonattainment classification from “moderate” to “serious,” with a new attainment deadline as soon as practicable, but not beyond December 31, 2019.

The current AQMP continues to evaluate current integrated strategies and control measures to meet the NAAQS, as well as explore new and innovative methods to reach its goals. Some of these approaches include utilizing incentive programs, recognizing existing co-benefit programs from other sectors, and developing a strategy with fair-share reductions at the federal, state, and local levels.

CO concentrations in the SCAB are presented at Figure 4.3-6. CO concentrations in the SCAB have decreased markedly — a total decrease of about 80 percent in the peak 8-hour concentration since 1986. The number of CO exceedance days has also declined. The entire SCAB is now designated as attainment for both the state and national CO standards. Ongoing reductions from motor vehicle control programs should continue the downward trend in ambient CO concentrations.



Source: Urban Crossroads, Inc.

The most recent year where 8-hour concentration data is available is 2012.

Part of the control process of the SCAQMD's duty to greatly improve the air quality in the SCAB is the uniform CEQA review procedures required by SCAQMD's CEQA Handbook. The single threshold of significance used to assess Project direct and cumulative impacts has in fact "worked" as evidenced by the track record of the air quality in the SCAB dramatically improving over the course of the past decades. As stated by the SCAQMD, the District's thresholds of significance are based on factual and scientific data and are therefore appropriate thresholds of significance to use for this Project.

NO<sub>2</sub> data for the SCAB is presented at Figures 4.3-7 and 4.3-8. Over the last 50 years, NO<sub>2</sub> values have decreased significantly; the peak 1-hour national and state averages for 2020 is approximately 80 percent lower than what it was during 1963. The SCAB attained the State 1-hour NO<sub>2</sub> standard in 1994, bringing the entire state into attainment. A new state annual average standard of 0.030 parts per million was adopted by CARB in February 2007. The new standard is just barely exceeded in the SCAQMD. NO<sub>2</sub> is formed from NO<sub>x</sub> emissions, which also contribute to O<sub>3</sub>. As a result, the majority of the future emission control measures will be implemented as part of the overall ozone control strategy. Many of these control measures will target mobile sources, which account for more than three-quarters of California's NO<sub>x</sub> emissions. These measures are expected to bring the SCAQMD into attainment of the state NO<sub>x</sub> annual average standard.

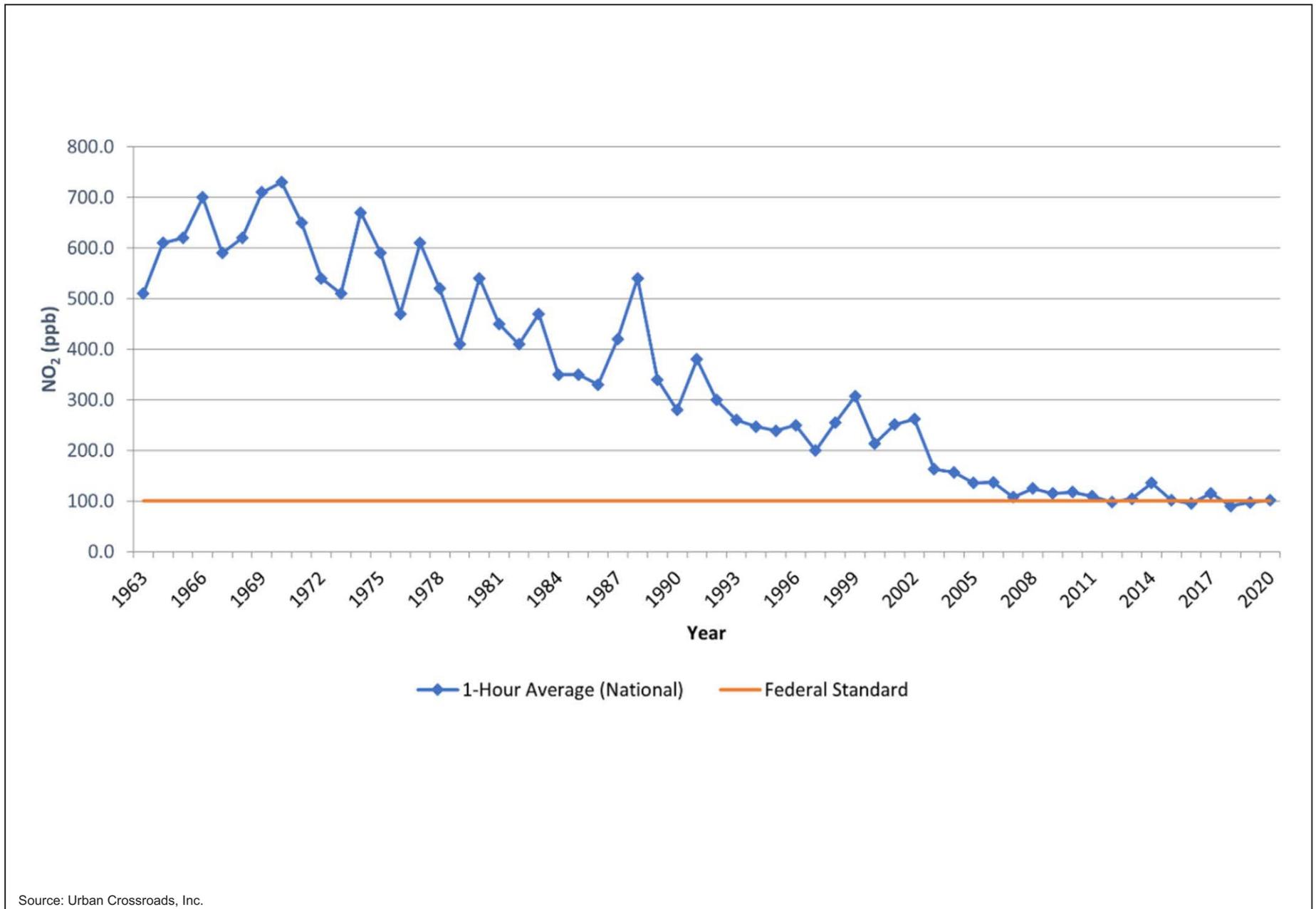


Figure 4.3-7  
SCAB 1-Hour Average Concentration NO<sub>2</sub> Trend vs. Federal Standard

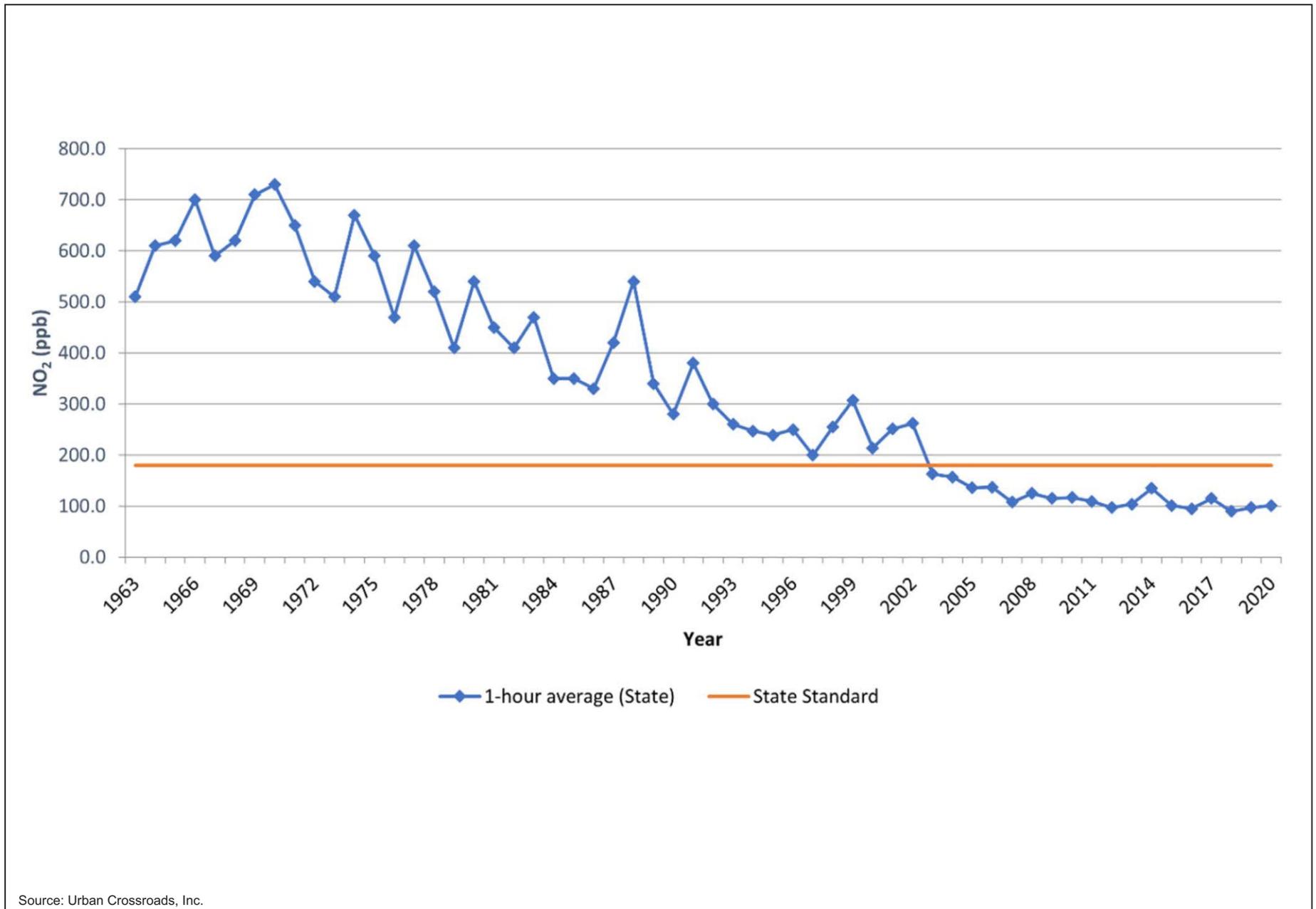


Figure 4.3-8  
SCAB 1-Hour Average Concentration NO<sub>2</sub> Trend vs. State Standard

## **Toxic Air Contaminants (TACs) Trends**

In 1984, as a result of public concern for exposure to airborne carcinogens, CARB adopted regulations to reduce the amount of TAC emissions resulting from mobile and area sources, such as cars, trucks, stationary products, and consumer products. *Ambient and Emission Trends of Toxic Air Contaminants in California* (CARB) 2015, indicates that for the period 1990 – 2012, ambient concentration and emission trends for the seven TACs responsible for most of the known cancer risk associated with airborne exposure in California have declined significantly. The seven TACs studied include those that are derived from mobile sources: diesel particulate matter (DPM), benzene, and 1,3-butadiene; those that are derived from stationary sources: perchloroethylene and hexavalent chromium; and those derived from photochemical reactions of emitted VOCs: formaldehyde and acetaldehyde<sup>3</sup>. TACs data was gathered at monitoring sites from both the Bay Area and SCAB. The decline in ambient concentration and emission trends of these TACs are a result of various regulations CARB has implemented to address cancer risk.

## **Mobile-Source TACs**

CARB introduced two programs that aimed at reducing mobile emissions for light and medium duty vehicles through vehicle emissions controls and cleaner fuel. In California, light-duty vehicles sold after 1996 are equipped with California's second-generation On-Board Diagnostic (OBD-II) system. The OBD-II system monitors virtually every component that can affect the emission performance of the vehicle to ensure that the vehicle remains as clean as possible over its entire life and assists repair technicians in diagnosing and fixing problems with the computerized engine controls. If a problem is detected, the OBD-II system illuminates a warning lamp on the vehicle instrument panel to alert the driver. This warning lamp typically contains the phrase Check Engine or Service Engine Soon. The OBD-II system also stores important information about the detected malfunction so that a repair technician can accurately find and fix the problem.

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<sup>3</sup> Ambient DPM concentrations are not measured directly. Rather, a surrogate method using the coefficient of haze (COH) and elemental carbon (EC) is used to estimate DPM concentrations.

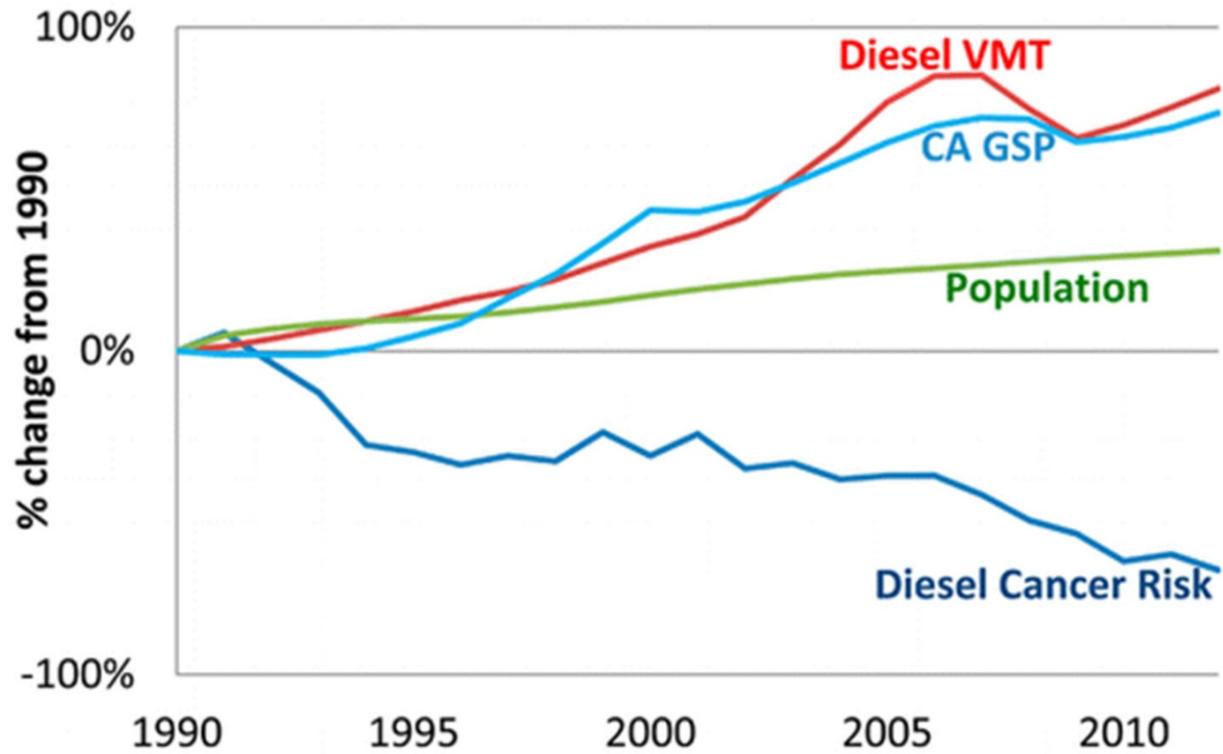
CARB has recently developed similar OBD requirements for heavy-duty vehicles over 14,000 lbs. CARB's phase II Reformulated Gasoline Regulation (RFG-2), adopted in 1996, also led to a reduction of mobile source emissions. Through such regulations, benzene levels declined 88% from 1990-2012. 1,3-Butadiene concentrations also declined 85% from 1990-2012 as a result of the use of reformulated gasoline and motor vehicle regulations.

In 2000, CARB's Diesel Risk Reduction Plan (DRRP) recommended the replacement and retrofit of diesel-fueled engines and the use of ultra-low-sulfur (<15ppm) diesel fuel. As a result of these measures, DPM concentrations have declined 68% since 2000, even though the state's population increased 31% and the amount of diesel vehicles miles traveled increased 81%. Please refer to Figure 4.3-9. With the implementation of these diesel-related control regulations, CARB expects a DPM decline of 71% for the period 2000 – 2020.

### **Diesel Regulations**

CARB, the Port of Los Angeles (POLA), and the Port of Long Beach (POLB) have adopted several iterations of regulations for diesel trucks that are aimed at reducing DPM. More specifically, CARB Drayage Truck Regulation, CARB statewide On-road Truck and Bus Regulation, and POLA and POLB Clean Truck Programs (CTPs) require accelerated implementation of "clean trucks" into the statewide truck fleet. Under these regulations and programs, older more polluting trucks will be replaced with newer, cleaner trucks – with resulting reductions in DPM generated per mile traveled and average statewide DPM emissions for Heavy Duty Trucks. Diesel emissions identified in this analysis overstate future DPM emissions since not all the regulatory requirements are reflected in the analysis modeling.

### California Population, Gross State Product (GSP), Diesel Cancer Risk, Diesel Vehicle-Miles-Traveled (VMT)



Source: Urban Crossroads, Inc.

## **Cancer Risk Trends**

The SCAQMD has initiated a comprehensive urban toxic air pollution study, *Multiple Air Toxics Exposure Study* (MATES) that provides estimated TAC-source cancer risks within the SCAB. The first Multiple Air Toxics Exposure Study was conducted in 1986 – 1987 and the findings published in June 1987. In 1997, MATES II quantified the then current magnitude of population exposure risk from existing sources of selected air toxic contaminants. In 1998, CARB identified particulate matter from diesel-fueled engines as a toxic air contaminant.

In 2008, the SCAQMD prepared an update to the MATES II study: MATES III. MATES III estimated that the average excess cancer risk level from exposure to TACs declined by approximately 17% in comparison to the MATES II study.

MATES IV (SCAQMD) 2015 substantiates a further decline in TACs and TAC-source cancer risks when compared to MATES III. MATES IV indicates that diesel particulate is the major contributor to air toxics risk in the SCAB, accounting on average for about 68% of the total. The most dramatic reduction identified in MATES IV is in the level of diesel particulate, which showed 70% reduction in average level measured at the 10 monitoring sites compared to MATES III. The carcinogenic risk from air toxics in the Basin, based on the average concentrations at the 10 monitoring sites, is 65% lower than the monitored average in MATES III (MATES IV, p. ES-2).

In January 2018, as part of the overall effort to reduce air toxics exposure in the SCAB, SCAQMD began conducting the MATES V Program. MATES V field measurements were conducted at ten fixed sites (the same sites selected for MATES III and IV) to assess trends in air toxic levels. MATES V also included measurements of ultrafine particles (UFP) and black carbon (BC) concentrations, which can be compared to the UFP levels measured in MATES IV. The draft report for the MATES V study was published in late May and the comment submission deadline on June 7, 2021. In addition to new measurements and updated modeling results, several key updates were implemented in MATES V. First, MATES V estimates cancer risks by taking into account multiple exposure pathways,

which includes inhalation and non-inhalation pathways. This approach is consistent with how cancer risks are estimated in South Coast AQMD's programs such as permitting, Air Toxics Hot Spots (AB2588), and CEQA. Previous MATES studies quantified the cancer risks based on the inhalation pathway only. Second, along with cancer risk estimates, MATES V includes information on the chronic non-cancer risks from inhalation and non-inhalation pathways for the first time. Cancer risks and chronic non-cancer risks from MATES II through IV measurements have been re-examined using current Office of Environmental Health Hazard Assessment (OEHHA) and CalEPA risk assessment methodologies and modern statistical methods to examine the trends over time.

MATES V calculated cancer risks based on monitoring data collected at ten fixed sites within the SCAB. None of the fixed monitoring sites are within the local area of the Project site. However, MATES V has extrapolated the excess cancer risk levels throughout the SCAB by modeling the specific grids. The Project is located within a quadrant of the geographic grid of the MATES-V model which predicted a cancer risk of 344 per million for the area containing the Project site. DPM is included in this cancer risk along with all other TAC sources. As in previous MATES iterations, DPM is the largest contributor to overall air toxics cancer risk. However, the average levels of DPM in MATES V are 53% lower at the 10 monitoring sites compared to MATES IV. Cumulative Project generated TACs are limited to DPM.

#### **4.3.3.4 Air Pollutant Emissions Generated by Existing Activities**

The Project site is currently vacant and undeveloped and is not a substantive source of air pollutant emissions.

### **4.3.4 REGULATORY BACKGROUND AND GENERAL PLAN GOALS**

#### **4.3.4.1 Federal Regulations**

The U.S. Environmental Protection Agency (EPA) is responsible for setting and enforcing the NAAQS for O<sub>3</sub>, CO, NO<sub>x</sub>, SO<sub>2</sub>, PM<sub>10</sub>, and lead. The U.S. EPA has jurisdiction over emissions sources that are under the authority of the federal government including

aircraft, locomotives, and emissions sources outside state waters (Outer Continental Shelf). The U.S. EPA also establishes emission standards for vehicles sold in states other than California. Automobiles sold in California must meet the stricter emission requirements of the California Air Resource Board (CARB).

The Federal Clean Air Act (CAA) was first enacted in 1955, and has been amended numerous times in subsequent years (1963, 1965, 1967, 1970, 1977, and 1990). The CAA establishes the NAAQS, and specifies NAAQS compliance dates. The CAA also mandates that states submit and implement State Implementation Plans (SIPs) for local areas not meeting these Standards. SIPs must include pollution control measures demonstrating how Standards will be met.

The 1990 amendments to the CAA that identify specific emission reduction goals for areas not meeting the NAAQS require a demonstration of reasonable further progress toward attainment and incorporate additional sanctions for failure to attain or to meet interim milestones. The sections of the CAA applicable to the Project include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions).

Title I provisions were established with the goal of attaining the NAAQS for the criteria pollutants: O<sub>3</sub>, NO<sub>2</sub>, SO<sub>2</sub>, PM<sub>10</sub>, CO, PM<sub>2.5</sub>, and lead. The NAAQS were amended in July 1997 to include an additional standard for O<sub>3</sub> and to adopt a NAAQS for PM<sub>2.5</sub>.

Mobile-source emissions are regulated in accordance with Title II provisions. These provisions require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas. Automobile manufacturers are also required to reduce tailpipe emissions of hydrocarbons and NO<sub>x</sub>. NO<sub>x</sub> is a collective term that includes all forms of nitrogen oxides (NO, NO<sub>2</sub>, NO<sub>3</sub>) which are emitted as byproducts of the combustion process.

#### 4.3.4.2 California

##### **California Air Resources Board**

The CARB, which became part of the California EPA in 1991, is responsible for ensuring implementation of the California Clean Air Act (AB 2595), responding to the federal CAA, and for regulating emissions from consumer products and motor vehicles. The California CAA mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the state ambient air quality standards by the earliest practical date. The CARB established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, establishes standards for sulfates, visibility, hydrogen sulfide, and vinyl chloride. However, at this time, hydrogen sulfide and vinyl chloride are not measured at any monitoring stations in the SCAB because they are not considered to be a regional air quality problem. Generally, the CAAQS are more stringent than the NAAQS.

Local air quality management districts, such as the SCAQMD, regulate air emissions from commercial and light industrial facilities. All air pollution control districts have been formally designated as attainment or non-attainment for each CAAQS.

Serious non-attainment areas are required to prepare air quality management plans that include specified emission reduction strategies in an effort to meet clean air goals. These plans are required to include:

- Application of Best Available Retrofit Control Technology to existing sources;
- Developing control programs for area sources (e.g., architectural coatings and solvents) and indirect sources (e.g., motor vehicle use generated by residential and commercial development);
- A District-permitting system designed to allow no net increase in emissions from any new or modified permitted sources of emissions;

- Implementing reasonably available transportation control measures and assuring a substantial reduction in growth rate of vehicle trips and miles traveled;
- Significant use of low emissions vehicles by fleet operators;
- Sufficient control strategies to achieve a five percent or more annual reduction in emissions or 15 percent or more in a period of three years for ROGs, NO<sub>x</sub>, CO and PM<sub>10</sub>. However, air basins may use alternative emission reduction strategy that achieves a reduction of less than five percent per year under certain circumstances.

### **Truck Emissions Regulations**

The CARB (and POLA/POLB) have adopted several iterations of regulations addressing air pollutant emissions generated by trucks. More specifically, the CARB Drayage Truck Regulation and CARB statewide On-road Truck and Bus Regulation require accelerated implementation of “clean trucks” into the statewide truck fleet. The POLA/POLB CTP implement similar correlating measures. As a function of these regulatory requirements, older more polluting trucks will be retired from service and replaced with newer reduced emissions trucks.

### **Title 24 Building Energy Efficiency Standards**

California Code of Regulations (CCR) Title 24 Part 6: *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. The Title 24 standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases greenhouse gas (GHG) emissions.

## **Title 24 California Green Building Standards Code**

CCR, Title 24, Part 11: *California Green Building Standards Code* (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2011. Local jurisdictions are permitted to adopt more stringent requirements. The California Green Building Standards Code can be accessed at: <https://codes.iccsafe.org/content/CAGBC2022P3>. The Project designs would be required to comply with CALGreen standards in effect at the time of building permit applications(s), or more stringent requirements as may be implemented by the City.

### **4.3.4.3 Regional**

#### **Air Quality Management Plans**

Currently, the NAAQS and CAAQS are exceeded in most areas of the SCAB. In response, the SCAQMD has adopted regional Air Quality Management Plans (AQMPs) to meet state and federal ambient air quality standards. AQMPs are updated regularly to reduce emissions, accommodate growth, and minimize any negative fiscal impacts of air pollution control on the economy. Project consistency with the SCAQMD AQMP is provided subsequently within this Section.

### **4.3.5 STANDARDS OF SIGNIFICANCE**

As identified within the *CEQA Guidelines*, air quality impacts would be considered potentially significant if the Project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state

ambient air quality standard, including releasing emissions which exceed quantitative thresholds for ozone precursors;

- Expose sensitive receptors to substantial pollutant concentrations; or
- Create objectionable odors affecting a substantial number of people.

#### 4.3.5.1 SCAQMD Significance Thresholds

The SCAQMD recommends that its regional and local air quality thresholds for regulated pollutants be employed by lead agencies in determining whether project-source criteria air pollutant emissions impacts are significant. SCAQMD thresholds have been employed in this analysis.

#### Regional Thresholds

SCAQMD Air Quality Regional Significance Thresholds are presented at Table 4.3-3. For the purposes of this analysis, Project-source maximum daily emissions exceeding applicable SCAQMD Regional thresholds are considered individually and cumulatively significant air quality impacts. Conversely, Project-source maximum daily emissions not exceeding applicable SCAQMD emissions thresholds are considered individually and cumulatively less-than-significant.

**Table 4.3-3**  
**Maximum Daily Emissions-Regional Thresholds**

<b>Pollutant</b>	<b>Construction-source</b>	<b>Operational-source</b>
NO <sub>x</sub>	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM <sub>10</sub>	150 lbs/day	150 lbs/day
PM <sub>2.5</sub>	55 lbs/day	55 lbs/day
SO <sub>x</sub>	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day

**Source:** *Moreno Valley Business Park – Phase II, Air Quality Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.)* January 17, 2022.

### **Carbon Monoxide Concentrations (CO “hot spots”) Thresholds**

CO “hot spots” are areas of carbon monoxide concentrations exceeding national or state air quality standards. CO hot spots typically occur as a result of excessive vehicular idling, often associated with traffic backups at underperforming intersections or congested roadway links. SCAQMD also recommends an evaluation of potential localized CO “hot spot” impacts for projects which may adversely affect, or substantially contribute to, level of service impacts along area roadway segments or at area intersections.

Pursuant to SCAQMD thresholds, a project’s localized CO emissions impacts would be potentially significant if they exceed the following California standards for localized CO concentrations:

- 1-hour CO standard of 20.0 parts per million (ppm);
- 8-hour CO standard of 9.0 ppm.

### **Localized Significance Thresholds (LSTs)**

LSTs represent the maximum localized emissions concentrations that would not cause or contribute to an exceedance of the most stringent applicable national or state ambient air quality standard (NAAQS or CAAQS) at the nearest residence or sensitive receptor. LSTs apply to carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), particulate matter less than 10 microns (PM<sub>10</sub>), and particulate matter less than 2.5 microns (PM<sub>2.5</sub>). The SCAQMD states that the Lead Agency may, at the Agency’s discretion, employ LSTs as another indicator of significance in air quality impact analyses.

### **Health Risk Assessment (HRA) Thresholds**

#### ***Carcinogenic Risks***

Pursuant to SCAQMD thresholds, impacts of Toxic Air Contaminants (TACs) are considered potentially significant if a Health Risk Assessment (HRA) shows an increased cancer risk of greater than 10 incidents per million population.

### ***Noncarcinogenic Risks***

Noncarcinogenic risks are numerically expressed as a Hazard Index (HI), with a threshold HI of 1.0. Pursuant to SCAQMD thresholds, noncarcinogenic Hazard Indices calculated to be greater than 1.0 are considered potentially significant.

## **4.3.6 POTENTIAL IMPACTS AND MITIGATION MEASURES**

### **4.3.6.1 Introduction**

The following discussions focus on areas where it has been determined that the Project may result in potentially significant air quality impacts, based on the analysis presented within this Section and included within the EIR Initial Study (EIR Appendix A). Please refer also to Initial Study Checklist Item III., *Air Quality*.

Of the CEQA threshold considerations identified above at Section 4.3.5.1, and as substantiated in the Initial Study, the Project's potential impacts under the following topic are determined to have a less-than-significant impact and are not further substantively discussed here:

- Create objectionable odors affecting a substantial number of people.

All other CEQA topics concerning the Project's potential impacts to air quality are discussed below. Please refer also to Draft EIR Appendix A, Initial Study Checklist Item III., *Air Quality*.

### **4.3.6.2 Impact Statements**

Following is an analysis of potential air quality impacts that are expected to occur as a result of the Project. Potential emissions are considered for Project construction and operation. For each topical discussion, potential impacts are evaluated under applicable criteria established above at Section 4.3.5, *Standards of Significance*.

**Potential Impact:** *Conflict with or obstruct implementation of the applicable air quality plan.*

**Impact Analysis:** SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to achieve applicable air quality standards. AQMPs are updated regularly to effectively reduce emissions, accommodate growth, and minimize negative fiscal impacts of air pollution control.

### **AQMP Consistency**

Criteria for determining consistency with the AQMP are identified at Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD *CEQA Air Quality Handbook* (1993), as listed below. Project consistency with, and support of these criteria is presented subsequently.

- **Criterion No. 1:** The project under consideration will not result in an increase in the frequency or severity of existing NAAQS/CAAQS air quality violations or cause or contribute to new NAAQS/CAAQS violations; or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.
- **Criterion No. 2:** The project under consideration will not exceed the assumptions in the AQMP in 2011 or increments based on the years of Project build-out phase.

### **Criterion No. 1 Consistency**

CAAQS and NAAQS violations would occur if LSTs or regional significance thresholds were exceeded. As evaluated, the Project's regional and localized construction-source and operational-source emissions would not exceed applicable regional significance thresholds or applicable LSTs. Further, the Project would implement applicable best available control measures (BACMs), and would comply with applicable SCAQMD rules, acting to further reduce potential Project-source air quality impacts.

The Project would not result in an increase in the frequency or severity of existing CAAQS/NAAQS air quality violations, cause or contribute to new violations, or delay

the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. Based on the preceding discussion, the Project is determined to be consistent with the first criterion.

### **Criterion No. 2 Consistency**

The existing General Plan Land Use Designation of the Project site is “Commercial.” To allow for the Project industrial uses, a General Plan Land Use Amendment is proposed that would redesignate the Project site General Plan Land Use from Commercial to “Business Park/Light Industrial.” The Project would be allowed under the proposed Business Park/Light Industrial General Plan Land Use designation.

The change in General Plan Land Use proposed by the Project (from Commercial to Light Industrial/Business Park) would likely result in a net reduction in total criteria air pollutant emissions. This is due primarily to the net reduction in traffic and mobile-source air pollutant emissions that would be generated by the Project light industrial uses when compared to traffic and mobile-source emissions that would result from commercial development of the subject site.

Trip generation (traffic) is a general proxy that broadly represents relative air quality impacts of development proposals. Trip generation resulting from the Project Business Park/Light Industrial uses would be substantially reduced when compared to trip generation resulting from development of the site allowed under the site’s current General Plan Commercial Land Use. In this regard, trip generation for the site if developed with general commercial uses at a scope and intensity comparable to the Project would be approximately 24.44 passenger car equivalent (PCE) trips/day/ thousand square feet (TSF). In comparison, the Project would generate approximately 3.07 PCE trips/day/TSF.<sup>4</sup> On this basis, air quality impacts resulting from the Project would not exceed assumptions reflected in the AQMP.

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<sup>4</sup> See: DEIR Appendix C, Transportation Analysis Scoping Agreement, Table 5, *Trip Generation Comparison*.

The Project light industrial uses are consistent with uses allowed under the proposed Business Park/Light Industrial General Plan Land Use designation. The Project FAR (0.51) is consistent with and would not exceed the General Plan FAR (1.0) established for the Business Park/Light Industrial General Plan Land Use designation. The Project uses would be implemented consistent with zoning established under Specific Plan No. 205 as amended herein. Furthermore, the Project, as evaluated herein would not exceed the regional or localized air quality significance thresholds.

Based on the preceding discussion, the Project is determined to be consistent with the second criterion.

### **AQMP Consistency Conclusion**

As presented above, the Project is consistent with AQMP Consistency Criteria and would therefore not conflict with the AQMP. On this basis, the Project's potential to conflict with or obstruct implementation of the applicable air quality plan is considered less-than-significant.

Based on the preceding discussion, the Project is determined to be consistent with the second criterion.

**Level of Significance:** Less-Than-Significant.

**Potential Impact:** *Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal [national] or state ambient air quality standard.*

### **Impact Analysis:**

#### **Overview**

The Project area is designated as a non-attainment area for ozone, a non-attainment area for PM<sub>10</sub>, and a non-attainment area for PM<sub>2.5</sub>. The AQIA evaluation of emissions

presented herein substantiates that all Project-source emissions would not exceed applicable SCAQMD regional thresholds. Consistent with SCAQMD guidance, less-than-significant non-attainment impacts at the Project level are not cumulatively considerable, and would not result in a cumulatively considerable net increase of criteria pollutant(s) for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

Project emissions levels were calculated employing the California Emissions Estimator Model (CalEEMod)<sup>5</sup> and were then compared to applicable SCAQMD thresholds in order to determine if air quality standards would be violated; or if Project emissions would contribute substantially to existing or projected air quality violations. Unless otherwise noted, CalEEMod default values and assumptions are applied throughout.

## **REGIONAL IMPACTS**

### **Construction-Source Air Pollutant Emissions**

Construction activities associated with the Project will result in emissions of CO, VOCs, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. These emissions would be generated by the following construction activities:

- Site Preparation;
- Grading;
- Building Construction;
- Paving; and
- Architectural Coating.

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<sup>5</sup> The California Emissions Estimator Model (CalEEMod) is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects. It was developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts, including the South Coast Air Quality Management District (SCAQMD).

Within the scope of the Project activities listed above, vehicular emissions generated by construction worker commutes and construction materials deliveries are also reflected.

A preliminary and approximate Project construction schedule is summarized at Table 4.3-4. Air pollutant emissions based on the construction schedule presented here represents a likely maximum impact analysis scenario. That is, should construction occur any time after the dates presented here, incremental and aggregate construction-source emissions would likely decrease since emission factors for construction equipment would progressively decrease in the future. This is due to the natural turnover of the older vehicle fleet and replacement with more fuel-efficient equipment with enhanced emissions controls; and implementation of more stringent regulations which collectively act to reduce construction-source (and operational-source) emissions.

**Table 4.3-4**  
**Preliminary Project Construction Schedule**

Activity	Start Date	End Date	Total Days
Site Preparation	08/01/2022	08/12/2022	10
Grading	08/13/2022	09/09/2022	20
Building Construction	09/10/2022	07/28/2023	230
Paving	07/03/2023	07/28/2023	20
Architectural Coating	06/05/2023	07/28/2023	40

**Source:** *Moreno Valley Business Park – Phase II, Air Quality Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.)* January 17, 2022.

Construction equipment use by activity and duration as modeled in the Project AQIA represents a reasonable approximation of the types and quantity of construction equipment employed on any given day. Modeled construction-source emissions reflect all construction activities and account for associated construction worker commutes and vendor deliveries. Maximum Daily Project construction-source emissions are summarized at Table 4.3-5. Please refer also to the Project AQIA, Section 3.4 *Construction Emissions* for further details regarding modeling and analysis of Project construction-source emissions.

**Table 4.3-5  
Maximum Daily Construction-Source Air Pollutant Emissions Summary (pounds per day)**

Year	Emissions (lbs/day)					
	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<i>Summer Scenario</i>						
2022	4.55	50.59	25.89	0.07	13.56	6.37
2023	51.60	40.72	43.81	0.10	4.78	2.45
<i>Winter Scenario</i>						
2022	4.55	50.59	24.54	0.07	13.56	6.37
2023	51.54	40.87	42.22	0.10	4.78	2.45
<b>Maximum Daily Emissions</b>	<b>51.60</b>	<b>50.59</b>	<b>43.81</b>	<b>0.10</b>	<b>13.56</b>	<b>6.37</b>
SCAQMD Regional Threshold	75	100	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Moreno Valley Business Park – Phase II, Air Quality Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) January 17, 2022.

**Level of Significance:** Less-Than-Significant. As shown at Table 4.3-5, maximum daily Project construction-source air pollutant emissions would not exceed applicable SCAQMD regional thresholds. The potential for Project construction-source emissions to 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 would therefore be less-than-significant.

### Operational-Source Air Pollutant Emissions

Project operational activities would result in emissions of VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Project operational emissions would be generated by the mobile and stationary/area sources listed below:

- Area Sources (Architectural Coatings, Consumer Products, Landscape/Facilities Maintenance Equipment);
- Building Energy Consumption;
- Mobile Sources (Project Traffic);
- On-Site Cargo Handling Equipment (Utility Tractors);
- Transport Refrigeration Units (TRUs).

Please refer also to the Project AQIA, Section 3.5 *Operational Emissions* for further details regarding modeling and analysis of Project operational-source emissions.

### Operational Emissions Summary

Maximum daily Project operational-source air pollutant emissions are summarized at Table 4.3-6. Applicable SCAQMD regional significance thresholds are also indicated.

**Table 4.3-6**

**Maximum Daily Operational-Source Air Pollutant Emissions Summary (pounds per day)**

Land Use/Emissions Source	Pollutants					
	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<i>Summer Scenario</i>						
Area-Source	5.02	7.00E-04	0.08	0.00	2.70E-04	2.70E-04
Energy-Source	0.09	0.83	0.70	4.98E-03	0.06	0.06
Mobile-Source (Trucks)	1.78	19.16	19.71	0.14	8.15	2.40
Mobile-Source (Passenger Cars)	0.07	0.77	0.92	1.77E-04	0.01	0.01
On-Site Equipment	0.11	1.04	0.75	3.17E-03	0.04	0.03
<b>Total Maximum Daily Emissions</b>	<b>7.07</b>	<b>21.80</b>	<b>22.14</b>	<b>0.15</b>	<b>8.26</b>	<b>2.51</b>
SCAQMD Regional Threshold	55	55	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
<i>Winter Scenario</i>						
Area Source	5.02	7.00E-04	0.08	0.00	2.70E-04	2.70E-04
Energy Source	0.09	0.83	0.70	4.98E-03	0.06	0.06
Mobile (Trucks)	1.58	20.22	17.74	0.14	8.15	2.40
Mobile (Passenger Cars)	0.07	0.77	0.92	1.77E-04	0.01	0.01
On-Site Equipment	0.11	1.04	0.75	3.17E-03	0.04	0.03
<b>Total Maximum Daily Emissions</b>	<b>6.87</b>	<b>22.85</b>	<b>20.18</b>	<b>0.15</b>	<b>8.26</b>	<b>2.51</b>
SCAQMD Regional Threshold	55	55	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Moreno Valley Business Park – Phase II, Air Quality Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) January 17, 2022.

**Level of Significance:** Less-Than-Significant. As shown at Table 4.3-6, maximum daily Project operational-source air pollutant emissions would not exceed applicable SCAQMD regional thresholds. The potential for Project operational-source emissions to 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 would therefore be less-than-significant.

## LOCALIZED IMPACTS

### **Localized Significance Threshold (LST) Analysis**

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the national and/or state ambient air quality standards (NAAQS/CAAQS). Collectively, the NAAQS/CAAQS establish LSTs.

LSTs were developed in response to the SCAQMD Governing Board's Environmental Justice Initiative I-4. More specifically, to address potential Environmental Justice implications of localized air pollutant impacts, the SCAQMD adopted LSTs indicating whether a project would cause or contribute to localized air quality impacts and thereby cause or contribute to potential localized adverse health effects. LSTs apply to carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), particulate matter less than 10 microns (PM<sub>10</sub>), and particulate matter less than 2.5 microns (PM<sub>2.5</sub>). LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable national or state ambient air quality standard at the nearest residence or sensitive receptor. Though not required, lead agencies may employ LSTs as another indicator of significance in its air quality impact analyses.

The significance of localized emissions impacts depends on whether ambient levels in the vicinity of the project are above or below state standards. In the case of CO and NO<sub>2</sub>, if ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. For

the nonattainment pollutants PM<sub>10</sub> and PM<sub>2.5</sub>, background ambient concentrations already exceed state and/or national standards. LSTs for PM<sub>10</sub> and PM<sub>2.5</sub> are therefore based on SCAQMD Rules 403/1303 (construction-source/operational-source emissions respectively) and are established as an allowable change in concentration. Background concentrations are irrelevant.

### **Emissions Considered/Methodology**

LSTs apply to carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), particulate matter less than 10 microns (PM<sub>10</sub>), and particulate matter less than 2.5 microns (PM<sub>2.5</sub>). The Project LST analysis incorporates, and is consistent with, protocols and methodologies established in *Final Localized Significance Threshold Methodology* (Methodology). The Methodology clearly states that “off-site mobile emissions from the Project should NOT be included in the emissions compared to LSTs.” Accordingly, the Project LST analysis considers only “on-site” emissions sources.

### **Receptors**

Localized air quality impacts were evaluated at proximate receptor land uses. Receptors in the Project study area include existing residential homes and industrial uses described below and identified at Figure 4.3-10.

**R1:** Location R1 represents the existing residence at 11989 Tabor Drive, approximately 111 feet north of the Project site. R1 is placed in the private outdoor living areas (backyard) facing the Project site.

**R2:** Location R2 represents the existing residence at 24130 Ironwood Avenue, approximately 123 feet north of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R2 is placed at the building façade.

**R3:** Location R3 represents the existing residence at 12079 Nita Drive, approximately 1262 feet east of the Project site. R3 is placed in the private outdoor living areas (backyard) facing the Project site.



**LEGEND:**

- Site Boundary
- Distance from receptor to Project site boundary (in feet)
- + Receptor Locations



NOT TO SCALE

Source: Urban Crossroads, Inc.; Applied Planning, Inc.

Figure 4.3-10  
Sensitive Receptor Locations

**R4:** Location R4 represents the existing residence at 12107 Heacock Street, approximately 103 feet west of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R4 is placed at the building façade.

**R5:** Location R5 represents the existing residence at 12065 Heacock Street, approximately 184 feet west of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receptor R5 is placed at the building façade.

**R6:** Location R6 represents the existing light industrial uses, approximately 5 feet east of the Project site.

### ***Construction-Source Emissions LST Analysis***

The SCAQMD has issued guidance on applying CalEEMod to LST analyses. In this regard, CalEEMod calculates construction emissions (off-road exhaust and fugitive dust) based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment.

The *Methodology* provides LST Screening “Look-Up Tables” (Look-Up Tables) for sites with an area with daily disturbance of 5 acres or less. For projects that exceed 5 acres, the LST Look-Up Tables can be used as a screening tool to determine which pollutants require additional detailed analysis. This approach is conservative as it assumes that all on-site emissions associated with the Project would be concentrated within a 5-acre area. By assuming that on-site construction activities are occurring over a smaller area, the resulting air pollutants are more highly-concentrated once they reach the site boundary than they would otherwise be if activities were dispersed over a larger site area. As such, LSTs for a 5-acre disturbance area were used as a screening tool to determine if further detailed analysis would be required. Please refer also to the Project AQIA at Section 3.7, *Construction-Source Emissions LST Analysis*. The thresholds used in the construction-source LST analysis are presented at Table 4.3-7.

**Table 4.3-7  
Construction-Source Emissions LSTs**

	Pollutant			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Threshold	270 lbs/day	1,577 lbs/day	19 lbs/day	8 lbs/day

Source: Moreno Valley Business Park – Phase II, Air Quality Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) January 17, 2022.

Project maximum daily localized construction-source emissions concentrations are summarized at Table 4.3-8 and are compared to applicable thresholds.

**Table 4.3-8  
Localized Construction-Source Emissions Impacts Summary**

Construction Phase	Year	Emissions (lbs/day)			
		NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Site Preparation	2022	50.41	20.01	13.34	6.31
	<b>Maximum Daily Emissions</b>	<b>50.41</b>	<b>20.01</b>	<b>13.34</b>	<b>6.31</b>
	SCAQMD Localized Threshold	270	1,577	19	8
	<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Grading	2022	33.85	15.50	7.84	2.98
	<b>Maximum Daily Emissions</b>	<b>33.85</b>	<b>15.50</b>	<b>7.84</b>	<b>2.98</b>
	SCAQMD Localized Threshold	270	1,577	19	8
	<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Building Construction	2022	29.76	17.67	1.27	1.19
	2023	26.20	17.35	1.12	1.04
	<b>Maximum Daily Emissions</b>	<b>29.76</b>	<b>17.67</b>	<b>1.27</b>	<b>1.19</b>
	SCAQMD Localized Threshold	270	1,577	19	8
	<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>
Paving	2023	10.19	14.58	0.51	0.47
	<b>Maximum Daily Emissions</b>	<b>10.19</b>	<b>14.58</b>	<b>0.51</b>	<b>0.47</b>
	SCAQMD Localized Threshold	270	1,577	19	8
	<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Architectural Coating	2023	1.74	2.41	0.09	0.09
	<b>Maximum Daily Emissions</b>	<b>1.74</b>	<b>2.41</b>	<b>0.09</b>	<b>0.09</b>
	SCAQMD Localized Threshold	270	1,577	19	8
	<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Moreno Valley Business Park – Phase II, Air Quality Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) January 17, 2022.

As indicated at Table 4.3-8, localized Project construction-source emissions would not exceed applicable LSTs and would therefore be less-than-significant.

**Level of Significance:** Less-Than-Significant.

**Operational-Source Emissions LST Analysis**

The Project Operational-Source Emissions LST Analysis evaluates emissions generated by all on-site stationary/area sources inclusive of on-site landscaping/maintenance activities, facility energy consumption, on-site equipment use (yard trucks, etc.), and all on-site passenger car and truck travel. Please refer also to the Project AQIA at Section 3.8, *Operational-Source Emissions LST Analysis*. Project operational-source localized emissions impacts are summarized at Table 4.3-9 and are compared to applicable thresholds. As indicated, Project maximum daily operational-source emissions concentrations would not exceed applicable LSTs, and would therefore be less-than-significant.

**Table 4.3-9  
Localized Operational-Source Emissions Impacts Summary (lbs/day)**

Scenario	Emissions (lbs/day)			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Summer	2.86	2.55	0.51	0.22
Winter	2.92	2.46	0.51	0.22
<b>Maximum Daily Emissions</b>	<b>2.92</b>	<b>2.55</b>	<b>0.51</b>	<b>0.22</b>
SCAQMD Localized Threshold	270	1,577	5	2
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Moreno Valley Business Park – Phase II, Air Quality Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) January 17, 2022.

**Level of Significance:** Less-Than-Significant.

### **CO “Hot Spot” Analysis**

As discussed below, the Project would not result in potentially adverse localized CO concentrations or “hot spots.” Adverse localized CO concentrations (“hot spots”) are caused by vehicular emissions, primarily when idling at congested intersections. In response, vehicle emissions standards have become increasingly stringent in the last twenty years. Currently, the allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentrations in the Project vicinity have declined over time, and have not violated applicable AAQS in the last three years of record.

A CO “hot spot” would occur if an exceedance of the state one-hour standard of 20 ppm or the eight-hour standard of 9 ppm were to occur. When the SCAQMD CEQA Handbook was first prepared in 1993, the SCAB was designated nonattainment under the California AAQS and National AAQS for CO. As identified in the 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan) and subsequently within the SCAQMD’s 2003 AQMP, peak carbon monoxide concentrations in the SCAB were a result of unusual meteorological and topographical conditions and not a result of congestion at a particular intersection.

To establish a more accurate record of baseline CO concentrations affecting the SCAB, a CO “hot spot” analysis was conducted in 2003 for four busy intersections in Los Angeles at the peak morning and afternoon traffic periods. This hot spot analysis did not predict any violation of CO standards (refer to Table 4.3-10).

**Table 4.3-10**  
**SCAQMD 2003 Los Angeles CO Hot Spot Analysis**  
**Peak CO Emissions Concentrations Summary**

Intersection Location	Carbon Monoxide Concentrations (ppm)		
	Morning 1-hour	Afternoon 1-hour	8-hour
Wilshire-Veteran	4.6	3.5	4.3
Sunset-Highland	4	4.5	3.9
La Cienega-Century	3.7	3.1	5.8
Long Beach-Imperial	3	3.1	8.4
CO Standard (ppm)	20.0 ppm	9.0 ppm	9.0 ppm
Standard Exceeded	No	No	No

**Source:** Moreno Valley Business Park – Phase II, Air Quality Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) January 17, 2022.

It can, therefore, be reasonably concluded that development proposals (such as the Project evaluated here) that are not subject to the extremes in vehicle volumes and vehicle congestion that was evidenced in the 2003 Los Angeles Hot Spot Analysis would similarly not create or result in CO hot spots. Total AM/PM daily traffic volumes and traffic congestion reflected in the 2003 Los Angeles Hot Spot Analysis are summarized at Table 4.3-11.

**Table 4.3-11**  
**SCAQMD 2003 Los Angeles CO Hot Spot Analysis**  
**Study Area Intersection Maximum Peak Hour and Daily Traffic Volumes**

Intersection	Northbound (AM/PM)	Southbound (AM/PM)	Eastbound (AM/PM)	Westbound (AM/PM)	Total (AM/PM)
Wilshire-Veteran	4,954/2,069	1,830/3,317	721/1,400	560/933	8,062/7,719
Sunset-Highland	1,417/1,764	1,342/1,540	2,304/1,832	1,551/2,238	6,614/5,374
La Cienega-Century	2,540/2,243	1,890/2,728	1,384/2,029	821/1,674	6,634/8,674
Long Beach-Imperial	1,217/2,020	1,760/1,400	479/944	756/1,150	4,212/5,514

**Source:** Moreno Valley Business Park – Phase II, Air Quality Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) January 17, 2022.

Preliminary trip generation estimates for the Project indicate that the proposed warehouse uses would generate an estimated maximum of approximately 65 PCE trips

during the PM peak hour.<sup>6</sup> This is substantially less than the trip volumes identified at Table 4.3-11, which as noted previously would not result in adverse CO concentrations. Further, in scoping the transportation analysis for the Project, the City has determined that Project traffic would not result in level-of-service deficiencies that would potentially contribute to intersection delays and congestion, and that may as a consequence result in or contribute to adverse CO concentrations.

Moreover, the ambient 1-hr and 8-hr CO concentration within the Project study area is estimated to be 1.9 ppm and 1.4 ppm, respectively (data from Perris Valley station for 2020). Therefore, even if the traffic volumes for the Project were double or even triple of the traffic volumes generated at the Long Beach Blvd. and Imperial Hwy. intersection, coupled with the on-going improvements in ambient air quality, the Project would not be capable of resulting in a CO “hot spot” at any Study Area intersections.

Additionally, similar considerations are employed by other Air Districts when evaluating potential CO concentration impacts. More specifically, the Bay Area Air Quality Management District (BAAQMD) concludes that under existing and future vehicle emission rates, a given project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal air does not mix—in order to generate a significant localized CO emissions impact. The Project would not produce maximum peak hour traffic volumes traffic required to generate a CO hot spot either in the context of the 2003 Los Angeles hot spot study, or based on representative BAAQMD CO threshold considerations. Further supporting the conclusion that CO hot spots are not an environmental impact of concern for the Project.

**Level of Significance:** Less-Than-Significant.

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<sup>6</sup> See: DEIR Appendix C, Transportation Analysis Scoping Agreement, Table 3, *Project Trip Generation Summary (PCE)*.

## **TOXIC AIR CONTAMINANTS HEALTH RISK ANALYSIS**

Potential Toxic Air Contaminants Health risks resulting from the Project are presented in detail in *Moreno Valley Business Park-Phase II, Mobile Source Health Risk Assessment*, City of Moreno Valley (Urban Crossroads, Inc.) January 17, 2022 (Project HRA, EIR Appendix D). Of primary concern for the Project would be Diesel Particulate Matter (DPM) emissions generated by construction equipment and heavy trucks accessing the Project site. Project DPM sources are discussed below. Potential health risks of Project-related DPM emissions are summarized subsequently.

### **Localized Diesel Particulate Matter (DPM) Emissions Impacts**

Construction equipment employed in development of the Project, and truck traffic associated with Project operations would generate Diesel Particulate Matter (DPM) emissions. In 1998, the California Air Resources Board (ARB) identified particulate matter from diesel-fueled engines (Diesel Particulate Matter or DPM) as a Toxic Air Contaminant (TAC). In California, diesel engine exhaust is identified as a carcinogen.

#### ***Carcinogenic Risks***

The SCAQMD *CEQA Air Quality Handbook* (1993) states that emissions of TACs are considered significant if a Health Risk Assessment shows an increased carcinogenic risk of greater than 10 incidents per million population. Consistent with the stated SCAQMD *Handbook* cancer risk threshold, for the purposes of this analysis, an increase in cancer risk of 10 incidents per million population is considered significant. Also relevant to the Project HRA, specific guidance in determining health risks from diesel emissions is provided in *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD) 2003.

#### ***Noncarcinogenic Risks***

An evaluation of the potential noncarcinogenic effects of chronic exposures was also conducted. Noncarcinogenic adverse health effects are evaluated by comparing a compound's annual concentration with its toxicity factor or Reference Exposure Level (REL). The REL for diesel particulates was obtained from OEHHA for this analysis. The

REL for DPM established by OEHHA is 5 µg/m<sup>3</sup> (OEHHA Toxicity Criteria Database, <http://www.oehha.org/risk/chemicaldb/index.asp>).

The SCAQMD has established non-carcinogenic risk parameters for use in HRAs. Non-carcinogenic risks are quantified by calculating a Hazard Index, expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at or below which health effects are not likely to occur. A Hazard Index less of than one (1.0) means that adverse health effects are not expected. Within this analysis, non-carcinogenic exposures not exceeding the SCAQMD Hazard Index of 1.0 are considered less-than-significant.

### ***Potentially Affected Receptors***

Land uses that could be potentially affected by DPM emissions are the same as those evaluated in the preceding LST analyses. Please refer to previous descriptions of receptor locations R1 – R6, and locations of Receptors R1 – R6 presented at Figure 4.3-11, *Proximate Sensitive Receptor Land Uses*.

## **Risk Exposure: Quantification Results**

### **Construction-Source DPM Emissions Impacts**

As substantiated in the Project HRA, maximum Project construction-source DPM emissions cancer risk impacts would be 6.04 in one million, which is less than the SCAQMD threshold of 10 in one million. Maximum construction-source non-cancer risks were estimated to be 0.02, which would not exceed the applicable SCAQMD threshold of 1.0 (Project HRA, p. 22). As such, Project construction-source DPM emissions would not cause a significant human health or cancer risk at any potentially affected receptors.

### **Operational-Source DPM Emissions Impacts**

As substantiated in the Project HRA, maximum Project operational-source DPM emissions cancer risk impacts would be 0.79 in one million, which is less than the SCAQMD threshold of 10 in one million. Maximum operational-source non-cancer risks were estimated to be <0.01, which would not exceed the applicable SCAQMD threshold

of 1.0 (Project HRA, p. 22). As such, Project operational-source DPM emissions would not cause a significant human health or cancer risk at any potentially affected receptors.

### **Localized Air Quality Impact Analysis Summary**

As substantiated by the preceding discussions, maximum Project construction-source and operational-source emissions would not exceed applicable SCAQMD LSTs at the nearest sensitive receptors. Nor would the Project create or result in localized CO hot spots. Further, Project TACs would not result in or cause potentially significant health risks. On this basis, the potential for the Project's localized emissions to violate any air quality standard or contribute substantially to an existing or projected air quality violation is considered less-than-significant.

**Level of Significance:** Less-Than-Significant.

**Potential Impact:** *Expose sensitive receptors to substantial pollutant concentrations.*

**Impact Analysis:** Sensitive receptors can include uses such as long-term health care facilities, rehabilitation centers, and retirement homes. Residences, schools, playgrounds, childcare centers, and athletic facilities can also be considered as sensitive receptors. As concluded in the above discussion of Localized Air Quality Impacts, the sensitive receptors nearest the Project site would not be subject to emissions exceeding SCAQMD LSTs. Nor would the Project create or result in localized CO hot spots. The Project HRA, summarized herein, substantiates that the Project would not generate or result in localized concentrations of TACs that would create or result in potentially significant health risks. Based on the preceding, the potential for the Project to expose sensitive receptors to substantial pollutant concentrations is considered less-than-significant.

**Level of Significance:** Less-Than-Significant.

## **4.4 GREENHOUSE GAS EMISSIONS AND GLOBAL CLIMATE CHANGE**

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## 4.4 GREENHOUSE GAS EMISSIONS AND GLOBAL CLIMATE CHANGE

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### *Abstract*

*This Section identifies and addresses potential greenhouse gas (GHG) emissions impacts that may result from construction and implementation of the Project. More specifically, the GHG emissions impacts analysis evaluates the potential for the Project to cause or result in the following impacts:*

- Potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or*
- Potential to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

*Based on the analysis presented within Moreno Valley Business Park – Phase II, Greenhouse Gas Analysis, City of Moreno Valley (Urban Crossroads, Inc.) January 17, 2022 (Project GHGA), all Project-related GHG impacts are considered less-than-significant.*

### 4.4.1 INTRODUCTION

Global Climate Change (GCC) is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. GCC is currently one of the most controversial environmental issues in the United States, and much debate exists within the scientific community about whether or not GCC is occurring naturally or as a result of human activity. Some data suggests that GCC has occurred in the past over the course of thousands or millions of years. These historical changes to the earth's climate have occurred naturally without human influence, as in the case of an ice age. However, many scientists believe that the climate shift taking place since the industrial revolution (1900) is occurring at a quicker rate and magnitude than

in the past. Scientific evidence suggests that GCC is the result of increased concentrations of greenhouse gases in the earth's atmosphere, including carbon dioxide, methane, nitrous oxide, and fluorinated gases. Many scientists believe that this increased rate of climate change is the result of greenhouse gases resulting from human activity and industrialization over the past 200 years.

An individual development proposal, such as the Project, cannot generate sufficient greenhouse gas emissions to effect a discernible change in the global climate. However, the Project may contribute to GCC through its increment of greenhouse gases (GHG) in combination with the cumulative increase in GHG from all other sources, which when taken together constitute potential influences on GCC. This Section summarizes the potential for the Project to have a significant effect upon the environment as a result of its potential contribution to GCC. Detailed analysis of the Project's potential GHG/GCC impacts is presented in *Moreno Valley Business Park - Phase II, Greenhouse Gas Analysis* (Urban Crossroads, Inc.) January 17, 2022; EIR Appendix E.

## **4.4.2 BACKGROUND**

### **4.4.2.1 Global Climate Change**

GCC refers to the change in average meteorological conditions with respect to temperature, wind patterns, precipitation and storms. Global temperatures are regulated by naturally occurring atmospheric gases such as water vapor, CO<sub>2</sub> (Carbon Dioxide), N<sub>2</sub>O (Nitrous Oxide), CH<sub>4</sub> (Methane), hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These particular gases are important due to their residence time (duration) in the atmosphere, which ranges from 10 years to more than 100 years. These gases allow solar radiation into the atmosphere, but prevent heat from escaping, thereby warming the atmosphere.

### **4.4.2.2 Greenhouse Gases**

Gases that trap heat in the atmosphere are often referred to as GHGs. GHGs are released into the atmosphere by both natural and anthropogenic (human) activity. Without the natural greenhouse gas effect, the average temperature would be approximately 61°

Fahrenheit (F) cooler than it is currently. The accumulation of these gases in the atmosphere is considered to be the cause for the observed increase in the Earth's temperature.

GHGs have varying global warming potential (GWP) values; GWP values represent the potential of a gas to trap heat in the atmosphere. Carbon dioxide is used as the reference gas for GWP, and thus has a GWP of 1. GWP and atmospheric lifetimes of typical GHGs are summarized at Table 4.4-1. Characteristics of commonly occurring GHGs are summarized at Table 4.4-2.

**Table 4.4-1  
GHG Global Warming Potentials and Atmospheric Lifetimes**

Gas	Atmospheric Lifetime (years)	Global Warming Potential (100-year time horizon)	
		2nd Assessment Report	5th Assessment Report
CO <sub>2</sub>	*	1	1
CH <sub>4</sub>	12.4	21	28
N <sub>2</sub> O	121	310	265
HFC-23	222	11,700	12,400
HFC-134a	13.4	1,300	1,300
HFC-152a	1.5	140	138
SF <sub>6</sub>	3,200	23,900	23,500

**Source:** *Moreno Valley Business Park - Phase II, Greenhouse Gas Analysis* (Urban Crossroads, Inc.) January 17, 2022.

**Notes:** \* Per Appendix 8.A. of IPCC's 5th Assessment Report, no single atmospheric lifetime has been established.

**Table 4.4-2  
GHG Characteristics**

GHG	Description	Sources	Health Effects
Water	<p>Water is the most abundant, important, and variable GHG in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. Changes in its concentration are primarily considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. Climate feedback is an indirect, or secondary, change, either positive or negative, that occurs within the climate system in response to a forcing mechanism. The feedback loop in which water is involved is critically important to projecting future climate change.</p> <p>As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to 'hold' more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. The warmer atmosphere can then hold more water vapor and so on and so on. This is referred to as a "positive feedback loop." The extent to which this positive feedback loop would continue is unknown as there are also dynamics that hold the positive feedback loop in check. As an example, when water vapor increases in the atmosphere, more of it would eventually condense into clouds, which are more able to reflect incoming solar radiation (thus allowing less</p>	<p>The main source of water vapor is evaporation from the oceans (approximately 85%). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from sea ice and snow, and transpiration from plant leaves.</p>	<p>There are no known direct health effects related to water vapor at this time. It should be noted however that when some pollutants react with water vapor, the reaction forms a transport mechanism for some of these pollutants to enter the human body through water vapor.</p>

**Table 4.4-2  
GHG Characteristics**

GHG	Description	Sources	Health Effects
	energy to reach the earth's surface and heat it up).		
CO <sub>2</sub>	CO <sub>2</sub> is an odorless and colorless GHG. Since the industrial revolution began in the mid-1700s, the sort of human activity that increases GHG emissions has increased dramatically in scale and distribution. Data from the past 50 years suggests a corollary increase in levels and concentrations. As an example, prior to the industrial revolution, CO <sub>2</sub> concentrations were fairly stable at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30%. Left unchecked, the concentration of CO <sub>2</sub> in the atmosphere is projected to increase to a minimum of 540 ppm by 2100 as a direct result of anthropogenic sources.	CO <sub>2</sub> is emitted from natural and manmade sources. Natural sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources include: the burning of coal, oil, natural gas, and wood. CO <sub>2</sub> is naturally removed from the air by photosynthesis, dissolution into ocean water, transfer to soils and ice caps, and chemical weathering of carbonate rocks.	Outdoor levels of CO <sub>2</sub> are not high enough to result in negative health effects. According to the National Institute for Occupational Safety and Health (NIOSH) high concentrations of CO <sub>2</sub> can result in health effects such as: headaches, dizziness, restlessness, difficulty breathing, sweating, increased heart rate, increased cardiac output, increased blood pressure, coma, asphyxia, and/or convulsions. It should be noted that current concentrations of CO <sub>2</sub> in the earth's atmosphere are estimated to be approximately 370 ppm, the actual reference exposure level (level at which adverse health effects typically occur) is at exposure levels of 5,000 ppm averaged over 10 hours in a 40-hour workweek and short-term reference exposure levels of 30,000 ppm averaged over a 15-minute period.

**Table 4.4-2  
GHG Characteristics**

GHG	Description	Sources	Health Effects
CH <sub>4</sub>	CH <sub>4</sub> is an extremely effective absorber of radiation, although its atmospheric concentration is less than CO <sub>2</sub> and its lifetime in the atmosphere is brief (10-12 years), compared to other GHGs.	CH <sub>4</sub> has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of CH <sub>4</sub> . Other anthropogenic sources include fossil-fuel combustion and biomass burning.	CH <sub>4</sub> is extremely reactive with oxidizers, halogens, and other halogen-containing compounds. Exposure to elevated levels of CH <sub>4</sub> can cause asphyxiation, loss of consciousness, headache and dizziness, nausea and vomiting, weakness, loss of coordination, and an increased breathing rate.
N <sub>2</sub> O	N <sub>2</sub> O, also known as laughing gas, is a colorless GHG. Concentrations of N <sub>2</sub> O also began to rise at the beginning of the industrial revolution. In 1998, the global concentration was 314 parts per billion (ppb).	N <sub>2</sub> O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used as an aerosol spray propellant, i.e., in whipped cream bottles. It is also used in potato chip bags to keep chips fresh. It is used in rocket engines and in race cars. N <sub>2</sub> O can be transported into the stratosphere, be deposited on the earth's surface, and be converted to other compounds by chemical reaction.	N <sub>2</sub> O can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses, it is considered harmless. However, in some cases, heavy and extended use can cause Olney's Lesions (brain damage).
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in CH <sub>4</sub> or ethane (C <sub>2</sub> H <sub>6</sub> ) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble and chemically unreactive 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. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and was extremely successful, so much so that levels of the major CFCs are now remaining steady or declining. However, their long atmospheric	In confined indoor locations, working with CFC-113 or other CFCs is thought to result in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.

**Table 4.4-2  
GHG Characteristics**

GHG	Description	Sources	Health Effects
		lifetimes mean that some of the CFCs would remain in the atmosphere for over 100 years.	
HFCs	HFCs are synthetic, man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential (GWP). The HFCs with the largest measured atmospheric abundances are (in order), Fluoroform (HFC-23), 1,1,1,2-tetrafluoroethane (HFC-134a), and 1,1-difluoroethane (HFC-152a). Prior to 1990, the only significant emissions were of HFC-23. HFC-134a emissions are increasing due to its use as a refrigerant.	HFCs are manmade for applications such as automobile air conditioners and refrigerants.	No health effects are known to result from exposure to HFCs.
PFCs	PFCs have stable molecular structures and do not break down through chemical processes in the lower atmosphere. High-energy ultraviolet rays, which occur about 60 kilometers above earth's surface, are able to destroy the compounds. Because of this, PFCs have exceptionally long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF <sub>4</sub> ) and hexafluoroethane (C <sub>2</sub> F <sub>6</sub> ). The EPA estimates that concentrations of CF <sub>4</sub> in the atmosphere are over 70 parts per trillion (ppt).	The two main sources of PFCs are primary aluminum production and semiconductor manufacture.	No health effects are known to result from exposure to PFCs.
SF <sub>6</sub>	SF <sub>6</sub> is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated. The EPA indicates that concentrations in the 1990s were about 4 ppt.	SF <sub>6</sub> is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.	In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.
Nitrogen Trifluoride (NF <sub>3</sub> )	NF <sub>3</sub> is a colorless gas with a distinctly moldy odor. The World Resources Institute (WRI) indicates that NF <sub>3</sub> has a 100-year GWP of 17,200.	NF <sub>3</sub> is used in industrial processes and is produced in the manufacturing of semiconductors, Liquid Crystal Display (LCD) panels, types of solar panels, and chemical lasers.	Long-term or repeated exposure may affect the liver and kidneys and may cause fluorosis.

Source: Moreno Valley Business Park - Phase II, Greenhouse Gas Analysis (Urban Crossroads, Inc.) January 17, 2022.

#### 4.4.2.3 Existing Greenhouse Gases Emissions Inventories

##### Global

Worldwide anthropogenic GHG emissions are tracked by the Intergovernmental Panel on Climate Change (IPCC) for industrialized nations (referred to as Annex I), and for developing nations (referred to as Non-Annex I). Human GHG emissions data for Annex I nations are available through 2018. Based on the latest available data, the sum of these emissions is approximately 28,768,440 gigagram (Gg) CO<sub>2</sub>e. Global GHG emissions representative of currently available inventory data are summarized at Table 4.4-3.

##### United States

As identified at Table 4.4-3, the United States, as a single country, was the number two producer of GHG emissions in 2018. Carbon dioxide from fossil fuel combustion is the largest source of GHG emissions in the United States.

**Table 4.4-3**  
**Global GHG Emissions by Source Countries and the EU (2018)**

Sources	GHG Emissions (Gigagram [Gg] CO <sub>2</sub> e)
China	12,300,200
United States	6,676,650
European Union (28-member countries)	4,232,274
Russian Federation	2,220,123
India	2,100,850
Japan	1,238,343
<b>Total</b>	<b>28,768,440</b>

*Source: Moreno Valley Business Park - Phase II, Greenhouse Gas Analysis (Urban Crossroads, Inc.) January 17, 2022.*

##### State of California

California has significantly slowed the rate of growth of GHG emissions through implementation of energy efficiency programs and adoption and implementation of strict emission controls, California nonetheless is still a substantial contributor to the U.S. emissions inventory total.

The California Air Resource Board (CARB) compiles GHG inventories for the State of California. Per CARB GHG inventory data for the 2000 – 2019 GHG emissions period, California emitted an average 418.1 million metric tons of CO<sub>2</sub>e (MMTCO<sub>2</sub>e) per year (418,100 Gg CO<sub>2</sub>e per year) equal to approximately 6.26% of the total United States annual GHG emissions.

### City of Moreno Valley

The City's 2018 GHG emissions totaled an estimated 866,410 metric tons of CO<sub>2</sub>e (MTCO<sub>2</sub>e). City 2018 GHG emissions by sector and subsector are summarized at Table 4.4-4.

### Project Site

The Project site comprises vacant, disturbed property, and is not a source of GHG emissions.

**Table 4.4-4**  
**City of Moreno Valley – 2018 GHG Emissions (MTCO<sub>2</sub>e/yr.)**

Sector	Subsector	Emissions
Residential	Electricity	90,154
	Natural Gas	116,635
<b>Total Residential</b>		<b>206,790</b>
Commercial	Electricity	69,536
	Natural Gas	31,230
<b>Total Commercial</b>		<b>100,766</b>
Industrial	Electricity	19,370
	Natural Gas	219
<b>Total Industrial</b>		<b>19,589</b>
Transportation	Electricity	373,504
	Natural Gas	109,599
<b>Total Transportation</b>		<b>483,063</b>
Solid Waste	Electricity	1,259
	Natural Gas	3,354
	Construction/Other	3,124
<b>Total Solid Waste</b>		<b>7,737</b>

**Table 4.4-4  
City of Moreno Valley – 2018 GHG Emissions (MTCO<sub>2e</sub>/yr.)**

Sector	Subsector	Emissions
Water	<b>Total Water</b>	<b>2,129</b>
Wastewater	<b>Total Wastewater</b>	<b>4,395</b>
Agriculture	<b>Total Agriculture</b>	<b>1,938</b>
Off-Road Equipment	<b>Total Off-Road Equipment</b>	<b>37,784</b>
Public Lighting	<b>Total Public Lighting</b>	<b>2,219</b>
<b>Grand Total</b>		<b>866,410</b>

*Source: Moreno Valley Business Park - Phase II, Greenhouse Gas Analysis (Urban Crossroads, Inc.) January 17, 2022.*

#### 4.4.2.4 Effects of Climate Change in California

##### Public Health

Higher temperatures may increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation could increase from 25 to 35% under the lower warming range to 75 to 85% under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances, depending on wind conditions. The Climate Scenarios Report indicates that large wildfires could become up to 55% more frequent if GHG emissions are not significantly reduced.

In addition, under the higher warming range scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a large increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures could increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

## **Water Resources**

A vast network of man-made reservoirs and aqueducts captures and transports water throughout the State from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages.

If temperatures continue to increase, more precipitation could fall as rain instead of snow, and the snow that does fall could melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90%. Under the lower warming range scenario, snowpack losses could be only half as large as those possible if temperatures were to rise to the higher warming range. How much snowpack could be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snowpack could pose challenges to water managers and hamper hydropower generation. It could also adversely affect winter tourism. Under the lower warming range, the ski season at lower elevations could be reduced by as much as a month. If temperatures reach the higher warming range and precipitation declines, there may be years with insufficient snow for skiing and snowboarding.

State water supplies are also at risk from rising sea levels. An influx of saltwater could degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta – a major fresh water supply.

## **Agriculture**

Increased temperatures could cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. First, California farmers could possibly lose as much as 25% of its water supply. Although higher CO<sub>2</sub> levels can stimulate plant production and increase plant water-use efficiency, California's

farmers could face greater water demand for crops and a less reliable water supply as temperatures rise. Crop growth and development could change, as could the intensity and frequency of pest and disease outbreaks. Rising temperatures could aggravate O<sub>3</sub> pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures could worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits, and nuts.

In addition, continued GCC could shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion could occur in many species while range contractions may be less likely in rapidly evolving species with significant populations already established. Should range contractions occur, new or different weed species could fill the emerging gaps. Continued GCC could alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

### **Forests and Landscapes**

GCC has the potential to intensify the current threat to forests and landscapes by increasing the risk of wildfire and altering the distribution and character of natural vegetation. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55%, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including: precipitation, winds, temperature, terrain, and vegetation, future risks would likely not be uniform throughout the State. For example, wildfires in northern California could increase by up to 90% due to decreased precipitation.

Moreover, continued GCC has the potential to alter natural ecosystems and biological diversity within the State. For example, alpine and subalpine ecosystems could decline by as much as 60 to 80% by the end of the century as a result of increasing temperatures. The productivity of the State's forests has the potential to decrease as a result of GCC.

### **Rising Sea Levels**

Rising sea levels, more intense coastal storms, and warmer water temperatures could increasingly threaten the State's coastal regions. Under the higher warming range scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Increased sea level elevations of this magnitude would inundate low-lying coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats. Under the lower warming range scenario, sea level could rise 12 to 14 inches.

### **4.4.3 GCC REGULATORY SETTING**

The current GHG regulatory setting is extensive and constantly evolving. The GHG regulatory setting is discussed in detail at Project GHGA Section 2.7, *Regulatory Setting*. GHG regulatory setting of relevance to the Project is summarized below.

#### **4.4.3.1 State of California**

##### **Senate Bill 375, Steinberg (SB 375)**

SB 735 does the following: (1) Requires metropolitan planning organizations (MPOs) 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.

SB 375 requires MPOs to prepare a Sustainable Communities Strategy (SCS) within the Regional Transportation Plan (RTP) that guides growth while taking into account the transportation, housing, environmental, and economic needs of the region. SB 375 uses CEQA streamlining as an incentive to encourage residential projects, which help achieve AB 32 goals to reduce GHG emissions. Although SB 375 does not prevent CARB from

adopting additional regulations, such actions are not anticipated in the foreseeable future.

### **AB 1493 - Pavley Fuel Efficiency Standards**

California AB 1493, also known as the Pavley Fuel Efficiency Standards, requires CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks.

The Standards phased in during the 2009 through 2016 Model Year (MY). Several technologies stand out as providing significant reductions in emissions at favorable costs. These include discrete variable valve lift or camless valve actuation to optimize valve operation rather than relying on fixed valve timing and lift as has historically been done; turbocharging to boost power and allow for engine downsizing; improved multi-speed transmissions; and improved air conditioning systems that operate optimally, leak less, and/or use an alternative refrigerant.

The second phase of the Standards implementation was incorporated into Amendments to the Low-Emission Vehicle Program (LEV III) or the Advanced Clean Cars (ACC) program. The ACC program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for MY 2017 through 2025. The regulation would reduce GHGs from new cars by 34% from 2016 levels by 2025. The new rules would clean up gasoline and diesel-powered cars, and deliver increasing numbers of zero-emission technologies, such as full battery electric cars, newly emerging plug-in hybrid electric vehicles (EV) and hydrogen fuel cell cars. The package would also ensure adequate fueling infrastructure is available for the increasing numbers of hydrogen fuel cell vehicles planned for deployment in California.

### **Clean Energy and Pollution Reduction Act of 2015 (SB 350)**

SB 350 reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key SB 350 provisions include an increase in the Renewables Portfolio Standard (RPS), higher energy efficiency requirements for buildings, initial strategies

towards a regional electricity grid, and improved infrastructure for EV charging stations. Specifically, SB 350 requires the following to reduce Statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33% to 50% by 2030, with interim targets of 40% by 2024, and 25% by 2027.
- Double the energy efficiency in existing buildings by 2030. This target would be achieved through the California Public Utilities Commission (CPUC), the California Energy Commission (CEC), and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which would facilitate the growth of renewable energy markets in the western United States.

### **Senate Bill 32, Pavley (SB 32); Assembly Bill 197, Eduardo Garcia (AB 197)**

SB 32 and its companion bill, AB 197 require the State to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. AB 197 creates a legislative committee to oversee regulators to ensure that CARB not only responds to the Governor, but also the Legislature.

### **CARB Scoping Plan Update (2017 Scoping Plan)**

The *2017 Scoping Plan* identifies the State's post-2020 GHG emissions reduction strategy. The *2017 Scoping Plan* reflects the 2030 target of a 40% reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. Key programs that the proposed Second Update builds upon include the Cap-and-Trade Regulation, the Low Carbon Fuel Standard (LCFS), and much cleaner cars, trucks, and freight movement, utilizing cleaner, renewable energy, and strategies to reduce CH<sub>4</sub> emissions from agricultural and other wastes.

The *2017 Scoping Plan* establishes a new emissions limit of 260 MMTCO<sub>2e</sub> for the year 2030, which corresponds to a 40% decrease in 1990 levels by 2030. Major elements of the *2017 Scoping Plan* framework include:

- Implementing and/or increasing the standards of the Mobile Source Strategy, which include increasing zero-emission vehicles (ZEV) buses and trucks.
- LCFS, with an increased stringency (18% by 2030).
- Implementing SB 350, which expands the RPS to 50% and doubles energy efficiency savings by 2030.
- California Sustainable Freight Action Plan, which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks.
- Implementing the proposed Short-Lived Climate Pollutant Strategy (SLPS), which focuses on reducing CH<sub>4</sub> and HCF emissions by 40% and anthropogenic black carbon emissions by 50% by year 2030.
- Continued implementation of SB 375.
- Post-2020 Cap-and-Trade Program that includes declining caps.
- 20% reduction in GHG emissions from refineries by 2030.
- Development of a Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

Note, however, that the *2017 Scoping Plan* acknowledges that:

*. . . [a]chieving net zero increases in GHG emissions, resulting in no contribution to GHG impacts, may not be feasible or appropriate for every project, however, and the inability of a project to mitigate its GHG emissions to net zero does not imply the project results in a substantial contribution to the cumulatively significant environmental impact of climate change under CEQA.*

In addition to the statewide strategies listed above, the *2017 Scoping Plan* identifies local governments as essential partners in achieving the State's long-term GHG reduction goals and identifies local actions to reduce GHG emissions. As part of the recommended actions, CARB recommends that local governments achieve a community-wide goal to achieve emissions of no more than 6 metric tons of CO<sub>2</sub>e (MTCO<sub>2</sub>e) or less per capita by 2030 and 2 MTCO<sub>2</sub>e or less per capita by 2050. For CEQA projects, CARB states that lead agencies may develop evidence-based bright-line numeric thresholds—consistent with

the 2017 *Scoping Plan* and the State's long-term GHG goals—and projects generating GHG emissions over that amount may be required to incorporate on-site design features and mitigation measures acting to avoid or minimize GHG emissions to the degree feasible. Alternatively, or as a complementary action, lead agencies may establish a performance-based metric using a Climate Action Plan (CAP) or other plan to reduce GHG emissions.

According to research conducted by the Lawrence Berkeley National Laboratory (LBNL) and supported by CARB, California, under its existing and proposed GHG reduction policies, could achieve the 2030 goals under SB 32. The research utilized a new, validated model known as the California LBNL GHG Analysis of Policies Spreadsheet (CALGAPS), which simulates GHG and criteria pollutant emissions in California from 2010 to 2050 in accordance with existing and future GHG-reducing policies. The CALGAPS model showed that by 2030, emissions could range from 211 to 428 MTCO<sub>2e</sub> per year (MTCO<sub>2e</sub>/yr.), indicating that “even if all modeled policies are not implemented, reductions could be sufficient to reduce emissions 40% below the 1990 level [of SB 32].” CALGAPS analyzed emissions through 2050 even though it did not generally account for policies that might be put in place after 2030. Although the research indicated that the emissions would not meet the State's 80% reduction goal by 2050, various combinations of policies could allow California's cumulative emissions to remain very low through 2050.

### **Cap-and-Trade Program**

The 2017 *Scoping Plan* identifies a Cap-and-Trade Program as one of the key strategies for California to reduce GHG emissions. According to CARB, a cap-and-trade program would help put California on the path to meet its goal of achieving a 40% reduction in GHG emissions from 1990 levels by 2030. Under cap-and-trade, an overall limit on GHG emissions from capped sectors is established, and facilities subject to the cap would be able to trade permits to emit GHGs within the overall limit.

CARB adopted a California Cap-and-Trade Program pursuant to its authority under AB 32. The Cap-and-Trade Program is designed to reduce GHG emissions from regulated entities by more than 16% between 2013 and 2020, and by an additional 40% by 2030. The statewide cap for GHG emissions from the capped sectors (e.g., electricity generation, petroleum refining, and cement production) commenced in 2013 and would decline over time, achieving GHG emission reductions throughout the program's duration.

The Cap-and-Trade Program provides a firm cap, which provides the highest certainty of achieving the 2030 target. An inherent feature of the Cap-and-Trade program is that it does not guarantee GHG emissions reductions in any discrete location or by any particular source. Rather, GHG emissions reductions are only guaranteed on an accumulative basis. As summarized by CARB in the *First Update to the Climate Change Scoping Plan*:

*The Cap-and-Trade Regulation gives companies the flexibility to trade allowances with others or take steps to cost-effectively reduce emissions at their own facilities. Companies that emit more have to turn in more allowances or other compliance instruments. Companies that can cut their GHG emissions have to turn in fewer allowances. But as the cap declines, aggregate emissions must be reduced. In other words, a covered entity theoretically could increase its GHG emissions every year and still comply with the Cap-and-Trade Program if there is a reduction in GHG emissions from other covered entities. Such a focus on aggregate GHG emissions is considered appropriate because climate change is a global phenomenon, and the effects of GHG emissions are considered cumulative.*

The Cap-and-Trade Program covers approximately 80% of California's GHG emissions. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources

in the Program's first compliance period. The Cap-and-Trade Program covers the GHG emissions associated with the combustion of transportation fuels in California, whether refined in-state or imported.

### **Executive Order S-3-05**

Executive Order S-3-05 established the following reduction targets for GHG emissions:

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

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

### **Executive Order S-01-07 (LCFS)**

Executive Order S-01-07 mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10% by 2020. CARB adopted the LCFS in 2009. In 2018, CARB approved amendments to the regulation, which included strengthening the carbon intensity benchmarks through 2030 in compliance with the SB 32 GHG emissions reduction target for 2030. The amendments included crediting opportunities to promote zero emission vehicle adoption, alternative jet fuel, carbon capture and sequestration, and advanced technologies to achieve deep decarbonization in the transportation sector.

### **Executive Order S-13-08**

Executive Order S-13-08 states that "climate change in California during the next century is expected to shift precipitation patterns, accelerate sea level rise and increase temperatures, thereby posing a serious threat to California's economy, to the health and welfare of its population and to its natural resources." Pursuant to the requirements in the Order, the *2009 California Climate Adaptation Strategy (CNRA 2009)* was adopted,

which is the “. . . first statewide, multi-sector, region-specific, and information-based climate change adaptation strategy in the United States.” Objectives include analyzing risks of climate change in California, identifying, and exploring strategies to adapt to climate change, and specifying a direction for future research.

### **Executive Order B-30-15**

On April 29, 2015, Governor Brown issued an executive order to establish a California GHG reduction target of 40% below 1990 levels by 2030. The Governor’s executive order aligned California’s GHG reduction targets with those of leading international governments ahead of the U.N. Climate Change Conference in Paris in late 2015. The Order sets a new interim statewide GHG emission reduction target to reduce GHG emissions to 40% below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80% below 1990 levels by 2050 and directs CARB to update the *2017 Scoping Plan* to express the 2030 target in terms of MMTCO<sub>2e</sub>. The Order also requires the state’s climate adaptation plan to be updated every three years, and for the State to continue its climate change research program, among other provisions. As with Executive Order S-3-05, this Order is not legally enforceable as to local governments and the private sector. Legislation that would update AB 32 to make post 2020 targets and requirements a mandate is in process in the State Legislature.

### **Executive Order B-55-18 and SB 100**

SB 100 and Executive Order B-55-18 were signed by Governor Brown on September 10, 2018. Under the existing RPS, 25% of retail sales of electricity are required to be from renewable sources by December 31, 2016, 33% by December 31, 2020, 40% by December 31, 2024, 45% by December 31, 2027, and 50% by December 31, 2030. SB 100 raises California’s RPS requirement to 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours (kWh) of those products sold to their retail end-use customers achieve 44% of retail sales by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. In addition to targets under AB 32 and SB 32, Executive Order B-55-18 establishes a carbon

neutrality goal for the state of California by 2045; and sets a goal to maintain net negative emissions thereafter. The Executive Order directs the California Natural Resources Agency (CNRA), California EPA (CalEPA), the California Department of Food and Agriculture (CDFA), and CARB to include sequestration targets in the Natural and Working Lands Climate Change Implementation Plan consistent with the carbon neutrality goal.

### **Title 20 California Code of Regulations (CCR), Sections 1601 et seq. - Appliance Efficiency Regulations**

The Appliance Efficiency Regulations regulate the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles (RV) or other mobile equipment (CEC 2012).

### **Title 24 CCR Part 6 - California Energy Code**

The California Energy Code was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The Code standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods.

### **Title 24 CCR Part 11 - California Green Building Standards Code**

The California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went into effect on January 1, 2009, and is administered by the California Building Standards Commission (CBSC). CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2019 California Green Building Code Standards that became effective January 1, 2020.

Local jurisdictions are permitted to adopt more stringent requirements, as state law provides methods for local enhancements. CALGreen recognizes that many jurisdictions have developed existing construction waste and demolition ordinances and defers to them as the ruling guidance provided they establish a minimum 65% diversion requirement.

CALGreen also provides exemptions for areas not served by construction waste and demolition recycling infrastructure. The State Building Code provides the minimum standard that buildings must meet in order to be certified for occupancy, which is generally enforced by the local building official.

Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases greenhouse gas (GHG) emissions. The 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020.

The 2019 Title 24 standards would result in less energy use, thereby reducing air pollutant emissions associated with energy consumption in the SCAB and across the State of California. For example, the 2019 Title 24 standards require solar photovoltaic systems for new homes, establish requirements for newly constructed healthcare facilities, encourage demand responsive technologies for residential buildings, and update indoor and outdoor lighting requirements for nonresidential buildings.

The CEC anticipates that single-family homes built with the 2019 standards would use approximately 7% less energy compared to the residential homes built under the 2016 standards. Additionally, after implementation of solar photovoltaic systems, homes built under the 2019 standards would use about 53% less energy than homes built under the 2016 standards. Nonresidential buildings (such as the Project) would use approximately 30% less energy due to lighting upgrade requirements. Because the Project would be constructed after January 1, 2020, the 2019 CALGreen standards are applicable to the Project and require, among other items:

## Nonresidential Mandatory Measures

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).
- Designated parking for clean air vehicles. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- Electric vehicle (EV) charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106.5.3.3 (5.106.5.3).
- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (5.106.8).
- Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1.5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).
- Excavated soil and land clearing debris. 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).

- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).
- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
  - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1)
  - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor-mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
  - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combined flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
  - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute at 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).
- Outdoor potable water uses in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELo), whichever is more stringent (5.304.1).

- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 sf or for excess consumption where any tenant within a new building or within an addition that is project to consume more than 1,000 gallons per day (GPD) (5.303.1.1 and 5.303.1.2).
- Outdoor water uses in rehabilitated landscape projects equal or greater than 2,500 sf. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 sf requiring a building or landscape permit (5.304.3).
- Commissioning. For new buildings 10,000 sf and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

### **CARB Refrigerant Management Program**

CARB adopted a regulation in 2009 to reduce refrigerant GHG emissions from stationary sources through refrigerant leak detection and monitoring, leak repair, system retirement and retrofitting, reporting and recordkeeping, and proper refrigerant cylinder use, sale, and disposal. The regulation is set forth in sections 95380 to 95398 of Title 17, CCR. The rules implementing the regulation establish a limit on statewide GHG emissions from stationary facilities with refrigeration systems with more than 50 pounds of a high GWP refrigerant. The refrigerant management program is designed to (1) reduce emissions of high-GWP GHG refrigerants from leaky stationary, non-residential refrigeration equipment; (2) reduce emissions from the installation and servicing of refrigeration and air-conditioning appliances using high-GWP refrigerants; and (3) verify GHG emission reductions.

### **Tractor-Trailer GHG Regulation**

The tractors and trailers subject to this regulation must either use EPA SmartWay certified tractors and trailers or retrofit their existing fleet with SmartWay verified technologies. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the HD tractors that pull them on California highways. These owners are responsible for replacing or retrofitting their affected vehicles with compliant aerodynamic technologies

and low rolling resistance tires. Sleeper cab tractors MY 2011 and later must be SmartWay certified. All other tractors must use SmartWay verified low rolling resistance tires. There are also requirements for trailers to have low rolling resistance tires and aerodynamic devices.

### **Phase I and 2 Heavy-Duty Vehicle GHG Standards**

CARB has adopted regulations for GHG emissions from HDTs and engines sold in California. The regulations establish GHG emission limits on truck and engine manufacturers and correlates with EPA emissions rules for new trucks and engines nationally. Existing HD vehicle regulations in California include engine criteria emission standards, tractor-trailer GHG requirements to implement SmartWay strategies (i.e., the Heavy-Duty Tractor-Trailer GHG Regulation), and in-use fleet retrofit requirements such as the Truck and Bus Regulation. The EPA rule has compliance requirements for new compression and spark ignition engines, as well as trucks from Class 2b through Class 8. Compliance requirements began with MY 2014 with stringency levels increasing through MY 2018. The rule organizes truck compliance into three groupings, which include a) HD pickups and vans; b) vocational vehicles; and c) combination tractors. The EPA rule does not regulate trailers.

CARB staff has worked jointly with the EPA and the NHTSA on the next phase of federal GHG emission standards for medium-duty trucks (MDT) and HDT vehicles, called federal Phase 2. The federal Phase 2 standards were built on the improvements in engine and vehicle efficiency required by the Phase 1 emission standards and represent a significant opportunity to achieve further GHG reductions for 2018 and later MY HDT vehicles, including trailers. The EPA and NHTSA have proposed to roll back GHG and fuel economy standards for cars and light-duty trucks, which suggests a similar rollback of Phase 2 standards for MDT and HDT vehicles may be pursued.

### **SB 97 and the CEQA Guidelines Update**

Passed in August 2007, SB 97 added Section 21083.05 to the Public Resources Code. The code states “(a) On or before July 1, 2009, the Office of Planning and Research (OPR) shall prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of

GHG emissions or the effects of GHG emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption. (b) On or before January 1, 2010, the Resources Agency shall certify and adopt guidelines prepared and developed by the OPR pursuant to subdivision (a).” In 2012, Public Resources Code Section 21083.05 was amended to state:

*The Office of Planning and Research and the Natural Resources Agency shall periodically update the guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions as required by this division, including, but not limited to, effects associated with transportation or energy consumption, to incorporate new information or criteria established by the State Air Resources Board pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code.*

On December 28, 2018, the Natural Resources Agency announced the OAL approved amendments to the *CEQA Guidelines* for implementing CEQA. The CEQA Amendments provide guidance to public agencies regarding the analysis and mitigation of the effects of GHG emissions in CEQA documents. The CEQA Amendments fit within the existing CEQA framework by amending existing *CEQA Guidelines* to reference climate change.

Section 15064.4 was added to the *CEQA Guidelines* and states that in determining the significance of a project’s GHG emissions, the lead agency should focus its analysis on the reasonably foreseeable incremental contribution of the project’s emissions to the effects of climate change. A project’s incremental contribution may be cumulatively considerable even if it appears relatively insignificant compared to statewide, national, or global emissions. The agency’s analysis should consider a timeframe that is appropriate for the project. The agency’s analysis also must reasonably reflect evolving scientific knowledge and state regulatory schemes. Additionally, a lead agency may use a model or methodology to estimate GHG emissions resulting from a project. The lead agency has discretion to select the model or methodology it considers most appropriate to enable decision makers to intelligently take into account the project’s incremental contribution to climate change. The lead agency must support its selection of a model or

methodology with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use.

#### **4.4.3.2 Regional**

##### **SCAQMD**

The SCAQMD acts as an expert commenting agency for impacts to air quality. This expertise carries over to GHG emissions. SCAQMD assists local land use agencies through the development of models and emission thresholds that can be used to address GHG emissions.

In 2008, SCAQMD formed a Working Group to identify GHG emissions thresholds for land use projects that could be used by local lead agencies in the SCAB. The Working Group developed several different options that are contained in the SCAQMD Draft Guidance Document – Interim CEQA GHG Significance Threshold, which could be applied by lead agencies. The working group has not provided additional guidance since release of the interim guidance in 2008. The SCAQMD Board has not approved the thresholds; however, the Guidance Document provides substantial evidence supporting the approaches to significance of GHG emissions that can be considered by the lead agency in adopting its own threshold. The current interim thresholds consist of the following tiered approach:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.
- Tier 2 consists of determining whether the project is consistent with a GHG reduction plan. If a project is consistent with a qualifying local GHG reduction plan, it does not have significant GHG emissions.
- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project's construction emissions are averaged over 30 years and are added to the project's operational emissions. If a project's emissions are below one of the following screening thresholds, then the project is less than significant:

- Residential and commercial land use: 3,000 MTCO<sub>2e</sub>/yr.
- Industrial land use: 10,000 MTCO<sub>2e</sub>/yr.
- Based on land use type: residential: 3,500 MTCO<sub>2e</sub>/yr.; commercial: 1,400 MTCO<sub>2e</sub>/yr.; or mixed use: 3,000 MTCO<sub>2e</sub>/yr.
- Tier 4 has the following options:
  - Option 1: Reduce Business-as-Usual (BAU) emissions by a certain percentage; this percentage is currently undefined.
  - Option 2: Early implementation of applicable AB 32 Scoping Plan measures.
  - Option 3: 2020 target for service populations (SP), which includes residents and employees: 4.8 MTCO<sub>2e</sub> per SP per year for projects and 6.6 MTCO<sub>2e</sub> per SP per year for plans.
  - Option 3, 2035 target: 3.0 MTCO<sub>2e</sub> per SP per year for projects and 4.1 MTCO<sub>2e</sub> per SP per year for plans.
- Tier 5 involves mitigation offsets to achieve target significance threshold.

SCAQMD interim thresholds used the Executive Order S-3-05-year 2050 goal as the basis for the Tier 3 screening level. Achieving the Executive Order's objective would contribute to worldwide efforts to cap CO<sub>2</sub> concentrations at 450 ppm, thus stabilizing global climate.

SCAQMD only has authority over GHG emissions from development projects that include air quality permits. At this time, it is unknown if the Project would include stationary sources of emissions subject to SCAQMD permits. Notwithstanding, if the Project requires a stationary permit, it would be subject to the applicable SCAQMD regulations. In this regard, SCAQMD Regulation XXVII includes the following rules:

- Rule 2700 defines terms and post global warming potentials.
- Rule 2701, SoCal Climate Solutions Exchange, establishes a voluntary program to encourage, quantify, and certify voluntary, high quality certified GHG emission reductions in the SCAQMD.
- Rule 2702, GHG Reduction Program created a program to produce GHG emission reductions within the SCAQMD. The SCAQMD would fund projects through

contracts in response to requests for proposals or purchase reductions from other parties.

SCAQMD is the agency responsible for air quality planning and regulation in the SCAB. The SCAQMD addresses the impacts to climate change of projects subject to SCAQMD permit as a lead agency if they are the only agency having discretionary approval for the project and acts as a responsible agency when a land use agency must also approve discretionary permits for the project. The SCAQMD acts as an expert commenting agency for impacts to air quality. This expertise carries over to GHG emissions, so the agency helps local land use agencies through the development of models and emission thresholds that can be used to address GHG emissions.

#### **4.4.3.3 City of Moreno Valley**

##### **City of Moreno Valley General Plan**

Although the City of Moreno Valley General Plan does not identify specific GHG or climate change policies or goals, a number of the measures identified in the General Plan's Air Quality Element act to reduce or control criteria pollutant emissions and peripherally reduce GHG emissions.

##### **2012 City of Moreno Valley Energy Efficiency, Climate Action Strategy (CAS)**

The City of Moreno Valley approved an Energy Efficiency & CAS as well as GHG Analysis on October 9, 2012. The CAS identifies City strategies to reduce energy and water consumption and related GHG emissions. CAS policies target GHG reductions in 2010 emissions by 15% by the year 2020.

## **Draft 2021 City of Moreno Valley Climate Action Plan (CAP)**

The City has prepared a Draft 2021 CAP. As described in the CAP, “[t]he Moreno Valley Climate Action Plan (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.

As of the time this analysis was prepared, the City has not formally adopted or implemented the proposed CAP.<sup>1</sup>

### **4.4.4 SOURCES OF PROJECT GHG EMISSIONS**

#### **4.4.4.1 Construction-Source GHG Emissions**

Project construction activities would generate emissions of CO<sub>2</sub> and CH<sub>4</sub>. Project construction-source emissions are quantified and amortized over the life of the Project. To amortize the emissions over the life of the Project, the SCAQMD recommends calculating the total greenhouse gas emissions for the construction activities, dividing it by a 30-year project life, then adding that number to the annual operational GHG emissions. Accordingly, Project construction-source GHG emissions were amortized over a 30-year period and added to the annual operational-source GHG emissions of the Project.

#### **4.4.4.2 Operational-Source GHG Emissions**

Project operations would result in emissions of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O from the following primary sources:

- Area Source Emissions
- Energy Source Emissions
- Mobile Source Emissions

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<sup>1</sup> A screencheck draft of the proposed CAP can be accessed at:

<https://www.moval.org/cdd/documents/general-plan-update/draft-docs/ClimateActionPlan/Draft-MV-CAP.pdf>.

- On-Site Cargo Handling Equipment Emissions
- Transportation Refrigeration Units (TRU) Emissions
- Water Supply, Treatment, and Distribution
- Solid Waste Management

### **Area Source Emissions**

Landscape and site maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project.

### **Energy Source Emissions**

GHGs are emitted from buildings as a result of activities for which electricity and natural gas are typically used as energy sources. Combustion of any type of fuel emits CO<sub>2</sub> and other GHGs directly into the atmosphere; these emissions are considered direct emissions associated with a building. GHGs are also emitted during the generation of electricity from fossil fuels; these emissions are considered to be indirect emissions.

### **Mobile Source Emissions**

GHG emissions will also result from mobile sources associated with the Project. Trip characteristics available from the Project VMT Analysis were utilized in this analysis.

### **On-Site Cargo Handling Equipment Emissions**

It is common for warehouse buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. For the Project, on-site modeled cargo handling equipment operational equipment includes up to one (1) 200 horsepower (hp), compressed natural gas or gasoline-powered tractors/loaders/backhoes operating at 4 hours per day, 365 days per year.

## **TRU Emissions**

To account for the possibility of refrigerated uses, a portion of the trucks accessing the Project are assumed to comprise Transportation Refrigeration Units. The TRU emissions calculations are based on the 2017 Off-road Emissions model, version 1.0.1 (Orion), developed by the CARB.

## **Water Supply, Treatment and Distribution Emissions**

Indirect GHG emissions result from the production of electricity used to convey, treat and distribute water and wastewater. The amount of electricity required to convey, treat and distribute water depends on the volume of water as well as the sources of the water.

## **Solid Waste Management Emissions**

The Project land uses would result in the generation and disposal of solid waste. A large percentage of solid waste generated by the Project would be diverted and recycled consistent with requirements of AB 39. The remainder of the waste not diverted would be disposed of area landfills. GHG emissions would be generated by collection and transport of GHG emissions. GHG emissions would also result from anaerobic breakdown of landfilled materials.

### **4.4.5 PROJECT GHG EMISSIONS IMPACTS**

#### **4.4.5.1 California Emissions Estimator Model™ Employed to Estimate GHG Emissions**

In May 2021, the SCAQMD, in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the CalEEMod Version 2020.4.0. The purpose of this Model is to calculate construction-source and operational-source criteria pollutants and GHG emissions from direct and indirect sources; and quantify applicable air quality and GHG reductions achieved from mitigation measures. The latest version of CalEEMod has been employed in this analysis. Detailed Models are appended to the Project GHGA body text.

#### 4.4.5.2 Standards of Significance

The criteria used to determine the significance of potential Project-related GHG impacts are taken from the Initial Study Checklist in Appendix G of the State CEQA Guidelines (14 CCR of Regulations §§15000, et seq.). Based on these thresholds, a project would result in a significant impact related to GHG if it would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

The City has determined that each of the CEQA threshold considerations presented herein establish a separate and independent basis upon which to substantiate the significance of the Project's potential GHG emissions impact.

The City of Moreno Valley has not adopted a threshold of significance for GHG emissions. For CEQA purposes, the City has discretion to select an appropriate significance criterion, based on substantial evidence. The SCAQMD's adopted numerical threshold of 10,000 MTCO<sub>2e</sub>/yr. for industrial stationary source emissions is selected as the significance criterion. The SCAQMD industrial threshold of 10,000 MTCO<sub>2e</sub>/yr. was selected by the City because the Project, in terms of its expected operating characteristics, is analogous to an industrial use more so than other land use types (e.g., commercial or residential land uses). It is noted here that the 10,000 MTCO<sub>2e</sub>/yr. threshold has also been used by many local government lead agencies for warehouse projects throughout the Southern California.

Moreover, use of the 10,000 MTCO<sub>2e</sub> threshold as applied within this analysis establishes a conservative approach to evaluation of the Project's potential GHG emissions impacts. That is, although the SCAQMD uses this threshold to determine the significance of stationary source emissions only, the 10,000 MTCO<sub>2e</sub> threshold used in this analysis is applied to all sources of Project-related GHG emissions – whether stationary source, mobile source, area source, or other.

Use of this threshold is also consistent with guidance provided in the CAPCOA CEQA and Climate Change handbook, “Approach 2.” Approach 2, Threshold 2.5 (Unit-Based Thresholds Based on Market Capture) establishes a numerical threshold based on capture of approximately 90% of emissions from future development. The latest threshold developed by SCAQMD using this method is 10,000 MTCO<sub>2</sub>e/yr. for industrial projects. This threshold is based on the review of 711 CEQA projects. The SCAQMD found that use of the 10,000 MTCO<sub>2</sub>e threshold would result in a capture rate of 90% for all new or modified projects. A 90% emission capture rate means that 90% of total emissions from all new or modified stationary source projects would be subject to some type of CEQA analysis.

A GHG significance threshold based on a 90% emission capture rate is appropriate to address the long-term adverse potential impacts associated with GHG emissions. Further, a 90% emission capture rate sets the emission threshold low enough to capture a substantial fraction of future projects that will be constructed to accommodate future statewide population and economic growth, while setting the emission threshold high enough to exclude small projects that will in aggregate contribute a relatively small fraction of the cumulative statewide GHG emissions. This assertion is based on the fact that SCAQMD estimates that these GHG emissions would account for <1% of future 2050 statewide GHG emissions target (85 MMTCO<sub>2</sub>e/yr.). In addition, these small projects would be subject to future applicable GHG control regulations that would further reduce their overall future contribution to the statewide GHG inventory.

#### 4.4.5.3 Impact Statements

**Potential Impact:** *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.*

**Impact Analysis:** Annual Project GHG emissions generated by construction and operations are summarized at Table 4.4-5.

**Table 4.4-5  
Annual Project GHG Emissions**

Emission Source	Emissions (metric tons per year)			
	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	Total CO <sub>2</sub> E
Annual construction-related emissions amortized over 30 years	27.77	4.99E-03	7.85E-04	28.13
Area Sources	0.02	4.00E-05	0.00	0.02
Energy Consumption	522.61	0.03	6.68E-03	525.44
Mobile Sources	1,826.27	0.04	0.22	1,892.88
TRUs				19.24
On-Site Equipment	50.75	0.02	0.00	51.16
Solid Waste Management	44.07	2.60	0.00	109.17
Water Usage	133.86	1.67	0.04	187.67
<b>Total CO<sub>2</sub>E (All Sources)</b>	<b>2,813.72</b>			

**Source:** *Moreno Valley Business Park - Phase II, Greenhouse Gas Analysis* (Urban Crossroads, Inc.) January 17, 2022.

**Note:** Totals obtained from CalEEMod™ and may not total 100% due to rounding.

As shown above, the Project would generate approximately 2,813.72 MTCO<sub>2</sub>e per year. Project GHG emissions would not exceed the City threshold of 10,000 MTCO<sub>2</sub>e per year. GHG emissions not exceeding the City threshold do not comprise a potentially significant impact on the environment. Therefore, the potential for the Project to generate direct or indirect GHG emissions that would result in a significant impact on the environment is considered less-than-significant.

**Level of Significance:** Less-Than-Significant.

**Potential Impact:** *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

**Impact Analysis:** For the Project, SB 32 (2017 Scoping Plan) and measures implemented by the City of Moreno Valley comprise the “applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.”

Project consistency with SB 32/2017 Scoping Plan is summarized at Table 4.4-6.

**Table 4.4-6  
Project SB 32/2017 Scoping Plan Consistency**

Action	Responsible Party(ies)	Remarks
<b>Implement SB 350 by 2030</b>		
<p>Increase the Renewables Portfolio Standard to 50% of retail sales by 2030 and ensure grid reliability.</p>	<p align="center">CPUC, CEC, CARB</p>	<p>Consistent. The Project would use energy from Southern California Edison (SCE). SCE has committed to diversify its portfolio of energy sources by increasing energy from wind and solar sources. The Project would not interfere with or obstruct SCE energy source diversification efforts.</p>
<p>Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.</p>		<p>Consistent. The Project would be designed and constructed to implement the energy efficiency measures for new industrial developments and would include several measures designed to reduce energy consumption. The Project would not interfere with or obstruct policies or strategies to establish annual targets for statewide energy efficiency savings and demand reduction.</p>
<p>Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in Integrated Resource Planning (IRP) to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly-owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.</p>		<p>Consistent. The proposed Project would be designed and constructed to implement the energy efficiency measures, where applicable by including several measures designed to reduce energy consumption. The proposed Project includes energy efficient field lighting and fixtures that meet the current Title 24 Standards throughout the Project Site and would be a modern development with energy efficient boilers, heaters, and air conditioning systems.</p>
<b>Implement Mobile Source Strategy (Cleaner Technology and Fuels)</b>		
<p>At least 1.5 million zero emission and plug-in hybrid light-duty EVs by 2025.</p>	<p align="center">CARB, California State Transportation Agency (CalSTA), Strategic Growth Council (SGC),</p>	<p>Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty EV 2025 targets. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.</p>
<p>At least 4.2 million zero emission and plug-in hybrid light-duty EVs by 2030.</p>	<p align="center">California Department of Transportation (Caltrans), CEC, OPR, Local Agencies</p>	<p>Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty EV 2030 targets. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.</p>

**Table 4.4-6  
Project SB 32/2017 Scoping Plan Consistency**

Action	Responsible Party(ies)	Remarks
Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations.		Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.
Medium- and Heavy-Duty GHG Phase 2.		Consistent. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to implement Medium- and Heavy-Duty GHG Phase 2. As this is a CARB enforced standard, vehicles that access the Project are required to comply with the standards and will therefore comply with the strategy.
Innovative Clean Transit: Transition to a suite of to-be-determined innovative clean transit options. Assumed 20% of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100% of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NO <sub>x</sub> standard.		Consistent. This Project would not obstruct or interfere with implementation of SB 375 and would therefore not conflict with this measure.
Last Mile Delivery: New regulation that would result in the use of low NO <sub>x</sub> or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5% of new Class 3-7 truck sales in local fleets starting in 2020, increasing to 10% in 2025 and remaining flat through 2030.		Consistent. This Project would not obstruct or interfere with implementation of SB 375 and would therefore not conflict with this measure.
Further reduce VMT through continued implementation of SB 375 and regional Sustainable Communities Strategies; forthcoming statewide implementation of SB 743; and potential additional VMT reduction strategies not specified in the Mobile Source Strategy but included in the document "Potential VMT Reduction Strategies for Discussion."		Consistent. This Project would not obstruct or interfere with implementation of SB 375 and would therefore not conflict with this measure.
Increase stringency of SB 375 Sustainable Communities Strategy (2035 targets).		CARB

**Table 4.4-6  
Project SB 32/2017 Scoping Plan Consistency**

Action	Responsible Party(ies)	Remarks
		and would therefore not conflict with this measure.
Harmonize project performance with emissions reductions and increase competitiveness of transit and active transportation modes (e.g., via guideline documents, funding programs, project selection, etc.).	CalSTA, SGC, OPR, CARB, Governor’s Office of Business and Economic Development (GO-Biz), California Infrastructure and Economic Development Bank (IBank), Department of Finance (DOF), California Transportation Commission (CTC), Caltrans	Consistent. The Project would not obstruct or interfere with agency efforts to harmonize transportation facility project performance with emissions reductions and increase competitiveness of transit and active transportation modes.
By 2019, develop pricing policies to support low-GHG transportation (e.g., low-emission vehicle zones for heavy duty, road user, parking pricing, transit discounts).	CalSTA, Caltrans, CTC, OPR, SGC, CARB	Consistent. The Project would not obstruct or interfere with agency efforts to develop pricing policies to support low-GHG transportation.
<b>Implement California Sustainable Freight Action Plan</b>		
Improve freight system efficiency.	CalSTA, CalEPA, CNRA, CARB, Caltrans,	Consistent. This measure would apply to all trucks accessing the Project site, this may include existing trucks or new trucks that are part of the statewide goods movement sector. The Project would not obstruct or interfere with agency efforts to Improve freight system efficiency.
Deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.	CEC, GO-Biz	Consistent. This Project would not obstruct or interfere with implementation of this measure.

**Table 4.4-6  
Project SB 32/2017 Scoping Plan Consistency**

Action	Responsible Party(ies)	Remarks
Adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18%.	CARB	Consistent. When adopted, this measure would apply to all fuel purchased and used by the Project in the state. The Project would not obstruct or interfere with agency efforts to adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18%.
<b>Implement the Short-Lived Climate Pollutant Strategy (SLPS) by 2030</b>		
40% reduction in methane and hydrofluorocarbon emissions below 2013 levels.	CARB, CalRecycle, CDFA, California State Water Resource Control Board (SWRCB), Local Air Districts	Consistent. This Project would not obstruct or interfere with implementation of this measure.
50% reduction in black carbon emissions below 2013 levels.		
By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.	CARB, CalRecycle, CDFA, SWRCB, Local Air Districts	Consistent. This Project would not obstruct or interfere with implementation of this measure.
Implement the post-2020 Cap-and-Trade Program with declining annual caps.	CARB	Consistent. The Project would be required to comply with any applicable Cap-and-Trade Program provisions. The Project would not obstruct or interfere with agency efforts to implement the post-2020 Cap-and-Trade Program.
<b>By 2018, develop Integrated Natural and Working Lands Implementation Plan to secure California’s land base as a net carbon sink</b>		
Protect land from conversion through conservation easements and other incentives.	CNRA, Departments Within CDFA, CalEPA, CARB	Consistent. This Project would not obstruct or interfere with the implementation of this measure. Moreover, the Project site is not an identified property that needs to be conserved.
Increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity.		Consistent. The Project site is vacant disturbed property and does not comprise an area that would effectively provide for carbon sequestration. The Project would not obstruct or interfere agency efforts to increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity.
Utilize wood and agricultural products to increase the amount of carbon stored in the natural and built environments.		Consistent. Where appropriate, Project designs will incorporate wood or wood products. The Project would not obstruct or interfere with agency efforts to encourage use of wood and agricultural products to

**Table 4.4-6  
Project SB 32/2017 Scoping Plan Consistency**

Action	Responsible Party(ies)	Remarks
Establish scenario projections to serve as the foundation for the Implementation Plan.		increase the amount of carbon stored in the natural and built environments. Consistent. This Project would not obstruct or interfere with implementation of this measure.
Establish a carbon accounting framework for natural and working lands as described in SB 859 by 2018.	CARB	Consistent. This Project would not obstruct or interfere with implementation of this measure.
Implement Forest Carbon Plan.	CNRA, California Department of Forestry and Fire Protection (CAL FIRE), CalEPA and Departments Within	Consistent. This Project would not obstruct or interfere with the implementation of this measure.
Identify and expand funding and financing mechanisms to support GHG reductions across all sectors.	State Agencies & Local Agencies	Consistent. This Project would not obstruct or interfere with implementation of this measure.

Source: Moreno Valley Business Park - Phase II, Greenhouse Gas Analysis (Urban Crossroads, Inc.) January 17, 2022.

### City of Moreno Valley General Plan Consistency

The City of Moreno Valley General Plan does not identify specific GHG or climate change policies or goals. However, Objectives and Policies identified in the General Plan Air Quality Element act to reduce or control criteria pollutant emissions and peripherally reduce GHG emissions. Project consistency with relevant City of Moreno Valley General Plan Objectives/Policies is summarized at Table 4.4-7.

**Table 4.4-7  
Project General Plan Consistency**

Objective/Policy	Remarks
<b>Objective 6.6:</b> Promote land use patterns that reduce daily automotive trips and reduce trip distance for work, shopping, school, and recreation.	Consistent. The Project would provide locally available employment opportunities, acting to generally reduce worker commute distances and total trips.
<b>Objective 6.7:</b> Reduce mobile and stationary source air pollutant emissions.	Consistent. The Project site is located proximate to existing and proposed major roadways, acting to generally reduce vehicle trip lengths, thereby reducing mobile source emissions. The Project will further reduce mobile source emissions by creating local employment opportunities, reducing commuter VMT within the region. Additionally,

**Table 4.4-7  
Project General Plan Consistency**

Objective/Policy	Remarks
	the Project will implement energy efficient designs and operational programs meeting or surpassing Title 24 Building Standards, including but not limited to compliance with or betterment of, energy conservation requirements identified at Title 24, Part 6, Energy Code. Energy efficient designs and programs implemented by the Project reduce resources consumption with correlating reductions in stationary-source emissions.
<b>Policy 6.7.5:</b> Require grading activities to comply with SCAQMD District’s Rule 403 regarding the control of fugitive dust.	Consistent. The Project would be required to implement fugitive dust control measures consistent with SCAQMD Rule 403.
<b>Policy 6.7.6:</b> Require building construction to comply with the energy conservation requirements of Title 24 of the California Administrative Code [CCR].	Consistent. Pursuant to City and State Building Code requirements, the Project would meet or surpass applicable CCR Title 24 energy conservation requirements.

Source: Moreno Valley Business Park - Phase II, Greenhouse Gas Analysis (Urban Crossroads, Inc.) January 17, 2022.

**City of Moreno Valley Energy Efficiency and Climate Action Strategy (CAS) Consistency**

The City of Moreno Valley CAS establishes policies to reduce energy and water consumption and related GHG emissions. Table 4.4-8 summarizes Project consistency with the policies in the CAS.

**Table 4.4-8  
Project CAS Consistency**

Policy	Remarks
<b>R2-T1: Land Use Based Trips and VMT Reduction Policies.</b> Encourage the development of Transit Priority Projects along High-Quality Transit Corridors identified in the SCAG Sustainable Communities Plan, to allow a reduction in VMT.	Consistent. The Project site is located proximate to existing and proposed major roadways, acting to generally reduce vehicle trip lengths, thereby reducing mobile source emissions. The Project would further reduce mobile source emissions by creating local employment opportunities, reducing commuter VMT within the region.
<b>R2-T3: Employment-Based Trip Reductions.</b> Require a Transportation Demand Management (TDM) program for new development to reduce automobile travel by encouraging ride-sharing, carpooling, and alternative modes of transportation.	Consistent. Consistent with City Conditions of Approval, the Project would implement appropriate Transportation Demand Management measures.
<b>R2-E1: New Construction Residential Energy Efficiency Requirements.</b> Require energy efficient design for all new residential buildings to be 10% beyond the current Title 24 standards.	Consistent. This Project would not obstruct or interfere with implementation of this measure.

**Table 4.4-8  
Project CAS Consistency**

Policy	Remarks
<p><b>R2-E2: New Construction Residential Renewable Energy.</b> Facilitate the use of renewable energy (such as solar (photovoltaic) panels or small wind turbines) for new residential developments. Alternative approach would be the purchase of renewable energy resources offsite.</p>	<p>Consistent. This Project would not obstruct or interfere with implementation of this measure.</p>
<p><b>R2-E5: New Construction Commercial Energy Efficiency Requirements.</b> Require energy efficient design for all new commercial buildings to be 10% beyond the 2008 Title 24 standards (which were in effect at the time the CAP was adopted).</p>	<p>Consistent. Current Title 24 requirements would achieve greater reduction than envisioned by the City’s CAS. Further, the Project would be required to comply with any adopted municipal code requirements set forth by the City of Moreno Valley.</p>
<p><b>R3-E1: Energy Efficient Development, and Renewable Energy Deployment Facilitation and Streamlining.</b> Updating of codes and zoning requirements and guidelines to further implement green building practices. This could include incentives for energy efficient projects.</p>	<p>Consistent. This Project reflects contemporary energy-efficient designs. The Project would not obstruct or interfere with implementation of this measure.</p>
<p><b>R3-L2: Heat Island Plan. Develop measures that address “heat islands.”</b> Potential measures include using strategically placed shade trees, using paving materials with a Solar Reflective Index of at least 29, an open grid pavement system, or covered parking.</p>	<p>Consistent. The Project is required to comply with the City of Moreno Valley’s landscaping requirements acting to minimize potential creation of heat islands.</p>
<p><b>R2-W1: Water Use Reduction Initiative.</b> Consider adopting a per capita water use reduction goal, which mandates the reduction of water use of 20% per capita with requirements applicable to new development and with cooperative support of the water agencies.</p>	<p>Consistent. The Project is required to comply with California Green Building Standards Code, Chapter 5, Division 5.3, Section 5.303.2. The cited Standards mandate that indoor water use be reduced by 20%. Section 5.304.3 requires irrigation controllers and sensors.</p>
<p><b>R3-W1: Water Efficiency Training and Education.</b> Work with EMWD and local water companies to implement a public information and education program that promotes water conservation.</p>	<p>Consistent. This Project would not obstruct or interfere with implementation of this measure.</p>
<p><b>R2-S1: City Diversion Program.</b> For Solid Waste, consider a target of increasing the waste diverted from the landfill to a total of 75% by 2020.</p>	<p>Consistent. The Project is required to comply with the City of Moreno Valley’s waste reduction and diversion measures.</p>

Source: Moreno Valley Business Park - Phase II, Greenhouse Gas Analysis (Urban Crossroads, Inc.) January 17, 2022.

As presented at Tables 4.4-6 through 4.4-8, the Project would be consistent with and would not conflict with or obstruct implementation of an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. On this basis, the potential for the Project to conflict with an applicable plan, policy or

regulation adopted for the purpose of reducing the emissions of greenhouse gases is considered less-than-significant.

**Level of Significance:** Less-Than-Significant.

## **4.5 ENERGY**

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## 4.5 ENERGY

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### *Abstract*

*This Section identifies and addresses potential energy impacts that may result from construction and operation of the Project. More specifically, the energy impact analysis evaluates the potential for the Project to cause or result in the following:*

- A potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or*
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

*As supported by the analysis presented in this Section, potential energy impacts of the Project would be less-than-significant.*

*Information presented in this Section is based on and summarized from: Moreno Valley Business Park – Phase II, Energy Tables (Urban Crossroads, Inc.) January 17, 2022 (Project Energy Assessment, EIR Appendix F).*

### **4.5.1 BACKGROUND AND INTRODUCTION**

In 1975, largely in response to the oil crisis of the 1970s, the State Legislature adopted AB 1575, which created the California Energy Commission (CEC). The statutory mission of the CEC is to forecast future energy needs; license thermal power plants of 50 megawatts or larger; develop energy technologies and renewable energy resources; plan for and direct responses to energy emergencies; and, perhaps most importantly, to promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards.

AB 1575 also amended Public Resources Code Section 21100(b)(3) to require EIRs to consider the potential for wasteful, inefficient, and/or unnecessary consumption of energy caused by or resulting from a project. Appendix F to the *CEQA Guidelines* (Guidelines) assists EIR preparers in this regard. *CEQA Guidelines* (Guidelines) Appendix F, *Energy Conservation* establishes parameters and context for determining whether a project would result in the inefficient, wasteful, and unnecessary consumption of energy.

Guidelines Section 15126.2 *Consideration and Discussion of Significant Environmental Impacts*, as amended December 28, 2018, recognizes the need to consider Guidelines Appendix F *Energy Conservation* when analyzing project impacts (for EIRs). Guidelines Section 15126.2 (b), excerpted below, provides the following guidance:

**Energy Impacts.** If analysis of the project's energy use reveals that the project may result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption use of energy, or wasteful use of energy resources, the EIR shall mitigate that energy use. This analysis should include the project's energy use for all project phases and components, including transportation-related energy, during construction and operation. In addition to building code compliance, other relevant considerations may include, among others, the project's size, location, orientation, equipment use and any renewable energy features that could be incorporated into the project. (Guidance on information that may be included in such an analysis is presented in Appendix F.) This analysis is subject to the rule of reason and shall focus on energy use that is caused by the project. This analysis may be included in related analyses of air quality, greenhouse gas emissions, transportation or utilities in the discretion of the lead agency.

In summary, the Project would provide for, and promote, energy efficiencies consistent with applicable state or federal standards and regulations. The Project would also conform to City of Moreno Valley energy efficiency and energy conservation measures.

Moreover, energy consumed by the Project would be comparable to, or less than, energy consumed by other development proposals of similar scale and intensity. On this basis, the Project would not result in the inefficient, wasteful or unnecessary consumption of energy. Further, the Project would not cause or result in the need for additional energy-producing facilities or energy delivery systems. The Project would therefore not result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption use of energy, or wasteful use of energy resources. Nor would the Project result in significant environmental effects due to conflict with, or obstruction of, a state or local plan for renewable energy or energy efficiency.

#### **4.5.2 EXISTING CONDITIONS**

Existing conditions providing general context for the Project energy demands are presented below. The following discussions are summarized from: *Final 2020 Integrated Energy Policy Report Update* (CEC) March 2021. See also: <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2020-integrated-energy-policy-report-update>.

##### **Electricity**

The California Energy Commission (CEC) provides forecasts for electricity and natural gas demand every two years as part of the Integrated Energy Policy Report (IEPR) process. The forecasts include 3 energy demand cases (high, low, and middle) designed to capture a reasonable range of demand outcomes over the next 10 years. The high energy demand case incorporates relatively high economic/demographic growth, relatively low electricity and natural gas rates, and relatively low committed efficiency program, self-generation, and climate change impacts. The low energy demand case includes lower economic/demographic growth, higher assumed rates, and higher committed efficiency program and self-generation impacts. The mid case uses input assumptions at levels between the high and low cases. The forecasts include estimates of the effects of new legislation and trends in electric consumption such as the use of zero-emission automobiles. IEPR data indicates relatively stable consumption rates from 2005 through 2018, with an increase in consumption beginning in 2020.

Southern California Edison (SCE) is the electrical utility provider for the City. SCE also provides information on energy efficiency, rotating outages, emergency preparedness, electrical safety tips, and tree planting guidelines to ensure non-interference with electrical utility lines.

### **Transportation Energy**

California is home to 30 million registered cars, trucks, buses, and other motorized on-road vehicles. The state's history has been, in part, a history of the automobile and the associated impacts on personal mobility, land-use planning, and air quality. In recognition of these challenges, California has enacted a suite of policies and goals to shift the transportation sector toward cleaner, sustainable fuels and more efficient technology vehicles. IEPR data indicates very stable consumption rates for jet fuel and diesel through 2030. Gasoline consumption is forecasted to decline through 2030.

### **Natural Gas**

Natural gas provides energy to heat homes, cook food, and generate electricity. Currently in California, natural gas serves more than 10.5 million homes, about 445,000 businesses, about 37,000 factories and industrial consumers, and more than 640 electric generating units. The greatest consumers of natural gas in decreasing order are electric power generation, residential, industrial, mining, commercial, and other. In California since 1990, natural gas demand has remained relatively flat in all but the electric power sector which has steadily increased.

IEPR data generally shows a decreasing reliance on natural gas through 2024. The CEC indicates increased reliance on natural gas for power generation between 2024 and 2026 due to expiration of long-term power supply contracts (purchase agreements) with coal facilities outside California.

Southern California Gas Company (The Gas Company) provides natural gas to the City. The Gas Company also provides customers with appliance services, an energy efficiency and rebate program, and information on emergency preparedness and air quality.

### 4.5.3 STATE AND LOCAL ENERGY EFFICIENCY/ENERGY CONSERVATION PLANS

Project consistency with State of California and City of Moreno Valley Energy Efficiency/Energy Conservation Plans and related policies and/or regulations is summarized at Table 4.5-1.

**Table 4.5-1  
State and Local Energy Efficiency/Energy Conservation Plan Consistency**

PLANS, POLICIES, REGULATIONS	Remarks
<b>STATE of CALIFORNIA</b>	
<p><b>State Energy Plan</b> The CEC is responsible for preparing the State Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators and encouragement of urban designs that reduce vehicle miles traveled and accommodate pedestrian and bicycle access.</p>	<p><b>Consistent:</b> <i>The Project site is located along major transportation corridors with proximate access to the Interstate freeway system. The site selected for the Project facilitates access; takes advantage of existing infrastructure systems; and as approved by the Lead Agency, would introduce compatible development at the subject site. The Project therefore supports urban design and planning processes identified in the State of California Energy Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan.</i></p> <p><i>Based on the preceding, the Project is considered to be consistent with the State Energy Plan.</i></p>
<p><b>California Code Title 24, Part 6: Energy Efficiency Standards</b> California Code Title 24, Part 6 (also referred to as the California Energy Code), was promulgated by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California’s energy consumption. To these ends, the California Energy Code provides energy efficiency standards for residential and nonresidential buildings. The Project would be required to comply with energy efficiency standards in effect at the time of building permit application(s).</p>	<p><b>Consistent:</b> <i>The Project would be designed, constructed and operated to meet or exceed incumbent Title 24 Energy Efficiency Standards. On this basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of Title 24 Energy Efficiency Standards.</i></p> <p><i>Based on the preceding, the Project is considered to be consistent with California Code Title 24, Part 6: Energy Efficiency Standards.</i></p>
<p><b>California Code of Regulations, Title 24, Part 11: California Green Building Standards Code (CALGreen).</b> CALGreen is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2011. CALGreen is updated on a regular basis, with the most recent update consisting of the 2016 California Green Building Code Standards that became effective January 1, 2017. Under state law, local jurisdictions are permitted to adopt more stringent requirements.</p>	<p><b>Consistent:</b> <i>The Project would be designed, constructed and operated to meet or exceed incumbent Title 24 CALGreen Standards. On this basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of Title 24 CALGreen Standards.</i></p> <p><i>Based on the preceding, the Project is considered to be consistent with California Code of Regulations, Title 24, Part 11: California Green Building Standards Code (CALGreen).</i></p>

**Table 4.5-1  
State and Local Energy Efficiency/Energy Conservation Plan Consistency**

PLANS, POLICIES, REGULATIONS	Remarks
<b>CITY of MORENO VALLEY</b>	
<b>City of Moreno Valley Building Code</b>	
<p>The City of Moreno Valley implements the California Building Code (incumbent edition) as codified in the City of Moreno Valley Municipal Code. See also: <a href="http://www.moreno-valley.ca.us/cdd/departments/divisions-building-safety.html">http://www.moreno-valley.ca.us/cdd/departments/divisions-building-safety.html</a></p> <p>The Building Code regulations require that all development be designed and constructed consistent with incumbent energy efficiency/energy conservation standards.</p>	<p><i>By ordinance, the Project would be required to comply with all Building Code standards and regulations, including energy efficiency/energy conservation standards. Based on the preceding, the Project is considered to be consistent with the California Building Code as implemented by the City.</i></p>

**Sources:** Plan, Policy/Regulatory information from: State Energy Plan, California Code Title 24, Part 6: Energy Efficiency Standards; California Code of Regulations, Title 24, Part 11: California Green Building Standards Code (CALGreen); City of Moreno Valley Municipal Code, Remarks by Applied Planning, Inc.

Additionally, regulatory measures, standards, and policies directed at reducing air pollutant emissions and GHG emissions would also act to promote energy conservation and reduce Project energy consumption. Please refer to related discussions presented at EIR Section 4.3, *Air Quality* and EIR Section 4.4, *Greenhouse Gas Emissions*.

**4.5.4 STANDARDS OF SIGNIFICANCE**

Appendix G of the California Environmental Quality Act (CEQA) Guidelines indicates a Project will normally have a potentially significant effect related to energy if it would:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

## 4.5.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

### 4.5.5.1 Impact Statements

**Potential Impact:** *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.*

#### **Impact Analysis:**

#### **Project Energy Demands and Energy Efficiency/Conservation Measures**

Estimated energy demands of Project construction and Project operations are summarized in the following discussions and are presented in detail in *Moreno Valley Business Park – Phase II, Energy Tables* (Urban Crossroads, Inc.) January 17, 2022 (Project Energy Assessment, EIR Appendix F).

Project design features and operational programs, as well as regulations that promote energy conservation and energy conservation are also identified. The Project in total would be required to comply with incumbent performance standards established under the Building Energy Efficiency Standards contained in the California Code of Regulations (CCR), Title 24, Part 6 (Title 24, Energy Efficiency Standards). Also, developers and owners/tenants have vested financial incentives to avoid imprudent energy consumption practices. In this regard, there is growing recognition among developers and owners/tenants that efficient and sustainable construction and operational practices yield both environmental and economic benefits. On this basis, and as further supported by the following discussions, the Project would not result in or cause wasteful, inefficient, and unnecessary consumption of energy.

## **Construction Energy Consumption Estimates and Energy Efficiency/Conservation Measures**

### **Construction Fuel/Power Consumption Estimates**

Energy consumption in support of, or related to, Project construction would include electricity consumption by various equipment and tools; diesel fuel consumed by construction equipment and construction vendor trips; and gasoline consumed by construction worker commutes. As presented in the Project Energy Assessment:

- Over the approximately 11-month construction period, Project construction activities would consume approximately 90,406 kWh of electricity (Project Energy Assessment, p. 2).
- Over the approximately 11-month construction period, Project construction equipment operations would consume approximately 57,616 gallons of diesel fuel (Project Energy Assessment, p. 3).
- Over the approximately 11-month construction period, Project construction vendor trips would consume and estimated 146,356 gallons of diesel fuel (Project Energy Assessment, p. 29).
- Over the approximately 11-month construction period, Project construction worker commutes would consume approximately 21,840 gallons of gasoline (Project Energy Assessment, pp. 4-5).
- Over the approximately 11-month construction period, Project construction vendor commutes would consume approximately 11,880 gallons of gasoline (Project Energy Assessment, p. 5).

Diesel fuel and gasoline for construction activities would be provided by existing area vendors. Construction electricity demands would be provided via connection to existing SCE services.

Project construction activities would comprise temporary, single-event demands for diesel fuel and electricity and would not require on-going or permanent commitment of fuel for these purposes.

### **Construction Energy Efficiency/Conservation Measures**

Equipment and vehicles used during Project construction would conform to CARB regulations and California emissions standards, and would demonstrate related fuel efficiencies. There are no unusual Project characteristics or construction processes that would require the use of vehicles or equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to incumbent power/fuel efficiency standards. Project construction activities would therefore not result in inefficient, wasteful, or unnecessary consumption of power or fuel.

Additionally, certain incidental construction-source energy efficiencies would likely accrue through implementation of California regulations. More specifically, California Code of Regulations Title 13, Motor Vehicles, section 2449(d)(3) *Idling*, limits idling times of construction vehicles to no more than five minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints.

Indirect construction energy efficiencies and energy conservation would be achieved through the use of recycled/recyclable materials and related procedures, and energy efficiencies realized from bulk purchase, transport and use of construction materials. Use of recycled and recyclable materials and use of materials in bulk also reduces energy demands associated with preparation and transport of construction materials as transport and disposal of construction waste and solid waste in general, with corollary

reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations.

### **Construction Waste Management Plan**

A Project Construction Waste Management Plan would be required consistent with Section 5.408, *Construction Waste Reduction, Disposal, and Recycling* of the California Green Building Standards Code (CALGreen Code), as adopted by the City of Moreno Valley. The Project would be required to recycle or salvage for reuse a minimum of 50 percent of the nonhazardous construction and demolition waste.

## **OPERATIONAL ENERGY CONSUMPTION AND ENERGY EFFICIENCY/CONSERVATION MEASURES**

### **Operational Energy Consumption**

Energy consumption in support of, or related to, Project operations would include transportation energy demands (energy consumed by vehicles accessing the Project site) and facilities energy demands (energy consumed by building operations and site maintenance activities). As presented in the Project Energy Assessment:

- Vehicles accessing the Project site activities would consume approximately 192,858 gallons of fuel annually (Project Energy Assessment, p. 6).
- Project building and site operations would consume approximately 3,089,103 kBTU natural gas annually (Project Energy Assessment, p. 7).
- Project building and site operations would consume approximately 2,017,348 kWh electricity annually (Project Energy Assessment, p. 7).

## **Operational Energy Efficiency/Conservation Measures**

### **Facilities Energy Demand Efficiencies**

The Project would be required to meet or surpass standards established under incumbent California Code Title 24, Part 6 (the California Energy Code) and California Green Building Standards Code (CALGreen; CCR, Title 24, Part 11) as implemented by the City, to include building “solar zones” accommodating on-site photovoltaic energy sources.<sup>1</sup>

### **Enhanced Vehicle Fuel Efficiencies**

Potential maximum vehicle fuel consumption from vehicles accessing the Project would occur under Project Opening Year (2026) Conditions. Under future conditions, average fuel economies of vehicles accessing the Project site can be expected to improve as older, less fuel-efficient vehicles are removed from circulation. Average fuel economies of vehicles accessing the Project site can also be expected to improve over time in response to fuel economy and emissions standards imposed on newer vehicles entering the transportation system.

### **Project Design and Access**

The Project proposes light industrial uses within an urbanizing context, proximate to, and readily accessible from regional and local roadways. In these regards, the Project setting proximate to transportation corridors facilitates access to the Project generally.

### **Alternative Transportation Modes**

The availability of alternative transportation modes described below would act to generally reduce commuter-related fuel consumption.

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<sup>1</sup> Per the 2022 California Energy Code, the Project building roof designs would be required to provide “solar zones” reserved for the future installation of a solar electric or solar thermal system. Energy Code Section 110.10 B states that: “The solar zone shall be located on the roof or overhang of the building or on the roof or overhang of another structure located within 250 feet of the building or on covered parking installed with the building project, and shall have a total area no less than 15 percent of the total roof area of the building excluding any skylight area. The solar zone requirement is applicable to the entire building, including mixed occupancy.”

### ***Bus Service***

Riverside Transit Agency (RTA) provides bus service to the City of Moreno Valley and surrounding areas. In the vicinity of the Project site, RTA Route 11 currently provides bus services along Ironwood Avenue, the northern boundary of the Project site. RTA route maps and schedules are available at: <https://www.riversidetransit.com/riding-the-bus/maps-schedules>.

Bus service routes and schedules are reviewed and updated by RTA periodically to address ridership, budget, and community demand needs. Changes in land use can affect these periodic adjustments which may lead to either enhanced or reduced service where appropriate.

### ***Bicycle Access***

The City has adopted and implemented a Bicycle Master Plan. The Plan identifies existing and proposed bike paths within the City of Moreno Valley, and that connect the City with neighboring communities. In the Project vicinity, a Class 3 Bike Route exists along Ironwood Avenue (E – W), the northern Project boundary; and a Class 2 Bike Lane exists along Heacock Street (N – S), the western Project boundary. The Project would provide on-site bike amenities consistent with requirements of the City Municipal Code and Specific Plan No. 205.

### ***Pedestrian Access***

Road rights-of-way are currently improved in the Project vicinity, including sidewalk access. Pedestrian access within the Project site would be required to conform to standards and specifications identified in the City Municipal Code and Specific Plan No. 205.

### **Landscaping Energy Efficiencies**

Drought-tolerant plants would be used where appropriate. Project landscaping would be required to conform to standards and specifications identified in the City Municipal Code and Specific Plan No. 205.

### **Solid Waste Diversion/Recycling**

The Project would be required to comply with applicable State of California and City solid waste diversion/recycling rules and regulations. These laws and regulations include but are not limited to: State AB 939, State AB 341; State AB 1826; and CALGreen Code Section 5.408, *Construction Waste Reduction, Disposal, and Recycling*. In combination, these laws and regulations act to reduce the amount of solid waste transported to, and disposed at, area landfills. Corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations would likely result.

### **CONCLUSION**

As supported by the preceding analyses, Project construction and operations would not result in the inefficient, wasteful or unnecessary consumption of energy, and potential Project impacts in these regards would be less-than-significant. Further, energy demands of the Project can be accommodated within the context of available resources and energy delivery systems. The Project would therefore not cause or result in the need for additional energy-producing or energy transmission facilities and would not create or otherwise result in a potentially significant impact affecting energy resources or energy delivery systems. On this basis, the potential for the Project to result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources is considered less-than-significant.

**Level of Significance:** Less-Than-Significant.

**Potential Impact:** *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

**Impact Analysis:** Consistency of the Project with state or local plan for renewable energy or energy efficiency is summarized at previous Table 4.5-1. As substantiated at Table 4.5-1, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

The potential for the Project to conflict with or obstruct a state or local plan for renewable energy or energy efficiency is therefore considered less-than-significant.

**Level of Significance:** Less-Than-Significant.

## **4.6 NOISE**

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## 4.6 NOISE

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### *Abstract*

*This Section assesses whether the Project would substantially increase ambient noise levels, or expose land uses to noise, groundborne noise, or groundborne vibration levels exceeding established standards. In this regard, potential impacts considered within this Section include:*

- Potential 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, noise ordinance, or applicable standards of other agencies.*
- Potential generation of excessive groundborne vibration or groundborne noise levels.*

*As presented in the following analyses, all potential noise impacts of the Project are determined to be less-than-significant.*

### 4.6.1 INTRODUCTION

This Section presents the noise setting, methodology, standards of significance, and potential noise impacts associated with the Project. The information presented herein has been summarized from *Moreno Valley Business Park - Phase II, Noise Impact Analysis, City of Moreno Valley* (Urban Crossroads, Inc.) May 16, 2023 (Project Noise Impact Analysis). The Project Noise Impact Analysis in its entirety is presented at EIR Appendix G.

## 4.6.2 SETTING

Following are discussions of noise fundamentals applicable to the Project, together with assessments of existing ambient noise levels and noise sources in the Project vicinity.

### 4.6.2.1 Fundamentals of Noise

Noise levels are measured on a logarithmic scale in decibels which are then weighted and added over a 24-hour period to reflect not only the magnitude of the sound, but also its duration, frequency, and time of occurrence. In this manner, various acoustical scales and units of measurement have been developed, including equivalent sound levels (Leq), day-night average sound levels (Ldn) and community noise equivalent levels (CNEL).

“A-weighted” decibels (dBA) approximate the subjective response of the human ear to a broad frequency noise source by discriminating against the very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies which are audible to the human ear. The decibel scale has a value of 0.0 dBA at the threshold of hearing and 120 dBA at the threshold of pain. Each interval of 10 decibels indicates a sound energy ten times greater than before, which is perceived by the human ear as being roughly twice as loud. Thus, a 1.0 decibel increase is just audible, whereas a 10 decibel increase means the sound is perceived as being twice as loud as before. Typical decibel levels of various noise sources are illustrated at Figure 4.6-1.

<b>COMMON OUTDOOR ACTIVITIES</b>	<b>COMMON INDOOR ACTIVITIES</b>	<b>A - WEIGHTED SOUND LEVEL dBA</b>	<b>SUBJECTIVE LOUDNESS</b>	<b>EFFECTS OF NOISE</b>
THRESHOLD OF PAIN		140	<b>INTOLERABLE OR DEAFENING</b>	<b>HEARING LOSS</b>
NEAR JET ENGINE		130		
		120		
JET FLY-OVER AT 300m (1000 ft)	ROCK BAND	110		
LOUD AUTO HORN		100	<b>VERY NOISY</b>	<b>SPEECH INTERFERENCE</b>
GAS LAWN MOWER AT 1m (3 ft)		90		
DIESEL TRUCK AT 15m (50 ft), at 80 km/hr (50 mph)	FOOD BLENDER AT 1m (3 ft)	80	<b>LOUD</b>	<b>SPEECH INTERFERENCE</b>
NOISY URBAN AREA, DAYTIME	VACUUM CLEANER AT 3m (10 ft)	70		
HEAVY TRAFFIC AT 90m (300 ft)	NORMAL SPEECH AT 1m (3 ft)	60	<b>MODERATE</b>	<b>SLEEP DISTURBANCE</b>
QUIET URBAN DAYTIME	LARGE BUSINESS OFFICE	50		
QUIET URBAN NIGHTTIME	THEATER, LARGE CONFERENCE ROOM (BACKGROUND)	40	<b>FAINT</b>	<b>NO EFFECT</b>
QUIET SUBURBAN NIGHTTIME	LIBRARY	30		
QUIET RURAL NIGHTTIME	BEDROOM AT NIGHT, CONCERT HALL (BACKGROUND)	20		
	BROADCAST/RECORDING STUDIO	10	<b>VERY FAINT</b>	<b>NO EFFECT</b>
LOWEST THRESHOLD OF HUMAN HEARING	LOWEST THRESHOLD OF HUMAN HEARING	0		

Source: Urban Crossroads, Inc.

## **Noise Rating Schemes**

Equivalent sound levels are not measured directly, but rather are calculated from sound pressure levels typically measured in dBA. The equivalent sound level (Leq) is the constant level that, over a given period, transmits the same amount of acoustic energy as the actual time-varying sound. Equivalent sound levels are the basis for both the Ldn and CNEL scales.

Day-night average sound levels (Ldn) are a measure of the cumulative noise exposure of the community. The Ldn value results from a summation of hourly Leqs over a 24-hour period with an increased weighting factor applied to the nighttime period between 10:00 p.m. and 7:00 a.m. This noise rating scheme accounts for subjectively more annoying noise events which occur during normal sleep hours.

Community noise equivalent levels (CNEL) also carry a weighting penalty for noise occurring during nighttime hours. CNEL levels also include a penalty for noise events occurring during the evening hours (10:00 p.m. to 7:00 a.m.). Because of these weighting factors, CNEL values will always be greater than Ldn values which in turn will exceed Leq values. However, CNEL values are typically within one decibel of Ldn values.

## **Sound Propagation**

For a “line source” of noise such as a heavily traveled roadway, noise levels attenuate by a nominal value of 3.0 decibels for each doubling of distance between the noise source and the noise receptor. The nominal value of 3.0 dBA with doubling applies to sound propagation from a line source: (1) over the top of a barrier greater than 3 meters in height; or (2) where there is a clear unobstructed view of the highway, the ground is hard, no intervening structures exist and the line-of-sight between the noise source and receptor averages more than three meters above the ground.

Notwithstanding, environmental factors such as wind conditions, temperature gradients, characteristics of the ground (hard or soft) and the air (relative humidity), and the presence of vegetation combine to typically increase the attenuation achieved outside laboratory conditions to approximately 4.5 decibels per doubling of distance. The

increase in noise attenuation in exterior environments is particularly true: (1) for freeways with an elevated or depressed profile or exhibiting expanses of intervening buildings or topography; (2) where the view of a roadway is interrupted by isolated buildings, clumps of bushes, scattered trees; (3) when the intervening ground is soft or covered with vegetation; or (4) where the source or receptor is located more than three meters above the ground.

In an area which is relatively flat and free of barriers, the sound level resulting from a single “point source” of noise drops by six decibels for each doubling of distance or 20 decibels for each factor of ten in distance. This applies to fixed noise sources and mobile noise sources which are temporarily stationary, such as an idling truck or other heavy-duty equipment operating within a confined area (such as industrial processes or construction).

### **Noise Barrier Attenuation**

Effective noise barriers can reduce noise levels by 10 to 15 dBA. Noise barriers are most effective when placed close to the noise source or receptor. Noise barriers, however, do have limitations. For a noise barrier to work, it must be high enough and long enough to block the view of the noise source.

#### **4.6.2.2 Factors Affecting Motor Vehicle Noise**

According to the Highway Traffic Noise Analysis and Abatement Policy and Guidance, provided by the Federal Highway Administration (FHWA), the level of traffic noise depends on three primary factors: (1) volume of the traffic, (2) traffic speed, and (3) vehicle mix within the flow of traffic. Generally, the loudness of traffic noise is increased by heavier traffic volumes, higher speeds, and a greater number of trucks. Assuming speed and vehicle mix do not change, a doubling of the traffic volume results in a noise level increase of 3.0 dBA. Vehicle mix on a given roadway may also affect community noise levels. As the number of medium and heavy trucks increases and becomes a larger percentage of the vehicle mix, adjacent noise levels will increase. Vehicle noise is a combination of the noise produced by the engine, exhaust, and tires on the roadway.

To account for the ground-effect attenuation (absorption), two types of site conditions are commonly used in traffic noise models: soft- and hard-site conditions. Soft-site conditions account for the sound propagation loss over natural surfaces such as normal earth and ground vegetation. A drop-off rate of 4.5 dBA per doubling of distance is typically observed over soft ground with landscaping, as compared with a 3.0 dBA drop-off rate over hard ground such as asphalt, concrete, stone and very hard packed earth. The Project Noise Impact Analysis indicates that generally, soft-site conditions better reflect predicted noise levels within the Study Area. Related, California Department of Transportation (Caltrans) research has shown that the use of soft-site conditions is more appropriate for the application of the FHWA traffic noise prediction model used in this analysis.

#### **4.6.2.3 Community Responses to Noise**

Approximately ten percent of the population has a very low tolerance for noise and will object to any noise not of their making. Consequently, even in the quietest environment, some complaints will occur. Another 25 percent of the population will not complain even in very severe noise environments. Thus, a variety of reactions can be expected from people exposed to any given noise environment.

Despite this variability in behavior on an individual level, populations generally can be expected to exhibit the following responses to changes in noise levels. An increase or decrease of 1.0 dBA cannot be perceived except in carefully controlled laboratory experiments. A 3.0 dBA increase may be perceptible outside of the laboratory. An increase of 5.0 dBA is often necessary before any noticeable change in community response (i.e., complaints) would be expected.

Community responses to noise may range from registering a complaint by telephone or letter, to initiating court action. Factors affecting community responses to noise include:

- Fear associated with noise-producing activities;
- Noise receptor's perception that they are being unfairly treated;
- Attitudes regarding the usefulness of the noise-producing activity;

- Receptor's belief that the noise source can be controlled.

Recent studies have shown that changes in long-term noise levels are noticeable and are responded to by people. For example, about ten percent of the people exposed to traffic noise of 60 Ldn will report being highly annoyed with the noise, and each increase of one Ldn is associated with approximately two percent more people being highly annoyed. When traffic noise exceeds 60 Ldn or aircraft noise exceeds 55 Ldn, people begin complaining. Group or legal actions to stop the noise should be expected to begin at traffic noise levels near 70 Ldn and aircraft noise levels near 65 Ldn.

#### **4.6.2.4 Land Use Compatibility with Noise**

Some land uses are less tolerant of noise than others. For example, schools, hospitals, churches, and residences are more sensitive to noise intrusion than are commercial or industrial activities. As ambient noise levels affect the perceived amenity or liveability of a development, so too can the mismanagement of noise impacts impair the economic health and growth potential of a community by reducing the area's desirability as a place to live, shop and work. For this reason, land use compatibility with the noise environment is an important consideration in the planning and design process.

#### **4.6.2.5 Sensitive Receptors**

Land uses classified as noise-sensitive by the State of California include: schools, hospitals, rest homes, long-term care centers, and mental care facilities. Some jurisdictions also consider day care centers, single-family dwellings, mobile home parks, churches, libraries, and recreation areas to be noise-sensitive. Moderately noise-sensitive land uses typically include: multi-family dwellings, hotels, motels, dormitories, outpatient clinics, cemeteries, golf courses, country clubs, athletic/tennis clubs, and equestrian clubs.

Land uses that are considered relatively insensitive to noise include business, commercial, and professional developments. Land uses that are typically not affected by noise include: industrial, manufacturing, utilities, agriculture, natural open space,

undeveloped land, parking lots, warehousing, liquid and solid waste facilities, salvage yards, and transit terminals.

The closest sensitive receptors in the vicinity of the Project site are scattered residential uses located a minimum of one-half mile from the site.

#### 4.6.2.6 Current Noise Exposure

To assess existing noise levels in the Project vicinity, hourly noise levels were measured at 5 locations during typical weekday conditions over a 24-hour period. These selected noise measurement locations are illustrated at Figure 4.6-2. These noise measurement locations are representative of sites that may be affected by Project-source noise. Measurements were taken at the nearest noise sensitive uses, to assess the existing ambient hourly noise levels surrounding the Project site. The noise measurements summary is presented at Table 4.6-1.

The background ambient noise levels in the Project study area are dominated by the transportation-related noise associated with the area roadway network.

**Table 4.6-1  
24-Hour Ambient Noise Level Measurements**

Location	Description	Energy Average Noise Level (dBA Leq)		CNEL
		Daytime	Nighttime	
L1	Located north of the Project site near single-family residence at 11989 Tabor Drive.	65.4	60.9	64.1
L2	Located north of the Project site near single-family residence at 24130 Ironwood Avenue.	71.5	68.5	70.4
L3	Located east of the Project site near single-family residence at 12079 Nita Drive.	51.8	48.3	50.5
L4	Located west of the Project site near single-family residence at 12095 Heacock Street.	67.1	65.5	66.5
L5	Located west of the Project site near single-family residence at 12065 Heacock Street.	70.1	67.8	69.3

Source: Moreno Valley Business Park - Phase II, Noise Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) May 16, 2023.



**LEGEND:**

▲ Measurement Locations



NOT TO SCALE

Source: Urban Crossroads, Inc.; Applied Planning, Inc.

Figure 4.6-2  
Noise Monitoring Locations

### **4.6.3 EXISTING POLICIES AND REGULATIONS**

To limit population exposure to physically and/or psychologically damaging, as well as intrusive noise levels, the federal government, the State of California, various county governments, and most municipalities in the state have established standards and ordinances to control noise. In most areas, automobile and truck traffic is the major source of environmental noise. Traffic activity generally produces an average sound level that remains fairly constant with time. Air and rail traffic, and commercial and industrial activities are also major sources of noise in some areas. Federal, state, and local agencies regulate different aspects of environmental noise. Federal and state agencies generally set noise standards for mobile sources such as aircraft and motor vehicles, while regulation of stationary sources is left to local agencies.

#### **4.6.3.1 State of California**

##### **Noise Requirements**

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards and provides noise/land use compatibility guidance. State law requires that each county and city adopt a General Plan that includes a Noise Element which is to be prepared according to guidelines adopted by the Governor's Office of Planning and Research. The purpose of the Noise Element is to "limit the exposure of the community to excessive noise levels." In addition, the California Environmental Quality Act (CEQA) requires that all known environmental effects of a project be analyzed, including environmental noise impacts.

##### **California Green Building Standards Code**

The 2014 State of California's Green Building Standards Code contains mandatory measures for non-residential building construction in Section 5.506 on Environmental Comfort. These noise standards are applied to new construction in California for the purpose of controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical studies must be prepared when non-residential structures are developed in areas where the exterior noise levels exceed 65 dBA CNEL, such as within a noise contour of an airport, freeway, railroad, and other areas where

noise contours are not readily available. If the development falls within an airport or freeway 65 dBA CNEL noise contour, the combined sound transmission class (STC) rating of the wall and roof-ceiling assemblies must be at least 50. For those developments in areas where noise contours are not readily available and the noise level exceeds 65 dBA Leq for any hour of operation, a wall and roof-ceiling combined STC rating of 45, and exterior windows with a minimum STC rating of 40 are required (Section 5.507.4.1).

#### **4.6.3.2 City of Moreno Valley**

##### **Transportation Noise Standards**

The City of Moreno Valley General Plan Noise Element provides overall standards for land use compatibility for community noise exposure. Noise is specifically considered in the Environmental Safety section of the General Plan Safety Element. While the General Plan provides background and noise fundamentals, it does not identify criteria to assess the impacts associated with off-site transportation-related noise impacts. For the purposes of this analysis, the transportation noise criteria are derived from standards contained in the California Office of Planning and Research (OPR) General Plan Guidelines.

The OPR Guidelines present noise compatibility criteria for industrial land uses such as the Project. Per the Guidelines, when the unmitigated exterior noise levels approach 70 dBA CNEL industrial land uses are considered normally acceptable. With exterior noise levels ranging from 70 to 80 dBA CNEL, industrial land uses are considered conditionally acceptable, and with exterior noise levels greater than 80 dBA CNEL, they are considered normally unacceptable. For normally unacceptable land use, new construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design. The Project does not propose outdoor living areas requiring exterior noise mitigation as outlined in the OPR Guidelines, and therefore, only the interior noise levels experienced by employees at the Project site are evaluated against the appropriate noise level standards.

City General Policies act to ensure that when exterior noise levels exceed 65 dBA CNEL at sensitive receptors, mitigation is provided to confirm that interior noise levels of 45 dBA CNEL are maintained. General Plan Policies in this regard are consistent with, and support, the California Building Code interior noise standards.

#### **4.6.3.3 Stationary/Area-Source Noise Standards**

To analyze noise impacts originating from a designated fixed location or private property such as the Project, stationary-source (operational) noise such as the expected loading dock activity, roof-top air conditioning units, trash enclosure activity, parking lot vehicle movements, and truck movements are typically evaluated against standards established under a City's Municipal Code.

The City of Moreno Valley Municipal Code, Chapter 11.80, *Noise Regulation*, provides performance standards and noise control guidelines for determining and mitigating non-transportation or stationary-source noise impacts from operations at private properties. The City of Moreno Valley Municipal Code defines Maximum Sound Levels (in dBA) for Residential and Commercial land uses in Table 11.80.030-2. Per Municipal Code, Section 11.80.020 *Definitions*, Commercial land use means all uses of land not otherwise classified as residential, and Residential land use means all uses of land primarily for dwelling units, as well as hospitals, schools, colleges and universities, and places of religious assembly. For the purpose of this analysis, the Project is considered a commercial land use since it is not classified as residential. Based on this standard, the operational noise level limits for commercial land use of 65 dBA Leq during the daytime (8:00 a.m. to 10:00 p.m.) hours and 60 dBA Leq during the nighttime (10:01 p.m. to 7:59 a.m.) hours shall apply to the operational noise from the Project.

Further, Section 11.80.030 (C), *Prohibited Acts, Nonimpulsive Sound Decibel Limits*, states: "No person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any nonimpulsive sound which exceeds the limits set forth for the source land use category (as defined in Section 11.80.020) in Table 11.80.030-2 when measured at a distance of two hundred (200) feet or more from the real property line of the source of the sound, if the sound occurs on a privately owned

property...” Therefore, at a distance of 200 feet from the property line, the Project’s operational noise levels shall not exceed the 65 dBA Leq daytime and 60 dBA Leq nighttime noise level standards for commercial land uses.

#### **4.6.3.4 Construction-Source Noise Standards**

The City of Moreno Valley Municipal Code noise standards for construction are described below to determine the potential noise impacts at nearby sensitive receiver locations. As a subset of its stationary-source noise regulations, the City Municipal Code establishes additional restrictions on construction-source noise. More specifically, Municipal Code Section 11.80.030 (D) (7), *Construction and Demolition*, provides the following:

“No person shall operate or cause operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between the hours of eight p.m. and seven a.m. the following day such that the sound there from creates a noise disturbance, except for emergency work by public service utilities or for other work approved by the city manager or designee.”

A noise disturbance, as defined by the City of Moreno Valley Municipal Code, means any sound which:

- Disturbs a reasonable person of normal sensitivities;
- Exceeds the sound level limits set forth in this chapter [Table 11.80.030-2];
- Is plainly audible as defined in this section. Where no specific distance is set forth for the determination of audibility, references to noise disturbance shall be deemed to mean plainly audible at a distance of two hundred (200) feet from the real property line of the source of the sound, if the sound occurs on a privately owned property, or from the source of the sound, if the sound occurs on public right, public space or other publicly owned property.

Therefore, based on the Section 11.80.030 (D) construction regulations, a construction-related noise disturbance occurs when the noise levels exceed the commercial land use criteria of 65 dBA Leq during the daytime hours and 60 dBA Leq during the nighttime hours at a distance of 200 feet from the property line of the source (Project site). In addition, grading operations shall be limited to the hours identified in Section 8.21.050 (O) of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 4:00 p.m. on weekends and holidays or as approved by the City Engineer.

#### **4.6.3.5 Vibration Standards**

The City of Moreno Valley has not identified or adopted specific vibration level standards. However, the United States Department of Transportation Federal Transit Administration (FTA) provides relevant guidelines for maximum-acceptable vibration criteria for different types of land uses. The FTA guidelines allow 80 VdB for residential uses and buildings where people normally sleep.

Operational and construction activities can result in varying degrees of groundborne vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Other construction equipment such as air compressors, light trucks, hydraulic loaders, etc., generate little or no ground vibration. Large bulldozers and loaded trucks can cause perceptible vibration levels proximate receptors. The FTA guidelines of 80 VdB for sensitive land uses provide a substantiated basis for determining the relative significance of potential Project-related vibration impacts due to on-site operational and construction activities.

#### **4.6.3.6 Sensitive Receptors**

The Project Noise Impact Analysis identified sensitive receptors that could be potentially affected by Project-source noise. Sensitive receivers are defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise-sensitive land uses comprise schools, hospitals, single-family dwellings, mobile home parks, churches, libraries, and recreation areas. Potentially affected sensitive receptors are described at Table 4.6-2 and

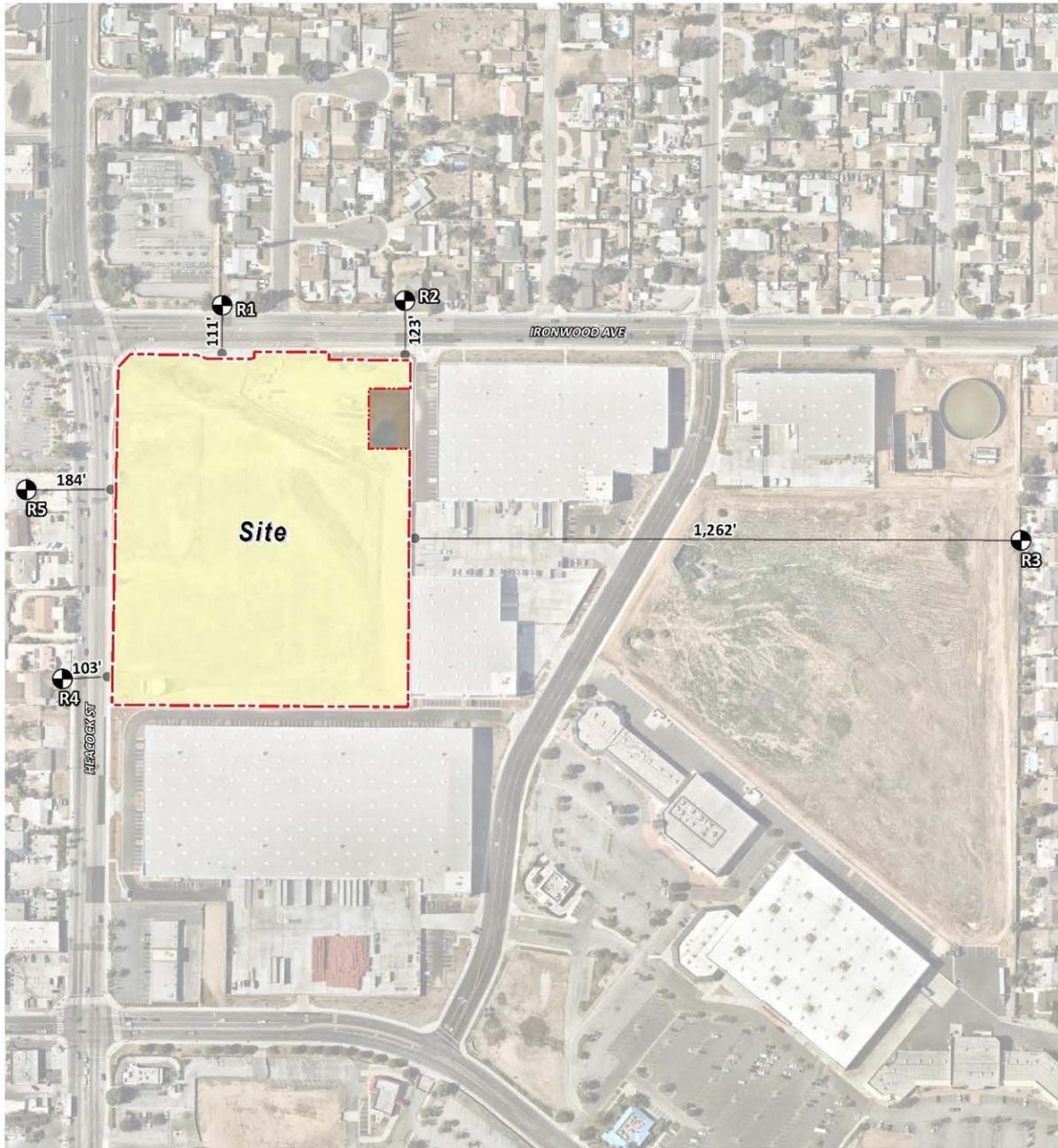
illustrated at Figure 4.6-3. Other sensitive land uses in the Project study area that are located at greater distances than those identified in the noise study will experience lower noise levels due to the additional attenuation from distance and the shielding of intervening structures.

**Table 4.6-2  
Potentially Affected Sensitive Receptors**

Location	Description
R1	Location R1 represents existing noise sensitive residence at 11989 Tabor Drive, approximately 111 feet north of the Project site. R1 is placed in the private outdoor living areas (backyard) facing the Project site. A 24-hour noise measurement was taken near this location, L1, to describe the ambient noise environment.
R2	Location R2 represents the existing noise sensitive residence at 24130 Ironwood Avenue, approximately 123 feet north of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R2 is placed at the building façade. A 24-hour noise measurement was taken near this location, L2, to describe the ambient noise environment.
R3	Location R3 represents the existing noise sensitive residence at 12079 Nita Drive, approximately 1,262 feet east of the Project site. R3 is placed in the private outdoor living areas (backyard) facing the Project site. A 24-hour noise measurement was taken near this location, L3, to describe the ambient noise environment.
R4	Location R4 represents the existing noise sensitive residence at 12107 Heacock Street, approximately 103 feet west of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R4 is placed at the building façade. A 24-hour noise measurement was taken near this location, L4, to describe the ambient noise environment.
R5	Location R5 represents the existing noise sensitive residence at 12065 Heacock Street, approximately 184 feet west of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R5 is placed at the building façade. A 24-hour noise measurement was taken near this location, L5, to describe the ambient noise environment.

**Source:** *Moreno Valley Business Park - Phase II, Noise Impact Analysis, City of Moreno Valley* (Urban Crossroads, Inc.) May 16, 2023.

**Notes:** Cited distances are measured in a straight line from the Project boundary to each receiver location.



**LEGEND:**

- Site Boundary
- Receiver Locations
- Distance from receiver to Project site boundary (in feet)



NOT TO SCALE

Source: Urban Crossroads, Inc.; Applied Planning, Inc.

Figure 4.6-3  
Receiver Locations

#### 4.6.4 STANDARDS OF SIGNIFICANCE

Based on the noise criteria presented above, and direction provided within the *CEQA Guidelines* as implemented by the City of Moreno Valley, Project noise impacts would be considered potentially significant if the Project is determined to result in or cause the following conditions:

- 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, noise ordinance, or applicable standards of other agencies;
- Generation of excessive groundborne vibration or groundborne noise levels;
- If 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, exposure of people residing or working in the project area to excessive noise levels.

In evaluating the above CEQA concerns, the discussion of potential noise impacts (subsequent Section 4.6.5) is organized to reflect categories or types of noise sources, including construction-source noise; vehicular-source noise; operational/area-source noise; vibration; and exposure to airport/aircraft noise.

Table 4.6-3 summarizes applicable noise/vibration impact thresholds. Project noise/vibration impacts would be considered potentially significant if the applicable noise/vibration impact threshold is exceeded.

**Table 4.6-3  
Noise/Vibration Impact Thresholds Summary**

Analysis Scenario	Receiving Land Use	Condition(s)	Significance Threshold	
			Daytime	Nighttime
Operational	Noise-Sensitive	At 200' from the property line of the source	65 dBA Leq	60 dBA Leq
		if ambient is < 60 dBA Leq	≥ 5 dBA Leq Project increase	
		if ambient is 60 - 65 dBA Leq	≥ 3 dBA Leq Project increase	
		if ambient is > 65 dBA Leq	≥ 1.5 dBA Leq Project increase	
Construction	Noise-Sensitive	At 200' from the property line of the source	65 dBA Leq	60 dBA Leq
		Vibration Level Threshold	0.3 PPV (in/sec)	

**Source:** *Moreno Valley Business Park - Phase II, Noise Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) May 16, 2023.*

## 4.6.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

### 4.6.5.1 Introduction

The following discussions focus on areas where it has been determined that the Project may result in potentially significant noise/vibration impacts, based on the analysis presented within this Section and included within the EIR Initial Study (EIR Appendix A). Please refer also to Initial Study Checklist Item XIII. *Noise*.

Of the CEQA threshold considerations identified above at Section 4.6.4, and as substantiated in the Initial Study (EIR Appendix A), the Project’s potential impacts under the following topic are determined to have no impact and are not further substantively discussed here:

- If 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, exposure of people residing or working in the project area to excessive noise levels.

All other CEQA topics concerning the Project’s potential impacts to noise are discussed below. Please refer also to Draft EIR Appendix A, Initial Study Checklist Item XIII., *Noise*.

#### 4.6.5.2 Impact Statements

Following is an analysis of potential noise impacts that are expected to occur as a result of the Project. Noise levels will change both on-site and off-site if the Project is approved and implemented. The discussion of potential noise impacts is organized to reflect categories or types of noise sources, including:

- Construction-Source Noise;
- Vehicular-Source Noise;
- Operational/Area-Source Noise; and
- Vibration.

For each topical discussion, potential impacts are evaluated under applicable criteria established above at Section 4.6.4, *Standards of Significance*.

#### CONSTRUCTION-SOURCE NOISE

**Potential Impact:** *Project construction activities and associated noise could result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.*

**Impact Analysis:** Noise generated by the Project construction equipment will include a combination of trucks, power tools, concrete mixers, and portable generators that, when combined, can reach high levels. Construction is expected to occur in the following stages:

- Site Preparation;
- Grading;
- Building Construction;
- Paving; and
- Architectural Coating.

The construction-source noise analysis was prepared using reference noise level measurements to describe the typical construction activity noise levels for each stage of Project construction. Please refer to Noise Impact Analysis Section 8.2, *Construction Reference Noise Levels* for a listing of reference noise levels employed in the evaluation of construction-source noise.

To prevent high levels of construction noise from impacting noise-sensitive land uses, City of Moreno Valley Municipal Code Section 11.80.030 (D)(7) limits general construction activities within 200 feet of residential uses to weekdays, between 7:00 a.m. and 8:00 p.m. In addition, grading operations shall be limited to the hours identified in Section 8.21.050 (O) of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 4:00 p.m. on weekends and holidays or as approved by the City Engineer. The Project would be required to comply with all City of Moreno Valley Municipal regulations and ordinances.

Based on construction equipment reference noise levels and distance to the Project site, noise levels at the potentially affected sensitive receptor locations identified previously at Section 4.6.3.6 have been developed, and are summarized at Table 4.6-4.

**Table 4.6-4  
Received Construction-Source Noise Levels**

Receiver Location	Construction Noise Levels (dBA Leq)					
	Site Preparation	Grading	Building Construction	Paving	Architectural Coating	Peak
R1	59.1	62.1	60.1	62.1	56.1	62.1
R2	57.2	60.2	58.2	60.2	54.2	60.2
R3	46.4	49.4	47.4	49.4	43.4	49.4
R4	58.2	61.2	59.2	61.2	55.2	61.2
R5	57.2	60.2	58.2	60.2	54.2	60.2
at 200'	56.1	59.1	57.1	59.1	53.1	59.1

Source: Moreno Valley Business Park - Phase II, Noise Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) May 16, 2023.

As indicated at Table 4.6-4, unmitigated Project construction-source noise levels at 200 feet are estimated at 59.1 dBA Leq, and would not exceed the Municipal Code threshold condition of 65 dBA Leq. Project construction-source noise is not subject to standards of other agencies.

Based on the preceding, the potential for Project construction-source noise to exceed standards established in the local general plan or noise ordinance, or applicable standards of other agencies is considered less-than-significant.

**Level of Significance:** Less-Than-Significant.

#### **OPERATIONAL/AREA-SOURCE NOISE**

**Potential Impact:** *Project operational noise could result in exposure of persons to, or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.*

**Impact Analysis:** To estimate the Project operational/area-source noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels expected with the development of the proposed Project. Please refer to Noise Impact Analysis Section 7.2, *Reference Noise Levels* for a listing of reference noise levels employed in the evaluation of operational/area-source noise.

It is important to note that the following projected noise levels assume the worst-case noise environment with the idling trucks, delivery truck activities, backup alarms, as well as loading and unloading of dry goods, roof-top air conditioning units, and parking lot vehicle movements all operating simultaneously. These noise levels will likely vary throughout the day. It is further noted that the Project would be required to comply with all City of Moreno Valley Municipal Code noise ordinances and regulations addressing operational area-source noise. Project operational/area-source noise is not subject to noise standards of other agencies.

Using the reference noise levels, it is possible to estimate the operational source noise levels generated at the Project site and the Project-related noise level increases that would be experienced at each of the sensitive receiver locations. Please refer also to Noise Impact Analysis Appendix 9.1 for detailed calculations of the Project operational/area-source noise levels.

Table 4.6-5 summarizes Project operational-source noise levels that would be received at area receptors, and at 200 feet from the Project boundary. As indicated, the received operational-source noise levels would comply with the City of Moreno Valley 65 dBA Leq daytime and 60 dBA Leq nighttime exterior noise level standards at all the nearest receiver locations and at 200 feet from the property line of the source.

**Table 4.6-5  
Received Project Operational/Area Source Noise**

Receiver Location	Received Noise Levels (dBA Leq)		Noise Level Standards (dBA Leq)		Noise Level Standards Exceeded?	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	56.0	55.8	65	60	No	No
R2	55.8	55.7	65	60	No	No
R3	47.3	47.3	65	60	No	No
R4	55.6	55.4	65	60	No	No
R5	54.5	54.3	65	60	No	No
at 200'	57.1	57.1	65	60	No	No

**Source:** *Moreno Valley Business Park - Phase II, Noise Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) May 16, 2023.*

Based on the preceding, the potential for Project operational/area-source noise to result in exposure of persons to, or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies would be less-than-significant.

**Level of Significance:** Less-Than-Significant.

## VIBRATION

**Potential Impact:** *The Project could result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise.*

### Construction

#### *Vibration*

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. It is expected that groundborne vibration from Project construction activities would cause only intermittent, localized intrusion. The proposed Project's construction activities most likely to cause vibration impacts are:

- **Heavy Construction Equipment:** Although all heavy mobile construction equipment has the potential of causing at least some perceptible vibration while operating close to buildings, the vibration is usually short-term and is not of sufficient magnitude to cause building damage.
- **Trucks:** Trucks hauling building materials to construction sites can be sources of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes. Repairing the bumps and potholes generally eliminates the problem.

The Project does not propose or require uses or operations that would result in substantial on-going vibration or groundborne noise.

Groundborne vibration levels resulting from construction activities occurring within the Project site were estimated by data published by the Federal Transit Administration. Table 4.6-6 presents the expected Project-related vibration levels at potentially affected receiver locations.

**Table 4.6-6  
Received Construction-Source Vibration Levels**

Receiver Location	Distance to Const. Activity (Feet)	Sources and Received Vibration Levels PPV (in/sec) <sup>3</sup>					Threshold PPV (in/sec)	Threshold Exceeded?
		Small Bulldozer	Jackhammer	Loaded Trucks	Large Bulldozer	Maximum Vibration Level		
R1	111'	0.000	0.004	0.008	0.010	0.010	0.3	No
R2	123'	0.000	0.003	0.007	0.008	0.008	0.3	No
R3	1,262'	0.000	0.000	0.000	0.000	0.000	0.3	No
R4	103'	0.000	0.004	0.009	0.011	0.011	0.3	No
R5	184'	0.000	0.002	0.004	0.004	0.004	0.3	No
at 200'	200'	0.000	0.002	0.003	0.004	0.004	0.3	No

**Source:** *Moreno Valley Business Park - Phase II, Noise Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) May 16, 2023.*

Based on maximum acceptable continuous vibration threshold of 0.3 PPV (in/sec), received Project construction-source vibration levels would fall below thresholds at all potentially affected receiver locations, and at 200 feet from the Project boundary. On this basis, the potential for the Project to result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise would be less-than-significant.

**Level of Significance:** Less-Than-Significant.

## **4.7 BIOLOGICAL RESOURCES**

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## 4.7 BIOLOGICAL RESOURCES

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### *Abstract*

*This Section identifies and addresses potential impacts to biological resources resulting from the Project. More specifically, the analysis presented here examines whether the Project would:*

- 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.*
- 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.*
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.*
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites.*

*As supported by the analysis presented in this Section, with application of proposed mitigation measures, the Project's potential impacts to biological resources would be less-than-significant.*

## 4.7.1 INTRODUCTION

Following are discussions of existing biological resources characteristic of the Project area, with focused consideration on species of special interest known to occur, or that could potentially occur on the Project site. Potential impacts to biological resources are identified, and mitigation of potentially significant impacts is proposed. Information presented in this Section is summarized and excerpted from: *Western Riverside County Multiple Species Habitat Conservation Plan [MSHCP], Consistency Analysis Report for the Specific Plan No. 205, Amendment No. 2 Project* (Harmsworth Associates) November 2021 (Project Biological Resources Report). The Project Biological Resources Report is included in its entirety at EIR Appendix H.

## 4.7.2 SETTING

### 4.7.2.1 Overview

The Project site comprises undeveloped land that has been significantly impacted due to years of disking, grading, disturbance, trash, off-road trails, and footpaths. The site is level, topography varies from an elevation of approximately 1,656 feet above mean sea level (msl) at the southwestern corner to 1,646 feet above msl at the southeastern corner of the site (Project Biological Resources Report, p. 2).

### 4.7.2.2 Biologic Setting

The following discussions provide the existing biologic setting for the Project site.

#### **Vegetation**

Currently, the site contains two vegetation community/land types; ruderal and annual brome grasslands, as discussed below.

#### *Ruderal*

Ruderal is a low to medium growing herbaceous vegetation type dominated by annual grasses and forbs of Mediterranean origin. It is a type of non-native grassland community. The onsite ruderal area was highly disturbed from regular disking, grading, and other disturbances. Some areas had gravel deposits and other soil disturbances. A water tower was located in the southwest corner and a temporary, shallow earthen

detention basin was located along the southeastern boundary. Bare soil areas were found throughout this area, on which no considerable vegetation occurred (Project Biological Resources Report, p. 9).

The most abundant plant species were brittlebush (*Encelia farinosa*), Russian thistle (*Salsola australis*) and Mediterranean mustard (*Hirschfeldia incana*), making up a small fraction of overall ground cover. A few non-native perennial, woody species were also present, including tree of heaven (*Ailanthus altissima*), peppertree (*Schinus molle*), red gum (*Eucalyptus camaldulensis*) and European olive (*Olea europaea*) (Project Biological Resources Report, p. 9).

Throughout much of the cleared area, many grass seedlings had sprouted at the time of the survey, which was a few days after a relatively heavy rain event. These seedlings were most likely ripgut brome (*Bromus diandrus*) and given a longer period of time without disturbance or clearance, these cleared areas would presumably become covered with ripgut brome association vegetation. The areas that were covered with gravel did not have a substantial number of any seedlings growing (Project Biological Resources Report, p. 9).

Approximately 9.08 acres of ruderal vegetation exists within the Project site (Project Biological Resources Report, p. 9).

*Annual brome grasslands - Bromus (diandrus) semi-natural herbaceous stands*

This vegetation type describes areas dominated by the non-native Eurasian annual grasses, where ripgut brome (*Bromus diandrus*), is a dominant or co-dominant species, with a large component of ruderal herbs/forbs.

Annual brome grassland was found in two patches in the northern portion of the site. These patches of vegetation were strongly dominated by the non-native Eurasian annual grass ripgut brome. Other species in this onsite vegetation (Russian thistle, summer mustard and tree tobacco) were represented by a small number of individuals.

Towards the northwestern end of the northern patch of Annual brome grassland there was evidence of a past stand of Fremont cottonwood (*Populus fremontii*) and Goodding's black willow (*Salix gooddingii*). The trees were recently cleared, and all the willow were dead at the time of the survey, although a few branches of some of the cottonwoods still had green and living foliage. This area has been included in the Annual brome grassland vegetation category due to the absence of tree cover at the time of the survey and since existing site vegetation in this area consisted mostly of ripgut brome. A total of 0.9 acres of annual brome grasslands occurred onsite (Project Biological Resources Report, pp. 9, 10).

### **Riparian/Riverine Areas**

A formal delineation was conducted for Riparian/riverine areas. The Project area was checked for the presence of streambeds, definable channels, wetland/riparian vegetation, hydric soils, and any areas that would qualify as Riparian/riverine areas as defined under the MSHCP.

Historically, an ephemeral channel crossed the northern portion of the site and drained from the northwest to southeast. City-approved storm drain re-alignment and undergrounding of stormwater lines in 2009 redirected all flows entering the property from the north and west into an underground storm drain north of the property (Project Biological Resources Report, p. 12).

The undergrounding of stormwater lines starved the onsite channel of upstream water flows and turned the onsite channel into an isolated remnant channel. Development of downstream properties has further isolated this channel. More recent grading eliminated the southern-most portion of the channel on the Project site (Project Biological Resources Report, p. 12).

The onsite remnant channel is isolated from both upstream and downstream aquatic resources. No off-site water can reach the channel. The only water that can enter the channel would be direct rainfall on the Project site. As the site is flat and soils porous, rainfall run-off into the channel would be minimal. There is no evidence of rainfall run-

off into the channel and no evidence of current or recent flows in the channel (Project Biological Resources Report, p. 12).

Currently, the onsite remnant channel runs from the northwest corner of the site southeast for approximately 209 feet. There was a fairly clearly defined bed and bank, with the channel approximately 2-6 feet wide, and overall covered approximately 1,392 square feet (0.03 acres) onsite. The substrate was sandy clay and was dry at the time of the site survey. The channel and banks were vegetated with annual brome grasslands similar to the adjacent areas. Because the remnant channel no longer conveys water and is isolated from both upstream and downstream aquatic resources, the channel is not considered to comprise an MSHCP jurisdictional Riparian/riverine area (Project Biological Resources Report, p. 12).

A temporary, shallow earthen detention basin was located along the southeastern boundary. The basin was installed for erosion control, as part of the adjacent site grading in 2019. The bottom of the basin was approximately 2 inches below the drain in the outlet pipe. As site soils drain quickly and have limited capacity to store water, the detention basin has limited capacity to pond water. Likely, the detention basin ponds for no more than 4-5 days after heavy rains, to a maximum depth of approximately 2 inches. The temporary detention basin does not qualify as a Riparian/riverine area (Project Biological Resources Report, p. 12).

No other streambeds, definable channels, wetland/riparian vegetation, hydric soils, or any areas that would qualify as Riparian/riverine areas as defined under the MSHCP, were present onsite. No portion of the site had the potential to support ponded water for any significant period (Project Biological Resources Report, p. 12).

### **Vernal Pools**

Vernal pools are seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season, but normally lack wetlands indicators of hydrology and/or vegetation during the drier portion of the growing season. The Project area was checked in the field for the presence of vernal pools, temporary pools, wetland/riparian

vegetation, hydric soils, hydrology, and the potential for any portions of the site to support ponded water.

No vernal pools or temporary rain pools occur within the Project site, and no portion of the site had the potential to support ponded water for any significant period. There are no hydric soils onsite and all site soils drain quickly and have limited capacity to store water. The site occurs in uplands and slopes gently from west to east so the hydrology is not suitable for ponding water. There are no flat areas, depressions, or other areas where water could pond. The onsite temporary detention basin does not qualify as a vernal pool. Upland vegetation occurs throughout the site and there were no areas with aquatic vegetation or the absence of vegetation indicating standing water (Project Biological Resources Report, p. 15).

### **Fairy Shrimp**

Fairy shrimp occur in vernal pools but can also be found in non-vernal pool features such as stock ponds, ephemeral pools, road ruts, human-made depressions, or other depressions that may pond water.

The Project area was checked for the presence of vernal pools, temporary pools, streambeds, stock ponds, ephemeral pools, road ruts, human-made depressions, or other depressions that may pond water.

No vernal pools, temporary rain pools, stock ponds, ephemeral pools, road ruts, human-made depressions, or other depressions that may pond water for any significant period occur within the Project site. There are no hydric soils onsite and all site soils drain quickly and have limited capacity to store water. No portion of the site had the potential to support ponded water for any significant period. The temporary detention basin does not pond long enough to potentially support fairy shrimp. In addition, the detention basin was only installed in 2019. In the absence of suitable habitat for fairy shrimp species onsite, protocol-level focused surveys for these species are not required (Project Biological Resources Report, p. 16).

## **Riparian Birds**

Riparian birds include least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*) and yellow-billed cuckoo (*Coccyzus americanus*).

The Project area was checked in the field for the presence of streambeds, definable channels, wetland/riparian vegetation, hydric soils, and any areas that could support habitat suitable for riparian birds.

There was evidence of a past stand of Fremont cottonwood (*Populus fremontii*) and Goodding's black willow (*Salix gooddingii*) along the former channel alignment within the Project site. Even prior to clearing, the trees in this area were too sparse and too low in cover to provide suitable habitat that could potentially support riparian birds. In the absence of suitable habitat for riparian bird species onsite, protocol-level focused surveys for these species are not required (Project Biological Resources Report, p. 17).

## **Burrowing Owl**

The Project site is located within the mapped survey area for burrowing owl. Focused burrowing owl surveys were conducted in July 2015 (Hernandez Environmental Services). No burrowing owl was detected. Similarly, no burrowing owls or their sign were detected during the current surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the Project site in the past. Burrowing owls are presumed absent from the site (Project Biological Resources Report, p. 18).

## **Other MSHCP Considerations**

- The site is located outside any lands depicted as Public Quasi-Public Lands on the MSHCP Plan map.
- There is no Cell(s) or Cell Group within the Project site and no part of the site is required for conservation or reserve assembly under the MSHCP.
- No MSHCP Covered Roads are involved in this Project.
- The site is not located within a Section 6.1.3 Narrow Endemic Plant Species Survey Area.

- The site is not located within a mapped survey area for Criteria Area plant species.
- The site is not located within a mapped survey area for amphibian species.
- The site is not located within a mapped survey area for mammal species.
- The site is located outside any area mapped with Delhi soils within the MSHCP baseline data.
- None of the species listed in the MSHCP Table 9-3 occur on the site.
- There are no onsite conservation areas and we are no existing or future MSHCP Conservation Areas in the Project vicinity. The Project area is entirely surrounded by development. Consequently, there are no urban/wildlife interfaces for this Project.

[Project Biological Resources Report, pp. 8 – 18]

### **4.7.3 EXISTING POLICIES AND REGULATIONS**

#### **4.7.3.1 Federal Endangered Species Act/California Endangered Species Act**

The United States Congress passed the Federal Endangered Species Act (ESA) in 1973 to protect those species that are endangered or threatened with extinction. The State of California enacted a similar law, the California Endangered Species Act (CESA) in 1984. The State and Federal Endangered Species Acts are intended to operate in conjunction with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) to help protect the ecosystems upon which endangered and threatened species depend. The United States Fish and Wildlife Service (USFWS) is responsible for implementation of ESA, while the CDFW implements CESA. During Project review, each agency is given the opportunity to comment on the potential for the Project to affect listed plants and animals.

#### **4.7.3.2 State of California, Fish and Game Code Section 1600 *et seq.***

The CDFW has jurisdiction under Section 1600 *et seq.* of the California Fish and Game Code over fish and wildlife resources of the state. Under Section 1602, a private party must notify the CDFW if a project will “substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the department, or use any material from the streambeds, except when the department has been notified pursuant to Section 1601.” If an existing fish or wildlife resource may

be substantially adversely affected by the activity, the CDFW may propose reasonable measures that will allow protection of those resources. If these measures are agreeable to the initiating party, they may enter into an agreement with the CDFW identifying the approved activities and associated mitigation measures.

#### **4.7.3.3 Western Riverside County Multiple Species Habitat Conservation Plan**

The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP), focusing on conservation of species and their associated habitat in western Riverside County. The goal of the MSHCP is to maintain biological and ecological diversity within a rapidly urbanizing region. The MSHCP is administered by the Riverside County Regional Conservation Authority (RCA).

The MSHCP allows participating jurisdictions within the plan area to incorporate projects onto the incidental “take” permit for all species covered by the MSHCP, including State and federally listed species as well as other identified sensitive species and/or their habitat. Each city or local agency imposes a Development Mitigation Fee for projects within their jurisdiction.

Payment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas. Depending upon the outcome of the survey(s), the area could be considered occupied suitable habitat and, if it is unfeasible to conserve at least 90 percent of this area, then the applicant must submit an analysis supporting a Determination of Biologically Equivalent or Superior Preservation (DBESP). The DBESP discussion details the reasons that avoidance is not possible, quantifies unavoidable impacts, proposes project design features and mitigation measures that reduce indirect effects, and demonstrates that the project would be biologically equivalent or superior to avoidance. The Project is required by ordinance to, and would, comply with the MSHCP (City of Moreno Valley Municipal Code Chapter 3.48, *Western Riverside County Multiple Species Habitat Conservation Plan Fee Program*). At Building Permit Issuance, MSHCP fees

shall be paid based on the current fee in place at the time of issuance.

#### **4.7.3.4 Habitat Conservation Plan for the Stephens' Kangaroo Rat (SKR) in Western Riverside County, California (SKRHCP)**

The City of Moreno Valley has adopted the SKRHCP and has been issued an incidental take permit for SKR from the United States Fish and Wildlife Service and a Management Authorization from the California Department of Fish and Wildlife. Mitigation for impacts to SKR and SKR habitat is realized through payment of SKR Impact Mitigation Fees. The Project is required by ordinance to, and would, comply with the SKR Impact Mitigation Fee requirements (City of Moreno Valley Municipal Code Chapter 8.60, *Threatened and Endangered Species*). Prior to any disturbance of the site/grading permit issuance, Stephens' Kangaroo Rat (SKR) Impacts Mitigation fees shall be paid based on the current fee in place at the time of lands disturbance.

#### **4.7.3.5 Other Statutes, Codes, and Policies**

In addition to ESA and CESA listings, plant and wildlife species receive consideration during the CEQA review processes, as discussed below.

#### **Species of Special Concern**

Species of Special Concern are generally defined as those California species whose numbers, reproductive success, or habitat may be threatened. Potential impacts to Species of Special Concern receive consideration under CEQA review.

#### **CNPS-Listed Plants**

The California Native Plant Society (CNPS) maintains a list of plant species native to California with minimal populations, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Vascular Plants of California. Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review.

#### **Raptors and Migratory Birds**

Raptors (birds of prey), migratory birds, and other avian species are protected by state and federal laws. The federal Migratory Bird Treaty Act (MBTA) prohibits the killing,

possessing, or trading of migratory birds except in accordance with regulations prescribed by the Secretary of Interior. Section 3503.5 of the California Fish and Game Code states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Potential impacts to raptors and migratory birds receive consideration under CEQA review.

#### **4.7.4 STANDARDS OF SIGNIFICANCE**

CEQA has identified the following significance thresholds relative to biological resources. If the Project would result in any one of the following, its impacts to biological resources would be considered significant.

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife (CDFW; formerly California Department of Fish and Game, CDFG) or United States Fish and Wildlife Service (USFWS);
- Have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or California plans, policies or regulations or by the CDFW or USFWS;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

#### 4.7.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

##### 4.7.5.1 Introduction

The following discussions focus on those areas where it has been determined that the Project may result in potentially significant biological resources impacts, based on the analysis presented within this Section and analysis included within the EIR Initial Study (EIR Appendix A).

Of the CEQA threshold considerations identified above at Section 4.7.4, and as substantiated in the Initial Study, the Project's potential impacts under the following topics are determined to be less-than-significant, and are not further substantively discussed here:

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

All other CEQA topics concerning the Project's potential impacts to biological resources are discussed below. Please refer also to Draft EIR Appendix A, Initial Study Checklist Item IV., *Biological Resources*.

##### 4.7.5.2 Impact Statements

**Potential Impact:** *Substantially affect, either directly or through habitat modifications, any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife (CDFW, formerly California Department of Fish and Game) or United States Fish and Wildlife Service (USFWS).*

**Impact Analysis:** As previously stated, the Project site has been significantly impacted due to years of disking, grading, disturbance, trash, off-road trails, and footpaths. Due to extensive disturbance of the Project site, no special-status plant species are considered present onsite. Thus, no potentially significant impacts to special-status plant species are anticipated as a result of site development. Due to the absence of native vegetation and the disturbance at the Project site, special-status wildlife species are unlikely to be present at the Project site.

No nesting birds were observed. Given the heavy level of disturbance and routine maintenance activities, none are expected to occur. Regardless, raptors (birds of prey), migratory birds, and other avian species are protected by the federal Migratory Bird Treaty Act (MBTA). Mitigation Measure 4.7.1 (following) has been incorporated to ensure avoidance of any potential impacts, in accordance with MBTA requirements.

Additionally, the Project site is located within the mapped survey area for burrowing owl. Although no burrowing owls or their sign were detected during the current surveys, Mitigation Measure 4.7.2 is incorporated to verify the continued absence of owls.

With the implementation of mitigation, the Project's potential impacts to nesting migratory bird species and the burrowing owl are considered less-than-significant.

**Level of Significance before Mitigation:** Potentially Significant (potential impacts to nesting birds and the burrowing owl).

**Mitigation Measures:**

4.7.1 *To avoid impacts to nesting birds and to comply with the federal Migratory Bird Treaty Act of 1918 (MBTA):*

- *If possible, all vegetation removal activities shall be scheduled from August 1 to February 15, which is outside the nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly.*

- *If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat shall be thoroughly surveyed for the presence of nesting birds by a qualified biologist 72 hours prior to clearing. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the qualified biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the biologist will be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*

4.7.2 *Within 30 days prior to disturbance at the project site, a pre-construction survey will be conducted for burrowing owl (*Athene cunicularia*). If owls are present, they shall be relocated following accepted protocols to comply with the MSHCP.*

4.7.3 *All temporary work areas, including stockpiles, will be located outside any sensitive biological resources.*

4.7.4 *The limits of the work will be flagged prior to start of work.*

**Level of Significance after Mitigation:** Less-Than-Significant.

**Potential Impact:** *Have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or California plans, policies or regulations or by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Service (USFWS); Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.*

**Impact Analysis:** No wetlands, riparian habitat or other sensitive communities exist within the Project site. Nor does the Project propose uses or activities that would substantially or adversely affect any off-site wetlands or riparian areas. As such, the Project will not affect any riparian habitat, any other sensitive natural community, or

federally protected wetlands.

**Level of Significance:** Less-Than-Significant.

**Potential Impact:** *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites.*

**Impact Analysis:** During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. Based on the preceding, impacts to wildlife corridors, habitat linkages, or wildlife nursery sites that would occur as a result of the Project are determined to be less-than-significant.

**Level of Significance:** Less-Than-Significant.

## **4.8 CULTURAL RESOURCES/TRIBAL CULTURAL RESOURCES**

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## 4.8 CULTURAL RESOURCES/ TRIBAL CULTURAL RESOURCES

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### *Abstract*

*This Section examines the potential for the Project to impact cultural resources and/or Tribal Cultural Resources (TCRs). Specifically, this analysis evaluates whether the Project would:*

- Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.*
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.*
- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
  - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*
  - 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

- *Potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.*<sup>1</sup>

*Information contained within this Section is summarized from Phase I Cultural Resources Assessment, 9.98 Acre Property, Moreno Valley, City of Moreno Valley, Riverside County, California (BCR Consulting LLC) April 26, 2024 (Project Cultural Resources Assessment). The Project Cultural Resources Assessment is presented at EIR Appendix I. As supported by the analysis presented in this Section, as mitigated, the Project's potential to result in adverse cultural resources impacts would be less-than-significant.*

#### **4.8.1 INTRODUCTION**

Cultural resources can be of scientific, aesthetic, educational, archaeological, architectural, or historical significance to the community. The following discussions identify and classify the significance of prehistoric and/or historic cultural resources which may exist within the subject site, and assesses the Project's potential to impact such resources.

#### **4.8.2 CULTURAL SETTING**

##### **Prehistoric Context**

In ecological terms, Southern California prehistory can be defined by five periods: Lake Mojave, Pinto, Gypsum, Saratoga Springs, and Protohistoric. Characteristic artifacts of these periods are summarized below. Please refer also to the detailed discussion of the site's prehistoric setting presented at Project Cultural Resources Assessment pp. 6 – 8.

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<sup>1</sup> It is recognized that this topic is typically addressed under the environmental heading of "Geology and Soils." All other potential Geology and Soils impacts are substantiated to be less-than-significant within the EIR Initial Study (IS) EIR Appendix A. Please refer to Initial Study Checklist Item VII., *Geology and Soils*. The topic of potential impacts to paleontological resources and unique geological resources has been appropriately located in this Section as the topics also relate to impacts to cultural resources. By avoiding creation of an entire EIR section devoted to a single topic (in this case, paleontological resources) this organization of topics also reduces unnecessary paperwork as suggested under CEQA.

**Lake Mojave Period (10,000 to 7000 Before Present [BP]).** Artifacts that characterize this period include stemmed points, flake and core scrapers, choppers, hammerstones, and crescents (Project Cultural Resources Assessment, p. 7).

**Pinto Period (7000 to 4000 BP).** Artifacts from this era include Pinto projectile points and a flake industry similar to the Lake Mojave tool complex, though use of Pinto projectile points as an index artifact for the era has been disputed. Milling stones have also occasionally been associated with sites of this period (Project Cultural Resources Assessment, p. 7).

**Gypsum Period (4000 to 1500 BP).** The diverse artifact assemblage during this period reflects intensified reliance on plant resources. New artifact types include milling stones, mortars, pestles, and a proliferation of Humboldt Concave Base, Gypsum Cave, Elko Eared, and Elko Corner-notched dart points (Project Cultural Resources Assessment, p. 7).

**Saratoga Springs Period (1500 to 800 BP).** Characteristic artifacts of the period include milling stones, mortars, pestles, ceramics, and ornamental and ritual objects (Project Cultural Resources Assessment, p. 7).

**Shoshonean Period (800 BP to Contact).** Characteristic artifacts of the period diagnostic include desert side-notch and cottonwood triangular arrow points. Ceramics continue to proliferate, though are more common in southeastern Riverside County during this period (Project Cultural Resources Assessment, p. 7).

### **Historic Context**

Historic-era California is generally divided into three periods: the Spanish or Mission Period (1769 to 1821), the Mexican or Rancho Period (1821 to 1848), and the American Period (1848 to present) (Project Cultural Resources Assessment, p. 9).

**Spanish Period.** The Spanish period (1769-1821) is represented by exploration of the region; establishment of the San Diego Presidio and missions at San Gabriel and San Luis Rey; and the introduction of livestock, agricultural goods, and European architecture and construction techniques. Spanish influence continued to some extent after 1821 due to the continued implementation of the mission system (Project Cultural Resources Assessment, p. 9).

**Mexican Period.** The Mexican period (1821-1848) began with Mexican independence from Spain and continued until the end of the Mexican-American War (Cleland 1951). The Secularization Act of 1834 resulted in the transfer, through land grants (called ranchos) of large mission tracts to politically prominent individuals. Sixteen ranchos were granted in Riverside County. At that time, cattle ranching was a more substantial business than agricultural activities, and trade in hides and tallow increased during the early portion of this period. Until the Gold Rush of 1849, livestock and horticulture dominated California's economy (Project Cultural Resources Assessment, p. 9).

**American Period.** The American Period, 1848–Present, began with the Treaty of Guadalupe Hidalgo. In 1850, California was accepted into the Union of the United States primarily due to the population increase created by the Gold Rush of 1849. The cattle industry reached its greatest prosperity during the first years of the American Period. Mexican Period land grants had created large pastoral estates in California, and demand for beef during the Gold Rush led to a cattle boom that lasted from 1849–1855. However, beginning about 1855, the demand for beef began to decline due to imports of sheep from New Mexico and cattle from the Mississippi and Missouri Valleys. When the beef market collapsed, many California ranchers lost their ranchos through foreclosure. A series of disastrous floods in 1861–1862, followed by a significant drought, further diminished the economic impact of local ranching. This decline combined with ubiquitous agricultural and real estate developments of the late 19th century, set the stage for diversified contemporary economic pursuits (Project Cultural Resources Assessment, pp. 9 – 10).

### 4.8.3 REGULATORY SETTING

#### 4.8.3.1 Federal

##### **National Historic Preservation Act**

The National Historic Preservation Act (NHPA) requires federal agencies to consider the effects of their undertakings on historic properties. Historic properties are cultural resources (e.g., archeological sites, historic built environment features, or Native American sites) that are listed, or determined to be eligible for listing, on the National Register of Historic Places. The implementing regulations of this mandate, found in the Code of Federal Regulations (36 CFR 800), outline an involved consultation process known as the Section 106 process. The Section 106 process requires a project lead federal agency to consult with the State Historic Preservation Officer.

##### **American Indian Religious Freedom Act**

The American Indian Religious Freedom Act, passed in 1978, serves to protect and preserve the traditional religious rights of American Indians, Eskimos, Aleuts, and Native Hawaiians. Before the Act was passed, certain federal laws interfered with the traditional religious practices of many American Indians.

##### **Native American Graves Protection and Repatriation Act of 1990**

*The Native American Graves Protection and Repatriation Act* establishes a federal policy of respect for, and protection of, Native American religious practices. It also has provisions for allowing limited access to Native American religious sites. The Act provides for the repatriation of certain items from the federal government and certain museums to the native groups to which they once belonged. The Act defines “cultural items,” “sacred objects,” and “objects of cultural patrimony” and establishes a means for determining ownership of these items. However, the provisions for repatriation only apply to items found on federal lands.

### **Executive Order 13007 and Executive Order 13084**

Executive Order 13007 requires federal agencies with land management responsibilities to allow access to and use of Indian sacred sites on public lands, and to avoid adversely affecting these sites. Executive Order 13084 reaffirms the government-to-government relationship between the federal government and recognized Indian tribes, and requires federal agencies to establish procedures for consultation with tribes. These executive orders only apply to projects that include federal undertakings.

#### **4.8.3.2 State**

### **CEQA and the California Register of Historical Resources**

Historical resources are recognized as part of the environment under the California Environmental Quality Act (CEQA). The California Register of Historical Resources (California Register) is the authoritative guide for the State's historical resources, and properties included in the California Register are considered significant for the purposes of CEQA. The California Register includes resources listed, or formally determined eligible for listing, on the National Register of Historic Places, and some California State Landmarks and Points of Historical Interest. Properties of local significance designated under a local preservation ordinance (local landmarks or landmark districts), or that have been identified in a local historical resources inventory, may be eligible for listing in the California Register and are presumed to be significant resources for the purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC § 5024.1, 14 CCR § 4850).

An archaeological site may be considered a historical resource if it is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California (PRC § 5020.1(j)), or if it meets the criteria for listing on the California Register (14 CCR § 4850).

The *CEQA Guidelines* direct lead agencies to evaluate an archaeological site to determine if it meets the criteria for listing in the California Register. If it does, potential adverse impacts must be considered. If an archaeological site is not a historical resource, but meets

the definition of a “unique archaeological resource” as defined in PRC §21583.2, then it should be treated in accordance with the provisions of that section.

Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired (PRC § 5020.1(q)). While demolition and destruction would constitute significant impacts, it is sometimes more difficult to assess when change, alteration, or relocation results in a substantial adverse change. The *CEQA Guidelines* provide that a project that alters those physical characteristics of historical resources that convey its significance (i.e., its character-defining features) can be considered to materially impair the resource’s significance.

### **California Native American Graves Protection and Repatriation Act (2001)**

The California Health and Safety Code, Division 7, Part 2, Chapter 5 (Sections 8010-8030) contains broad provisions for the protection of Native American cultural resources. The California Native American Graves Protection and Repatriation Act establishes policy to ensure that California Native American human remains and cultural items are treated with respect and dignity. The Act also provides the mechanism for disclosure and return of these items held by publicly-funded agencies and museums in California. Additionally, the Act outlines the mechanism by which California Native American tribes not recognized by the federal government may file claims for human remains and cultural items held in agencies or museums.

### **California Public Resources Code**

The California Public Resources Code contains several sections applicable to the preservation of cultural resources and human remains. These sections detail procedures to be followed whenever Native American remains are found, and delineate the unauthorized disturbance or removal of archaeological, historical, paleontological resources, or human remains as an act punishable by law (Sections 5020, 5097.5, 5097.9-5097.996, 7050.5, 7051). As matter of law, the Project would comply with applicable provisions of the California Public Resources Code addressing preservation and protection of cultural resources and human remains.

## **California Code of Regulations**

Under Title 14, Division 3, Section 4308, no person shall remove, injure, disfigure, deface, or destroy any object of archeological or historical interest or value.

## **Assembly Bill 52 (AB 52) Tribal Cultural Resources**

Enacted as of July 1, 2015, AB 52 established a new category of resources under CEQA called “tribal cultural resources” that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation. The Bill was built on the concept that California Native American tribes have the expertise “with regard to tribal history and practices” to identify significant cultural resources. To this end, AB 52 requires early consultation in the CEQA process to ensure that local and Tribal governments, public agencies, and project proponents have information available, early in the CEQA environmental review process, for the purpose of identifying and addressing potential adverse impacts to tribal cultural resources.

AB 52 requires that the lead agency contact (in writing) all culturally affiliated tribes that could be affected by a project, within 14 days of deeming a development application complete. The notice commences a 30-day period for the tribe to request consultation. Upon receipt of a requested consultation, the lead agency has an additional 30 days to begin the consultation process. AB 52 states that the consultation concludes when either “1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal resource, or 2) a party, acting on good faith and after a reasonable effort, concludes that mutual agreement cannot be reached.” AB 52 notes that the consultation can be ongoing throughout the CEQA process.

### **4.8.4 STANDARDS OF SIGNIFICANCE**

Consistent with the standards of significance outlined in the *CEQA Guidelines*, Project-related impacts to cultural resources would be considered potentially significant if they cause or result in any of the following:

- Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5;

- Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5;
- Disturb any human remains, including those interred outside of formal cemeteries; or
- Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074.

For the purposes of CEQA, an “important archaeological, historical, or paleontological resource” is defined as follows.

A) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.

B) A resource included in a local register of historical resources, or identified as significant in an historical resource survey, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

C) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources, including the following:

- 1) A resource is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- 2) A resource is associated with the lives of persons important in our past.

- 3) A resource embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values, or has yielded, or may be likely to yield, information important in prehistory or history.

## 4.8.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

### 4.8.5.1 Analysis Methodology, Site and Records Survey Results

The following impact analyses focus on areas where it has been determined that the Project may result in potentially significant impacts.<sup>2</sup> Primary components of the analysis and the analysis results are presented below.

#### Overview

The Project Cultural Resources Assessment was completed pursuant to the California Environmental Quality Act (CEQA), Public Resources Code (PRC) Chapter 2.6, Section 21083.2, and California Code of Regulations (CCR) Title 14, Chapter 3, Article 5, Section 15064.5. A pedestrian cultural resources survey was completed as part of the Project Cultural Resources Assessment in order to locate and document previously-recorded or new cultural resources, including archaeological sites, features, isolates, and historic-period buildings, that exceed 45 years in age within defined Project boundaries. The Project site was examined using 10 to 15 meter transect intervals.

The Project Cultural Resources Assessment evaluated whether cultural resources were located within the Project boundaries, whether any cultural resources would be potentially significant pursuant to the above-referenced regulations and standards, and to develop specific mitigation measures to address any potential impacts to known or probable resources. Tasks completed included:

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<sup>2</sup> As substantiated in the EIR Initial Study (EIR Appendix A), the Project's potential to disturb any human remains, including those interred outside of formal cemeteries was previously determined to be less-than-significant. Please refer to EIR Appendix A, Initial Study Checklist Items V., *Cultural Resources* and XVIII., *Tribal Cultural Resources*. All other potential cultural resources impacts of the Project are discussed within this Section.

- Sacred Lands File search through the Native American Heritage Commission, and communications with recommended tribes and individuals;
- Cultural resources records search through the Eastern Information Center (EIC) to review any previous studies conducted and the resulting cultural resources recorded within one half-mile of the Project site boundaries;
- Systematic pedestrian survey of the entire Project site.

**Records Search.** Prior to fieldwork, a records search request was submitted to the EIC. The records search included a review of all prerecorded historic-period and prehistoric cultural resources, as well as a review of known cultural resources surveys and excavation reports generated from projects located within one half-mile of the Project site. In addition, a review was conducted of the Built Environment Resource Directory which summarizes listings from National Register of Historic Places (National Register), the California Register of Historical Resources (California Register), and documents and inventories from the California Office of Historic Preservation (OHP) including the lists of California Historical Landmarks, California Points of Historical Interest, and the Inventory of Historic Structures (Project Cultural Resources Assessment, p. 11).

**Field Survey.** An intensive-level cultural resources field survey of the Project site was conducted on January 4, 2022 and an updated survey was completed on May 26, 2023. The survey was conducted by walking parallel transects spaced approximately 10-15 meters apart across 100 percent of the accessible Project site. Digital photographs were taken at various points within the Project boundaries and all soil exposures were carefully examined for evidence of cultural resources (Project Cultural Resources Assessment, p. 11).

### **Records Research and Survey Results**

**Records Search.** A cultural resource records search was conducted by the EIC at the University of California, Riverside. The records search revealed that eight cultural resource studies have taken place resulting in the recording of five cultural resources within the research radius. None of these studies have assessed the Project site for

cultural resources, and no cultural resources have been previously identified within its boundaries (Project Cultural Resources Assessment, p. 11).

**Additional Land Use Research.** A review of aerial photos indicate that the Project site once had a dirt road through the property from 1966 to 1985. Aerial photographs show that a vertically-oriented steel water tank and a horizontal propane tank were constructed on the Project site near the southwest corner prior to 1966 (United States Department of Agriculture 1966). These may have been features of a well that was formerly located on the property (USGS 1980) (Project Cultural Resources Assessment, p. 11).

**Predictive Modeling.** Cultural resources recorded in this portion of Riverside County indicate that historic agricultural and residential developments are locally common. Additionally, prehistoric use of bedrock for milling stations and lithic scatters and fire affected rock have also been identified in the general area, although these were not identified locally during the records search. These resources are commonly associated with vegetal (particularly seed) processing, chipped stone tool manufacture, trade, and cooking. The field survey emphasized careful inspection for artifacts and features associated with historic agricultural and residential use, and of suitable rock outcrops and soil exposures for the presence of related features and artifacts (Project Cultural Resources Assessment, p. 12).

### **Field Survey**

The Project site was surveyed on January 4, 2022 and again on May 26, 2023. During the field surveys, the Project archaeologists carefully inspected the site for evidence of cultural resources, using the methods described above. Ground visibility was 100 percent within the Project site boundaries during the survey (Project Cultural Resources Assessment, p. 11).

Site sediment included brown, moist, semi-loose clay with moderate levels of gravel. The Project site has been subject to mechanical clearing and discing for weed abatement and modern refuse dumping and grading. Two historic- period steel tanks occupied the Project site during the initial survey, but have been removed by the time the second field

survey was completed. No cultural resources of any kind (including historic-period or prehistoric archaeological resources or historic-period built environment resources) remain in place within the Project site (Project Cultural Resources Assessment, p. 11).

#### 4.8.5.1 Impact Statements

**Potential Impact:** *Would the Project cause a substantial adverse change in the significance of a historic or archaeological resources as defined in §15064.5?*

**Impact Analysis:** Records research and site survey results noted above substantiate that no cultural resources of any kind (including historic-period or prehistoric archaeological resources or historic-period built environment resources) remain in place within the Project site. Project development and operations would therefore not cause a substantial adverse change in the significance of historic and archaeological resources. The Project does not otherwise propose or require facilities or operations that could result in potential adverse impacts to historic and archaeological resources.

Based on the preceding, the potential for the Project to cause a substantial adverse change in the significance of historic and archaeological resources would be less-than-significant. Notwithstanding the above, there is the potential for Project site-disturbing activities to adversely affect undetected subsurface historic or archaeological resources. On this basis, the potential for the Project to cause a substantial adverse change in the significance of a historic or archaeological resources is considered potentially significant.

**Level of Significance:** Potentially Significant.

**Mitigation Measures:** To ensure that potential impacts to historic or archaeological resources are maintained at levels that would be less-than-significant, the following measures are recommended:

4.8.1 *Prior to the issuance of the first grading permit, the Applicant shall provide a letter to the City of Moreno Valley Planning Department, or designee, from a qualified professional*

*archaeologist stating that they have been retained to provide on-call services in the event archaeological or historical resources are encountered.*

*In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and the qualified archaeologist shall be contacted to assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register, plans for the evaluation and treatment, evaluation of the find shall be developed.*

**Level of Significance After Mitigation:** Less-Than-Significant.

**Potential Impact:** *Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

**Impact Analysis:**

### **Paleontological Resources**

The General Plan EIR indicates that the Project site and vicinity properties are not within a paleontological resource sensitive area (General Plan EIR Figure 5.10-3, *Paleontologic Resource Sensitive Areas*). Further, the Project Geotechnical Investigation (Appendix I) indicates that the soils found at the Project site “primarily consist of deposits of highly compressible, dry to damp, loose, silty gravelly sandy fills up to about 10 feet below grade, overlying deposits of variegating layers of moderately dense gravelly medium to coarse sands to the maximum 31 feet depth explored. No shallow-depth groundwater or bedrock was encountered.”<sup>3</sup> This is consistent with conditions noted in the General Plan EIR . . . “much of Moreno Valley is covered with recent alluvium. These sediments overlies fossiliferous sedimentary units of the Mt. Eden Formation and the San Timoteo

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<sup>3</sup> For ease of reference, the Project Geotechnical Investigation (*Report of Geotechnical Investigations & Soil Infiltration Testing, Proposed Heacock Industrial Development* [Soils Southwest, Inc.] August 5, 2020), previously appended to the Project IS, has been included at Appendix I.

Formation. Excavation to depths normal for development would probably not penetrate recent alluvial sediments to encounter fossiliferous deposits (General Plan EIR, p. 5,10-15).

Additionally, the Paleontological Overview provided at Project Cultural Resources Investigation Appendix B indicates that “material found [at the Project site] is unlikely to be fossil material due to the relatively modern associated dates of the deposits. However, if development requires any substantial depth of disturbance, the likelihood of reaching Pleistocene alluvial sediments would increase...While the presence of any fossil material is unlikely, if excavation activity disturbs deeper sediment dating to the earliest parts of the Holocene or Late Pleistocene periods, the material would be scientifically significant. Excavation activity associated with the development of the Project area is unlikely to be paleontologically sensitive, but caution during development should be observed.”<sup>4</sup> In an abundance of caution, and pending precise grading/development plans for the Project, potential impacts to paleontological resources are considered potentially significant.

**Level of Significance:** Potentially Significant.

**Mitigation Measure:**

4.8.2 *Prior to the issuance of the first grading permit, the Applicant shall provide a letter to the City of Moreno Valley Planning Department, or designee, from a qualified professional paleontologist (Project Paleontological Monitor) stating that the Project Paleontological Monitor has been retained to provide on-call services in the event paleontological resources are encountered.*

*Should resources be discovered, the Project Paleontological Monitor shall develop an acceptable monitoring and fossil remains treatment plan (Paleontological Management Treatment Plan - PMTP) for construction-related activities that could disturb potential unique paleontological resources within the Project area. Minimum provisions of the PMTP are outlined below:*

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<sup>4</sup> October 19, 2021 Correspondence to BCR Consulting from Western Science Center.

- *Paleontological monitoring shall be conducted during all grading and trenching operations. Monitoring shall be conducted intermittently during initial cuts until early Holocene or Late Pleistocene period deposits (if any) are encountered. Once (if) early Holocene or Late Pleistocene period deposits are identified, paleontological monitoring shall be conducted on a full-time basis.*
- *The Project Paleontological Monitor shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediment that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if they are present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*
- *Recovered specimens shall be prepared to a point of identification and permanent preservation, including screen-washing sediments to recover small invertebrates and vertebrates if indicated by the results of test sampling.*
- *All recovered fossils shall be deposited in an accredited institution (university or museum) that maintains collections of paleontological materials. All costs of the paleontological monitoring and mitigation program, including any one-time charges by the receiving institution, shall be the responsibility of the developer(s).*
- *Within 60 days of completion of grading, excavation and ground-disturbing activities at the site, the Project Paleontological Monitor shall prepare a Final Mitigation and Monitoring Report (Final Report). The Final Report shall identify findings and significance of findings, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). A letter documenting receipt and acceptance of all fossil collections by the receiving institution shall be included in the Final Report. The Final Report, when submitted to and accepted by the Lead Agency (City of Moreno Valley), shall signify satisfactory completion of mitigation of potential impacts to paleontological resources.*

**Level of Significance After Mitigation: Less-Than-Significant.**

**Geological Features**

With regard to unique geological features, the City has not established criteria for determining what comprises a unique geological feature. Other relevant agency criteria however indicates that a geological feature could be generally considered unique if it:

- Is the best example of its kind locally or regionally;
- Embodies the distinctive characteristics of a geologic principle that is exclusive locally or regionally;
- Provides a key piece of geologic information important in geology or geologic history;
- Is a “type locality” of a geological feature;
- Is a geologic formation that is exclusive locally or regionally;
- Contains a mineral that is not known to occur elsewhere in the County; or
- Is used repeatedly as a teaching tool.<sup>5</sup>

As noted previously, the Project site soils primarily consist of deposits of highly compressible, dry to damp, loose, silty gravelly sandy fills up to about 10 feet below grade, overlying deposits of variegating layers of moderately dense gravelly medium to coarse sands (Project Geotechnical Investigation, p. 2).

These soil types are common within the City and Southern California, and do not comprise unique geological features as described above. The Project does not propose uses or activities that would indirectly contribute to or result in potentially adverse impacts to a unique geological feature.

Based on the preceding, the potential for the Project to directly or indirectly destroy a unique geological feature is considered less-than-significant.

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<sup>5</sup> *County of San Diego Guidelines for Determining Significance Unique Geology* (County of San Diego, Department of Planning and Land Use Department of Public Works) June 30, 2007, p. 1.

**Level of Significance** [impacts to geological features]: Less-Than-Significant.

**Potential Impact:** *Would the Project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?*

**Impact Analysis:** A sacred lands search request was sent to the Native American Heritage Commission (NAHC); a response was received on November 17, 2021. As noted in the NAHC response: “A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites” (Project Cultural Resources Assessment, Appendix A, *Native American Heritage Commission Sacred Lands File Search*).

Consistent with NAHC recommendations, AB52, and SB18 requirements, the City sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project area. The City consulted with each tribe that requested consultation and concluded AB52, with the understanding that SB18 will conclude once the Project is approved.

To date, responses have been received from the Pechanga Band of Luiseno Indians, the Morongo Band of Mission Indians, the Agua Caliente Band of Cahuilla Indians, Rincon Band of Luiseno Indians and San Manuel Nation. In the response(s), the Tribe(s) concluded that the Project could potentially result in adverse impacts to Tribal Cultural Resources (TCRs).

There are no known TCRs that would be affected by Project site-disturbing activities, however unknown TCRs may exist within the site in a buried context. All tribes who participated in the AB 52 consultation will be notified of any finds during construction and grading/ground-disturbing activities will be halted until the resource is evaluated.

Tribes responding through the AB 52 and SB18 consultation process have identified mitigation that would reduce potential impacts to TCRs. To avoid potential impacts to TCRs that could be encountered during site-disturbing activities, Mitigation Measures 4.8.3 through 4.8.10 are incorporated in the Project to ensure that potential impacts to TCRs are maintained at levels that would be less-than-significant.

**Level of Significance:** Potentially Significant.

**Mitigation Measures:**

4.8.3 *Archaeological Monitoring. Prior to the issuance of a grading permit, the Project Applicant shall retain a professional archaeologist to conduct monitoring of all ground-disturbing activities. The Project Archaeologist shall have the authority to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s)<sup>6</sup> including the Pechanga Band of Indians and the Morongo Band of Indians, the contractor, and the City, shall develop a CRMP as defined in Mitigation Measure 4.8.5. The Project archeologist shall attend the pre-grading meeting with the City, the construction manager, and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The archaeological monitor shall have the authority to temporarily halt and redirect earth-moving activities in the affected area in the event that suspected archaeological resources are unearthed.*

4.8.4 *Native American Monitoring. Prior to the issuance of a grading permit, the Project Applicant shall secure agreements with the Pechanga Band of Indians and the Morongo Band of Mission Indians for tribal monitoring. The Project Applicant 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*

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<sup>6</sup> A Consulting Tribe is defined as a Tribe that has initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB 52 consultation process, and has completed AB 52 consultation with the City as provided for at Cal Pub Res Code Section 21080.3.2(b)(1) of AB 52.

*suspected archaeological resources are unearthed. The Native American Monitor(s) shall attend the pre-grading meeting with the Project Archaeologist, City, the construction manager, and any contractors and will conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.*

4.8.5 *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 monitoring activities that will occur on the Project site. The CRMP shall include:*

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

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

- a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Department:*
  - i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.*
  - ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CR-1. This shall include measures and provisions*

*to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CR-3 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal Governments prior to certification of the environmental document.*

*Additionally, the City shall verify that the following note is included on all Grading Plans:*

*“If any suspected archaeological resources are encountered during ground-disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find.”*

- 4.8.7 *Inadvertent Finds. If previously unevaluated potential cultural resources are encountered during Project excavation or construction activities, all ground-disturbing activities within 100 feet of the encountered resource (the find) shall cease immediately. A qualified person meeting the Secretary of the Interior’s standards (Code of Federal Regulations, Title 36, Section 61), Tribal Representatives, and all site monitors per these mitigation measures shall consult with the City to evaluate the find, and appropriate measures to avoid, minimize, or mitigate potential negative effects to the find shall be implemented. Further ground disturbance shall not resume within the area of the find (the buffer area) until an agreement has been reached by all parties as to the appropriate measures to be implemented. Determinations and recommendations regarding the agreed upon measures shall be immediately submitted to the Planning Division for consideration, and the agreed upon measures shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and Consulting Tribes as defined in Mitigation Measure 4.8.4 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the find is not feasible, a Phase III Data Recovery Plan (Plan) shall be prepared by the*

*Project Archeologist, in consultation with Consulting Tribe(s). The Plan shall be submitted to the City for review and approval prior to implementation of the Plan.*

*Work outside of the buffer area shall be allowed to continue and such work shall be monitored per the CRMP.*

*4.8.8 Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the “most likely descendant.” The “most likely descendant” shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). No photographs are to be taken except by the Coroner, with written approval by the consulting Tribe[s].*

*4.8.9 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).*

*4.8.10 Archeology Report - Phase III and IV. Prior to final inspection, the Project Applicant/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:** Less-Than-Significant.

## **5.0 OTHER CEQA CONSIDERATIONS**

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## 5.0 OTHER CEQA CONSIDERATIONS

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This Section of the EIR addresses other environmental considerations and topics mandated under the California Environmental Quality Act (CEQA). These topics include Cumulative Impacts, Alternatives to the Project, Growth Inducement, Significant Environmental Effects of the Project, and Significant and Irreversible Environmental Changes.

### 5.1 CUMULATIVE IMPACT ANALYSIS

The *CEQA Guidelines* require that an EIR identify any significant cumulative impacts associated with a project [*CEQA Guidelines*, Section 15130(a)]. When cumulative impacts are not deemed potentially significant, the document should explain the basis for that conclusion. Cumulative impacts are “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” [*CEQA Guidelines*, Section 15355]. Thus, a legally adequate cumulative impact analysis is an analysis of a given project viewed over time and with other related past, present, and foreseeable probable future projects, whose impacts might compound or interrelate with those of the Project considered here.

CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [*CEQA Guidelines*, Section 15130(b)]. Only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the Project alone.

The *CEQA Guidelines* identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology, and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different manners, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval and construction elements of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that would never be developed. Because development proposals are rarely publicly known until within five years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year but aggregates various growth trends over the long term.

For each topical discussion, the cumulative geographic context is identified. This in turn relates to the amount and type of growth within the geographic area under consideration. The manner in which each resource may be affected also dictates the geographic scope of the cumulative impact analysis.

### **5.1.1 DISCUSSION OF CUMULATIVE IMPACTS**

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City of Moreno Valley (City) as envisioned under the City General Plan. Specific cumulative projects have also been identified where this information may be different, is more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses. Potential cumulative impacts for each of the EIR's environmental topics are discussed below and include:

- Air Quality;
- Biological Resources;
- Cultural Resources/Tribal Cultural Resources;
- Energy;

- Greenhouse Gas (GHG) Emissions/Global Climate Change;
- Land Use and Planning;
- Noise; and
- Transportation.

Under other environmental topics, Project impacts have been previously determined through the Initial Study process not to be potentially significant. No further substantive analysis is provided under these topics, which include:

### **Aesthetics**

- Potential to have a substantial effect upon a scenic highway corridor within which it is located.
- Potential to substantially damage scenic resources, including, but not limited to, trees, rocks, outcroppings and historic buildings within a state scenic highway.
- Potential to substantially degrade the existing visual character or quality of public views of the site and its surroundings.
- Potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

### **Agriculture and Forest Resources**

- Potential to 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.
- Potential to conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve.

- Potential to conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g)).
- Potential to result in the loss of forest land or conversion of forest land to non-forest use.
- Potential to involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use.

### **Air Quality**

- Potential to result in other emissions adversely affecting a substantial number of people.

### **Biological Resources**

- Potential to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Potential to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

### **Cultural Resources**

- Potential to disturb any human remains, including those interred outside of formal cemeteries.

### **Geology and Soils**

- Potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving earthquake fault rupture, seismic ground shaking, seismic-related ground failure, or landslides.

- Potential to result in substantial soil erosion or loss of topsoil.
- Potential to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.
- Potential to be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.
- Potential to have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

#### **Hazards and Hazardous Materials**

- Potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- Potential to 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.
- Potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- Potential to be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- If located within an airport land use plan, or within two miles of a public airport or public use airport – potential to result in a safety hazard for people residing or working in the project area.

- Potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- Potential to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires

### **Hydrology and Water Quality**

- Potential to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.
- Potential to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
- Potential to 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:
  - Result in a substantial erosion or siltation on- or off-site;
  - Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
  - 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; or
  - Impede or redirect flood flows.
- If located in a flood hazard, tsunami, or seiche zone – potential to risk release of pollutants due to project inundation.
- Potential to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

### **Land Use and Planning**

- Potential to physically divide an established community.

### **Mineral Resources**

- Potential to result in loss of availability of a known mineral resource that would be of value to the region and to the residents of the state.
- Potential to result in loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

### **Noise**

- If located within the vicinity of a private airstrip – potential to expose people residing or working in the Project area to excessive noise levels from public airport or public use airport operations.

### **Population and Housing**

- Potential to induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).
- Potential to displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

### **Public Services**

- Potential to result in substantial adverse physical impacts associated with the provision of the new or physically altered:
  - Fire protection facilities;
  - Police protection facilities;
  - School facilities;

- Park facilities; or
- “Other” public facilities.

### **Recreation**

- Potential to increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- Potential to include or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

### **Utilities and Service Systems**

- Potential to require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- Potential to result in or be subject to insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.
- Potential to result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments.
- Potential to generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.
- Potential to conflict with federal, state, and local management and reduction statutes and regulations related to solid waste.

## **Wildfire**

- Potential to substantially impair an adopted emergency response plan or emergency evacuation plan.
- Potential to exacerbate wildfire risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.
- Potential to 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; or
- Potential to 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.

Please refer also to EIR Section 1.8, *Impacts Not Found to be Potentially Significant*.

### **5.1.1.1 Cumulative Impacts Related to Land Use and Planning**

The cumulative impact area when considering potential cumulative land use and planning issues includes areas that are currently, or are anticipated to be, subject to provisions of the City of Moreno Valley General Plan, Zoning Ordinance, and/or Special Planning Documents (e.g., Specific Plans).

## **General Plan and Zoning Considerations**

### ***General Plan***

The existing General Plan Land Use Designation of the Project site is “Commercial.” To allow for the Project light industrial uses and maintain consistency between the site’s Specific Plan Land Use and General Plan Land Use designations, the Project proposes a General Plan Land Use Amendment. The proposed General Plan Land Use Amendment would redesignate the Project site General Plan Land Use from “Commercial” to

“Business Park/Light Industrial.”<sup>1</sup> The Project would be allowed under the proposed Business Park/Light Industrial General Plan Land Use designation. More specifically, as described in the General Plan, “[t]he primary purpose of areas designated Business Park/Industrial is to provide for manufacturing, research and development, warehousing and distribution, as well as office and support commercial activities. The zoning regulations shall identify the particular uses permitted on each parcel of land. Development intensity should not exceed a Floor Area Ratio [FAR] of 1.00 and the average floor area ratio should be significantly less . . .” (City of Moreno Valley General Plan, p. 2-14).

The Project will include approximately 220,390 square feet of light industrial uses within an approximately 9.98-acre (434,730 square feet) Project Site – yielding an FAR of approximately 0.51. The Project’s light industrial uses are consistent with uses allowed under the Business Park/Light Industrial General Plan Land Use designation. The Project’s FAR (0.51) is consistent with and would not exceed the General Plan FAR (1.0) established for the Business Park/Light Industrial General Plan Land Use designation.

### *Zoning*

Current zoning of the Project site and abutting properties to the south and east is established under Specific Plan No. 205 (SP No. 205), Moreno Valley Festival Specific Plan. As proposed under the Project, the Specific Plan Land Use designation for the Project site would be changed from “Commercial/Retail” to “Mix of Uses.” The Project would not otherwise affect Specific Plan No. 205 land use designations.

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<sup>1</sup> In May 2024, the Riverside County Superior Court issued a Judgment and Writ (“Writ”) directing that the City set aside certification of the 2040 General Plan EIR due to inadequacies identified in the Final Program EIR as to the issues of baseline greenhouse gas emissions (GHG), air quality, and energy use and to set aside approval of the 2040 General Plan and related Zoning Amendments. This had the effect of reviving the City’s 2006 General Plan and associated zoning which applies to the Project.

## Summary

The Project proposed land use amendments would achieve land use designations that best represent the development and land use activities contemplated by the Project. When a project includes an amendment to the applicable land use designation, inconsistency with the existing designation is an element of the project itself, which then requires a legislative policy decision of the agency. The request and subsequent approval of a change in designation in this regard does not signify a potential environmental effect. Environmental impacts of the Project's proposed land use amendments would therefore be less-than-significant.

The Project land uses, development concepts, and operations would conform to all governing land use plans (as amended). The Project concepts conform to regulations and standards established by the City. The City would ensure compliance of the Project final designs with applicable regulations and standards through established design and development review processes.<sup>2</sup> The Project would not conflict with or obstruct relevant local and regional plans.

Based on the preceding, the Project's contributions to potential cumulative land use and planning impacts are therefore not considerable, and the cumulative effects of the Project would be less-than-significant.

### 5.1.1.2 Cumulative Impacts Related to Transportation

The Project Vehicle Miles Traveled (VMT) Assessment cumulative impact area coincides with relevant Riverside County Transportation Analysis Model Traffic Analysis Zones (TAZs).

#### Cumulative VMT Impacts

As summarized at EIR Section 4.2, *Transportation*, the Project VMT per employee impact is substantiated to be less-than-significant under Base Year and Cumulative Year

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<sup>2</sup> See: <https://www.moreno-valley.ca.us/cdd/documents/approval-process.html>

conditions. The Project's cumulative VMT impact is therefore considered less-than-significant.

### **Other Transportation Topics**

- Potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;
- Potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and
- Potential to result in inadequate emergency access.

Under the above-listed topics, as discussed at EIR Section 4.2, *Transportation*, Project impacts would be less-than-significant. Project contributions to cumulatively significant impacts would be similarly less-than-significant.

#### **5.1.1.3 Cumulative Impacts Related to Air Quality**

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of the jurisdictional air quality management agency. In this case, the South Coast Air Basin (Basin) and the South Coast Air Quality Management District (SCAQMD), respectively. Project air pollutant emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts in the Basin. Due to the defining geographic and meteorological characteristics of the Basin, criteria pollutant emissions that could cumulatively impact air quality would be, for practical purposes, restricted to the Basin. Accordingly, the geographic area encompassed by the Basin is the appropriate limit for the cumulative Air Quality analysis.

## **Construction-source Emissions Air Quality Impacts**

### **Regional Impacts**

As discussed at EIR Section 4.3, *Air Quality*, Project construction-source air pollutant emissions would not exceed applicable SCAQMD regional thresholds and would be less-than-significant. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. Project cumulative construction-source emissions regional air quality impacts would be less-than-significant.

### **Localized Impacts**

As discussed at EIR Section 4.3, *Air Quality*, Project construction-source air quality emissions would not exceed applicable SCAQMD Localized Significance Thresholds (LSTs) and would therefore be less-than-significant. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. Project cumulative construction-source emissions localized air quality impacts would be less-than-significant.

### **Nonattainment Impacts**

The Project is located within ozone and PM<sub>10</sub>/PM<sub>2.5</sub> nonattainment areas (NO<sub>x</sub> is a precursor to ozone and PM<sub>10</sub>/PM<sub>2.5</sub>). As discussed at EIR Section 4.3, *Air Quality*, Project construction-source emissions would not exceed applicable SCAQMD thresholds and would therefore not result in a cumulatively considerable net increase in criteria pollutants (ozone and PM<sub>10</sub>/PM<sub>2.5</sub>) for which the encompassing region is nonattainment. Project-level and cumulative impacts would therefore be less-than-significant. Project cumulative construction-source emissions nonattainment impacts would be less-than-significant.

### **AQMP Consistency Impacts**

As discussed at EIR Section 4.3, *Air Quality*, Project construction-source air pollutant emissions would not exceed any applicable thresholds and would therefore be less-than-significant. On this basis, the potential for the Project construction-source emissions to conflict with or obstruct implementation of the AQMP would be less-than-significant. Per

SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. Project cumulative construction-source emissions AQMP consistency impacts would be less-than-significant.

### **Operational-Source Emissions Air Quality Impacts**

#### **Regional Impacts**

The Project AQIA and the discussions at EIR Section 4.3, *Air Quality*, substantiate that the Project operational-source air quality impacts would be less-than-significant. The Project would incorporate design features including contemporary energy-efficient technologies and operational programs and would be required to comply with SCAQMD emissions reductions measures and rules. These measures would further reduce already less-than-significant Project operational-source air pollutant emissions. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. Project cumulative operational-source emissions regional air quality impacts would be less-than-significant.

#### **Localized Impacts**

As discussed at EIR Section 4.3, *Air Quality*, Project operational-source air quality emissions would not exceed applicable SCAQMD Localized Significance Thresholds (LSTs) and would therefore be less-than-significant. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. Project cumulative operational-source emissions localized air quality impacts would be less-than-significant.

#### **Nonattainment Impacts**

The Project is located within ozone and PM<sub>10</sub>/PM<sub>2.5</sub> nonattainment areas (NO<sub>x</sub> is a precursor to ozone and PM<sub>10</sub>/PM<sub>2.5</sub>). As discussed at EIR Section 4.3, *Air Quality*, and summarized here, Project operational-source emissions would not exceed applicable SCAQMD thresholds and would therefore not result in a cumulatively considerable net increase in criteria pollutants (ozone and PM<sub>10</sub>/PM<sub>2.5</sub>) for which the encompassing region

is nonattainment. Project cumulative operational-source emissions nonattainment impacts would be less-than-significant.

### **AQMP Consistency Impacts**

Project operational-source emissions would not exceed applicable SCAQMD thresholds. Moreover, the Project's proposed land use amendments would likely reduce emissions when compared to emissions assumptions reflected in the AQMP. Project operational-source emissions would not otherwise be inconsistent with or obstruct implementation of the AQMP. Project cumulative operational-source emissions AQMP consistency impacts would be less-than-significant.

### **Health Risk Impacts and Potential Exposure of Sensitive Receptors to Substantial Pollutant Concentrations**

#### **Construction-Source Emissions**

Project construction activities would yield a total maximum increased Toxic Air Contaminant (TAC)-source cancer risk exposure of 6.04 incidents per million population. The applicable SCAQMD significance threshold for Project-level TAC-source cancer risk impacts is 10 incidents per million population. The 6.04 incidents per million population increment resulting from Project construction activities is therefore less-than-significant. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. Project cumulative construction-source emissions cancer risk impacts would be less-than-significant.

The maximum non-cancer risk from Project construction activities would total 0.02 and would not exceed the SCAQMD Hazard Index of 1.0. The non-cancer risk exposure resulting from the Project construction activities is therefore less-than-significant. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. Project cumulative construction-source emissions non-cancer risk impacts would be less-than-significant.

### **Operational-Source Emissions**

Project operations would yield a total maximum increased TAC-source cancer risk exposure of 0.79 incidents per million population. The applicable SCAQMD significance threshold for Project-level TAC-source cancer risk impacts is 10 incidents per million population. The 0.79 incidents per million population increment resulting from the Project operations is therefore less-than-significant. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. Project cumulative operational-source emissions cancer risk impacts would be less-than-significant.

The maximum non-cancer risk from Project operations activities would total <0.01 and would not exceed the SCAQMD Hazard Index of 1.0. The non-cancer risk exposure resulting from Project operations is therefore less-than-significant. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. Project cumulative operational-source emissions non-cancer risk impacts would be less-than-significant.

As discussed at EIR Section 4.3, *Air Quality*, and summarized here, all other air pollutant emissions generated by the Project would not exceed applicable thresholds and would therefore be less-than-significant at the Project level. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable.

Based on the preceding, TAC health risk impacts of the Project are not cumulatively considerable, and the Project cumulative TAC health risk impacts would be less-than-significant. Additionally, impacts of other emissions generated by the Project are not cumulatively considerable, and would not result in exposure of sensitive receptors to substantial pollutant concentrations.

#### **5.1.1.4 Cumulative Impacts Related to GHG Emissions/Global Climate Change**

CEQA emphasizes that the effects of greenhouse gas emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis. (*CEQA Guidelines* Section 15130(f)). The Project Greenhouse Gas (GHG)

Analysis (EIR Appendix E) is by nature a cumulative analysis. Because GHG emissions and climate change are a global issue, any approved project regardless of its location has the potential to contribute to a cumulative global accumulation of GHG emissions. The geographic context of the cumulative contributions to GHGs and climate change is worldwide. Practically however, lead agencies and responsible agencies are only able to regulate GHG emissions within their respective jurisdictions. Accordingly, for the purposes of this analysis, the cumulative impact area for GHG/Global Climate Change considerations is the City and the encompassing SCAQMD jurisdictional area.

Consistent with *CEQA Guidelines* direction, the Project GHG Analysis and this EIR evaluate Project GHG emissions under the following topical headings:

- Potential for the Project to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and
- Potential for the Project to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The City has further determined that each of the above thresholds establishes a separate and independent basis upon which to substantiate the significance of the Project's potential GHG emissions impact. Project impacts within the context of the above threshold considerations are evaluated in the following discussions.

As discussed at EIR Section 4.4, *Greenhouse Gas Emissions*, the Project would not generate GHG emissions that may directly or indirectly have a significant impact on the environment. In this respect, the Project's potential to contribute considerably (either individually or cumulatively) to global climate change impacts through GHG emissions is therefore considered less-than-significant.

As also discussed at EIR Section 4.4, *Greenhouse Gas Emissions*, the Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The Project's potential GHG emissions impacts in this

respect are therefore determined to be less-than-significant as mitigated and would not be cumulatively considerable.

Other related projects within the cumulative impact area would be required to minimize GHG emissions and demonstrate compliance with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

#### **5.1.1.5 Cumulative Impacts Related to Energy**

Primary natural gas and electricity providers for the Project facilities would be:

- Southern California Gas Company, SoCalGas (natural gas); and
- Southern California Edison, SCE (electricity).

The geographic scope of cumulative energy impacts is generally limited to the above-noted energy provider service area(s). The analysis at EIR Section 4.5, *Energy*, substantiates that the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. These plans and policies address development-level and cumulative impacts to energy resources. Moreover, as noted at DEIR Section 3.0, *Project Description*, the Project would be designed and constructed in a manner that, at a minimum, would achieve Leadership in Energy and Environmental Design (LEED) “Silver” equivalency.

The Project energy efficient designs, in combination with Project consistency with state and local plans for renewable energy and energy efficiency, demonstrates that the Project cumulative energy impacts would not be cumulatively considerable, and the Project cumulative energy impacts would be less-than-significant.

Based on the preceding, energy impacts of the Project are not cumulatively considerable, and the Project cumulative energy impacts would be less-than-significant.

#### **5.1.1.6 Cumulative Impacts Related to Noise**

The cumulative impact area for noise considerations comprises surrounding properties that could receive Project-generated noise (either construction-source or operational-source) and would also include roadway corridors affected by Project-related traffic and associated vehicular noise. Potential noise impacts of the Project are discussed at EIR Section 4.6, *Noise*, and EIR Appendix G.

##### **Construction-Source Noise**

As discussed at EIR Section 4.6, *Noise*, Project construction-source noise would not exceed applicable thresholds and would not substantially contribute to ambient noise conditions or to other related noise sources. Based on the preceding, the potential for Project construction-source noise to result in or cause cumulatively significant impacts is considered less-than-significant.

##### **Operational Noise-Area Sources**

As discussed at EIR Section 4.6, *Noise*, Project operational noise from area sources would not exceed applicable thresholds. Noise levels resulting from Project operations would not substantially contribute to ambient noise conditions or to other related noise sources. Based on the preceding, the potential for Project operational area-source noise to result in or cause cumulatively significant impacts is considered less-than-significant.

#### **5.1.1.7 Cumulative Impacts Related to Biological Resources**

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other limiting factors as discussed within the Project Biological Resources Assessment, EIR Appendix H.

As discussed at EIR Section 4.7, *Biological Resources*, mitigation proposed in the EIR reduces potential impacts to wildlife species to levels that would be less-than-significant. Mitigation of Project-specific biological resources impacts would also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region. The Project would have no potentially significant effects on other biological

resources. These Project impacts would be individually and cumulatively less-than-significant.

Based on the preceding, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant.

#### **5.1.1.8 Cumulative Impacts Related to Cultural Resources/Tribal Cultural Resources**

The cumulative impact area for prehistoric, archaeological, historic, and tribal cultural resources generally includes the County and surrounding areas. Impacts to any cultural resources or tribal cultural resources within this area would be site-specific. In the event that potentially significant cultural or tribal resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. Potential impacts to cultural resources and tribal cultural resources are determined to be less-than-significant as mitigated. In this regard, mitigation proposed for the Project (i.e., monitoring of construction activities; and recordation, cataloguing, and curation of any potentially significant cultural resources) is typical of, and consistent with, mitigation required for construction within urban and suburban areas throughout the County and surrounding region.

Based on the preceding, cultural resources/tribal cultural resources impacts of the Project are not cumulatively considerable and the Project cumulative cultural resources/tribal cultural resources impacts would be less-than-significant.

## **5.2 ALTERNATIVES ANALYSIS**

### **5.2.1 Alternatives Overview**

Consistent with provisions of the *CEQA Guidelines*, this EIR evaluates alternatives to the Project that would lessen its significant environmental effects while allowing for

attainment of the basic Project Objectives. It is noted here that the Project would not result in any significant environmental effects.

As required under CEQA, a “No Project” alternative has been evaluated. Other alternatives to the Project considered herein provide context for the Project environmental impacts relative to other development that could feasibly be implemented at the subject site. Alternatives considered are listed below:

- No Project Alternatives (No Build Scenario, and Commercial Development Scenario);
- Reduced Intensity Alternative.

Alternatives considered and rejected include:

- Alternative Sites.

## 5.2.2 Description of Alternatives

Alternatives to the Project that are considered in this analysis are described below.

### 5.2.2.1 No Project Alternative

#### Overview

The *CEQA Guidelines* specifically require that an EIR include evaluation of a No Project Alternative. The No Project Alternative should make a reasoned assessment as to future disposition of the subject site should the Project under consideration not be developed. In this latter regard, the *CEQA Guidelines* state in pertinent part:

“If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the “no project” alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under

consideration would result in predictable actions by others, such as the proposal of some other project, this “no project” consequence should be discussed. In certain instances, the no project alternative means “no build” wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project’s non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment.” (CEQA Guidelines, Section 15126.6 (e)(3)(B)).

Within this analysis, two No Project Scenarios are considered – “No Build” and “Commercial Development Scenario.”

#### **No Project Alternative: No Build Scenario**

The No Project Alternative: No Build Scenario assumes the site remains in its current undeveloped condition. If a No Build Scenario were maintained, its comparative environmental impacts would replicate the existing conditions discussions for each of the environmental topics evaluated in this EIR; and comparative impacts of the Project would be as presented under each of the EIR environmental topics.

#### **No Project Alternative: Commercial Development Scenario**

The No Project Alternative: Commercial Development Scenario assumes development of the subject site with a building area equal to that of the Project (220,390 total square feet). The No Project Alternative: Commercial Uses Development Scenario would comprise commercial uses only, rather than the light industrial uses assumed under the Project.

#### **5.2.2.2 Reduced Intensity Alternative**

##### **Overview**

The Project would not result in any significant environmental impacts. The Reduced Intensity Alternative considered in this EIR would diminish the Project’s already less-than-significant impacts.

For illustrative purposes, the Reduced Intensity Alternative considers a development scenario representing a 25 percent reduction in development that would otherwise result from the Project. When compared to the Project scope (220,390 square feet), the Reduced Intensity Alternative would realize approximately 165,293 square feet of light industrial uses. All other aspects of the Reduced Intensity Alternative (building configuration, allocation of internal space, opening year, hours/days of operation, all operations internal to the building) would be consistent with the Project.

### 5.2.2.3 Alternatives Considered and Rejected

#### Alternative Sites Considered and Rejected

As stated at *CEQA Guidelines* §15126.6 (f)(1)(2)(A), the “key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.” *CEQA Guidelines* §15126.6 (f) (1) also provides that when considering the feasibility of potential alternative sites, the factors that may be taken into account include: “site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site (or the site is already owned by the proponent). None of these factors establishes a fixed limit on the scope of reasonable alternatives.”

As noted previously, the Project would not result in any significant environmental effects. Per *CEQA Guidelines* §15126.6 (f)(1)(2)(A) . . . “[o]nly locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.” Because the Project would not result in any significant environmental effects, there is no requirement for identification of, or analysis of, an Alternative Site.

### **5.2.3 Comparative Impacts of Alternatives**

For each environmental topic addressed in the EIR, environmental impacts associated with each of the considered Alternatives are described relative to impacts of the Project. Comparative attainment of the Project Objectives under each Alternative is summarized at Table 5.2-5. At the conclusion of these discussions, Table 5.2-6 compares relative impacts of the considered Alternatives.

#### **5.2.3.1 Comparative Land Use and Planning Impacts**

##### **PROJECT**

As substantiated at EIR Section 4.1, *Land Use and Planning*, all Project land use and planning impacts would be less-than-significant.

##### **NO PROJECT ALTERNATIVE: NO BUILD SCENARIO**

Under the No Build Scenario, no changes in land use or development would occur. Discretionary actions, land use changes, and new development otherwise resulting from the Project would not occur. Less-than-significant land use and planning impacts resulting from the Project would be diminished under this Alternative.

##### **NO PROJECT ALTERNATIVE: COMMERCIAL DEVELOPMENT SCENARIO**

Under the Commercial Development Scenario, no changes in land use would be required. The site would be developed with commercial uses allowed under the existing General Plan and the existing Specific Plan No. 205. Discretionary actions and land use changes otherwise resulting from the Project would not occur. Less-than-significant land use and planning impacts resulting from the Project would be diminished under this Alternative.

##### **REDUCED INTENSITY ALTERNATIVE**

Under the Reduced Intensity Alternative, the scope of light industrial development would be reduced when compared to the Project. As with the Project, to allow for proposed light industrial uses, amendment of the City General Plan (Land Use Element) and adoption of a Specific Plan Amendment would be required under this Alternative.

Less-than-significant land use and planning impacts resulting from the Project and this Alternative would be similar.

### **5.2.3.2 Comparative Transportation Impacts**

#### **PROJECT**

##### **VMT Impacts**

As substantiated at EIR Section 4.2, *Transportation*, Project VMT impacts would be less-than-significant.

##### **Other Transportation Topics**

The Study Area is currently served by the Riverside Transit Agency (RTA). The Applicant, Lead Agency, and RTA would coordinate transit services and amenities available to the Project area. The Project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

The Project does not propose inherently hazardous transportation design features. The Project would not impair or conflict with emergency access. The Project Site Plan Concept provides for adequate and safe access. Final Site Plan design, including site access, internal circulation, and parking are subject to review and approval by the County. On this basis, the potential for the Project to result in or cause adverse impacts related to hazardous features or improper access and internal circulation features would be less-than-significant. Please refer also to EIR Section 4.2, *Transportation*.

#### **NO PROJECT ALTERNATIVE: NO BUILD SCENARIO**

##### **VMT Impacts**

This Alternative would maintain existing areawide VMT/employee conditions. This Alternative would result in decreased total areawide VMT when compared to the Project

because no new development at the Project site and no new vehicle trips would occur. VMT impacts would be less-than-significant.

### **Other Transportation Topics**

No new traffic would be generated, and no new or additional impacts related to other transportation topics would result under this Alternative. As with the Project, airport land use compatibility, traffic hazards, and emergency access impacts would be less-than-significant.

### **NO PROJECT ALTERNATIVE: COMMERCIAL DEVELOPMENT SCENARIO**

#### **VMT Impacts**

While not a direct correlation to VMT impacts, a rough approximation of comparative VMT impacts can be derived from estimated trip generation per employee for the Project and the Commercial Development Scenario. In this regard, the Project light industrial uses would generate approximately 3.07 passenger car equivalent trips/day/thousand square feet (PCE trips/day/TSF). In comparison, trip generation for the site if developed with general commercial uses at a scope and intensity comparable to the Project would be approximately 24.44 PCE trips/day/TSF.<sup>3</sup>

Based on the preceding, the Project at approximately 220,390 square feet of light industrial uses would generate an estimated 677 PCE trips/day. At one employee per 1,030 sf,<sup>4</sup> the Project's 220,390 square feet of light industrial uses would provide an estimated 214 jobs. This would equate to approximately 3.16 PCE trips/day/job.

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<sup>3</sup> See: DEIR Appendix C, Transportation Analysis Scoping Agreement, Table 5, *Trip Generation Comparison*.

<sup>4</sup> County of Riverside General Plan, Appendix E-2, Table E-5. Light Industrial employment factor = 1 employee per 1,030 sf; Commercial Retail employment factor = 1 employee per 500 sf.

See: <https://planning.rctlma.org/sites/g/files/aldnop416/files/migrated/Portals-14-genplan-general-Plan-2017-appendices-Appendix-E-2-April-2017.pdf>

If developed with 220,390 square feet of commercial uses under the Commercial Development Scenario, trip generation would be approximately 5,386 PCE trips/day. Estimated employment for the Commercial Development Scenario would be 1 job per 500 sf,<sup>5</sup> or 441 jobs. This would equate to approximately 12.21 PCE trips/day/job. As indicated, trips/job and therefore VMT impacts under the Commercial Development Scenario would likely increase substantially when compared to the Project VMT impacts.

### **Other Transportation Topics**

This Alternative would result in increased trip generation and increased VMT impacts when compared to the Project. As with the Project, this Alternative would be designed and implemented pursuant to City Design and Engineering Standards, Policies, and Conditions of Approval addressing traffic hazards, and emergency access impacts. As with the Project, impacts in these regards would be less-than-significant.

## **REDUCED INTENSITY ALTERNATIVE**

### **VMT Impacts**

Based on the 25% reduction in development scope under this Alternative, a corollary approximate 25% reduction in trip generation under would be expected. VMT also would be reduced proportionally. The number of employees under this Alternative would also be reduced by 25%. On this basis, under this Alternative, the VMT per employee ratio would be the same as under the Project. VMT impacts would be comparable to the Project and would be less-than-significant.

### **Other Transportation Topics**

This Alternative would result in decreased trip generation when compared to the Project. As with the Project, this Alternative would be designed and implemented pursuant to County Standards, Policies, and Conditions of Approval addressing airport land use compatibility, traffic hazards, and emergency access impacts. As with the Project, impacts in these regards would be less-than-significant.

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<sup>5</sup> Ibid.

### 5.2.3.3 Comparative Air Quality Impacts

#### PROJECT

All Project air quality impacts would be less-than-significant. See EIR Section 4.3, *Air Quality*.

#### NO PROJECT ALTERNATIVE: NO BUILD SCENARIO

Under this Alternative, existing air quality conditions would be maintained. This Alternative would realize no new development and would generate no additional air pollutant emissions. This Alternative would result in reduced air quality impacts when compared to the Project and impacts would continue to be less-than-significant.

#### NO PROJECT ALTERNATIVE: COMMERCIAL DEVELOPMENT SCENARIO

Under the Project, construction-source emissions impacts would be less-than-significant. Construction equipment operations and site disturbance under this Alternative would be similar to the Project. Under this Alternative and the Project, construction-source emissions impacts would be less-than-significant.

As noted above under the discussion of comparative transportation impacts, the Project would generate approximately 677 PCE trips/day. This Alternative would generate an estimated 5,386 PCE trips/day. For typical urban uses such as the Project considered here, the predominance of operational-source air pollutant emissions derive from mobile sources (traffic). In this respect, trip generation (traffic) is a general proxy that broadly represents relative air quality impacts of development proposals. The approximately 8-fold increase in trip generation under this Alternative would roughly translate to a proportional increase in operational-source air pollutant emissions.

Table 5.2-1 provides a comparison of operational-source air pollutant emissions under the Project and this Alternative.

**Table 5.2-1**  
**Project and No Project Alternative: Commercial Development Scenario**  
**Operational-Source Emissions Comparison**  
(Pounds per Day, Maximum Total Summer/Winter Emissions)

Pollutant	SCAQMD Threshold	Project		No Project Alternative Commercial Development Scenario	
		Emissions	Threshold Exceeded?	Emissions	Threshold Exceeded?
VOC	55	7.07	No	56.56	Yes
NO <sub>x</sub>	55	21.80	No	174.4	Yes
CO	550	22.14	No	177.12	No
SO <sub>x</sub>	150	0.15	No	1.20	No
PM <sub>10</sub>	150	8.26	No	66.08	No
PM <sub>2.5</sub>	55	2.51	No	20.08	No

**Sources:** Project operational-source emissions estimates from: *Moreno Valley Business Park – Phase II, Air Quality Impact Analysis* (Urban Crossroads, Inc.) January 17, 2022. No Project Alternative operational-source emissions estimates: Applied Planning, Inc.

As indicated in Table 5.2-1, this Alternative would result in increases in all operational-source air pollutant emissions when compared to the Project air pollutant emissions. This is primarily due to increased trip generation that would result from this Alternative. NO<sub>x</sub> emissions thresholds exceedances would likely occur under this Alternative. NO<sub>x</sub> emissions thresholds exceedances under this Alternative would indicate corollary non-attainment impacts and AQMP inconsistency impacts.

Increased traffic generated by this Alternative could also include increased truck traffic. Increased truck DPM emissions and DPM-source cancer and non-cancer risks would likely be increased when compared to the Project. However, even assuming that maximum DPM-source cancer and non-cancer risks under this Alternative would be 12 times that resulting from the Project (0.79 in one million cancer risk; <0.1 non-cancer risk), applicable SCAQMD thresholds (10 in one million cancer risk; 1.0 non-cancer risk) would not be exceeded.

Other operational-source air quality impacts under this Alternative would be similar to the Project and would be less-than-significant.

**REDUCED INTENSITY ALTERNATIVE**

Construction activities and use of construction equipment would be similar to the Project. As with the Project, construction-source emissions would not exceed SCAQMD emissions thresholds.

Under the Reduced Intensity Alternative, the Project development intensity and overall trip generation would be reduced by approximately 25% when compared to the Project. The reduction in vehicular trips under the Reduced Intensity Alternative would diminish its operational-source air pollutant emissions. The approximately 25% reduction in trip generation under the Reduced Intensity Alternative would translate to a roughly proportional decrease in air pollutant emissions. Table 5.2-2 provides a comparison of operational-source air pollutant emissions under the Project and Reduced Intensity Alternative.

**Table 5.2-2**  
**Project and Reduced Intensity Alternative**  
**Operational-Source Emissions Comparison**  
(Pounds per Day, Maximum Total Summer/Winter Emissions)

Pollutant	SCAQMD Threshold	Project		Reduced intensity Alternative	
		Emissions	Threshold Exceeded?	Emissions	Threshold Exceeded?
VOC	55	7.07	No	5.30	No
NO <sub>x</sub>	55	21.80	No	16.35	No
CO	550	22.14	No	16.60	No
SO <sub>x</sub>	150	0.15	No	0.11	No
PM <sub>10</sub>	150	8.26	No	6.20	No
PM <sub>2.5</sub>	55	2.51	No	1.88	No

**Sources:** Project operational-source emissions estimates from: *Moreno Valley Business Park – Phase II, Air Quality Impact Analysis* (Urban Crossroads, Inc.) January 17, 2022. No Project Alternative operational-source emissions estimates: Applied Planning, Inc.

As indicated at Table 5.2-2, under the Reduced Intensity Alternative, operational-source emissions would be globally reduced when compared to the Project. This is primarily due to increased trip generation that would result from this Alternative. All emissions levels would be maintained below applicable SCAQMD thresholds and would therefore

be less-than-significant. Related non-attainment impacts and AQMP inconsistency impacts would be less-than-significant.

#### **5.2.3.4 Comparative Greenhouse Gas/Global Climate Change Impacts**

##### **PROJECT**

As discussed at EIR Section 4.4, *Greenhouse Gas Emissions*, quantified Project-source GHG emissions total approximately 2,813.72 MTCO<sub>2</sub>e/year and would not exceed the City GHG emissions threshold of 10,000 MTCO<sub>2</sub>e/year. GHG emissions not exceeding the City threshold do not comprise a potentially significant impact on the environment. Therefore, the potential for the Project to generate direct or indirect GHG emissions that would result in a significant impact on the environment is considered less-than-significant.

As also discussed at EIR Section 4.4, *Greenhouse Gas Emissions*, the Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Project impacts in this regard would therefore be less-than-significant.

##### **NO PROJECT ALTERNATIVE: NO BUILD SCENARIO**

Under this Alternative, existing GHG emissions conditions would be maintained. This Alternative would realize no new development and would generate no additional GHG emissions. This Alternative would result in reduced GHG emissions impacts when compared to the Project. GHG emissions impacts would be less-than-significant.

##### **NO PROJECT ALTERNATIVE: COMMERCIAL DEVELOPMENT SCENARIO**

Increased trip generation under this Alternative would result in increased mobile-source GHG emissions when compared to the Project. For analytic purposes, GHG emissions from all other sources is assumed to be equal under the Project and this Alternative. Reflecting the approximately 8-fold increase in trip generation and mobile-source GHG emissions under this Alternative, Project GHG emissions and GHG emissions resulting from this Alternative are compared at Table 5.2-3.

**Table 5.2-3  
Project and No Project Alternative: Commercial Development Scenario  
GHG Emissions Comparison**

<b>Source</b>	<b>Project MTCO<sub>2e</sub>/year</b>	<b>No Project Alternative Commercial Development Scenario Total MTCO<sub>2e</sub>/year</b>
Mobile Sources	1,892.88	15,143.04
All Other	920.84	920.84
<b>Total</b>	<b>2,813.72</b>	<b>16,063.88</b>

**Sources:** Project GHG emissions estimates from: *Moreno Valley Business Park – Phase II, Greenhouse Gas Analysis, City of Moreno Valley* (Urban Crossroads, Inc.) January 17, 2022. No Project Alternative GHG emissions estimates: Applied Planning, Inc.

Due primarily to increased trip generation, GHG emissions under this Alternative would be increased when compared to the Project and would exceed the City threshold of 10,000 MTCO<sub>2e</sub>/year. On this basis, this Alternative would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Impacts in this regard are therefore considered to be individually and cumulatively significant and unavoidable. Environmental effects of GHG emissions would be increased when compared to the Project.

This Alternative is assumed to comply with applicable plans and policies addressing GHG emissions. On this basis, this Alternative would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Impacts would be less-than-significant and comparable to the Project.

#### **REDUCED INTENSITY ALTERNATIVE**

The reduction in scope under the Reduced Intensity Alternative would result in diminished GHG emissions when compared to the Project. For the purposes of this analysis, GHG emissions under the Reduced Intensity Alternative are assumed to be reduced roughly proportional to the reduction in development scope (approximately 25%) that would result from this Alternative. A comparison of Project and Reduced Intensity Alternative GHG emissions is presented in Table 5.2-4.

**Table 5.2-4  
Project and Reduced Intensity Alternative  
GHG Emissions Comparison**

<b>Source</b>	<b>Project GHG Emissions MTCO<sub>2</sub>e/year</b>	<b>Reduced Intensity Alternative GHG Emissions MTCO<sub>2</sub>e/year</b>
<b>Mobile Sources</b>	1,892.88	1,419.66
<b>All Other</b>	920.84	690.63
<b>Total</b>	<b>2,813.72</b>	<b>2,110.29</b>

**Sources:** Project GHG emissions estimates from: *Moreno Valley Business Park – Phase II, Greenhouse Gas Analysis, City of Moreno Valley* (Urban Crossroads, Inc.) January 17, 2022. No Project Alternative GHG emissions estimates: Applied Planning, Inc.

As indicated at Table 5.2-4, as with the Project, GHG emissions under this Alternative would not exceed the City threshold of 10,000 MTCO<sub>2</sub>e/year. Therefore, the potential for this Alternative to generate direct or indirect GHG emissions that would result in a significant impact on the environment is considered less-than-significant.

It is assumed that the Reduced Intensity Alternative would be required to comply with applicable plans and policies addressing GHG emissions. On this basis, the Reduced Intensity Alternative would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Impacts would be comparable to the Project.

### 5.2.3.5 Comparative Energy Impacts

#### PROJECT

The analysis presented at EIR Section 4.5, *Energy* substantiates that the Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. The analysis substantiates further, that the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

#### NO PROJECT ALTERNATIVE: NO BUILD SCENARIO

Under this Alternative, existing energy conditions would be maintained. This Alternative would realize no new development and would not result in increased energy demands.

This Alternative would result in reduced energy impacts when compared to the Project. Impacts would be less-than-significant.

#### **NO PROJECT ALTERNATIVE: COMMERCIAL DEVELOPMENT SCENARIO**

Under this Alternative, building energy demands would be comparable to the Project. Increased trip generation under this Alternative may translate to increased vehicular-source energy consumption. Like the Project, this Alternative would be required to implement energy-efficient facilities, and to otherwise demonstrate effective energy use. Under this Alternative, proposed development would also be required to substantiate compliance with state or local plan for renewable energy or energy efficiency. Impacts would be similar to the Project and would be less-than-significant.

#### **REDUCED INTENSITY ALTERNATIVE**

The reduction in development scope under the Reduced Intensity Project Alternative would likely reduce total energy demands and total energy consumption. As with the Project, the Reduced Intensity Alternative would be required to implement energy-efficient facilities, and to otherwise demonstrate effective energy use. Under the Reduced Intensity Alternative, proposed development would also be required to substantiate compliance with state or local plan for renewable energy or energy efficiency. Impacts would be similar to the Project and would be less-than-significant.

### **5.2.3.6 Comparative Noise/Vibration Impacts**

#### **PROJECT**

Project construction-source noise and construction-source vibration impacts would be less-than-significant. Project operational area-source noise impacts and vehicular-source noise would be less-than-significant. Project operational-source vibration impacts would be less-than-significant.

#### **NO PROJECT ALTERNATIVE: NO BUILD SCENARIO**

Under this Alternative, existing noise/vibration conditions would be maintained. This Alternative would realize no new development and would generate no additional

noise/vibration. This Alternative would result in reduced noise/vibration impacts when compared to the Project. Noise/vibration impacts under this Alternative would be less-than-significant.

#### **NO PROJECT ALTERNATIVE: COMMERCIAL DEVELOPMENT SCENARIO**

Under this Alternative, the types of construction activities and equipment employed would likely be similar to those associated with construction of the Project. Maximum construction-source noise/vibration levels received at off-site locations would be comparable to those resulting from construction of the Project. Under this Alternative and the Project, construction-source noise/vibration impacts would be less-than-significant.

This Alternative does not propose uses that would generate or result in operational area-source noise or vibration impacts substantively different than would result from uses proposed by the Project. This Alternative would not require or implement uses that would be substantive vibration sources. Under this Alternative and the Project, operational area-source noise impacts and operational area-source vibration impacts would be less-than-significant.

#### **REDUCED INTENSITY ALTERNATIVE**

Under the Reduced Intensity Alternative, the types of construction activities and equipment employed would likely be similar to those associated with construction of the Project. Maximum construction-source noise/vibration levels received at off-site locations would be comparable to those resulting from construction of the Project. Under the Reduced Intensity Alternative and the Project, construction-source noise/vibration impacts would be less-than-significant.

The Reduced Intensity Alternative uses would not generate or result in operational area-source noise substantively different than would result from uses proposed by the Project. Mitigation would be implemented to reduce noise received from on-site noise sources to levels that would be less-than-significant. The Reduced Intensity Alternative would not require or implement uses that would be substantive vibration sources. Under the

Reduced Intensity Alternative and the Project, operational area-source noise impacts and operational vibration impacts would be less-than-significant as mitigated.

### **5.2.3.7 Comparative Biological Resources Impacts**

#### **PROJECT**

The Project site has been significantly impacted due to years of disking, grading, general disturbance, trash disposal, and use of off-road trails and footpaths. As a result, the site is not considered to be valuable habitat and does not otherwise evidence protected or sensitive biological resources. Mitigation is incorporated to ensure that potential impacts to nesting birds and the burrowing owl would be less-than-significant. The Project would not otherwise result in potentially significant impacts to biological resources. See also EIR Section 4.7, *Biological Resources*.

#### **NO PROJECT ALTERNATIVE: NO BUILD SCENARIO**

Under this Alternative, existing biological resources conditions would be maintained. This Alternative would realize no new development and would have no incremental effects on biological resources. This Alternative would result in reduced biological resources impacts when compared to the Project. Impacts would be less-than-significant.

#### **NO PROJECT ALTERNATIVE: COMMERCIAL DEVELOPMENT SCENARIO**

Maximum site disturbance and potential impacts to biological resources would be similar to those of the Project. It is assumed that this Alternative would incorporate mitigation that would reduce potential impacts to biological resources to levels that would be less-than-significant. Biological resources impacts of this Alternative and the Project would be comparable and would be less-than-significant as mitigated.

#### **REDUCED INTENSITY ALTERNATIVE**

Maximum site disturbance and potential impacts to biological resources would be similar to those of the Project. It is assumed that the Reduced Intensity Alternative would incorporate mitigation that would reduce potential impacts to biological resources to levels that would be less-than-significant. Biological resources impacts of the Reduced

Intensity Alternative and the Project would be comparable and would be less-than-significant as mitigated.

### **5.2.3.8 Comparative Cultural Resources/Tribal Cultural Resource Impacts**

#### **PROJECT**

The Project incorporates mitigation that reduces potential impacts to cultural resources/tribal cultural resources to levels that would be less-than-significant. See also EIR Section 4.8, *Cultural Resources/Tribal Cultural Resources*.

#### **NO PROJECT ALTERNATIVE: NO BUILD SCENARIO**

Under this Alternative, existing cultural resources/tribal cultural resources conditions would be maintained. This Alternative would realize no new development and would result in no new or additional cultural resources/tribal cultural resources impacts. Cultural resources/tribal cultural resources impacts under this Alternative would be reduced when compared to the Project. Impacts would be less-than-significant.

#### **NO PROJECT ALTERNATIVE: COMMERCIAL DEVELOPMENT SCENARIO**

Maximum site disturbance and potential impacts to cultural resources/tribal cultural resources would be similar to those of the Project. It is assumed that this Alternative would incorporate mitigation that would reduce potential impacts to cultural resources/tribal cultural resources to levels that would be less-than-significant. Cultural resources/tribal cultural resources impacts of this Alternative and the Project would be comparable and would be less-than-significant as mitigated.

#### **REDUCED INTENSITY ALTERNATIVE**

Maximum site disturbance and potential impacts to cultural resources/tribal cultural resources would be similar to those of the Project. It is assumed that the Reduced Intensity Alternative would incorporate mitigation that would reduce potential impacts to cultural resources/tribal cultural resources to levels that would be less-than-significant. Cultural resources/tribal cultural resources impacts of the Reduced Intensity Alternative and the Project would be comparable and would be less-than-significant as mitigated.

#### **5.2.4 Comparative Attainment of Project Objectives**

The Project Objectives and comparative attainment of the Project Objectives under the No Project Alternative: No Build Scenario, No Project Alternative: Commercial Development Scenario, and Reduced Intensity Alternative are summarized at Table 5.2-5.

As presented at Table 5.2-5, under the No Project Alternative: No Build Scenario, the Project Objectives would not be realized. Under the No Project Alternative: Commercial Development Scenario, only 2 of the 9 Project Objectives would be realized. Under the Reduced Intensity Alternative, all of the Project Objectives would be realized in some manner. However, attainment of 4 of 9 the Project Objectives would be constrained.

<b>Table 5.2-5 Comparative Attainment of Project Objectives</b>			
	<b>EVALUATED ALTERNATIVES</b>		
	<b>No Project Alternative: No Build Scenario</b>	<b>No Project Alternative: Commercial Development Scenario</b>	<b>Reduced Intensity Alternative</b>
	The No Project Alternative: No Build Scenario assumes the site remains in its current undeveloped condition. If a No Build Scenario were maintained, its comparative environmental impacts would replicate the existing conditions discussions for each of the environmental topics evaluated in this EIR; and comparative impacts of the Project would be as presented under each of the EIR environmental topics.	The No Project Alternative: Commercial Development Scenario assumes development of the subject site with a building area equal to that of the Project (220,390 total square feet). The No Project Alternative: Commercial Development Scenario would however comprise general commercial uses only, rather than the light industrial uses proposed by the Project.	Under this Alternative, it is assumed that uses similar to the Project would be implemented but at a 25 reduction in scope. When compared to the Project scope (220,390 square feet), the Reduced Intensity Alternative would realize approximately 165,293 square feet of light industrial uses.
<b>PROJECT OBJECTIVES</b>	<b>Attainment of Project Objectives</b>		
	<b>No Project Alternative: No Build Scenario</b>	<b>No Project Alternative: Commercial Development Scenario</b>	<b>Reduced Intensity Alternative</b>
Implement the City Plan (General Plan) through development that is consistent with the General Plan Land Use Element and applicable General Plan Goals, Objectives, Policies and Programs.	No new development would be implemented.  <i>This Objective would not be realized.</i>	Commercial uses that would be implemented under this Alternative are allowed under and are consistent with the General Plan Land Use Element and applicable General Plan Goals, Objectives, Policies and Programs. These uses would also be allowed under the current SP No. 205.  <i>Attainment of this Objective would be comparable to the Project.</i>	As with the Project, light industrial uses that would be implemented under this Alternative would require amendment of SP No. 205. The proposed light industrial uses would be consistent with the General Plan and SP No. 205 as amended.  <i>Attainment of this Objective would be comparable to the Project.</i>
Implement Specific Plan No. 205, as amended herein, through development of new light industrial uses that are consistent with the amended Specific Plan land uses and development concepts, and in total supports the Specific Plan Vision.	No new development would be implemented.  <i>This Objective would not be realized.</i>	This Alternative would implement only commercial uses, and therefore would not support the primary goal of the Project to transition the site to productive new light industrial uses.  <i>This Objective would not be realized.</i>	Like the Project, this Alternative would require amendment of SP No. 205. Light industrial uses that would be implemented under this Alternative would be consistent with the amended Specific Plan land uses and development concepts and would support the amended Specific Plan Vision.  <i>Attainment of this Objective would be comparable to the Project.</i>

<b>Table 5.2-5 Comparative Attainment of Project Objectives</b>			
	<b>EVALUATED ALTERNATIVES</b>		
	<b>No Project Alternative: No Build Scenario</b>	<b>No Project Alternative: Commercial Development Scenario</b>	<b>Reduced Intensity Alternative</b>
Provide roadway and wet and dry utility infrastructure adequate to serve the Project.	No new development would be implemented. Additional or enhanced infrastructure systems would not be constructed.  <i>This Objective would not be realized.</i>	It is assumed that all necessary roadway and wet and dry utility infrastructure systems would be implemented under this Alternative.  <i>Attainment of this Objective would be comparable to the Project.</i>	It is assumed that all necessary roadway and wet and dry utility infrastructure systems would be implemented under this Alternative.  <i>Attainment of this Objective would be comparable to the Project.</i>
Implement light industrial uses that are compatible with adjacent land uses.	No new development would be implemented.  <i>This Objective would not be realized.</i>	This Alternative would implement only commercial uses, and therefore would not support the primary goal of the Project to transition the site to productive new light industrial uses.  <i>This Objective would not be realized.</i>	It is assumed that the light industrial uses implemented under this Alternative would be designed and implemented in a manner that is compatible with adjacent land uses.  <i>Attainment of this Objective would be comparable to the Project.</i>
Implement light industrial uses in a manner that is cognizant of natural and man-made conditions and that minimizes potential adverse environmental effects.	No new development would be implemented.  <i>This Objective would not be realized.</i>	This Alternative would implement only commercial uses, and therefore would not support the primary goal of the Project to transition the site to productive new light industrial uses.  <i>This Objective would not be realized.</i>	It is assumed that the warehouse/commercial use under this Alternative would be designed and implemented to provide an attractive and efficient development that is cognizant of natural and man-made conditions.  <i>Attainment of this Objective would be comparable to the Project.</i>
Implement light industrial uses that are responsive to current and anticipated market demands.	No new development would be implemented.  <i>This Objective would not be realized.</i>	This Alternative would implement only commercial uses, and therefore would not support the primary goal of the Project to transition the site to productive new light industrial uses.  <i>This Objective would not be realized.</i>	The 25 percent reduction in development scope under this Alternative would limit response to current and anticipated market demands for light industrial uses.  <i>Attainment of this Objective would be constrained when compared to the Project.</i>
Implement light industrial development that would increase locally available construction employment opportunities.	No new development would be implemented.  <i>This Objective would not be realized.</i>	This Alternative would implement only commercial uses, and therefore would not support the primary goal of the Project to transition the site to productive new light industrial uses.  <i>This Objective would not be realized.</i>	The 25 percent reduction in development scope under this Alternative would comparably reduce total construction employment opportunities as well as the range of available construction employment opportunities.  <i>Attainment of this Objective would be constrained when compared to the Project.</i>

<b>Table 5.2-5 Comparative Attainment of Project Objectives</b>			
	<b>EVALUATED ALTERNATIVES</b>		
	<b>No Project Alternative: No Build Scenario</b>	<b>No Project Alternative: Commercial Development Scenario</b>	<b>Reduced Intensity Alternative</b>
<p>Implement light industrial development that would increase locally available long-term employment opportunities.</p>	<p>No new development would be implemented.</p> <p><i>This Objective would not be realized.</i></p>	<p>This Alternative would implement only commercial uses, and therefore would not support the primary goal of the Project to transition the site to productive new light industrial uses.</p> <p><i>This Objective would not be realized.</i></p>	<p>By limiting rather than maximizing the buildout potential of the site, the 25 percent reduction in development scope under this Alternative would result in diminished efficiency in use of available land.</p> <p>The 25 percent reduction in development scope under this Alternative would comparably reduce total available employment opportunities as well as the range of available employment opportunities.</p> <p>The 25 percent reduction in development scope under this Alternative would comparably reduce revenue available to the City and would incrementally diminish support of the City's near-term and long-range fiscal goals and objectives.</p> <p><i>Attainment of this Objective would be constrained when compared to the Project.</i></p>
<p>Attract new light industrial uses businesses and jobs and thereby foster economic growth.</p>	<p>No new development would be implemented.</p> <p><i>This Objective would not be realized.</i></p>	<p>This Alternative would implement only commercial uses, and therefore would not support the primary goal of the Project to transition the site to productive new light industrial uses.</p> <p><i>This Objective would not be realized.</i></p>	<p>The 25 percent reduction in development scope under this Alternative would comparably reduce total available employment opportunities as well as the range of available employment opportunities.</p> <p>The 25 percent reduction in development scope under this Alternative would comparably reduce the potential to foster economic growth.</p> <p><i>Attainment of this Objective would be constrained when compared to the Project.</i></p>

### 5.2.5 Comparison of Alternatives

Table 5.2-6 summarizes by topic, of the preceding alternatives analysis, indicating comparative impacts of the Project and the considered Alternatives.

### 5.2.6 Environmentally Superior Alternative

The *CEQA Guidelines* require that the environmentally superior alternative (other than the No Project Alternatives) be identified among the Project and other Alternatives considered in an EIR.

As indicated at Table 5.2-6, with exclusion of the No Project Alternatives as provided under CEQA<sup>6</sup>, the Reduced Intensity Alternative would likely result in a general reduction in environmental effects when compared to the Project. For the purposes of CEQA, the Reduced Intensity Alternative is identified as the “environmentally superior alternative.” It is however noted that the Project would not result in any significant environmental impacts. The Reduced Intensity Alternative is presented for illustrative purposes only and is not required or proposed as a means of reducing the Project’s environmental effects.

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<sup>6</sup> If the environmentally superior alternative is the “no project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (*CEQA Guidelines* Section 15126.6 (e)(2)).

**Table 5.2-6  
Summary of Potential Impacts, Alternatives Compared to Project, By Topic**

EIR Topic: Project Impacts	No Project Alternative: No Build Scenario	No Project Alternative: Commercial Development Scenario	Reduced Intensity Alternative
<b>Land Use and Planning</b>			
All Project land use and planning impacts would be less-than-significant.	Under this Alternative, no changes in land use or development would occur. Less-than-significant land use and planning impacts resulting from the Project would be diminished under this Alternative.	Under this Alternative, no changes in land use would be required. Less-than-significant land use and planning impacts resulting from the Project would be diminished under this Alternative.	As with the Project, to allow for proposed light industrial uses under this Alternative, adoption of a Specific Plan Amendment would be required under this Alternative. Less-than-significant land use and planning impacts resulting from the Project and this Alternative would be similar.
<b>Transportation/Traffic</b>			
<p><i>VMT Impacts</i> Project VMT impacts would be less-than-significant.</p> <p><i>Other Transportation Topics</i> All other impacts would be less-than-significant.</p>	<p><i>VMT Impacts</i> This Alternative would maintain existing areawide VMT/employee conditions. VMT impacts would be reduced when compared to the Project and would be less-than-significant.</p> <p><i>Other Transportation Topics</i> All other impacts would be less-than-significant.</p>	<p><i>VMT Impacts</i> Trip generation would be increased. VMT/Employee and total VMT impacts would be increased and may be potentially significant.</p> <p><i>Other Transportation Topics</i> All other impacts would be less-than-significant.</p>	<p><i>VMT Impacts</i> Trip generation would be reduced. VMT/employee and VMT impacts would be comparable to the Project and would be less-than-significant.</p> <p><i>Other Transportation Topics</i> All other impacts would be less-than-significant.</p>
<b>Air Quality</b>			
All Project air quality impacts would be less-than-significant.	Existing air quality conditions would be maintained. Air quality impacts would be reduced when compared to the Project. Air quality impacts would be less-than-significant.	<p>Construction equipment operations and site disturbance under this Alternative would be similar to the Project. Under this Alternative and the Project, construction-source emissions impacts would be less-than-significant.</p> <p>Increased trip generation under this Alternative would result in increases in all operational-source air pollutant emissions when compared to the Project air pollutant emissions. NOx emissions thresholds exceedances would likely occur under this Alternative. NOx emissions thresholds exceedances under this Alternative would indicate corollary non-attainment impacts and AQMP inconsistency impacts. Impacts would be increased when compared to the Project.</p> <p>All other impacts would be less-than-significant.</p>	<p>Construction activities and use of construction equipment would be similar to the Project. As with the Project, mitigated construction-related emissions would not exceed SCAQMD emissions thresholds.</p> <p>Under the Reduced Intensity Alternative, the Project development intensity and overall trip generation would be reduced by approximately 25% when compared to the Project. The reduction in vehicular trips under the Reduced Intensity Alternative would reduce operational-source air pollutant emissions. The approximately 25% reduction in ADT generation under the Reduced Intensity Alternative would translate to a roughly proportional decrease in air pollutant emissions. Table 5.2-2 provides a comparison of operational-source air pollutant emissions under the Project and Reduced Intensity Alternative.</p>

**Table 5.2-6  
Summary of Potential Impacts, Alternatives Compared to Project, By Topic**

EIR Topic: Project Impacts	No Project Alternative: No Build Scenario	No Project Alternative: Commercial Development Scenario	Reduced Intensity Alternative
<b>Greenhouse Gas Emissions (GHG)/Global Climate Change (GCC)</b>			
All Project GHG emissions impacts would be less-than-significant.	Existing GHG emissions conditions would be maintained. This Alternative would result in reduced GHG emissions impacts when compared to the Project. All GHG emissions impacts would be less-than-significant.	GHG emissions generated by this Alternative would be increased when compared to the Project and would be individually and cumulatively significant and unavoidable. GHG emissions impacts would be increased when compared to the Project.  This Alternative would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Impacts would be less-than-significant and comparable to the Project.	GHG emissions impacts would be reduced when compared to the Project and would be less-than-significant.
<b>Energy</b>			
All Project energy impacts would be less-than-significant.	Existing energy conditions would be maintained. This Alternative would result in reduced energy impacts when compared to the Project. Impacts would be less-than-significant.	Energy impacts would be similar to the Project and would be less-than-significant.	Energy impacts would be similar to the Project and would be less-than-significant.
<b>Noise</b>			
All Project noise and vibration impacts would be less-than-significant.	Existing noise/vibration conditions would be maintained. All noise/vibration impacts would be reduced when compared to the Project. Noise/vibration impacts under this Alternative would be less-than-significant.	Construction-source noise impacts would be similar to those of the Project and would be less-than-significant.  Operational/area-source noise impacts would be similar to those of the Project and would be less-than-significant.	Construction-source noise impacts would be similar to those of the Project and would be less-than-significant.  Operational/area-source noise impacts would be similar to those of the Project and would be less-than-significant.
<b>Biological Resources</b>			
Project biological resources impacts would be less-than-significant as mitigated.	Existing biological resources conditions would be maintained. This Alternative would realize no new development and would generate no additional biological resources impacts. Impacts would be	Biological resources impacts would be similar to those of the Project and would be less-than-significant as mitigated.	Biological resources impacts would be similar to those of the Project and would be less-than-significant as mitigated.

**Table 5.2-6  
Summary of Potential Impacts, Alternatives Compared to Project, By Topic**

EIR Topic: Project Impacts	No Project Alternative: No Build Scenario	No Project Alternative: Commercial Development Scenario	Reduced Intensity Alternative
	reduced when compared to the Project and would be less-than-significant.		
<b>Cultural Resources/Tribal Cultural Resources</b>			
Project cultural resources/tribal cultural resources impacts would be less-than-significant as mitigated.	Existing cultural resources/tribal cultural resources conditions would be maintained. This Alternative would realize no new development and would generate no additional cultural resources/tribal cultural resources impacts. Impacts would be reduced when compared to the Project and would be less-than-significant.	Cultural resources/tribal cultural resources impacts would be similar to those of the Project and would be less-than-significant as mitigated.	Cultural resources/tribal cultural resources impacts would be similar to those of the Project and would be less-than-significant as mitigated.
<b>Relative Attainment of Project Objectives:</b> All Project Objectives would be realized.	The Project Objectives would not be realized.	Under this Alternative, only 2 of the 9 Project Objectives would be realized.	Under this Alternative, all of the Project Objectives would be realized in some manner. However, attainment of 4 of the 9 Project Objectives would be constrained.

## 5.3 GROWTH-INDUCING IMPACTS OF THE PROPOSED ACTION

### 5.3.1 Overview

CEQA Guidelines Section 15126.2 (e) *Growth-Inducing Impact of the Proposed Project* requires that an EIR:

“Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a recycled water plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.”

Potential growth-inducing aspects and elements of the Project would include:

- Construction of infrastructure systems;
- Job creation; and
- Economic stimulus/other.

### **Infrastructure Improvements**

The Project would implement infrastructure improvements that are consistent with City and purveyor master plans. This EIR evaluates likely maximum impacts associated with all Project actions and operations including, but not limited to, construction and operation of utilities and service systems distribution and conveyance lines. Construction and operation of the Project utilities and service systems distribution and conveyance

lines described in this EIR would not result in conditions or environmental impacts not already considered and addressed elsewhere in this EIR. Mitigation proposed in this EIR under other environmental topics would also address potential impacts associated with construction and operation of utilities and service systems distribution and conveyance lines. There are no unique or atypical conditions or aspects of the Project utilities and service systems distribution and conveyance lines that would result in significant environmental impacts. Further, new development that may be facilitated by availability of infrastructure constructed by the Project would be required to conduct CEQA analyses substantiating less-than-significant impacts to infrastructure systems themselves or to customers served by those infrastructure systems.

### **Job Creation**

The Project would create new jobs. In general terms, job creation furthers growth via wages, salaries and general fiscal benefits; increased demands for housing; and increased demands for consumer goods and services. As demonstrated herein, the Project light industrial uses would not result in job creation exceeding that resulting from commercial development of the site per the General Plan. Project employment and any associated growth are therefore reflected in the General Plan and impacts of such growth are considered and addressed in the General Plan EIR. Project job creation and associated growth would not result in impacts not already considered and addressed in the General Plan EIR.

### **Economic Stimulus/Other**

Construction and operation of the Project would act generally as an economic stimulus for the City and region. Project job creation would provide local and regional fiscal benefits and would contribute generally to increased demands for housing, goods and services. Salaries and wages paid to employees, taxes, and other revenue streams generated by the Project would provide incentive for creation of second tier businesses with accompanying economic stimulus, which in turn would create third tier businesses, with accompanying economic stimulus, etc.

Economic stimulus and related growth resulting from the Project would create additional demands for City services. The Project would construct or pay development impact fees offsetting the Project's potential growth effects and related demands for services and demands on service facilities and systems.

The Project would not otherwise encourage and facilitate known or probable activities that could significantly affect the environment, either individually or cumulatively. To the satisfaction of the City, as-yet unknown activities or developments that may derive from the Project would be independently required to evaluate and address their potential environmental impacts.

### **Summary**

The Project could induce growth through the construction of infrastructure improvements, job creation, and economic stimulus. Project infrastructure improvements would not of themselves result in impacts not considered and addressed within the EIR body text. There are no unique or atypical conditions or aspects of the Project utilities and service systems distribution and conveyance lines that would result in significant environmental impacts. Any new development that may be facilitated by availability of infrastructure constructed by the Project would be required to conduct CEQA analyses substantiating less-than-significant impacts to infrastructure systems themselves or to customers served by those infrastructure systems.

Project job creation would not exceed employment projections developed under the General Plan. Growth resulting from Project job creation is anticipated under the General Plan, and such growth would not result in environmental impacts not already considered and addressed in the General Plan EIR.

The Project would provide economic stimulus that would directly and indirectly contribute to growth and could therefore result in increased demand for services. The Project would construct or pay development impact fees offsetting the Project's potential growth effects and related demands for services and demands on service facilities and systems.

The Project would not otherwise encourage and facilitate known or probable activities that could significantly affect the environment, either individually or cumulatively. To the satisfaction of the County, as-yet unknown activities or developments that may derive from the Project would be independently required to evaluate and address their potential environmental impacts.

#### **5.4 SIGNIFICANT ENVIRONMENTAL EFFECTS**

As substantiated in this EIR, the Project would not result in or create any significant environmental effects.

#### **5.5 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

*CEQA Guidelines* §§ 15126, subd. (c), 15126.2, subd. (c), 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the Project be implemented. As presented at *Guidelines* §15127, the topic of Significant Irreversible Environmental Changes need be addressed in EIRs prepared in connection with any of the following activities:

- (a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;
- (b) The adoption by a local agency formation commission of a resolution making determinations; or
- (c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. 4321-4347.

The Project qualifies under *CEQA Guidelines* section 15127 (a) because a General Plan Amendment and Specific Plan Amendment are required to implement the Project. Accordingly, this EIR addresses potential significant irreversible environmental changes involved in the proposed action should it be implemented [*CEQA Guidelines*, §§ 15126.2(c) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

Regarding the above, a given development proposal may result in significant irreversible effects should key resources be degraded or destroyed such that there would be little possibility of restoring them. No such degradation or destruction of resources is anticipated because of the Project. While the Project would represent a permanent commitment of the currently vacant site to new light industrial uses, no important natural resources would be lost because of Project implementation. Various natural resources, in the form of construction materials and energy resources, would be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources.

Construction of the Project would commit the subject site to the proposed light industrial uses for the foreseeable future, and thereby limit the range of other future uses of the properties. Similarly, any development of the site (irrespective of the Project) would limit the range of other future uses of this land. Given the current undeveloped nature of the site, the limited amount of suitable unencumbered vacant property in the City, and the urbanization of surrounding properties, transition of the subject site to a developed state such as would occur under the Project is considered consistent with the highest and best uses of the site. The Project site does not contain any significant natural features which should be preserved for public recreation or open space purposes. The Project site does not contain any known features of significant cultural or historical value. Mitigation is proposed for any cultural/tribal cultural resources which may be encountered during Project development activities.

## **6.0 ACRONYMS AND ABBREVIATIONS**

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## 6.0 ACRONYMS AND ABBREVIATIONS

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ACMs	Asbestos Containing Materials
ADT	Average Daily Traffic
ALUCP	Airport Land Use Compatibility Plan
AQMD	Air Quality Management District
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
AST	above-ground storage tank
AVO	Average Vehicle Occupancy
BAT	best available technology
BCT	best conventional pollutant control technology
BMP	Best Management Practice
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalARP	California Accidental Release Prevention Program
CalEPA	California Environmental Protection Agency
CALINE4	California Line Source Dispersion Model
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health Administration
Caltrans	California Department of Transportation
CAO	Chino Airport Overlay
CARB	California Air Resources Board
CAT	Climate Action Team
CBC	California Building Code
CBDA	Chino Basin Dairy Area
CCAA	California Clean Air Act
CCAR	California Climate Action Registry

CCR	California Code of Regulations
CC&Rs	Covenants, Conditions and Restrictions
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
cfs	cubic feet per second
CH <sub>4</sub>	Methane
CIWMB	California Integrated Waste Management Board
CMP	Congestion Management Plan
CNEL	Community Noise Equivalent Level
CO	Carbon monoxide
CO <sub>2</sub>	Carbon dioxide
CPUC	California Public Utilities Commission
CRA	Community Redevelopment Agency
CRWQCB	California Regional Water Quality Control Board
CTP	Comprehensive Transportation Plan
CUP	Conditional Use Permit
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel
DHS	California Department of Health Services
DIF	Development Impact Fees
DOT	U. S. Department of Transportation
DPM	Diesel Particulate Matter
DTSC	California Department of Toxic Substances Control
EIR	Environmental Impact Report
EPA	Environmental Protection Agency

ESA	Environmental Site Assessment
FCAA	Federal Clean Air Act
Fed/OSHA	Federal Occupational Safety and Health Administration
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FICON	Federal Interagency Committee on Noise
FIRM	Flood Insurance Rating Map
FMMP	Farmland Mapping & Monitoring Program
fpm	feet per minute
GCC	Global Climate Change
GHG	Greenhouse Gas
GMP	Growth Management Plan
gpd	gallons per day
HCM	Highway Capacity Manual
HDV	Heavy-Duty Vehicle
HOV	High Occupancy Vehicle
HRA	Health Risk Assessment
HSC	Health and Safety Code
HSWA	Hazardous and Solid Waste Amendments Act
HUD	U. S. Department of Housing and Urban Development
ICU	Intersection Capacity Utilization
IEUA	Inland Empire Utilities Agency
IS	Initial Study
ISTEA	Intermodal Surface Transportation Efficiency Act
ITE	Institute of Transportation Engineers
kV	kilovolt
kVA	kilovolt-ampere
LBP	Lead-Based Paint
LCFS	Low Carbon Fuel Standard or Executive Order S-01-07
Ldn	day/night average sound level
LDV	Light-Duty Vehicle

LEA	Local Enforcement Agency
Leq	equivalent sound level
LEED	Leadership in Energy and Environmental Design
LOS	Level of Service
LST	Localized Significance Threshold
M	Richter Magnitude
MBTA	Migratory Bird Treaty Act
mgd	million gallons per day
MOE	Measure of Effectiveness
MPE	maximum probable earthquake
mph	miles per hour
MPO	Metropolitan Planning Organization
MPODC	Master Plan and Overall Design Concept
MRF	Material Recovery Facility
MSHCP	Multiple Species Habitat Conservation Plan
msl	mean sea level
MSW	Municipal Solid Waste
MTA	Metropolitan Transit Authority
$\mu\text{g}/\text{m}^3$	micrograms per cubic meter
NAAQS	National Ambient Air Quality Standards
NDFE	Non-Disposal Facility Element
NIH	National Institutes of Health
$\text{NO}_2$	Nitrogen dioxide
NOI	Notice of Intent
NOP	Notice of Preparation
$\text{NO}_x$	Oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NRC	Nuclear Regulatory Commission
NTS	Natural Treatment System
$\text{O}_3$	Ozone
OAP	Ozone Attainment Plan
OEHHA	California Office of Environmental Health Hazard Assessment

OES	Office of Emergency Services
OSHA	Occupational Safety and Health Administration
PA	Preliminary Assessment
Pb	Lead
PCE	passenger car equivalency
PM <sub>2.5</sub>	Particulate Matter Less Than 2.5 Microns in Diameter
PM <sub>10</sub>	Particulate Matter Less Than 10 Microns in Diameter
ppm	parts per million
PV	Photovoltaic
RCRA	Resource Conservation and Recovery Act
REMEL	Reference Energy Mean Emission Level
RMP	Resources Management Plan
ROG	Reactive Organic Gases
RPS	Renewables Portfolio Standard
RTA	Riverside Transit Authority
RWMP	Regional Water Management Plan
RWQCB	Regional Water Quality Control Board
SARA	Superfund Amendments & Reauthorization Act
SARWQCB	Santa Ana Regional Water Quality Control Board
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCH	State Clearinghouse
SCUP	Special Conditional Use Permit
SIP	State Implementation Plan
SLM	Sound Level Meter
SO <sub>x</sub>	Oxides of sulfur
SRRE	Source Reduction and Recycling Element
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TDS	total dissolved solids

TEA-21	Transportation Equity Act for the 21st Century
TIA	Traffic Impact Analysis
TPD	tons per day
UBC	Uniform Building Code
UFC	Uniform Fire Code
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
V/C	Volume to Capacity
VdB	vibration decibel
VMT	vehicle miles traveled
VOC	Volatile Organic Compound
WQMP	Water Quality Management Plan
WSA	Water Supply Assessment

## **7.0 REFERENCES**

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# 7.0 REFERENCES

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## PERSONS AND ORGANIZATIONS CONSULTED

### **City of Moreno Valley**

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## DOCUMENTS CONSULTED

*Guidelines for Implementation of the California Environmental Quality Act, Sections 15000-15387 of the California Code of Regulations, Governor's Office of Planning and Research.*

*Moreno Valley Festival Amendment to Specific Plan 205 (Blodgett Baylosis Environmental Planning) January 19, 2021.*

*Moreno Valley Business Park - Phase II, Air Quality Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) January 17, 2022.*

*Moreno Valley Business Park - Phase II, Energy Tables (Urban Crossroads, Inc.) January 17, 2022.*

*Moreno Valley Business Park - Phase II, Greenhouse Gas Analysis, City of Moreno Valley (Urban Crossroads, Inc.) January 17, 2022.*

*Moreno Valley Business Park - Phase II, Mobile Source Health Risk Assessment, City of Moreno Valley (Urban Crossroads, Inc.) January 17, 2022.*

*Moreno Valley Business Park - Phase II, Noise Impact Analysis, City of Moreno Valley (Urban Crossroads, Inc.) May 16, 2023.*

*Moreno Valley Business Park - Phase II, Vehicle Miles Traveled (VMT) Analysis (Urban Crossroads, Inc.) January 3, 2022.*

*Phase I Cultural Resources Assessment, 9.98 Acre Property, Moreno Valley, City of Moreno Valley, Riverside County, California (BCR Consulting LLC) April 26, 2024.*

*Report of Geotechnical Investigations & Soil Infiltration Testing, Proposed Heacock Industrial Development (Soils Southwest, Inc.) August 5, 2020.*

*Western Riverside County Multiple Species Habitat Conservation Plan [MSHCP], Consistency Analysis Report for the Specific Plan No. 205, Amendment No. 2 Project (Harmsworth Associates) November 2021.*