



**Community Development Department
Planning Division**
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: (951) 413-3206
FAX: (951) 413-3210

Date: April 21, 2022

To: Responsible and Trustee Agencies/Interested Organizations and Individuals

Subject: **Revised Notice of Preparation of a Draft Environmental Impact Report**

Lead Agency:

CITY OF MORENO VALLEY
Community Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, California 92552
(951) 413-3215 / Email: seanke@moval.org
Contact: Sean P. Kelleher, Planning Division Manager/Planning Official

EIR Consulting Firm:

T&B Planning
3200 El Camino Real, Suite 100
Irvine, CA 92602
(714) 505-6360 ext. 106
Contact: Tina Andersen

The City of Moreno Valley, as lead agency under the California Environmental Quality Act (CEQA), will prepare an Environmental Impact Report (EIR) for the Town Center at Moreno Valley Specific Plan Project (Project). In accordance with Section 15082 of the CEQA Guidelines, the City has issued this Notice of Preparation (NOP) to provide responsible agencies, trustee agencies, and other interested parties with information describing the proposed project and its potential environmental effects.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than 30 days after receipt of this notice or May 23, 2022.

Please send your response to Mr. Sean P. Kelleher at the City of Moreno Valley address listed above. Please include the name, phone number, and address of a contact person in your response. If your agency or organization will be a responsible or trustee agency for this Project, please so indicate.

State Clearinghouse No. 2022040417

Project Title: **Town Center at Moreno Valley Specific Plan**

Location: **63.5± gross acres at the northwest corner of Nason Street and Alessandro Boulevard, Moreno Valley, Riverside County, CA**

Description: The Project includes the following discretionary actions under consideration by the City of Moreno Valley:

- 1) **(Case No. PEN21-0335) – Change of Zone** to add the Specific Plan (SP 222) overlay zone to the Downtown Center (DC) District for the subject property.

- 2) **(Case No. PEN21-0334) - Town Center at Moreno Valley Specific Plan** to establish a mixed-use development with residential, commercial, civic, and park uses, consistent with the City's land use and zoning designations (Downtown Center [DC] District).
- 3) **(Case No PEN22-0077) – Tentative Tract Map (TTM) No. 38421** to subdivide the Project to allow for the proposed uses.

Project Location and Setting. The Project site consists of the following Assessor Parcel Numbers (APNs): 487-470-030 and 487-470-031 and is generally bound by Cottonwood Avenue to the north, Nason Street to the east, Alessandro Boulevard to the south, and vacant land and a residential subdivision to the west. The Project site is currently undeveloped. There is a vacant parcel northeast of the Project site (southwest of the Nason Street and Cottonwood Avenue intersection), and an Eastern Municipal Water District booster station northwest of the Project site (southeast corner of Cottonwood Avenue and Letterman Street) that are not part of the Project. Figure 1 depicts the location of the Project and Figure 2 provides an aerial photograph of the Project site and surrounding areas.

Proposed Project. The Project includes a proposed Specific Plan and TTM to allow for the development of residential, commercial, civic, and park uses, as shown on the conceptual site plan provided on Figure 3. Access to the Project site would be provided from Cottonwood Avenue, Nason Street, Bay Avenue, and Alessandro Boulevard. In summary, it is anticipated that future development of the Project site pursuant to the proposed Specific Plan would include the following uses:

- **Up to 800 homes** on approximately 34.8 residential acres;
- **Neighborhood Commercial Center** encompassing approximately 16.5-acres in the southeast portion of the Project site, which will include a minimum of 150,000 square feet [sf] and no more than 220,000 sf of non-residential uses (e.g., office, civic, hotel, retail, restaurant, etc.);
- **Future Civic Building Site** encompassing 40,000 sf in the Neighborhood Commercial Center area, which will ultimately accommodate an approximately 30,000 sf civic-related building (included in the Neighborhood Commercial Center overall building area of up to 220,000 sf); and
- **Public Parks** consisting of an approximately 1.3-acre linear park and a 3.5-acre park located west and north of proposed commercial area, respectively.

The Project is consistent with land use and growth assumptions for the Project site included in the adopted *City of Moreno Valley General Plan 2040* (General Plan), which was adopted in June 2021. The Project site has a land use designation of Downtown Center and is zoned Downtown Center (DC) District.

Construction for the Project is expected to be initiated in 2023 and be completed in 2025.

ENVIRONMENTAL ISSUES TO BE EVALUATED IN THE EIR

The City of Moreno Valley has determined that an EIR is required for the Project based on its scale and potential to cause significant environmental effects; therefore, no Initial Study will be prepared (see State CEQA Guidelines, Sections 15060 and 15081).

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

The EIR will assess the effects of the Project on the environment, identify potentially significant impacts, identify feasible mitigation measures to reduce or eliminate potentially significant environmental impacts, and discuss potentially feasible alternatives to the Project that may accomplish basic objectives while lessening or eliminating any potentially significant Project related impacts. A mitigation monitoring program also will be developed as required by Section 15150 of the CEQA Guidelines. This NOP is subject to a minimum 30-day public review period per Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082. During the public review period, public agencies, interested organizations, and individuals have the opportunity to comment on the proposed Project and identify those environmental issues that have the potential to be affected by the Project and should be addressed further by the City of Moreno Valley in the EIR.

SCOPING MEETING

In accordance with Section 21083.9(a)(2) of the Public Resources Code and CEQA Guidelines Section 15082(c), the City will hold a public scoping meeting, where agencies, organizations, and members of the public will receive a brief presentation on the Project and the CEQA process. The scoping meeting will be held on May 4, 2022, at 6:00 PM via a teleconference only. The Public may observe the meeting as follows:

STEP 1: Install the Free Zoom App or Visit the Free Zoom Website at <<https://zoom.us/>>

STEP 2: Get Meeting ID Number and Password by emailing zoom@moval.org or calling (951) 413-3206, no later than 5:30 p.m. on May 4, 2022.

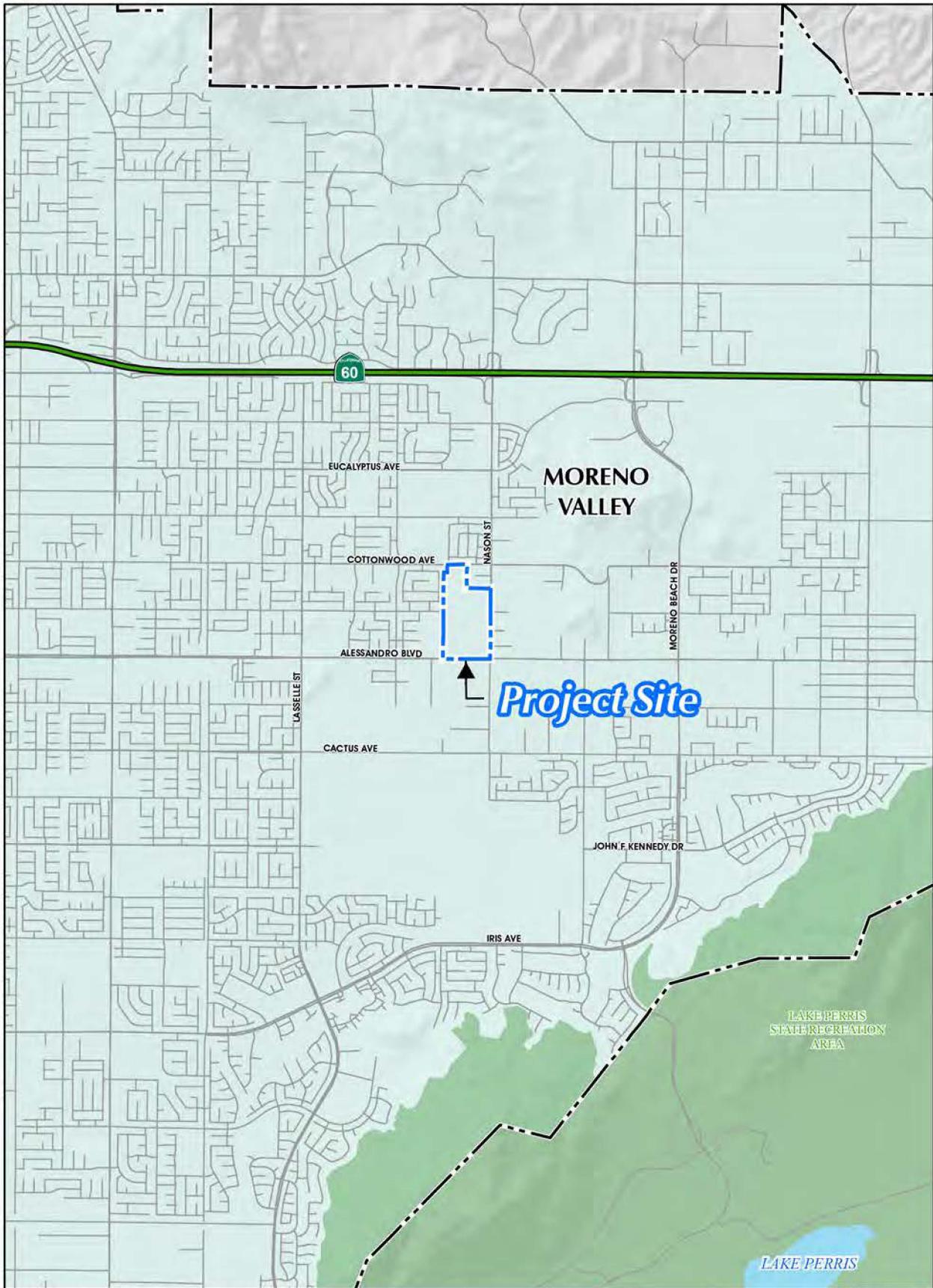
STEP 3: Select Audio Source (*Computer Speakers/Microphone or Telephone*)

Please contact the Community Development Department, Planning Division at (951) 413-3215 if you have any questions.

Sincerely,

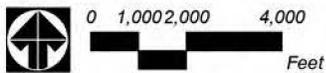


Sean P. Kelleher
Planning Division Manager / Planning Official

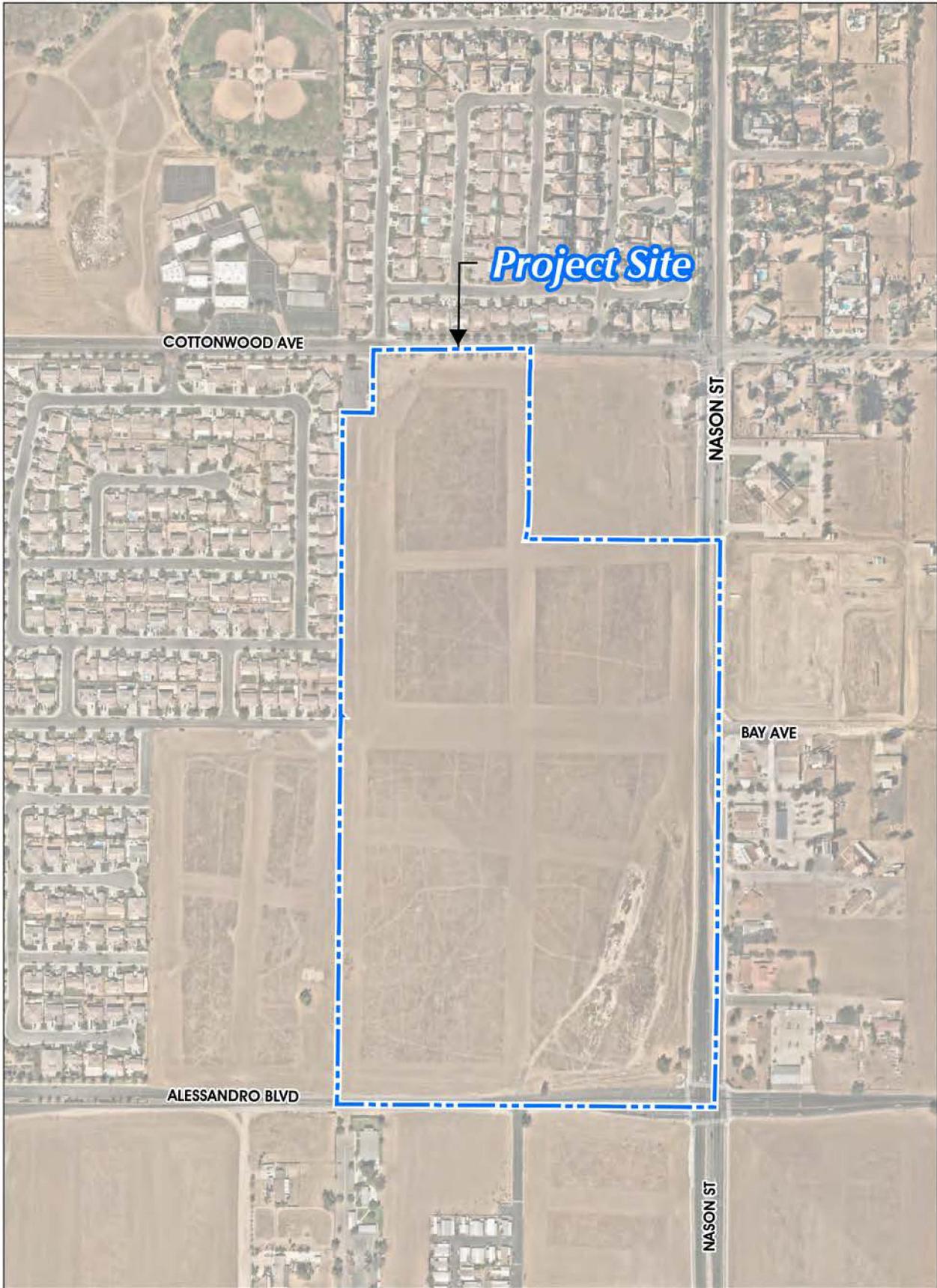


Source(s): ESRI, RCLMA (2021)

Figure 1

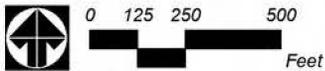


Location Map



Source(s): ESRI, RCTLMA (2021)

Figure 2

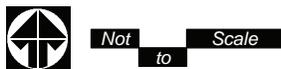


Aerial Photograph



Source(s): Town Center at Moreno Valley Specific Plan (2022)

Figure 3



Conceptual Site Plan



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



May 17, 2022
Sent via email

Sean P. Kelleher
Planning Division Manager
City of Moreno Valley
14177 Frederick Street, PO Box 88005
Moreno Valley, CA 92552

Notice of Preparation of a Draft Environmental Impact Report
Town Center at Moreno Valley Specific Plan
State Clearinghouse No. 2022040417

Dear Mr. Kelleher:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the City of Moreno Valley (City) for the Town Center at Moreno Valley Specific Plan (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.). CDFW expects that it may

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT LOCATION

The City of Moreno Valley covers approximately 51.5 square miles and is bordered by unincorporated portions of Riverside County to the east and north, the Cities of Perris and Nuevo to the south, and the City of Riverside to the west. The proposed Project includes two parcels (Assessor Parcel Numbers 487-470-030 and 487-470-031) located south of Cottonwood Avenue, west of Nason Street, north of Alessandro Boulevard, and east of vacant land and a residential subdivision. The site is located within the U.S. Geological Survey (USGS) 7.5-Sunymead quadrangle; Township 3 South Range 3 West Section 9 of the San Bernardino Base and Meridian.

PROJECT DESCRIPTION SUMMARY

Specific details of the proposed Project include:

1. The Town Center at Moreno Valley Specific Plan (Tract No. 38421) for the following:
 - Establish a mixed-use development with residential, commercial, civic, and park uses, consistent with the City's land use and zoning designations (Downtown Center [DC] District).
 - Establish a 34.8-acre portion of residential community consisting of up to 800 residential units at a density of up to 23 dwelling units per acre.
 - Create an approximately 1.3-acre linear park and a 3.5-acre park located west and north of proposed commercial area, respectively.
 - Construct a Neighborhood Commercial Center and future Civic Building Site encompassing approximately 16.5-acres in the southeast portion of the Project site.
2. Zone Change to the City of Moreno Valley Zoning Map to correspond to the proposed changes on the Land Use Map, as noted above.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. The comments and recommendations are also offered to enable the CDFW to adequately review and comment on the proposed Project with respect to the Project's consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

CDFW recommends that the forthcoming DEIR address the following:

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the project, the DEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats.

CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009²). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the project. CDFW's California Natural Diversity Database (CNDDDB) in Sacramento should be contacted at (916) 322-2493 or CNDDDB@wildlife.ca.gov or <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data> to obtain current information on

² Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California. <http://vegetation.cnps.org/>

any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project.

CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the project site.

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish & G. Code, § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific/MSHCP surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.
4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018³).
5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).
6. A full accounting of all open space and mitigation/conservation lands within and adjacent to the Project.

³ CDFW, 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, State of California, California Natural Resources Agency, Department of Fish and Wildlife: March 20, 2018 (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>)

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project. To ensure that Project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

1. A discussion of potential impacts from lighting, noise, human activity (e.g., recreation), defensible space, and wildlife-human interactions created by zoning of development projects or other project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g., National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).
3. An evaluation of impacts to on-site and adjacent open space lands from both the construction of the Project and any long-term operational and maintenance needs.
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The DEIR should analyze the cumulative effects of the plan's land use designations, policies, and programs on the environment. Please include all potential direct and indirect Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Alternatives Analysis

CDFW recommends the DEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would "feasibly attain most of the basic objectives of the Project," and would avoid or substantially lessen any of the Project's significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a "no project" alternative (CEQA Guidelines § 15126.6[e]).

Mitigation Measures for Project Impacts to Biological Resources

The DEIR should identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible. The City of Moreno Valley should assess all direct, indirect, and cumulative impacts that are expected to occur as a result of the implementation of the Project and its long-term operation and maintenance. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Fully protected species may not be taken or possessed at any time. Project activities described in the DEIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to fully protected species.
2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from project-related direct and indirect impacts.
3. *California Species of Special Concern (CSSC)*: CSSC status applies to animals generally not listed under the federal Endangered Species Act or the CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. CSSCs should be considered during the environmental review process. CSSC that have the potential or have been documented to occur within or adjacent to the project area, including, but not limited to: burrowing owl, northern harrier, loggerhead shrike, and yellow warbler.
4. *Mitigation*: CDFW considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail.

The DEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

If sensitive species and/or their habitat may be impacted from the Project, CDFW recommends the inclusion of specific mitigation in the DEIR. CEQA Guidelines section 15126.4, subdivision (a)(1)(8) states that formulation of feasible mitigation measures should not be deferred until some future date. The Court of Appeal in *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 struck down mitigation measures which required formulating management plans developed in consultation with State and Federal wildlife agencies after Project approval. Courts have also repeatedly not supported conclusions that impacts are mitigable when essential studies, and therefore impact assessments, are incomplete (*Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d. 296; *Gentry v. City of Murrieta* (1995) 36 Cal. App. 4th 1359; *Endangered Habitat League, Inc. v. County of Orange* (2005) 131 Cal. App. 4th 777).

CDFW recommends that the DEIR specify mitigation that is roughly proportional to the level of impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). The mitigation should provide long-term conservation value for the suite of species and habitat being impacted by the Project. Furthermore, in order for mitigation measures to be effective, they need to be specific, enforceable, and feasible actions that will improve environmental conditions.

5. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in advance of project impacts in order to accumulate sufficient propagule

material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various project components as appropriate.

Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project; examples could include retention of woody material, logs, snags, rocks, and brush piles.

6. *Nesting Birds and Migratory Bird Treaty Act*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act.

CDFW recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site. If pre-construction surveys are proposed in the DEIR, the CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

7. *Moving out of Harm's Way*: To avoid direct mortality, CDFW recommends that the lead agency condition the DEIR to require that a CDFW-approved qualified biologist be retained to be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way special status species or other wildlife of low or limited mobility that would otherwise be injured or killed from project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety (i.e., CDFW does not recommend relocation to other areas). Furthermore, it should be noted that the temporary relocation of onsite wildlife

does not constitute effective mitigation for the purposes of offsetting project impacts associated with habitat loss.

8. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in “take” (California Fish and Game Code Section 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) of State-listed CESA species, either through construction or over the life of the project. It is the policy of CESA to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. The California Fish and Game Code requires that CDFW comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of CESA.

Western Riverside County Multiple Species Habitat Conservation Plan

CDFW issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County MSHCP per Section 2800, *et seq.*, of the California Fish and Game Code on June 22, 2004. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and provides for the incidental take of covered species in association with activities covered under the permit.

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the CEQA document discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements. To obtain additional information regarding the MSHCP please go to: <https://www.wrc-rca.org/>.

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. To be considered a covered activity, Permittees need to

demonstrate that proposed actions are consistent with the MSHCP, the Permits, and the Implementing Agreement. The City of Moreno Valley is the Lead Agency and is signatory to the Implementing Agreement of the MSHCP. To demonstrate consistency with the MSHCP, as part of the CEQA review, the City shall ensure the Project implements the following:

1. Pays Local Development Mitigation Fees and other relevant fees as set forth in Section 8.5 of the MSHCP.
2. Demonstrates compliance with the HANS process or equivalent process to ensure application of the Criteria and thus, satisfaction of the local acquisition obligation.
3. Demonstrates compliance with the policies for 1) the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, set forth in Section 6.1.2 of the MSHCP; 2) the policies for the Protection of Narrow Endemic Plant Species set forth in Section 6.1.3 of the MSHCP; 3) compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; 4) the policies set forth in Section 6.3.2 and associated vegetation survey requirements identified in Section 6.3.1; and 5) compliance with the Best Management Practices and the siting, construction, design, operation and maintenance guidelines as set forth in Section 7.0 and Appendix C of the MSHCP.

Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools.

The MSHCP, Section 6.1.2, identifies that information necessary for the assessment of riparian/riverine and vernal resources includes identification and mapping of riparian/riverine areas and vernal pools. The assessment shall consider species composition, topography/ hydrology, and soil analysis, where appropriate. The assessment may be completed as part of the CEQA review process as set forth in Article V of the State CEQA Guidelines.

The documentation for the assessment shall include mapping and a description of the functions and values of the mapped areas with respect to the species listed above, under "Purpose." Factors to be considered include hydrologic regime, flood storage and flood-flow modification, nutrient retention and transformation, sediment trapping and transport, toxicant trapping, public use, wildlife Habitat, and aquatic Habitat. The functions and values assessment will focus on those areas that should be considered for priority acquisition for the MSHCP Conservation Area, as well as those functions that may affect downstream values related to Conservation of Covered Species within the MSHCP.

The MSHCP identifies that for mapped riparian/riverine and vernal pool resources that are not included in the MSHCP conservation area, applicable mitigation under CEQA, shall be imposed by the Permittee (in this case the City). Further, the MSHCP identifies that to ensure the standards in Section 6.1.2 are met, the Permittee shall ensure that,

through the CEQA process, project applicants develop project alternatives demonstrating efforts that first avoid, and then minimize direct and indirect effects to the wetlands mapped pursuant to Section 6.1.2. If an avoidance alternative is not Feasible, a practicable alternative that minimizes direct and indirect effects to riparian/riverine areas and vernal pools and associated functions and values to the greatest extent possible shall be selected. Those impacts that are unavoidable shall be mitigated such that the lost functions and values as they relate to Covered Species are replaced as through the Determination of Biologically Equivalent or Superior Preservation. The City is required to ensure the Applicant completes the Determination of Biologically Equivalent or Superior Preservation process prior to completion of the DEIR to demonstrate implementation of MSHCP requirements in the CEQA documentation.

The following are covered species that are conserved under the MSHCP based on the location of the project site:

Burrowing Owl (*Athene cunicularia*)

The Project site has the potential to provide suitable foraging and/or nesting habitat for burrowing owl. Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513. Take is defined in Fish and Game Code section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.”

CDFW recommends that the City of Moreno Valley follow the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012⁴). The Staff Report on Burrowing Owl Mitigation, specifies three steps for project impact evaluations: 1) a habitat assessment, 2) surveys, and 3) an impact assessment.

As stated in the Staff Report on Burrowing Owl Mitigation, the three progressive steps are effective in evaluating whether a project will result in impacts to burrowing owls, and the information gained from the steps will inform any subsequent avoidance, minimization, and mitigation measures. Habitat assessments are conducted to evaluate the likelihood that a site supports burrowing owl. Burrowing owl surveys provide information needed to determine the potential effects of proposed projects and activities on burrowing owls, and to avoid take in accordance with Fish and Game Code sections 86, 3503, and 3503.5. Impact assessments evaluate the extent to which burrowing owls and their habitat may be impacted, directly or indirectly, on and within a reasonable distance of a proposed CEQA project activity or non-CEQA project.

⁴ California Department of Fish and Game (CDFG). 2012. Staff report of burrowing owl mitigation. State of California, Natural Resources Agency. Available for download at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83842&inline>.

Additionally, CDFW recommends that the City of Moreno Valley review and follow requirements for burrowing owl outlined in the MSHCP, specifically Section 6.3.2 (Additional Survey Needs and Procedures) and Appendix E (Summary of Species Survey Requirements). Appendix E of the MSHCP outlines survey requirements, actions to be taken if survey results are positive, and species-specific conservation objectives, among other relevant information.

Stephens' Kangaroo Rat Habitat Conservation Plan

The Project occurs within the Stephens' kangaroo rat (*Dipodomys stephensi*) Habitat Conservation Plan (SKR HCP) fee area boundary, SKR HCP plan area map available here: <https://rchca.us/DocumentCenter/View/200/SKR-Plan-Area>. State and federal authorizations associated with the SKR HCP provide take authorization for Stephens' kangaroo rat within its boundaries, and the MSHCP provides Take Authorization for Stephens' kangaroo rat outside of the boundaries of the SKR HCP, but within the MSHCP area boundaries. The DEIR should identify if any portion of the Project will occur on SKR HCP lands, or on Stephens' kangaroo rat habitat lands outside of the SKR HCP, but within the MSHCP. Note that the SKR HCP allows for encroachment into the Stephens' kangaroo rat Core Reserve for public projects, however, there are no provisions for encroachment into the Core Reserve for privately owned projects. If impacts to Stephens' kangaroo rat habitat will occur from the proposed Project, the DEIR should specifically identify the total number of permanent impacts to Stephens' kangaroo rat core habitat and the appropriate mitigation to compensate for those impacts.

Lake and Streambed Alteration Program

Based on review of material submitted with the NOP and review of aerial photography, at least one drainage feature traverses the site. Depending on how the Project is designed and constructed, it is likely that the Project applicant will need to notify CDFW per Fish and Game Code section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: substantially divert or obstruct the natural flow of any river, stream, or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream, or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow.

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources.

CDFW may suggest ways to modify your Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code § 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To submit a Lake or Streambed Alteration notification, please go to <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS> .

ADDITIONAL COMMENTS AND RECOMMENDATIONS

To ameliorate the water demands of this Project, CDFW recommends incorporation of water-wise concepts in project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species, and installing water-efficient and targeted irrigation systems (such as drip irrigation). Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants, more information on native plants suitable for the Project location and nearby nurseries is available at CALSCAPE: <https://calscape.org/>. Local water agencies/districts and resource conservation districts in your area may be able to provide information on plant nurseries that carry locally native species, and some facilities display drought-tolerant locally native species demonstration gardens (for example the Riverside-Corona Resource Conservation District in Riverside). Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: <https://saveourwater.com/> .

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). Information can be submitted online or via completion of the CNDDDB field survey form at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data> . The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination

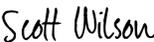
Sean Kelleher, Planning Division Manager
City of Moreno Valley
May 17, 2022
Page 14 of 14

by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP of a DEIR for the Town Center at Moreno Valley Specific Plan (SCH No. 2022040417) and recommends that the City of Moreno Valley address the CDFW's comments and concerns in the forthcoming DEIR. Questions regarding this letter or further coordination should be directed to Katrina Rehrer, Environmental Scientist, at katrina.rehrer@wildlife.ca.gov.

Sincerely,

DocuSigned by:

8091B1A9242F49C...

Scott Wilson
Environmental Program Manager

ec:

Heather Pert, Senior Environmental Scientist, Supervisor
Inland Deserts Region
heather.pert@wildlife.ca.gov

Office of Planning and Research, State Clearinghouse, Sacramento
state.clearinghouse@opr.ca.gov

Tricia Campbell (Western Riverside County Regional Conservation Authority)
Director of Reserve Management and Monitoring
tcampbell@rctc.org

NATIVE AMERICAN HERITAGE COMMISSION

April 27, 2022

Sean P. Kelleher
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552

Re: 202204017, Town Center at Moreno Valley Specific Plan Project, Riverside County

Dear Mr. Kelleher:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.



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Chumash

PARLIAMENTARIAN
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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a.** A brief description of the project.
 - b.** The lead agency contact information.
 - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).
 - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a.** Alternatives to the project.
 - b.** Recommended mitigation measures.
 - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a.** Type of environmental review necessary.
 - b.** Significance of the tribal cultural resources.
 - c.** Significance of the project's impacts on tribal cultural resources.
 - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse



May 12, 2022

Mr. Sean P. Kelleher, Planning Division Manager/Planning Official
Community Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, California 92552
Phone: (951) 413-3215
E-mail: seanke@moval.org

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Town Center at Moreno Valley Specific Plan [SCAG NO. IGR10617]

Dear Mr. Kelleher,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Town Center at Moreno Valley Specific Plan (“proposed project”) to the Southern California Association of Governments (SCAG) for review and comment. SCAG is responsible for providing informational resources to regionally significant plans, projects, and programs per the California Environmental Quality Act (CEQA) to facilitate the consistency of these projects with SCAG’s adopted regional plans, to be determined by the lead agencies.¹

Pursuant to Senate Bill (SB) 375, SCAG is the designated Regional Transportation Planning Agency under state law and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS). SCAG’s feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals and align with RTP/SCS policies. Finally, SCAG is the authorized regional agency for Intergovernmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Town Center at Moreno Valley Specific Plan in Riverside County. The proposed project consists of a specific plan and Tentative Tract Map that will allow for the development of up to 800 dwelling units on 34.8 acres, a neighborhood commercial center with up to 220,00 square feet (SF) of non-residential uses, which includes a 30,000 SF civic building site, a 1.3-acre linear park, and a 3.5-acre park on a 63.5-acre site.

When available, please email environmental documentation to IGR@scag.ca.gov providing, at a minimum, the full public comment period for review.

If you have any questions regarding the attached comments, please contact the Intergovernmental Review (IGR) Program, attn.: Anita Au, Senior Regional Planner, at (213) 236-1874 or IGR@scag.ca.gov. Thank you.

Sincerely,

Frank Wen, Ph.D.
Manager, Planning Strategy Department

¹ Lead agencies such as local jurisdictions have the sole discretion in determining a local project’s consistency with the 2020 RTP/SCS (Connect SoCal) for the purpose of determining consistency for CEQA.

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**COMMENTS ON THE NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
TOWN CENTER AT MORENO VALLEY SPECIFIC PLAN [SCAG NO. IGR10617]**

CONSISTENCY WITH CONNECT SOCIAL

SCAG provides informational resources to facilitate the consistency of the proposed project with the adopted 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal). For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project’s consistency with Connect SoCal.

CONNECT SOCIAL GOALS

The SCAG Regional Council fully adopted [Connect SoCal](#) in September 2020. Connect SoCal, also known as the 2020 – 2045 RTP/SCS, builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health. The goals included in Connect SoCal may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project. Among the relevant goals of Connect SoCal are the following:

SCAG CONNECT SOCIAL GOALS	
Goal #1:	<i>Encourage regional economic prosperity and global competitiveness</i>
Goal #2:	<i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>
Goal #3:	<i>Enhance the preservation, security, and resilience of the regional transportation system</i>
Goal #4:	<i>Increase person and goods movement and travel choices within the transportation system</i>
Goal #5:	<i>Reduce greenhouse gas emissions and improve air quality</i>
Goal #6:	<i>Support healthy and equitable communities</i>
Goal #7:	<i>Adapt to a changing climate and support an integrated regional development pattern and transportation network</i>
Goal #8:	<i>Leverage new transportation technologies and data-driven solutions that result in more efficient travel</i>
Goal #9:	<i>Encourage development of diverse housing types in areas that are supported by multiple transportation options</i>
Goal #10:	<i>Promote conservation of natural and agricultural lands and restoration of habitats</i>

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

SCAG CONNECT SOCIAL GOALS	
Goal	Analysis
Goal #1: <i>Encourage regional economic prosperity and global competitiveness</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
Goal #2: <i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
etc.	etc.

Connect SoCal Strategies

To achieve the goals of Connect SoCal, a wide range of land use and transportation strategies are included in the accompanying twenty (20) technical reports. Of particular note are multiple strategies included in Chapter 3 of Connect SoCal intended to support implementation of the regional Sustainable Communities Strategy (SCS) framed within the context of focusing growth near destinations and mobility options; promoting diverse housing choices; leveraging technology innovations; supporting implementation of sustainability policies; and promoting a Green Region. To view Connect SoCal and the accompanying technical reports, please visit the [Connect SoCal webpage](#). Connect SoCal builds upon the progress from previous RTP/SCS cycles and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that helps the SCAG region strive towards a more sustainable region, while meeting statutory requirements pertinent to RTP/SCSs. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

DEMOGRAPHICS AND GROWTH FORECASTS

A key, formative step in projecting future population, households, and employment through 2045 for Connect SoCal was the generation of a forecast of regional and county level growth in collaboration with expert demographers and economists on Southern California. From there, jurisdictional level forecasts were ground-truthed by subregions and local agencies, which helped SCAG identify opportunities and barriers to future development. This forecast helps the region understand, in a very general sense, where we are expected to grow, and allows SCAG to focus attention on areas that are experiencing change and may have increased transportation needs. After a year-long engagement effort with all 197 jurisdictions one-on-one, 82 percent of SCAG’s 197 jurisdictions provided feedback on the forecast of future growth for Connect SoCal. SCAG also sought feedback on potential sustainable growth strategies from a broad range of stakeholder groups – including local jurisdictions, county transportation commissions, other partner agencies, industry groups, community-based organizations, and the general public. Connect SoCal utilizes a bottom-up approach in that total projected growth for each jurisdiction reflects feedback received from jurisdiction staff, including city managers, community development/planning directors, and local staff. Growth at the neighborhood level (i.e., transportation analysis zone (TAZ) reflects entitled projects and adheres to current general and specific plan maximum densities as conveyed by jurisdictions (except in cases where entitled projects and development agreements exceed these capacities as calculated by SCAG). Neighborhood level growth projections also feature strategies that help to reduce greenhouse gas emissions (GHG) from automobiles and light trucks to achieve Southern California’s GHG reduction target, approved by the California Air Resources Board (CARB) in accordance with state planning law. Connect SoCal’s Forecasted Development Pattern is utilized for long range modeling purposes and does not supersede actions taken by elected bodies on future development, including entitlements and development agreements. SCAG does not have the authority to implement the plan -- neither through decisions about what type of development is built where, nor what transportation projects are ultimately built, as Connect

SoCal is adopted at the jurisdictional level. Achieving a sustained regional outcome depends upon informed and intentional local action. To access jurisdictional level growth estimates and forecasts for years 2016 and 2045, please refer to the [Connect SoCal Demographics and Growth Forecast Technical Report](#). The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts				Adopted City of Moreno Valley Forecasts			
	Year 2020	Year 2030	Year 2035	Year 2045	Year 2020	Year 2030	Year 2035	Year 2045
Population	19,517,731	20,821,171	21,443,006	22,503,899	215,147	235,490	246,068	266,814
Households	6,333,458	6,902,821	7,170,110	7,633,451	57,735	65,182	68,997	76,199
Employment	8,695,427	9,303,627	9,566,384	10,048,822	43,158	55,615	59,411	64,916

MITIGATION MEASURES

SCAG staff recommends that you review the [Final Program Environmental Impact Report](#) (Final PEIR) for Connect SoCal for guidance, as appropriate. SCAG’s Regional Council certified the PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on May 7, 2020 and also adopted a PEIR Addendum and amended the MMRP on September 3, 2020 (please see the [PEIR webpage](#) and scroll to the bottom of the page for the PEIR Addendum). The PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

seanke@moval.org

Sean P. Kelleher, Manager

City of Moreno Valley, Community Development Department

14144 Frederick Street

P.O. Box 88005

Moreno Valley, California 92552

May 17, 2022

Notice of Preparation of an Environmental Impact Report for the Town Center at Moreno Valley Specific Plan (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Environmental Impact Report (EIR). Please send a copy of the EIR upon its completion and public release directly to South Coast AQMD as copies of the EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website¹ as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod² land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds³ and localized significance thresholds (LSTs)⁴ to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of

¹ South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

² CalEEMod is available free of charge at: www.caleemod.com.

³ South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

⁴ South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵.

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants and include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. The Proposed Project will include, among others, 800 residential units and is not located in close proximity to freeways or other sources of air pollution, and to facilitate the purpose of an EIR as an informational document, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵ to disclose the potential health risks⁶.

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Draft EIR. The assumptions in the air quality analysis in the EIR will be the basis for evaluating the permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*⁷ is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory⁸.

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook¹, South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management Plan⁹, and Southern California Association of

⁵ South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁶ *Ibid.*

⁷ CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>.

⁸ CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>.

⁹ South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy¹⁰.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at lsun@aqmd.gov.

Sincerely,

Lijin Sun

Lijin Sun

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS

RVC220426-07

Control Number

¹⁰ Southern California Association of Governments' 2020-2045 RTP/SCS can be found at:
https://www.connectsoal.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

From: Mauricio Alvarez <malvarez@riversidetransit.com>
Sent: Wednesday, May 18, 2022 9:02 AM
To: Sean P. Kelleher <seanke@moval.org>
Subject: NOP of DEIR Town Center at Moreno Valley Specific Plan

Good Morning Sean,

My name is Mauricio and I am the Planning Analyst at Riverside Transit Agency (RTA). Thank you for giving RTA the opportunity to review the documents you mailed over. Although there are no development projects confirmed via this report, RTA would like to be involved throughout the planning process, as we have several routes that operate in the surrounding area, on Alessandro Blvd and Nason St.

Thank you for considering this request. If you have any questions, please let me know. I am happy to assist.

Thank you,

Mauricio Alvarez, MBA

Planning Analyst
Riverside Transit Agency
p: 951.565.5260 | e: malvarez@riversidetransit.com
[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)
1825 Third Street, Riverside, CA 92507



May 6, 2022

Mr. Sean P. Kelleher, Planning Division Manager
City of Moreno Valley
14177 Frederick St.
P.O. Box 88005
Moreno Valley, CA 92552
Email: seanke@moval.org

Subject: EMWD Comment to Notice of Preparation for an Environmental Impact Report for the Town Center at Moreno Valley Specific Plan Project

APN: 487-470-030 and -031

Location: Northwest corner of Nason Street and Alessandro Boulevard, in the city of Moreno Valley, Riverside County, California

Dear Sean:

Eastern Municipal Water District (EMWD) thanks you for the opportunity to review and comment on the Notice of Preparation for an Environmental Impact Report for the Town Center at Moreno Valley Specific Plan Project; Case No. PEN21-0335, PEN21-0334, and PEN22-0077 (Tentative Tract Map No. 38421). The proposed project is approximately 63.5 acres and will include future development of the following:

- Up to 800 homes on approximately 34.8 residential acres;
- Neighborhood Commercial Center encompassing approximately 16.5-acres in the southeast portion of the Project site, which will include a minimum of 150,000 square feet (sf) and no more than 220,000 sf of non-residential uses (e.g., office, civic, hotel, retail, restaurant, etc ..);

Board of Directors

Philip E. Paule, *President* Randy A. Record, *Vice President* Jeff Armstrong Stephen J. Corona David J. Slawson

2270 Trumble Road • P.O. Box 8300 • Perris, CA 92572-8300

T 951.928.3777 • F 951.928.6177 www.emwd.org

- Future Civic Building Site encompassing 40,000 sf in the Neighborhood Commercial Center area, which will ultimately accommodate an approximately 30,000 sf civic-related building (included in the Neighborhood Commercial Center overall building area of up to 220,000 sf); and
- Public Parks consisting of an approximately 1.3-acre linear park and a 3.5-acre park located west and north of proposed commercial area, respectively.

EMWD offers the following comments:

To define the impact(s) on the environment and on existing EMWD facilities, and as development within this area occurs over time, the proponents of implementing development projects shall consult EMWD's Development Services Department to compare proposed and existing water demands and sewer flows, and prepare a Design Conditions report (DC), formally known as the Plan of Service (POS), to detail all pertinent facilities necessary to serve such implementing development projects, resulting in an approved DC, prior to final design and plan check of such facilities.

To help define EMWD's Design Conditions, EMWD requires beginning dialogue with project proponents at an early stage in the site design and development, via a one-hour complementary Due Diligence meeting. To set up this meeting the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our web page www.emwd.org, then select the "Developer" link, then select the "New Development Process Forms" link. This meeting will offer the following benefits:

1. Describe EMWD's development process
2. Identify project scope and parameters
3. Provide a preliminary review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service
5. Identify project submittal requirements to start the Design Conditions review

Following the Due Diligence meeting, and to proceed with a project, the Design Conditions will need to be developed by the developer's engineer and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The DC process and approval will provide the following:

1. Technical evaluation of the project's demands and existing system capacities
2. Identification of impacts to existing facilities
3. Identification of additional on-site and off-site facilities, necessary to serve the project
4. Identification of easement requirements, if necessary
5. Identification of potential EMWD's cost participation in facility oversizing, if applicable

Sean Kelleher: EMWD Comment

May 6, 2022

Page 3

If you have questions or concerns, please do not hesitate to contact Maroun EL-Hage at (951) 928-3777, extension 4468 or by e-mail at El-hagem@emwd.org.

Sincerely,

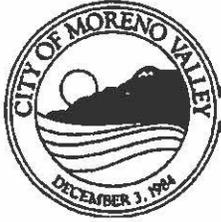
Alfred Javier

Director of Environmental and Regulatory Compliance

ARJ:arj

cc: Maroun El-Hage

Attachments: Copy of Public Notice



Community Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: (951) 413-3206
FAX: (951) 413-3210

APR 22 2022

Date: April 20, 2022

To: Responsible and Trustee Agencies/Interested Organizations and Individuals

Subject: **Notice of Preparation of a Draft Environmental Impact Report**

Lead Agency:

CITY OF MORENO VALLEY
Community Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, California 92552
(951) 413-3215 / Email: seanke@moval.org
Contact: Sean P. Kelleher, Planning Division Manager/Planning Official

EIR Consulting Firm:

T&B Planning
3200 El Camino Real, Suite 100
Irvine, CA 92602
(714) 505-6360 ext. 106
Contact: Tina Andersen

The City of Moreno Valley, as lead agency under the California Environmental Quality Act (CEQA), will prepare an Environmental Impact Report (EIR) for the Town Center at Moreno Valley Specific Plan Project (Project). In accordance with Section 15082 of the CEQA Guidelines, the City has issued this Notice of Preparation (NOP) to provide responsible agencies, trustee agencies, and other interested parties with information describing the proposed project and its potential environmental effects.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than 30 days after receipt of this notice or May 20, 2022.

Please send your response to Mr. Sean P. Kelleher at the City of Moreno Valley address listed above. Please include the name, phone number, and address of a contact person in your response. If your agency or organization will be a responsible or trustee agency for this Project, please so indicate.

Project Title: Town Center at Moreno Valley Specific Plan

Location: 63.5± gross acres at the northwest corner of Nason Street and Alessandro Boulevard, Moreno Valley, Riverside County, CA

Description: The Project includes the following discretionary actions under consideration by the City of Moreno Valley:

- 1) (Case No. PEN21-0335) – Change of Zone to add the Specific Plan (SP 222) overlay zone to the Downtown Center (DC) District for the subject property.

- 2) **(Case No. PEN21-0334) - Town Center at Moreno Valley Specific Plan** to establish a mixed-use development with residential, commercial, civic, and park uses, consistent with the City's land use and zoning designations (Downtown Center [DC] District).
- 3) **(Case No PEN22-0077) – Tentative Tract Map (TTM) No. 38421** to subdivide the Project to allow for the proposed uses.

Project Location and Setting. The Project site consists of the following Assessor Parcel Numbers (APNs): 487-470-030 and 487-470-031 and is generally bound by Cottonwood Avenue to the north, Nason Street to the east, Alessandro Boulevard to the south, and vacant land and a residential subdivision to the west. The Project site is currently undeveloped. There is a vacant parcel northeast of the Project site (southwest of the Nason Street and Cottonwood Avenue intersection), and an Eastern Municipal Water District booster station northwest of the Project site (southeast corner of Cottonwood Avenue and Letterman Street) that are not part of the Project. Figure 1 depicts the location of the Project and Figure 2 provides an aerial photograph of the Project site and surrounding areas.

Proposed Project. The Project includes a proposed Specific Plan and TTM to allow for the development of residential, commercial, civic, and park uses, as shown on the conceptual site plan provided on Figure 3. Access to the Project site would be provided from Cottonwood Avenue, Nason Street, Bay Avenue, and Alessandro Boulevard. In summary, it is anticipated that future development of the Project site pursuant to the proposed Specific Plan would include the following uses:

- **Up to 800 homes** on approximately 34.8 residential acres;
- **Neighborhood Commercial Center** encompassing approximately 16.5-acres in the southeast portion of the Project site, which will include a minimum of 150,000 square feet [sf] and no more than 220,000 sf of non-residential uses (e.g., office, civic, hotel, retail, restaurant, etc.);
- **Future Civic Building Site** encompassing 40,000 sf in the Neighborhood Commercial Center area, which will ultimately accommodate an approximately 30,000 sf civic-related building (included in the Neighborhood Commercial Center overall building area of up to 220,000 sf); and
- **Public Parks** consisting of an approximately 1.3-acre linear park and a 3.5-acre park located west and north of proposed commercial area, respectively.

The Project is consistent with land use and growth assumptions for the Project site included in the adopted *City of Moreno Valley General Plan 2040* (General Plan), which was adopted in June 2021. The Project site has a land use designation of Downtown Center and is zoned Downtown Center (DC) District.

Construction for the Project is expected to be initiated in 2023 and be completed in 2025.

ENVIRONMENTAL ISSUES TO BE EVALUATED IN THE EIR

The City of Moreno Valley has determined that an EIR is required for the Project based on its scale and potential to cause significant environmental effects; therefore, no Initial Study will be prepared (see State CEQA Guidelines, Sections 15060 and 15081).

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

The EIR will assess the effects of the Project on the environment, identify potentially significant impacts, identify feasible mitigation measures to reduce or eliminate potentially significant environmental impacts, and discuss potentially feasible alternatives to the Project that may accomplish basic objectives while lessening or eliminating any potentially significant Project related impacts. A mitigation monitoring program also will be developed as required by Section 15150 of the CEQA Guidelines. This NOP is subject to a minimum 30-day public review period per Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082. During the public review period, public agencies, interested organizations, and individuals have the opportunity to comment on the proposed Project and identify those environmental issues that have the potential to be affected by the Project and should be addressed further by the City of Moreno Valley in the EIR.

SCOPING MEETING

In accordance with Section 21083.9(a)(2) of the Public Resources Code and CEQA Guidelines Section 15082(c), the City will hold a public scoping meeting, where agencies, organizations, and members of the public will receive a brief presentation on the Project and the CEQA process. The scoping meeting will be held on May 4, 2022, at 6:00 PM via a teleconference only. The Public may observe the meeting as follows:

STEP 1: Install the Free Zoom App or Visit the Free Zoom Website at <<https://zoom.us/>>

STEP 2: Get Meeting ID Number and Password by emailing zoom@moval.org or calling (951) 413-3206, no later than 5:30 p.m. on May 4, 2022.

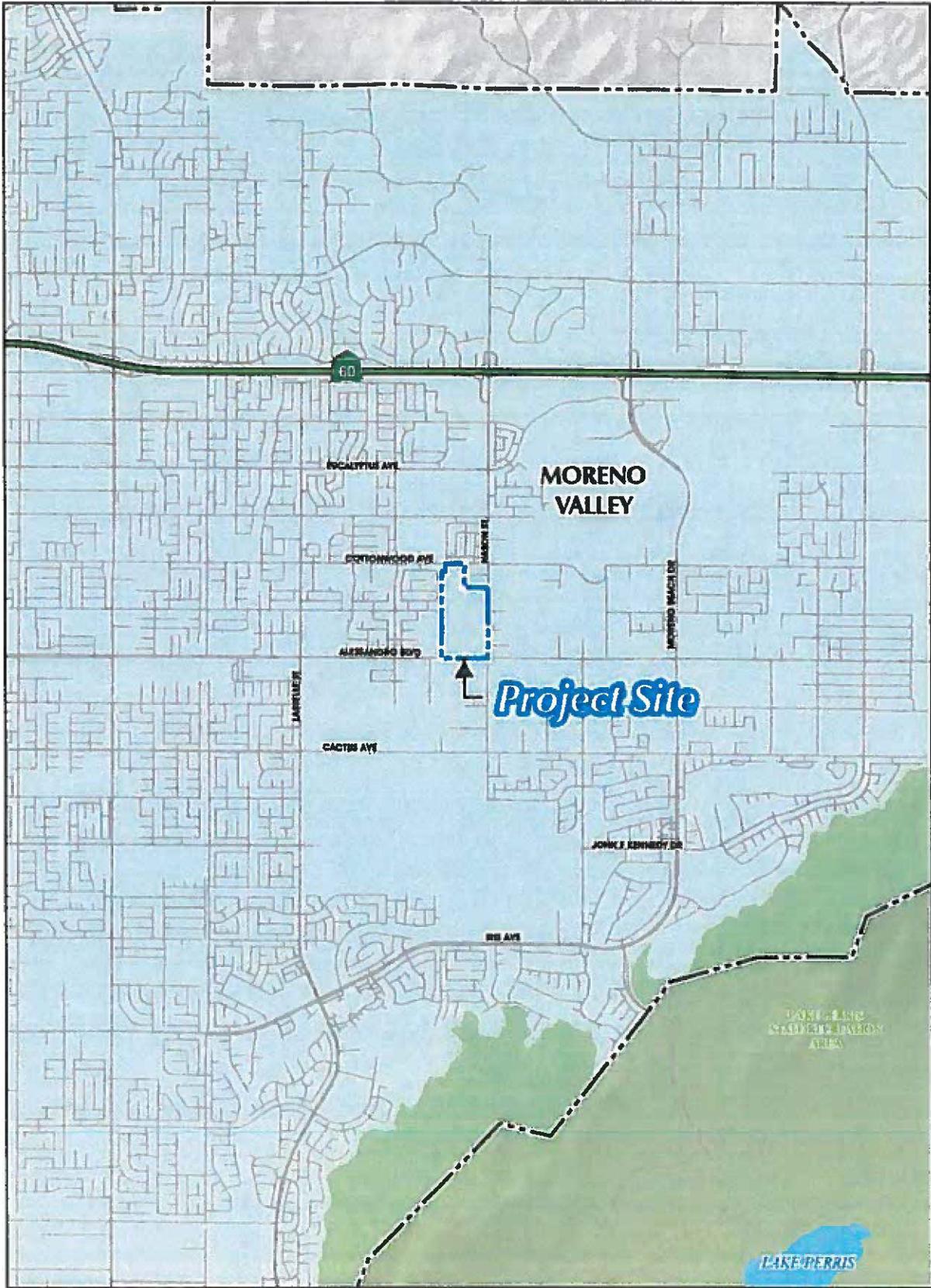
STEP 3: Select Audio Source (*Computer Speakers/Microphone or Telephone*)

Please contact the Community Development Department, Planning Division at (951) 413-3215 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sean P. Kelleher', with a long horizontal stroke extending to the right.

Sean P. Kelleher
Planning Division Manager / Planning Official

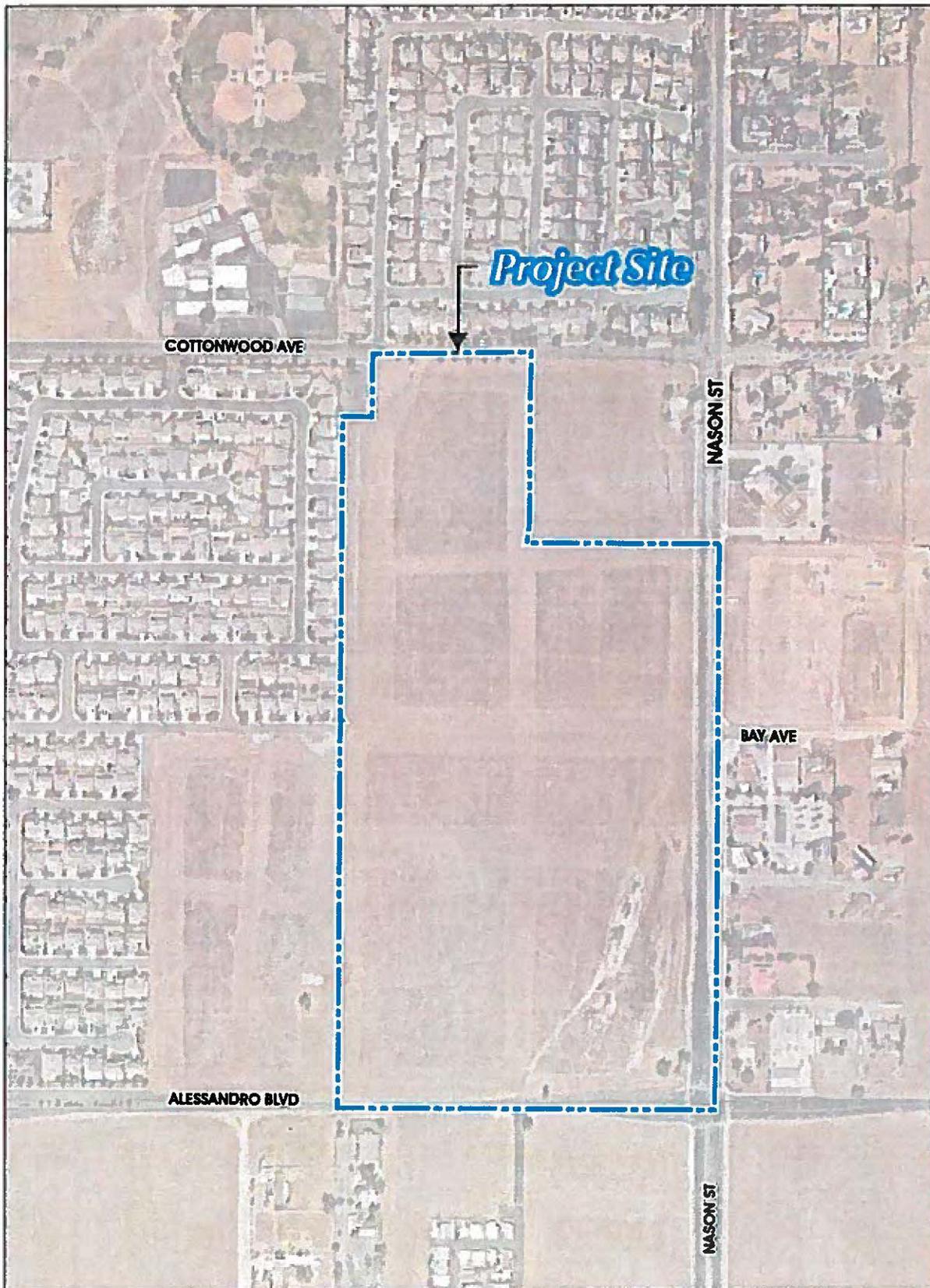


Source(s): ESRI, RCLMA (2021)

Figure 1



Location Map



Source(s): ESRI, RCTLMA (2021)

Figure 2



Aerial Photograph



Source(s): Town Center at Moreno Valley Specific Plan (2022)

Figure 3





City of Moreno Valley
Planning
14177 Frederick St.
Moreno Valley CA 92553

USPS CERTIFIED MAIL



9214 8901 9403 8373 7647 78

EMWD WATER & SEWER
CUSTOMER SERVICE
PO BOX 8300
PERRIS, CA 92572



MORENO VALLEY UNIFIED SCHOOL DISTRICT

Facilities Planning and
Development
25634 Alessandro Blvd.
Moreno Valley, CA 92553
951-571-7500
www.mvusd.net

BOARD OF EDUCATION

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DR. ROBERT VERDI
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Resources Officer*

Vision Statement

*To empower students to
become future ready and
positively impact the world.*

Mission Statement

*To provide an equitable
education for all students to
be prepared for college
and/or a viable career path
for a successful life.*

May 20, 2022

Sean P. Kelleher, Planning Division Manager/Planning Official
City of Moreno Valley, Community Development Department
Planning Division
Post Office Box 88005
Moreno Valley, CA 92552-0805

Project: Town Center at Moreno Valley Specific Plan State Clearinghouse No.
2022040417

Subject: Letter Dated 4/20/22 – Notice of Preparation of a Draft EIR and
Letter Dated 4/21/22 – Revised Notice of Preparation of Draft EIR

Dear Mr. Kelleher,

The Moreno Valley Unified School District (District) appreciates the opportunity to review the information provided for the above Project.

The District's focus continues to be the health and well-being of our students and staff and we are excited at the prospect of new residential housing and mixed use commercial construction within our boundaries. Should you have questions regarding schools supporting this community, please let us know.

It should be noted that there would be developer impact fees associated with this project, payable to the Moreno Valley Unified School District. At this time, the residential fees are \$4.66 per square foot and the commercial fees are \$0.66 per square foot.

These fees change in July 2022. Please contact our Facilities and Planning Team members, Amy Esquibel, MPA (aesquibel@mvusd.net) and Jacob Romero (jromero@mvusd.net) for further information about the process for payment of school fees, or for any additional information.

Please keep us informed as to the City's progress in this matter, and any notifications relating to this project.

Sincerely,

Samer Alzubaidi

Director, Facilities Planning & Development
MORENO VALLEY UNIFIED SCHOOL DISTRICT
13911 Perris Blvd., Building A, Moreno Valley, CA 92553



Community Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: (951) 413-3206
FAX: (951) 413-3210

Date: April 20, 2022

To: Responsible and Trustee Agencies/Interested Organizations and Individuals

Subject: **Notice of Preparation of a Draft Environmental Impact Report**

Lead Agency:

CITY OF MORENO VALLEY
Community Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, California 92552
(951) 413-3215 / Email: seanke@moval.org
Contact: Sean P. Kelleher, Planning Division Manager/Planning Official

EIR Consulting Firm:

T&B Planning
3200 El Camino Real, Suite 100
Irvine, CA 92602
(714) 505-6360 ext. 106
Contact: Tina Andersen

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Please send your response to Mr. Sean P. Kelleher at the City of Moreno Valley address listed above. Please include the name, phone number, and address of a contact person in your response. If your agency or organization will be a responsible or trustee agency for this Project, please so indicate.

Project Title: Town Center at Moreno Valley Specific Plan

Location: 63.5± gross acres at the northwest corner of Nason Street and Alessandro Boulevard, Moreno Valley, Riverside County, CA

Description: The Project includes the following discretionary actions under consideration by the City of Moreno Valley:

- 1) **(Case No. PEN21-0335) – Change of Zone** to add the Specific Plan (SP 222) overlay zone to the Downtown Center (DC) District for the subject property.

- 2) **(Case No. PEN21-0334) - Town Center at Moreno Valley Specific Plan** to establish a mixed-use development with residential, commercial, civic, and park uses, consistent with the City's land use and zoning designations (Downtown Center [DC] District).
- 3) **(Case No PEN22-0077) – Tentative Tract Map (TTM) No. 38421** to subdivide the Project to allow for the proposed uses.

Project Location and Setting. The Project site consists of the following Assessor Parcel Numbers (APNs): 487-470-030 and 487-470-031 and is generally bound by Cottonwood Avenue to the north, Nason Street to the east, Alessandro Boulevard to the south, and vacant land and a residential subdivision to the west. The Project site is currently undeveloped. There is a vacant parcel northeast of the Project site (southwest of the Nason Street and Cottonwood Avenue intersection), and an Eastern Municipal Water District booster station northwest of the Project site (southeast corner of Cottonwood Avenue and Letterman Street) that are not part of the Project. Figure 1 depicts the location of the Project and Figure 2 provides an aerial photograph of the Project site and surrounding areas.

Proposed Project. The Project includes a proposed Specific Plan and TTM to allow for the development of residential, commercial, civic, and park uses, as shown on the conceptual site plan provided on Figure 3. Access to the Project site would be provided from Cottonwood Avenue, Nason Street, Bay Avenue, and Alessandro Boulevard. In summary, it is anticipated that future development of the Project site pursuant to the proposed Specific Plan would include the following uses:

- **Up to 800 homes** on approximately 34.8 residential acres;
- **Neighborhood Commercial Center** encompassing approximately 16.5-acres in the southeast portion of the Project site, which will include a minimum of 150,000 square feet [sf] and no more than 220,000 sf of non-residential uses (e.g., office, civic, hotel, retail, restaurant, etc.);
- **Future Civic Building Site** encompassing 40,000 sf in the Neighborhood Commercial Center area, which will ultimately accommodate an approximately 30,000 sf civic-related building (included in the Neighborhood Commercial Center overall building area of up to 220,000 sf); and
- **Public Parks** consisting of an approximately 1.3-acre linear park and a 3.5-acre park located west and north of proposed commercial area, respectively.

The Project is consistent with land use and growth assumptions for the Project site included in the adopted *City of Moreno Valley General Plan 2040* (General Plan), which was adopted in June 2021. The Project site has a land use designation of Downtown Center and is zoned Downtown Center (DC) District.

Construction for the Project is expected to be initiated in 2023 and be completed in 2025.

ENVIRONMENTAL ISSUES TO BE EVALUATED IN THE EIR

The City of Moreno Valley has determined that an EIR is required for the Project based on its scale and potential to cause significant environmental effects; therefore, no Initial Study will be prepared (see State CEQA Guidelines, Sections 15060 and 15081).

• Aesthetics	• Greenhouse Gas Emissions	• Public Services
• Agriculture & Forestry Resources	• Hazards & Hazardous Materials	• Recreation
• Air Quality	• Hydrology & Water Quality	• Transportation
• Biological Resources	• Land Use & Planning	• Tribal Cultural Resources
• Cultural Resources	• Mineral Resources	• Utilities & Service Systems
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The EIR will assess the effects of the Project on the environment, identify potentially significant impacts, identify feasible mitigation measures to reduce or eliminate potentially significant environmental impacts, and discuss potentially feasible alternatives to the Project that may accomplish basic objectives while lessening or eliminating any potentially significant Project related impacts. A mitigation monitoring program also will be developed as required by Section 15150 of the CEQA Guidelines. This NOP is subject to a minimum 30-day public review period per Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082. During the public review period, public agencies, interested organizations, and individuals have the opportunity to comment on the proposed Project and identify those environmental issues that have the potential to be affected by the Project and should be addressed further by the City of Moreno Valley in the EIR.

SCOPING MEETING

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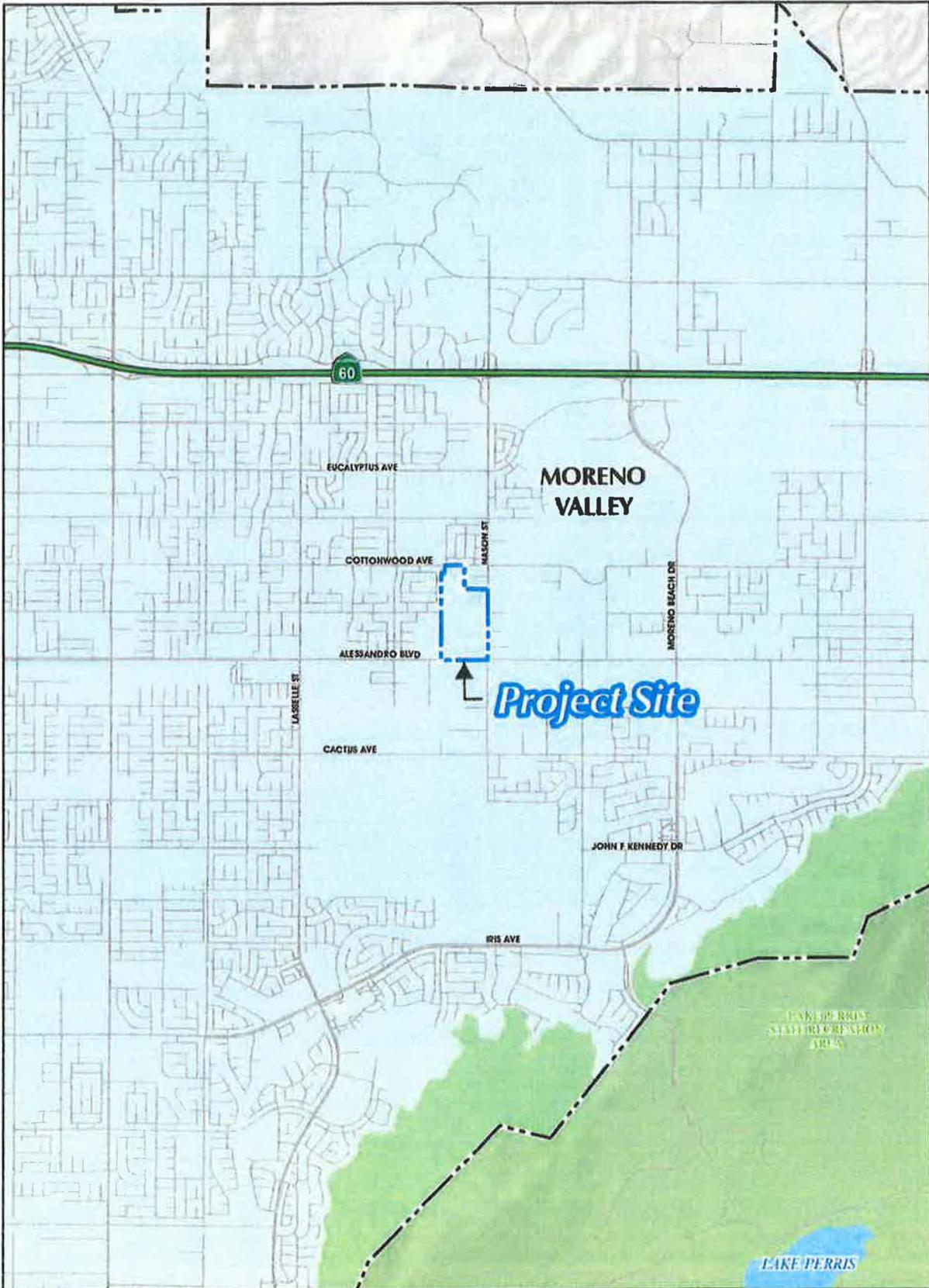
STEP 3: Select Audio Source (*Computer Speakers/Microphone or Telephone*)

Please contact the Community Development Department, Planning Division at (951) 413-3215 if you have any questions.

Sincerely,



Sean P. Kelleher
Planning Division Manager / Planning Official

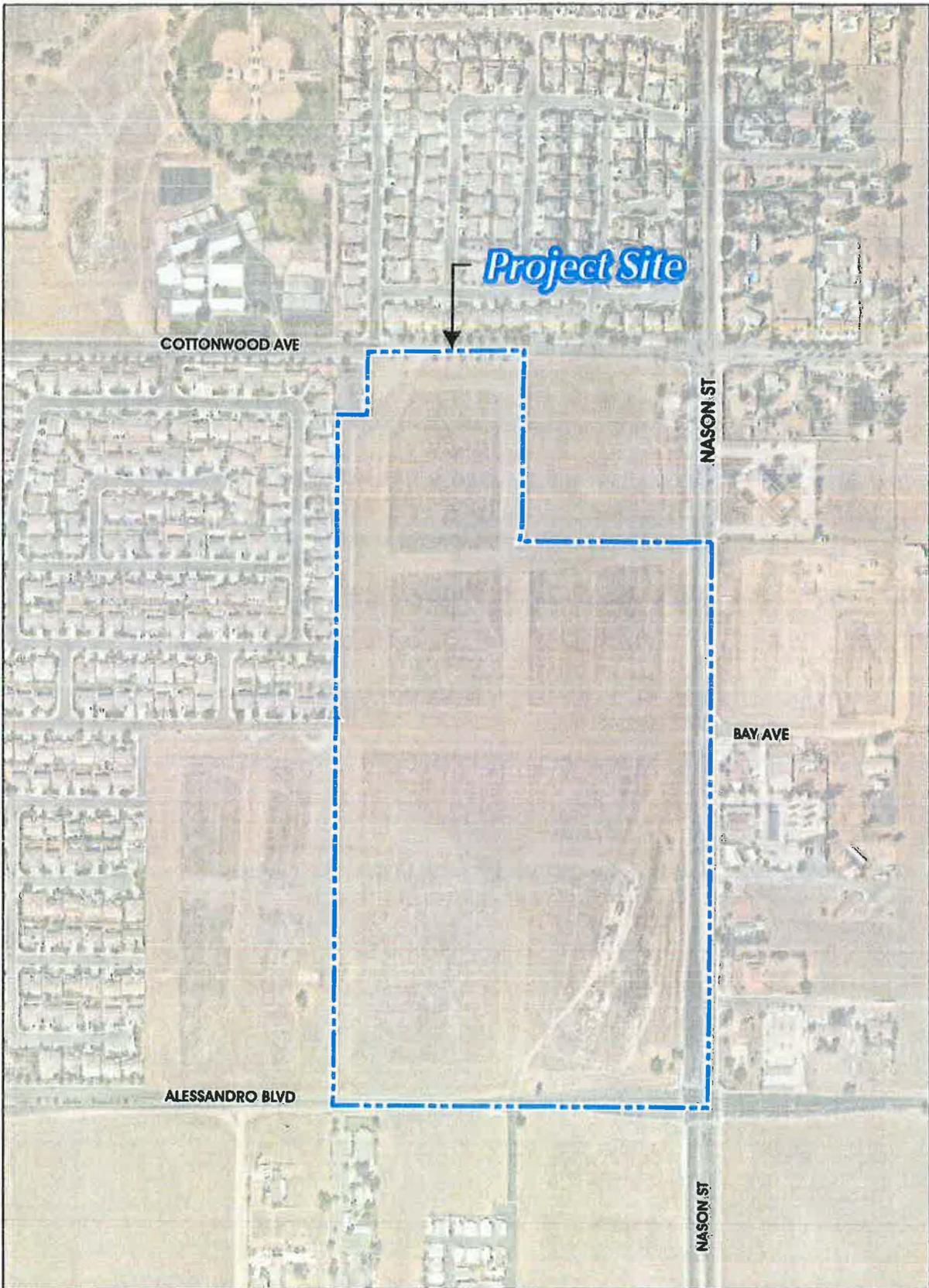


Source(s): ESRI, RCLMA (2021)

Figure 1

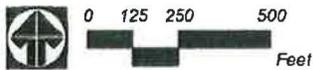


Location Map



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Figure 2



Aerial Photograph



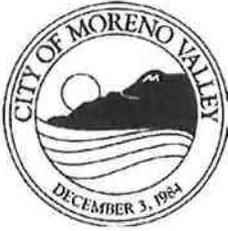
Source(s): Town Center at Moreno Valley Specific Plan (2022)

Figure 3



Not to Scale

Conceptual Site Plan



REC-1950
MORENO VALLEY USD
FACILITIES DEPARTMENT
277 42 97 21 10 47

**Community Development Department
Planning Division**
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: (951) 413-3206
FAX: (951) 413-3210

Date: April 21, 2022

To: Responsible and Trustee Agencies/Interested Organizations and Individuals

Subject: **Revised Notice of Preparation of a Draft Environmental Impact Report**

Lead Agency:

CITY OF MORENO VALLEY
Community Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, California 92552
(951) 413-3215 / Email: seanke@moval.org
Contact: Sean P. Kelleher, Planning Division Manager/Planning Official

EIR Consulting Firm:

T&B Planning
3200 El Camino Real, Suite 100
Irvine, CA 92602
(714) 505-6360 ext. 106
Contact: Tina Andersen

The City of Moreno Valley, as lead agency under the California Environmental Quality Act (CEQA), will prepare an Environmental Impact Report (EIR) for the Town Center at Moreno Valley Specific Plan Project (Project). In accordance with Section 15082 of the CEQA Guidelines, the City has issued this Notice of Preparation (NOP) to provide responsible agencies, trustee agencies, and other interested parties with information describing the proposed project and its potential environmental effects.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than 30 days after receipt of this notice or May 23, 2022.

Please send your response to Mr. Sean P. Kelleher at the City of Moreno Valley address listed above. Please include the name, phone number, and address of a contact person in your response. If your agency or organization will be a responsible or trustee agency for this Project, please so indicate.

State Clearinghouse No. 2022040417

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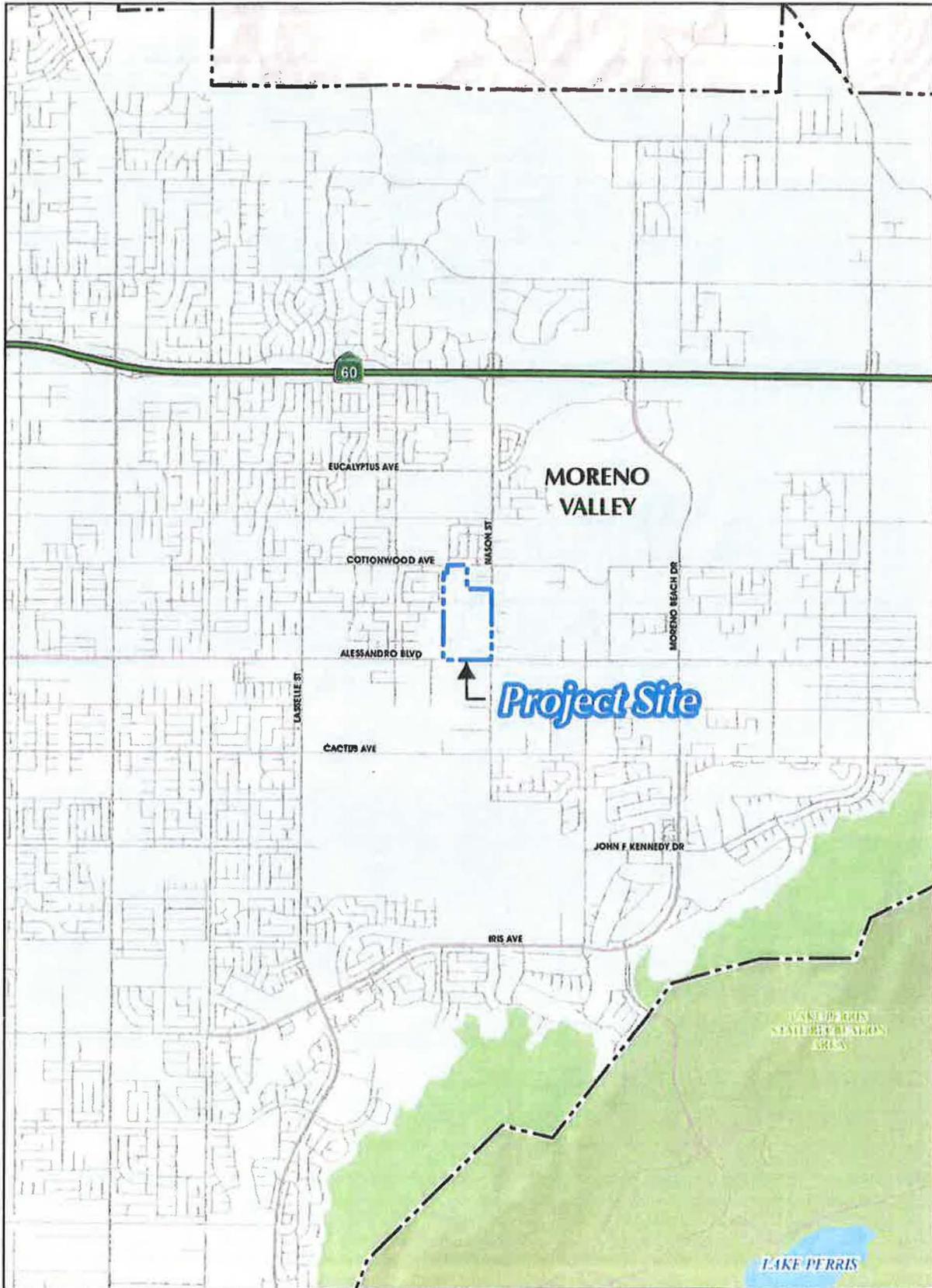
STEP 3: Select Audio Source (*Computer Speakers/Microphone or Telephone*)

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Sincerely,

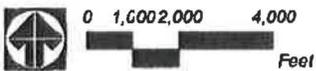


Sean P. Kelleher
Planning Division Manager / Planning Official

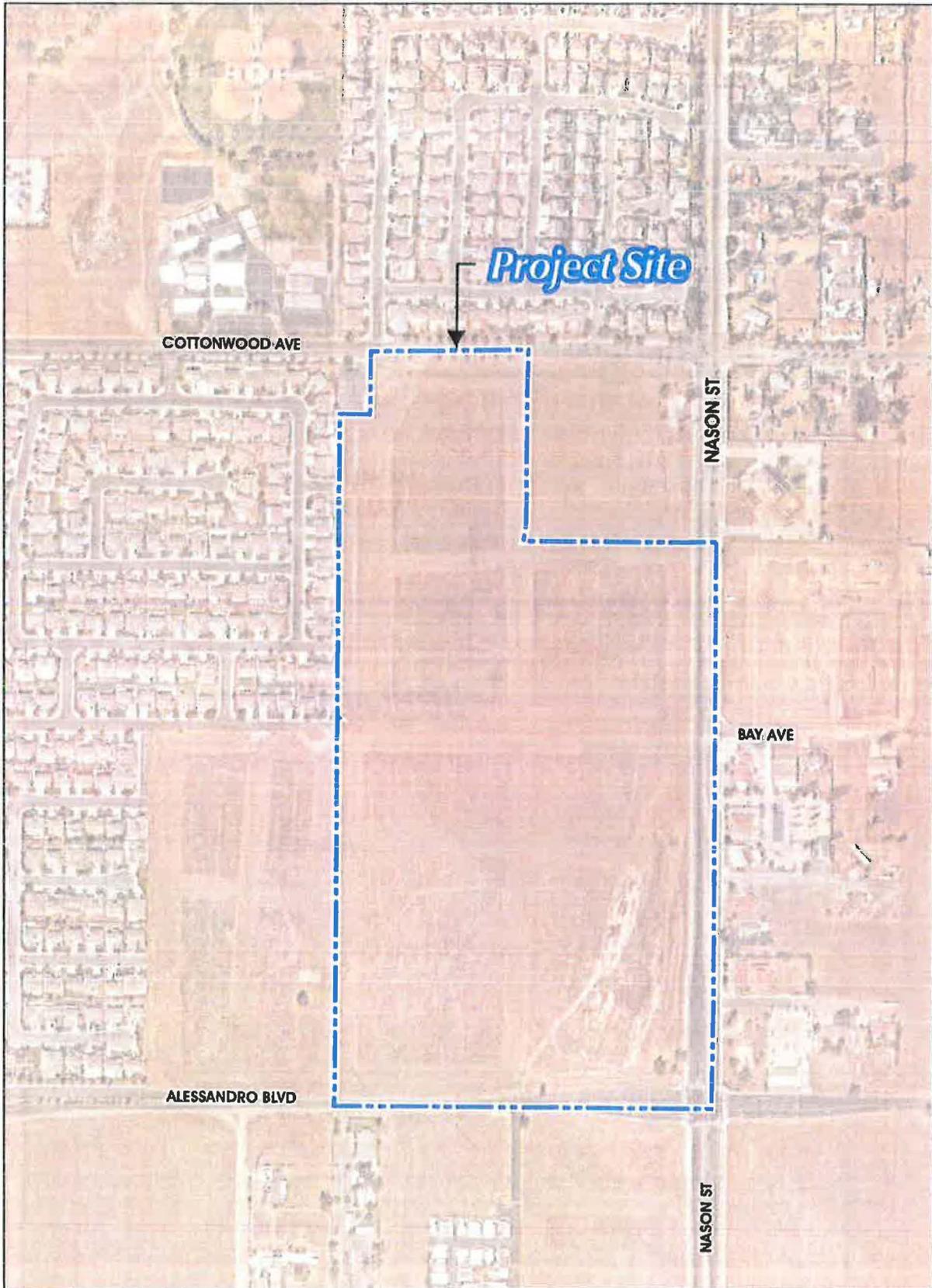


Source(s): ESRI, RCLMA (2021)

Figure 1

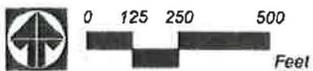


Location Map



Source(s): ESRI, RCTLMA (2021)

Figure 2



Aerial Photograph



Source(s): Town Center at Moreno Valley Specific Plan (2022)

Figure 3



Conceptual Site Plan

From: George Hague <gbhague@gmail.com>
Sent: Monday, May 23, 2022 4:38 PM
To: Sean P. Kelleher <seanke@moval.org>
Cc: City Clerk <cityclerk@moval.org>
Subject: Moreno Valley Town Center Notice of Preparation (NOP) comments

Warning: External Email – Watch for Email Red Flags!

To Sean Kelleher,

May 23, 2022

Re: Comments on the Moreno Valley Town Center Notice of Preparation

During the General Plan Update (GPU) process the idea of a downtown center was supported by most Moreno Valley residents because of what is written below about it from those documents — beginning with **DOWNTOWN CENTER**. Therefore the Draft EIR needs to reflect that which is written below — especially on lands which are mainly under the “control” by the city. We cannot expect the owner of Aquabella or other private lands to provide the “cultural engine” in the region and the “Downtown Center will be a new Central Park”.

If a new Central Park is not put in this location, what private land owner is going to put on their lands instead of structures? It is like bait and switch.

Many school age children will be living on this project site and other lands within the 1,200 acres designated as Downtown Center lands. Many of the nearby roads will attract major traffic. The Draft EIR must explain and show where and how the best safe crossings are available for these students. The same must be done for the safest bike paths for students going to/from schools.

The Draft EIR must show which street within/adjacent/leading to this site will be developed as Complete Streets (<https://smartgrowthamerica.org/what-are-complete-streets/>).

The Draft EIR must show how it will do the following: "Create a layered network of roadways with segments assigned for different travel modes in order to provide for both roadway safety and efficient traffic flow" as written below.

Where will the city "Provide a transit center to serve as a hub connecting destinations within Moreno Valley and the surrounding region with modern transit options such as on-demand service or micro-transit that are appropriate for the Moreno Valley context" as written below if not on these lands or any of the Downtown Center's proposed 1,200 acres? Another bait and switch? This site must include very friendly transit/bus stops for people to be able sit out of the elements/sun and where buses can pull out of the flow of traffic.

As the Draft EIR analyzes impacts on air pollution and greenhouse gas (GHG), the project must maximize use of solar on the top of all building — including housing — and all covered parking areas. Fast charging electric plug-ins for the electric cars mentioned below and also for electric motor bikes/scooters must be made available throughout the project — including multi-family units. The

multi-family units and all housing must provide recycling for everything required by California for stand along homes - including organic and green waste. The Draft EIR must show how the above will be accomplished or it will be inadequate.

The buildings need to be LEED certified. Require maximum solar, waterless hardware and only electric buildings with no gas. Recycling inside and outside of all buildings using solar trash and recycling compactors outside as seen in the following link (<https://bigbelly.com/>). In addition to multi-family units commercial buildings must also have living units on top floors. Such practices as using graywater, natural drainage systems and pervious paving to recharge aquifers are becoming more common. Landscaping with native plants and drought-tolerant plants is a must. Tree canopies that are not undo trimmed/pruned to provide foliage cover for people is important for Town Centers and also for reducing climate disruption/climate change. Pam trees do not provide help in any of these areas and should not be used. "Sustainability requires having a flexible approach and thinking in the long term. Sustainability is the glue that binds financing, planning, zoning, designing, marketing, and building and creates quality of life and a sense of community. Planning for sustainability does not stop at buildout." (Page 33 of "Ten Principles of Developing a Successful Town Center" ([http://uli.org/wp-content/uploads/ULI-Documents/TP_TownCenters.ashx .pdf](http://uli.org/wp-content/uploads/ULI-Documents/TP_TownCenters.ashx.pdf) by the Urban Land Institute-ULI) This entire ULI document is incorporated into these comments by reference. The Draft EIR must show that the excellent suggestions by the ULI have been included, realized and made part of this project. Therefore please read this excellent ULI document.

"Designing a great sidewalk requires consideration of five points:

- Sidewalks need to be activated by being next to occupied retail space, residential stoops, and well-maintained lobbies for office and other compatible uses.
- Sidewalks need to be occupied, with people always there throughout the day and evening.
- Sidewalks need to be well maintained and free of litter. Having an involved community presence is important in this respect.
- Sidewalks need to impart a sense of permanence. They should be lined by mature trees, high-quality landscaping, and high-quality materials.
- Sidewalks need to be retail-friendly, safe, secure, and comfortable. These characteristics are achieved by making streets easy to cross (with on-street parking) and by providing inventive signage and few sidewalk distractions. " (ULI page 27)

What will be the set of covenants, conditions and restrictions (CC&Rs) and who will enforce them? Most Town Centers operation 24 hours a day and its design must be such that implementing the CC&Rs are easy on all concerned — including the police and fire departments.

Alessandro Blvd is a city designated truck route. The World Logistic Center (WLC) will eventually have more than 11,000 Daily diesel truck trips with many coming from the west and using roads like Alessandro Blvd and/or Cactus Ave. The projects Draft EIR must analyze the impacts on the health of those who live along these routes and the impact of toxic diesel pollution on those who want to sit/work outside or inside at this Town Center. The impact of noise from these diesel big rigs must also be studied, analyzed as to how it will impact the outside activities of people on this site.

The alternatives must include an environmentally/sustainability superior model — other than the no project alternative. The superior environmental/sustainability must be proactive in including that which will make it a sustainable project and not just a smaller project.

Ideally the project submitted will be the environmentally/sustainability superior model.

The project needs to include the following:

- Reduce contribution to global climate change during construction and operation
- Enhance individual human health as written in our General Plan
- Protect and restore water resources which includes ground water
- Protect and enhance biodiversity and ecosystem services through the native plants used
- Promote sustainable and regenerative material cycles
- Enhance community quality of life at a minimum as written in our General Plan

DOWNTOWN CENTER

Fostering a downtown destination with a full range of choices for shopping, dining, doing business, and having fun is an important objective for Moreno Valley, strongly supported in the community. Although activity centers are distributed throughout the city today, there is no distinct downtown core. However, a large area around the prominent cross-roads of Nason and Alessandro presents a prime opportunity to foster a Downtown Center for the city and the region. Encompassing approximately 1,200 acres near the geographic center of the community, the Downtown Center area features two regional medical facilities – the Riverside University Health System and the Kaiser Permanente Medical Center – direct access to SR-60 and I-215, and the impressive backdrop of the Bernasconi Hills to the southeast. Moreno Valley College is located a short distance to the south. Approximately 80 percent of the land is vacant and undeveloped today, including the 730-acre Aquabella Specific Plan area and a 56-acre parcel at the northwest corner of Nason and Alessandro where the Town Center Project is proposed.

The Downtown Center is envisioned as the primary hub and focal point of Moreno Valley and an economic and cultural engine in the region. With a range of activities day and night, this thriving area will draw people and businesses to Moreno Valley and **will showcase the highest quality architecture/design to rival anything in the region.** The Downtown Center will integrate the existing hospital complexes and provide visual and physical connections to Moreno Valley College, Lake Perris, and other key destinations within the community. **Nason Street is envisioned as a grand boulevard and central spine of the Downtown Center,** with the highest intensity of development focused along it. **A walkable new “main street”** is envisioned at the core, lined with shops, restaurants, workplaces, and **cultural venues.** Density and intensity will reduce gradually outward from the core to transition to the surrounding neighborhoods. New development will be organized around an interconnected grid of streets within the Downtown Center to break up the super blocks and provide convenient, safe bicycle and pedestrian linkages within the area. A prominent feature of the **Downtown Center will be a new Central Park,** providing pedestrian and **bicycle connectivity** to the hospitals and residential areas and designed with family-friendly amenities and programmed with regular festivals and events. **Recognizing recreation and entertainment as key contributors to the vitality of the Downtown Center,** the area is envisioned to host a performing arts venue and sports and recreation facilities. (2-16 I MoVal 2040 General Plan)



Visibility is a critical design consideration for the Downtown Center. Design standards for development at the core of the Downtown Center seek to take advantage of the relatively flat terrain and promote higher building heights to help build visual connections from other locations within the community and enhance the prominence of the Downtown Center

as an important destination. A marquee building, like a clock tower, is envisioned to serve as an identifiable downtown landmark visible from anywhere in the city. Additionally, public plazas and other vantage points within the Downtown Center should be **designed to allow for view of the scenic hills surrounding the city**, enhancing sense of place.

Full realization of the Downtown Center will take many years. The Plan lays out a flexible framework to guide the evolution of the area, including principles for land use and urban design, circulation, and **parks and open space**. As individual projects are proposed in the area, proponents will be required to develop an area plan demonstrating consistency with these principles and the buildout projections for the area analyzed in the 2040 General Plan Environmental Impact Report. The Plan envisions the integration of the Aquabella Specific Plan area into the Downtown Center, allowing for development of supportive medical facilities, a hotel, and shops and services oriented to patients and their families adjacent to the hospitals, while also permitting development of the low-to-mid density development consistent with the underlying zoning for the Specific Plan Area. (Land Use and Community Character I 2-17)



POLICIES

LCC.2-1:

LCC.2-2:

LCC.2-3:



LCC.2-4:

LCC.2-5:

Create a Downtown Center with a vibrant mix of uses that will serve as the primary hub and focal point of Moreno Valley economic and **cultural engine in the region.**

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

Within the Downtown Center, ensure the high intensity of development is concentrated so as to create a central core with a mix of uses to activate it throughout the day and evening and to promote strong connectivity between new uses and RUMC, Aquabella, and the Kaiser hospital campus.

Leverage the presence of the hospitals and large tracts of vacant land to **attract new higher-wage employers** to the Downtown Center.

Integrate new employment-oriented uses into the fabric of the Downtown Center as employment, educational, corporate, and

LCC.2-6: LCC.2-7:

LCC.2-8:

LCC.2-9:

LCC.2-10:

LCC.2-11:

research campuses and/or as part of mixed use developments.

Create a Central Park facility to serve as a defining feature of the Downtown Center.

Recognize recreation and entertainment as key contributors to the vitality of the Downtown Center and accommodate a world class sports/recreational facility to provide activities and entertainment for Moreno Valley residents.

Transform Nason Street and Alessandro Boulevard into grand boulevards with a distinctive, inviting character that announces arrival in Downtown Moreno Valley.

Support the vitality of commercial and retail development downtown with significant new housing in and adjacent to the Downtown Center.

Create an attractive, safe environment for bicycles and pedestrians that promotes “micro-mobility” and connectivity within the Downtown Center as well as encourage electric and autonomous vehicles.

Allow for the evolution of the Downtown Center and encourage site planning that facilitates redevelopment of sites within the core of the area in the future as land values increase and higher development intensities become more financially feasible.

ACTIONS

LCC.2-A:

LCC.2-B:

Establish flexible zoning regulations to guide development in the Downtown Center.

Prioritize the completion of catalyst projects for the Downtown Center, including the Town Center development at Nason and Alessandro and the Aquabella Specific Plan.





(Page 2-18 | MoVal 2040 General Plan)

Table LCC-2: Downtown Center Development Principles: **Land Use and Urban Design**

- ◆ Focus the highest intensity of development along Nason with a mix of **employment, residential, civic, cultural, restaurant, hotel, and entertainment uses** to serve Moreno Valley residents and visitors.
 - ◆ Build the visual presence of the Downtown Center with **taller building heights, land- marks, trees, and distinctive branding and signage.**
 - ◆ Orient new buildings to the street, minimize setbacks along street frontage, and ensure a consistent street wall to promote a **walkable, pedestrian-friendly** environment.
- ◆ Provide common, resident-serving uses such as **lobbies, fitness centers, and common areas in visible**, ground-floor locations within multi- family developments and mixed use buildings to activate the street level.
- ◆ Locate **higher density residential uses** along major arterials (Alessandro, Cactus, and Nason) and transition to lower intensity residential and employment-oriented uses in other parts of the Downtown Center.
- ◆ Locate low and medium density housing (up to 20 du/ac) and neighborhood-serving shops and services on the periphery of the Downtown Center and on streets adjacent to the **Central Park** feature in order to integrate the park into the rhythm of daily activity in the area.

- ◆ Preserve **views of the hills** to the southeast from within the Downtown Center and incorporate the natural topography into site development plans to help create a distinctive sense of place.
- ◆ Use a variety of **architectural styles** throughout the area, varying rooflines, building materials, colors, and façade articulation to heighten visual interest.
- ◆ Emphasize **human-scaled design** within large- scale commercial and mixed use development and employ measures such as articulated mass- ing, awnings, and landscape elements to break down the scale of development.



(Land Use and Community Character | 2-19)

Table LCC-2: Downtown Center Development Principles: **Circulation**

- ◆ Extend Brodiaea through the Cactus/ Alessandro superblock to serve as the **“Main Street”** with two central traffic circles and a walkable, pedestrian-oriented streetscape.
- ◆ Create a layered network of roadways with segments assigned for different travel modes in order to provide for both roadway safety and efficient traffic flow.
- ◆ Create smaller urban blocks to promote walk- ability. Block sizes should range between 330 and 660 linear feet. Blocks over 500 feet should feature mid-block connections such as **pedes- trian pathways or alleys**.
- ◆ Provide a transit center to serve as a hub connecting destinations within Moreno Valley and the surrounding region with modern transit options such as

on-demand service or micro-transit that are appropriate for the Moreno Valley context.

- ◆ Provide a grid of interconnecting streets with designated bicycle and pedestrian routes lined with sidewalks and furnished with pedestrian amenities throughout the area. Grade separated connections across arterial roadways should also be considered. Mid-block connections created as new developments are built will provide additional pedestrian and bicycle paths.
- ◆ Accommodate and encourage **electric and autonomous vehicles** with appropriate design and infrastructure.
- ◆ Provide distinctive connections between destinations within the Downtown Center (ex: RUMC, Aquabella, and the Kaiser hospital campus), using curvilinear roads, generous pedestrian paseos, **branded wayfinding, signage** and other design techniques that contribute to a unique sense of place.
- ◆ Design the interconnecting streets that break up the superblocks with reduced street widths, street parking, consistent trees and landscaping to control traffic speed and create a more intimate feel and comfort through shading.
- ◆ Connect the Downtown Center to the city, state, and regional trail network with connections via Cactus, John F. Kennedy, and Iris.



(Page 2-20 | MoVal 2040 General Plan)

Table LCC-2: Downtown Center Development Principles: Parks and Open Space

- ♦ Provide a **linear Central Park** feature that serves as both a focal point and gathering place for surrounding neighborhoods and the city as a whole.
 - ♦ Connect the RUMC and the Nason/Alessandro Town Center development with a **pedestrian paseo**, lined with ground floor uses and featuring seating, landscaping, trees, and public art to create an active public space. Provide pedestrian paseos to connect new developments with each other and with the Kaiser hospital campus.
- ♦ Create a **network of public outdoor spaces** including neighborhood and community parks, so that all residents of the Downtown Center are within a half-mile walk of outdoor recreational space.
- ♦ Promote a variety of **plazas, pocket parks**, and other common outdoor spaces in commercial and employment areas. These are envisioned as privately-owned, publicly accessible spaces.

- ◆ Locate neighborhood parks and open spaces along designated **bicycle and pedestrian routes.**

Table LCC-3: Downtown Center Illustrative Development Program (Net New Development 2020-2040)

Residential	Low Density Residential (less than 10 du/ac)	1,320	units
	Medium/High Density Residential (more than 10 du/ac)	5,524	units
Employment	Retail/Service	400,000	square feet
	Office/R&D	1,450,000	square feet
	Other/Commercial	1,500,000	square feet



(Land Use and Community Character | 2-21)

Rendering of Brodiaea Avenue

Brodaeia could be extended from Laselle to Nason, creating a new mixed use Main Street within the Downtown Center



How will this Town Center be designed to be made to feel as an integral part of the larger Downtown Center project as can be read and seen above? The Specific Plan and Draft EIR for this project should be part of the larger project envisioned above and not just a stand-alone project. This project must plan for human connectivity between it and lands south of Alessandro Blvd with its future development as

part of the Downtown Center envisioned above. We look forward to reading the Specific Plan and Draft EIR to see how this will be accomplished and made a reality with this project.

Please keep me informed of all documents and meetings related to this project.

Sincerely,

George Hague