Draft Facts, Findings and Statement of Overriding Considerations Regarding the Environmental Effects and the Approval of the World Logistics Center Specific Plan (State Clearinghouse No. 2012021045)

DRAFT

TABLE OF CONTENTS

I. INTRODUCTION 1

II. PROJECT SUMMARY 1

A. PROJECT DESCRIPTION 1
1. Site Location 1
2. Project Description 1
3. Actions Covered by the EIR 3

B. PROJECT OBJECTIVES 5

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION 6

IV. INDEPENDENT JUDGMENT FINDING 8

A. GENERAL FINDING ON MITIGATION MEASURES 8

V. ENVIRONMENTAL IMPACTS AND FINDINGS 9

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION 10
1. Agricultural and Forestry Resources 10
2. Air Quality 11
3. Biological Resources 21
4. Cultural Resources 23
5. Geology and Soils 23
6. Greenhouse Gas Emissions 27
7. Hazards and Hazardous Materials 28
8. Hydrology, Drainage, and Water Quality 38
9. Land Use and Planning 42
10. Mineral Resources 46
11. Noise 48
12. Population and Housing 51
13. Public Services and Facilities 56
14. Transportation 60
15. Utilities and Service Systems 65

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT 70
1. Aesthetics 71
2. Agricultural Resources 73
3. Air Quality 76
4. Biological Resources 78
5. Cultural Resources 96
6. Geology and Soils 105
7. Greenhouse Gas Emissions, Climate Change, and Sustainability 111
8. Hazards and Hazardous Materials 123
9. Hydrology, Drainage, and Water Quality 125
10. Noise 135
11. Transportation 141
12. Utilities and Service Systems 150

DRAFT

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT 161
1. Aesthetics (Individual and Cumulative Impacts) 161
2. Air Quality 168
3. Land Use and Planning 185
4. Noise 186
5. Transportation 192

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES 194
1. No Project/No Build Alternative 194
2. No Project/Existing General Plan Alternative 195
3. Alternative 1 - Reduced Density Alternative 197
4. Alternative 2 - Mixed Use A 200
5. Alternative 3 - Mixed Use B 202
6. Alternatives Considered and Rejected 204
7. Environmentally Superior Alternative 205

E. GROWTH-INDUCING IMPACTS 206

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES 209

VI. STATEMENT OF OVERRIDING CONSIDERATIONS 210

VII. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT 227

A. FINDINGS 227
1. CEQA Compliance 227
2. Significant Unavoidable Impacts/Statement of Overriding Considerations 228
3. Conclusions 229

VIII. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM 229

DRAFT

I. INTRODUCTION

The City Council of the City of Moreno Valley (this "Council"), in certifying the EIR for the World Logistics Center (WLC) Specific Plan authorizing the construction of up to approximately 40.4 million square feet of "high-cube logistics" warehouse distribution uses classified as Logistics Development (LD) and 200,000 square feet of warehousing-related uses classified as "Light Logistics" (LL) on 2,610 acres within the WLC Specific Plan. (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City of Moreno Valley ("City") acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in "Rancho Belago," the eastern portion of the City of Moreno Valley, in northwestern Riverside County. The Project site is immediately south of State Route 60 (SR-60), between Redlands Boulevard and Gilman Springs Road (the easterly city limit), extending to the southerly city limit. The major roads that currently provide access to the Project site are Redlands Boulevard, Theodore Street, Alessandro Boulevard, and Gilman Springs Road.

The WLC Project area is located in portions of Sections 1, 12, and 13 of Township 3 South, Range 3 West; and portions of Sections 6, 7, 8, 9, 16, 17, 18, 19, 20, and 21 of Township 3 South, Range 2 West, as depicted on the U.S. Geological Survey (USGS) 7.5-minute series Sunnymead and El Casco, California quadrangles.

2. Project Description

The Project covered by the EIR includes 3,714 acres of land, which is the subject of various entitlements, plus 104 acres of land affected by off-site improvements needed to support the

DRAFT

development. A General Plan Amendment, covering 3,714 acres, redesignates approximately 71 percent of the area (2,610 acres) for logistics warehousing and the remaining 29 percent (1,104 acres) for permanent open space and public facilities.

The World Logistics Center Specific Plan covers 2,610 acres of the 3,714 acres and proposes a maximum of 40.6 million square feet of "high-cube logistics" warehouse distribution uses classified as "Logistics Development" (LD) and 200,000 square feet (approximately 0.5%) of warehousing-related uses classified as "Light Logistics" (LL). The lands within the WLC Specific Plan that are designated LL are existing rural lots, some containing residential uses, that will become "legal, non-conforming uses" once the WLC Specific Plan is approved. In addition, the LD designation includes land for two special use areas; a fire station and a "logistics support" facility for vehicle fueling and sale of convenience goods (3,000 square feet is assumed for planning purposes for the "logistics support").

The California Department of Fish and Wildlife (CDFW) Conservation Buffer Area is a 910-acre parcel owned by the State of California as part of the San Jacinto Wildlife Area (SJWA). This land is within the City of Moreno Valley and is included in the approved Moreno Highlands Specific Plan. That plan designates this property for a broad mix of urban uses including suburban residential, schools, parks, and roads. This land was purchased by the State in 1991 as additional upland habitat for the SJWA and also to act as a buffer between the sensitive biological resources of the SJWA and the future urban development under the Moreno Highlands Specific Plan. This land has been actively farmed for many decades and most of it remains in active production. The southwestern portion contains areas of non-native grasslands, although aerial photographs show that this area has been intermittently tilled over the last 80 years. This property is included in the General Plan Amendment and the Zone Change to replace the current urban land uses that are permitted and to replace them with Open Space and Public Facility designations. This property is not within the World Logistics Center Specific Plan (i.e., not in the area planned for development).

The San Diego Gas & Electric Company (SDG&E) and the Southern California Gas Company (SCGC) own a total of 194 acres of land immediately south of the Specific Plan site. These properties are included in the General Plan Amendment and the Zone Change to designate them for Open Space and Public Facilities uses. These designations are consistent with present uses. These properties are not within the World Logistics Specific Plan. Approximately 174 acres of

the land owned by SDG&E will be designated as Open Space. Nineteen acres of SDG&E land and one acre of SCGC land will be designated as Public Facilities.

3. Actions Covered by the EIR

The EIR will support the following discretionary and non-discretionary approvals:

- Approval of the World Logistics Center Specific Plan - The World Logistics Center Specific Plan is a master plan for a 2,610 acre site for the development of up to 40.6 million square feet of modern high-cube logistics and related warehouse distribution facilities defined as Logistics Development and Light Logistics. The Specific Plan establishes the master plan of development for the Project area, including development standards and use regulations, a master plan for circulation, infrastructure, architectural, landscape and design guidelines and sustainability goals - all of which will be applicable to all development within the area covered by the Specific Plan.

- General Plan Amendment (GPA) proposes a revision to the City General Plan land use designations for 3,714 acres The GPA will replace the current Moreno Highland Specific Plan/General Plan Designations west of Gilman Springs Road with the following land use designations: (a) 2,610 acres for high cube logistics development; (b) 1,084 acres of Open Space; and (c) 20 acres for Public Facilities. The General Plan land use designation for the site would become Business Park/Light Industrial (BP).

  The General Plan Amendment also includes amendments to several other elements, including the Community Development Element, the Parks, Recreation and Open Space Element, the Circulation Element, the Environmental Safety Element, and the Conservation Element to make them consistent with the Project.

- Change of Zone to establish the World Logistics Center Specific Plan, which will replace the Moreno Highlands Specific Plan west of Gilman Springs Road and rezone several other contiguous properties. The WLC Specific Plan will become the regulatory land use document for the entire 2,610 acre Specific Plan area. The project includes a Zone Change covering, 3,714 acres, which will designate 1,084 acres of land for Open Space (CDFW and SDG&E properties), 20 acres for Public Facilities (SDG&E and SCGC properties), and 2,610 acres for the World Logistics Center Specific Plan. The specific land use zones would be Logistics Development (LD) and Light Logistics (LL).

- Approval of the World Logistics Center Specific Plan EIR.

DRAFT

- Approval of the Development Agreement between the Project applicant, Highland Fairview, and the City of Moreno Valley in order to provide certainty for the future development of the Project for those parcels owned by Highland Fairview.

- Approval of a Tentative Parcel Map subdividing a portion of the Project site into large parcels. This map is for financing purposes only and does not create any development rights for the subdivided properties. Subsequent subdivision applications will be required prior to the development of any buildings on the site.

- Approval of the annexation for an 85-acre parcel located on the north side of Alessandro Boulevard at Gilman Springs Road. The Project includes pre-annexation General Plan land use designations to Specific Plan and pre-zoning Logistics Development (LD) for this parcel.

Approvals and permits required by other agencies include:

County of Riverside

- Local Agency Formation Commission (LAFCO): Annexation of 85-acre parcel.

- Flood Control and Water Conservation District: Amend Storm Drain Master Plan.

Other Affected Agencies

- Western Riverside Council of Governments: Transportation Uniform Mitigation Fee (TUMF) Contributions.

- Eastern Municipal Water District: Water Service Agreements.

- Developer will make "fair share" contributions to established development impact fee programs in the cities of Riverside, Perris, and Redlands for local road and intersection improvements identified in the programmatic Traffic Impact Assessment (TIA) included with the EIR (Final EIR Volume 3 Appendix L-1). This item is subject to review and approval by the City Transportation Division.

State of California

- Regional Water Quality Control Board: Water Quality Permitting.

DRAFT

- Department of Transportation (Caltrans): Encroachment Permits for SR-60 and adopt fair share contribution programs for future development within the WLCSP to contribute funds for local road and intersection improvements identified in the programmatic Traffic Impact Assessment (TIA) included with the EIR (Final EIR Volume 3 Appendix L-1).

- California Department of Fish and Wildlife: Streambed Alteration Agreements.

Federal Agencies

- U.S. Army Corps of Engineers: Clean Water Act Permitting**.**

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Create substantial employment opportunities for the citizens of Moreno Valley and surrounding communities.
- Provide the land use designation and infrastructure plan necessary to meet current market demands and to support the City's Economic Development Action Plan.
- Create a major logistics center with good regional and freeway access.
- Establish design standards and development guidelines to ensure a consistent and attractive appearance throughout the entire project.
- Establish a master plan for the entire project area to ensure that the project is efficient and business-friendly to accommodate the next-generation of logistics buildings.
- Provide a major logistics center to accommodate a portion of the ever-expanding trade volumes at the Ports of Los Angeles and Long Beach
- Create a project that will provide a balanced approach to the City's fiscal viability, economic expansion, and environmental integrity.
- Provide the infrastructure improvements required to meet project needs in an efficient and cost-effective manner.
- Encourage new development consistent with regional and municipal service capabilities.

DRAFT

- Significantly improve the City's jobs/housing balance and help reduce unemployment within the City.
- Provide thousands of construction job opportunities during the Project's buildout phase.
- Provide appropriate transitions between on-site and off-site uses.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the Notice of Preparation, then through the circulation of the DEIR, and through the circulation of the FEIR. The following is a summary of the environmental review of this Project:

- On February 25, 2012, the City circulated a Notice of Preparation ("NOP") that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On March 12, 2012, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from February 25, 2012 to March 26, 2012. Written comments on the NOP were received from 27 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with:

• Aesthetics	• Greenhouse Gases	• Noise
• Air Quality	• Geology & Soils	• Population & Housing
• Alternatives	• Hazards	• Public Services
• Biological Resources	• Hydrology	• Traffic
• Cultural Resources	• Land Use	• Utilities

Based on the comments received pursuant to the NOP, it was determined that all environmental issues needed to be addressed in depth in the DEIR.

DRAFT

- As required by the California Environmental Quality Act (CEQA) Guidelines Section 15087, a Notice of Completion (NOC) of the Draft EIR State Clearinghouse No. 2012021045 for the WLC Project was filed with the State Clearinghouse on July 17, 2012, and the Notice of Availability (NOA) of the Draft EIR was filed with the Riverside County Clerk on July 18, 2012.

- The Draft EIR was circulated for public review for a period of 63 days, from February 4, 2013 to April 8, 2013. Copies of the Draft EIR were distributed to all Responsible Agencies and to the State Clearinghouse in addition to various public agencies, citizen groups, and interested individuals. Copies of the Draft EIR were also made available for public review at the City Planning Department, at one area library, and on the internet. A total of one-hundred and forty-four (144) comment letters were received during the public review period commenting on the EIR and WLC Project. Twenty-three (23) of the comment letters received were from Federal, State, regional, or local agencies. Fifteen (15) comment letters were received from private organizations or conservation groups, and one-hundred and six (106) letters were received from individuals. In addition, several letters/emails from individuals and one letter from the City of Redlands were received well after the close of the public review period. The City prepared specific responses to all comments. The responses to comments are included in FEIR, Volume 1.

- On May 1, 2015 in accordance with *Public Resources Code* Section 21092.5, the City provided written responses to public agencies that commented on the DEIR.

- On May 1, 2015, set forth the City circulated the FEIR for 45 days

- On _____, set forth the Notice of the Planning Commission hearing to consider the project was provided in the following newspaper(s) of general and/or regional circulation:

  Press Enterprise

- On _____, hearings held by the Planning Commission and its recommendations were _____

- On _____, Notice of the City Council hearing to consider the Project was

DRAFT

provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise. On (date), this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding Considerations, and the further recommendations in the Staff Report, and approved the Project (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of LSA Associates, Inc. ("LSA") to prepare the EIR for the Project. LSA has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review by Dr. Timothy Krantz, University of Redlands and Fehr & Peers for the Traffic Impact Analysis. The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Further, based on the review of the EIR conducted by Dr Krantz and Fehr & Peers, the City Council has determined that the analyses contained in the EIR have consistently been based on conservative assumptions and estimates of potential environmental impacts which are likely to result from the construction and operation of the World Logistics Center.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c) (3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing, and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted

Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings, and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and mitigation measures for the Project is presented in Section 4.0 of the DEIR and FEIR Volumes 1 and 2. Responses to comments on the DEIR, along with copies of the comments, are provided in FEIR Volume 1.

The EIR evaluated fourteen major environmental categories for potential impacts including Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Noise, Population and Housing, Public Services and Facilities (including Recreation), Transportation, Utilities and Service Systems, and Greenhouse Gases and Global Climate Change. Both Project-specific and cumulative impacts were evaluated. Of these fourteen major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V.B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

DRAFT

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. Agricultural and Forestry Resources

a. Forest Land Zoning

Potential Significant Impact: Whether the Project would conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

Findings: Potential impacts of the Project related to forest land zoning are discussed in detail in Section 4.2 of the Final Environmental Impact Report Volume 3 Revised Draft Environmental Impact Report (FEIR Volume 3). Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to forest land and timberland; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the FEIR Volume 3 and the California Department of Forestry and Fire Protection, there are no areas designated as forest land or timberland on the Project site. Therefore, no significant impacts would occur from the implementation of the Project. (FEIR, Volume 3 pg. 4.2-16).

b. Loss or Conversion of Forest Land

Potential Significant Impact: Whether the Project would result in the loss of forest land or conversion of forest land to non-forest use.

Findings: Potential impacts of the Project related to conversion of forest land are discussed in detail in Section 4.2 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the conversion of forest land; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the FEIR Volume 3 and the California Department of Forestry and Fire Protection, there are no areas designated as forest land on the Project

DRAFT

site. Therefore, no significant impacts would occur from the implementation of the Project (FEIR, Volume 3 pg. 4.2-16).

c. Existing Zoning and Williamson Act

Potential Significant Impact: Whether the Project would conflict with existing zoning for agricultural use or a Williamson Act contract.

Findings: Potential impacts of the Project related to conflicts with existing zoning for agricultural uses or Williamson Act properties are discussed in detail in Section 4.2 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in conflicts with existing agricultural zoning or an existing Williamson Act; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.2 of the FEIR Volume 3, while some portions of the 3,714-acre Project site are currently used for agriculture, there are no Williamson Act contracts on either the Project site or any adjacent properties. The City's General Plan Land Use Map identifies that there are no agricultural zones identified on the Project site or on any of the surrounding properties. Because the Project would not conflict with any Williamson Act contracts or lands zoned for agriculture, the impacts related to this issue would be less than significant and no mitigation is required. (FEIR, Volume 3 pgs. 4.2-17).

2. Air Quality

a. Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to odors are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to odors; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.3 of the FEIR Volume 3, diesel exhaust and VOCs would be emitted during construction of the Project, which are objectionable to some; however, emissions would disperse rapidly from the Project site and therefore should not reach an objectionable level at the nearest sensitive receptors. Diesel exhaust would also be emitted during operation of the Project from the long-haul trucks that would visit the Project site. However, the concentrations would not be at a level to result in a negative odor response at nearby sensitive or worker receptors. In addition,

DRAFT

modern emission control systems on diesel vehicles since 2007 virtually eliminate diesel's characteristic odor.

During blow-down maintenance activities, natural gas odors will be present around the SDG&E Compressor Plant located on the Project site. When this portion of the WLC Specific Plan is developed, these odors will occasionally be detectable from the industrial warehouse properties adjacent to the SDG&E facility. These odors will be infrequent and odorized natural gas will not be present in high concentrations. Therefore, potential odor impacts from on-site natural gas operations are considered to be less than significant and do not require mitigation.

SCAQMD Rule 402 dictates that air pollutants discharged from any source shall not cause injury, nuisance, or annoyance to the health, safety, or comfort of the public. While the application of architectural coatings and installation of asphalt may generate odors, these odors are temporary and not likely to be noticeable beyond the Project boundaries. SCAQMD Rules 1108 and 1113 identify standards regarding the application of asphalt and architectural coatings, respectively.

SCAQMD Rule 1108 sets limitations on ROG (reactive organic gases), which are similar to and interchangeable with volatile organic compounds (VOC) content in asphalt. This rule is applicable to any person who supplies, sells, offers for sale, or manufactures any asphalt materials for use in the South Coast Air Basin. Rule 1113 of the SCAQMD deals with the selling and application of architectural coatings. Rule 1113 is applicable to any person who supplies, sells, offers for sale, or manufactures any architectural coating for use in the Basin that is intended to be applied to buildings, pavements, or curbs. This rule is also applicable to any person who applies or solicits the application of any architectural coating within the Basin. Rule 1113 sets limits on the amount of VOC emissions allowed for all types of architectural coatings, along with a time table for tightening the emissions standards in the future. Compliance with Rule 1113 means that architectural coatings used during construction would have VOC emissions that comply with these limits.

Adherence to applicable provisions of these rules is standard for all development within the Basin. In addition, conditions for the design of waste storage areas on the site would be established through the permit process to ensure enclosures are appropriately designed and maintained to prevent the proliferation of odors. Solid waste generated by the on-site uses will be collected by a contracted waste hauler, ensuring that any odors resulting from on-site uses would be adequately managed. Therefore, impacts associated with this issue would be less than significant and no mitigation is required. (FEIR, Volume 3 pgs. 4.3-67 to 4.3-69).

DRAFT

b. Long-Term Microscale (CO Hot Spot Emissions)

Potential Significant Impact: Whether the Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation.

For CO, the applicable thresholds are:

- California State one-hour CO standard of 20.0 ppm; and
- California State eight-hour CO standard of 9.0 ppm.

Findings: Potential impacts of the Project related to long-term microscale (CO Hot Spot) emissions are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to long-term microscale (CO Hot Spot) emissions; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.3 of the FEIR Volume 3, vehicular trips associated with the development of the Project could contribute to congestion at intersections and along roadway segments in the Project vicinity resulting in potential local CO "hot spot" impacts. A CO hot spot is a localized concentration of CO that is above the State or Federal 1-hour or 8-hour CO ambient air standards. Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. To provide a worst-case scenario, CO concentrations are estimated at Project-impacted intersections where the concentrations would be the greatest.

For this Project analysis, the top five intersections with the highest traffic volumes and the LOS E or F before mitigation were identified for 2022 using information from the table in the traffic study "Intersection LOS under 2022 Plus Project Phase 1 Conditions." The five intersections with the greatest LOS before mitigation were also identified for 2035 using information from the table in the traffic study "Intersection LOS under 2035 Plus Build-out Conditions. The estimated 1-hour and 8-hour average CO concentrations from Project-generated and cumulative traffic plus the background concentrations are below the State and Federal standards. No CO hot spots are anticipated because of traffic-generated emissions by the Project in combination with other anticipated development in the area. Therefore, the mobile emissions of CO from the Project are not anticipated to contribute substantially to an existing or projected air quality violation of CO. Therefore, according to this criterion, air pollutant emissions during operation would result in a less than significant impact. No mitigation is required (FEIR, Volume 3 pgs. 4.3-69 to 4.3-70).

DRAFT

c. Acute and Chronic Non-Cancer Health Risk Emission Impacts

Potential Significant Impact: Whether the Project would expose sensitive receptors to substantial pollutant concentrations resulting in acute and chronic non-cancer health risk impacts.

For non-cancer health risk hazard index (HI); the applicable threshold is:

- A cumulative increase for any target organ system exceeding 1.0 at any receptor location.

Findings: Potential impacts of the Project related to acute and chronic non-cancer health risk emission impacts are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to acute and chronic non-cancer health risks related to Project emissions; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.3 of the FEIR Volume 3, the construction and operation of the Project would not emit any toxic chemicals in any significant quantity other than vehicle exhaust. While there may be other toxic substances in use on site, compliance with State and Federal handling regulations will bring these emissions to below a level of significance.

Exposure to diesel exhaust can have immediate (acute) health effects, such as irritation of the eyes, nose, throat, and lungs, and can cause coughs, headaches, light headedness, and nausea. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks. However, according to the rulemaking on *Identifying Particulate Emissions from Diesel-Fueled Engines as a Toxic Air Contaminant* (CARB 1998), the available data from studies of humans exposed to diesel exhaust are not sufficient for deriving an acute non-cancer health risk guidance value. The analysis, however, does derive an estimate of acute non-cancer risks by examining the acute health effects of the various toxic components that comprise diesel and gasoline emissions. There is specific guidance for estimating the acute non-cancer hazards from these toxic components which was uses in the revised analysis to determine the Project's acute non-cancer hazards.

To determine the Project's *chronic* hazard impact, the highest annual diesel PM concentration was determined covering the years 2015 (the commencement of Project construction) to 2031 (the first year with full build out of the Project). In this regard, the highest annual average diesel PM concentration determined through air dispersion modeling was 1.04 micrograms per cubic meter (ug/m^3) in 2021, at an existing residence located within the Project boundaries. This diesel PM concentration was due to the impacts of diesel PM emissions from the off-road construction equipment active during 2021. This level

of diesel PM impact results in a chronic non-hazard index of 0.21. This hazard index is less than the South Coast Air Quality Management District (SCAQMD) significance level of 1.0, and is, therefore, less than significant.

The estimation of the *acute* non-cancer hazard index requires the estimation of the maximum 1-hour impacts of total organic gases (TOG). Estimates of the Project's maximum 1-hour TOG emissions were derived from the Project's peak hour traffic data along the nearly 500 roadway segments contained within the assessment and then broken down into the various toxic air contaminant components by fuel type, gasoline and diesel. The acute non-cancer hazard index was determined for a worst-case condition that assumed the Project would be completely built out in 2012 with the Project's attendant traffic and emission estimates as they would exist in 2012. This condition is the same as the Project Phase 1 and Phase 2 Full Build Out (2021) condition assumed in the Localized Significance Threshold (LST) assessment provided earlier. Based on this information, the maximum acute non-cancer hazard index found at any receptor within the model domain was 0.05, which is less than the SCAQMD's non-cancer hazard index of 1.0, and, therefore, is less than significant.

Therefore, the potential for short-term acute and chronic exposure from diesel exhaust are considered to be less than significant and no mitigation is required. (FEIR, Volume 3 pgs. 4.3-103 to 4.3-104).

d. Cancer Risks – Onsite and Offsite Workers (25-year)

Potential Significant Impact: Whether the Project would expose onsite and offsite workers including school staff to substantial pollutant concentrations resulting in cancer risk impacts.

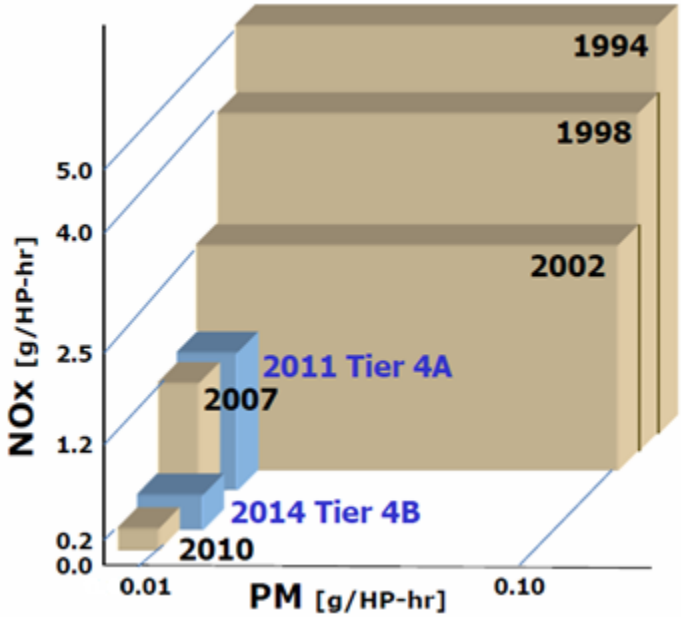
Findings: Potential impacts of the Project related to cancer risk impacts on onsite and offsite workers are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to cancer risk impacts on expose onsite and offsite workers including school staff related to Project emissions; therefore, no mitigation is required.

Facts in Support of the Findings: In January 2015, the results of a 5½-year study, led by the Health Effects Institute (HEI), were published regarding the health effects of new technology diesel exhaust and particularly the risk of cancer from exposure to diesel exhaust. The study found that new technology diesel exhaust does not cause cancer.

The HEI study distinguishes between older Traditional Diesel Engines (TDE) (exhaust from engines that are older than model year 2007) and new technology diesel exhaust (NTDE) (exhaust from engines that

model year 2007 or newer), which is 90-99% cleaner than TDE. The revised mitigation measures require that all diesel trucks accessing the project during operation be model year 2010 or newer and that all off-road equipment be Tier 4. The principal implication of the HEI study results to the WLC are that the project mitigation requiring the application of Model Year 2010 engines as well as the use of Tier 4-compliant off-road construction equipment are not expected to result in emissions that would be associated with the formation of cancer in exposed individuals. The results of the HEI study indicate that the project mitigation requiring the application of Model Year 2010 engines as well as the use of Tier 4-compliant off-road construction equipment are not expected to result in emissions that would be associated with the formation of cancer in exposed individuals.

The HEI announced the results of the final phase of its Advanced Collaborative Emissions Study (ACES), the first comprehensive evaluation of lifetime exposures of rats to exhaust from diesel engines designed to meet the strict USEPA emission regulations enacted in 2007. Phase 3 of ACES evaluated whether emissions from new technology diesel engines cause cancer or other adverse health effects. Specifically, it evaluated the health impacts of a 2007-compliant engine equipped with a diesel particulate filter. HEI found that lifetime exposure to new technology diesel exhaust (NTDE) did not cause carcinogenic lung tumors. The study also confirmed that the concentrations of particulate matter and toxic air pollutants emitted from NTDE are more than 90% lower than emissions from traditional older diesel engine.



Changes in U.S. Heavy-Duty Diesel NOx and PM Emission Standards

The HEI study clearly demonstrates that the application of new emissions control technology to diesel engines have virtually eliminated the adverse health impacts of diesel exhaust.

Mitigation Measures 4.3.6.2A and 4.3.6.3B require that access to the site be limited to 2010-compliant trucks for operation and that Tier 4 equipment be used for construction, both of which rely on diesel particulate filters similar to those tested in the HEI study. As a result of the very low emissions from new technology diesel engines and the research conducted by HEI, it is projected that the proposed project would not result in any new cancer risks from the project's diesel emissions. Therefore, the project would have a less than significant health risk impact.

For comparison to the DEIR, the following discussion analyzes the health risks which would occur if NTDE could cause cancer, which, as noted above, it does not. This is only for informational purposes and does not reflect the health risks associated with the World Logistics Center project.

According to Section 4.3 of the FEIR Volume 3, estimates of worker exposures were prepared based on the assumption of a 25-year exposure duration for 50 weeks per year and 8 hours per day. For reference, a risk level of 1 in a million implies a likelihood that up to one person, out of one million equally exposed people would contract cancer if exposed continuously (24 hours per day) to the specific concentration of diesel PM over 25 years. This risk would be an excess cancer risk that is in addition to any cancer risk borne by a person not exposed to these air toxics. The highest worker cancer risk estimates prior to the application of mitigation are greater than the SCAQMD cancer risk threshold of 10 in a million at 10.1 in a million inside the project boundaries and 4.1 in a million outside the project boundaries (FEIR, Volume 3 pg. 4.3-105 to 4.3-106).

e. Cancer Risks – Schools

Potential Significant Impact: Whether the Project would expose schools (students) to substantial pollutant concentrations resulting in cancer risk impacts.

Findings: Potential impacts of the Project related to cancer risk impacts on school children are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to cancer risk impacts on school children related to Project emissions; therefore, no mitigation is required.

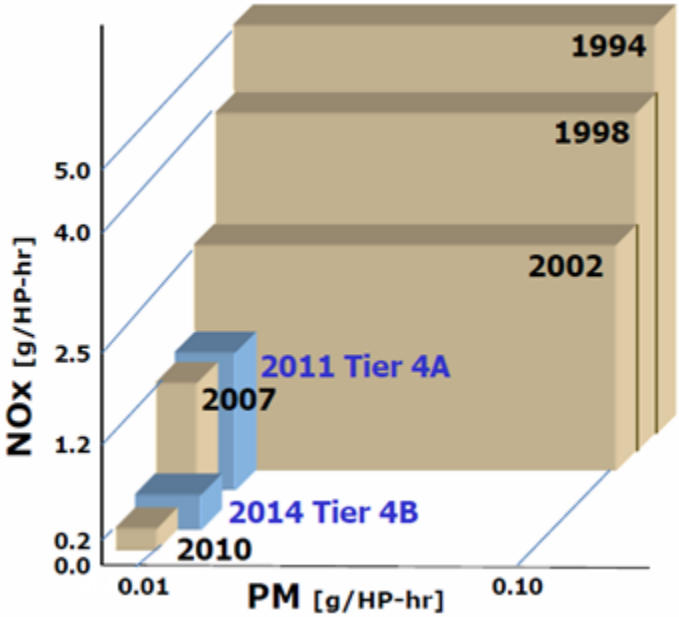
Facts in Support of the Findings: In January 2015, the results of a 5½-year study, led by the Health Effects Institute(HEI), were published regarding the health effects of new technology diesel exhaust and

DRAFT

particularly the risk of cancer from exposure to diesel exhaust. The study found that new technology diesel exhaust does not cause cancer.

The HEI study distinguishes between older Traditional Diesel Engines (TDE) (exhaust from engines that are older than model year 2007) and new technology diesel exhaust (NTDE) (exhaust from engines that model year 2007 or newer), which is 90-99% cleaner than TDE. The revised mitigation measures require that all diesel trucks accessing the project during operation be model year 2010 or newer and that all off-road equipment be Tier 4. The results of the HEI study indicate that the project mitigation requiring the application of Model Year 2010 engines as well as the use of Tier 4-compliant off-road construction equipment are not expected to result in emissions that would be associated with the formation of cancer in exposed individuals.

The HEI announced the results of the final phase of its Advanced Collaborative Emissions Study (ACES), the first comprehensive evaluation of lifetime exposures of rats to exhaust from diesel engines designed to meet the strict USEPA emission regulations enacted in 2007. Phase 3 of ACES evaluated whether emissions from new technology diesel engines cause cancer or other adverse health effects. Specifically, it evaluated the health impacts of a 2007-compliant engine equipped with a diesel particulate filter. HEI found that lifetime exposure to new technology diesel exhaust (NTDE) did not cause carcinogenic lung tumors. The study also confirmed that the concentrations of particulate matter and toxic air pollutants emitted from NTDE are more than 90% lower than emissions from traditional older diesel engine.



Changes in U.S. Heavy-Duty Diesel NOx and PM Emission Standards

The HEI study clearly demonstrates that the application of new emissions control technology to diesel engines have virtually eliminated the adverse health impacts of diesel exhaust. Mitigation Measures 4.3.6.2A and 4.3.6.3B require that access to the site be limited to 2010-compliant trucks for operation and that Tier 4 equipment be used for construction, both of which rely on diesel particulate filters similar to those tested in the HEI study. These vehicles reduce emissions by 90% when compared to 2006 vehicles and by 99% when compared to uncontrolled diesel engines. As a result of the very low emissions from new technology diesel engines and the research conducted by HEI, it is projected that the proposed project would not result in any new cancer risks from the project's diesel emissions. Therefore, the project would have a less than significant health risk impact.

For comparison to the DEIR, the following discussion analyzes the health risks which would occur if NTDE could cause cancer, which, as noted above, it does not. This is only for informational purposes and does not reflect the health risks associated with the World Logistics Center project.

According to Section 4.3 of the FEIR Volume 3 and Appendix D, there are several schools located within eight miles to the west of the project. Students actually spend a limited time at a given school or nearby schools during the course of their education. Despite the findings of the HEI report that found no cancer risk from NTDE, the FEIR also presented the results using the Current OEHHA methodology. Accordingly, student exposures were calculated based on a student presence of 8 hours/day, 180 days per year for 9 years, which captures the potential impacts of exposures to school-age children. The OEHHA methodology assumes that school age children may be more susceptible to the impacts of toxic air contaminants because of their rapidly developing physiology and their greater respiratory rates compared to their body weight compared to adults. The estimated cancer risks for school-age children were multiplied by an age sensitivity factor (ASF) as contained in the Current OEHHA Guidance to estimate cancer risks to school age children for informational purposes. (FEIR, Volume 2, Appendix D-1 pgs. 177-178) The highest risk noted at any school site was 3.2 in a million. Impacts at schools are less than the 10 in one million significance threshold and are therefore, less than significant. (FEIR, Volume 3 pg. 4.3-105).

f. Cumulative CO Hot Spot Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would have an incremental impact on CO hot spots.

Findings: Potential impacts of the Project related to cumulative CO hot spot impacts are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that

no significant cumulative impacts related to CO hot spot impacts will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.3 of the FEIR Volume 3, no significant CO hot spot impacts would occur. It is anticipated that CO emissions in the future will decrease with advances in technology. As previously identified, background concentrations in future years are anticipated to continue to decrease as the concerted effort to improve regional air quality progresses. Therefore, CO concentrations in the future years would generally be lower than existing conditions. Based on the analysis, because no CO hot spot impacts would occur, it is reasonable to assume that a less than significant cumulative CO impact would occur. (FEIR, Volume 3 pg. 4.3-112).

g. Cumulative Cancer Risks – Worker Exposure

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would have an incremental impact cancer risks for on-site workers.

Findings: Potential impacts of the Project related to cumulative cancer risks for on-site workers are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant cumulative impacts related to cancer risks for on-site workers will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.3 of the FEIR Volume 3, an analysis of onsite worker found no exceedances of the SCAQMD threshold (FEIR, Volume 3 pg. 4.3-154).

In addition, the risks will be less than significant based on the new health research results from the Health Effects Institute (HEI) that evaluated the health effects of diesel PM emissions from new technology diesel engines such as those that are required as a mitigation measure for this project (Mitigation Measure 4.3.6.3B) that requires that all diesel fueled trucks must be compliant with Model Year 2010 truck emission standards. The HEI study clearly demonstrates that the application of new emissions control technology to diesel engines have virtually eliminated the health impacts of diesel exhaust that were identified when it was designated a toxic air contaminant by CARB in 1998.

h. Cumulative Non-Cancer Acute and Chronic Hazard Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would have an incremental impact on non-cancer acute and chronic hazard impacts.

Findings: Potential impacts of the Project related to cumulative non-cancer acute and chronic hazard impacts are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant cumulative impacts related to non-cancer acute and chronic hazard impacts will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.3 of the FEIR Volume 3, the maximum non-cancer chronic hazard index and acute non-cancer hazard index from the operation of the Project are estimated to be less than 0.05 at any location outside of the boundaries of the Project. This index value is less than the SCAQMD's non-cancer hazard index significance threshold of 1.0. Therefore, the Project would also have a less than significant cumulative non-cancer hazard impact. (FEIR, Volume 3 pg. 4.3-122).

3. Biological Resources

a. Adopted Policies and Ordinances

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to adopted policies and ordinances are discussed in detail in Section 4.4 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in conflict with local policies or ordinances and, therefore, no mitigation is required.

Facts in Support of the Findings: As detailed in Section 4.4 of the FEIR Volume 3, City policies or ordinances identified in the General Plan protecting biological resources are summarized in Table 4.4.E: General Plan and Municipal Code Biological Resource Policies (FEIR, Volume 3, pg. 4.4-72) As detailed in Table 4.4.E, the Project is consistent with local policies and ordinances protecting biological resources that apply to the Project area. Compliance with State and Federal regulations to ensure protection and preservation of significant biological resources, and the implementation of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) are the applicable policies/programs that the Project must implement. As there are no other local policies or ordinances regarding the protection of biological resources identified by the City or other local jurisdiction applicable to the Project site, no impact would occur and no mitigation is required. (FEIR, Volume 3 pgs. 4.4-72 to 4.4-73).

DRAFT

b. Habitat Fragmentation/Wildlife Movement

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to habitat fragmentation/wildlife movement are discussed in detail in Section 4.4 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in habitat fragmentation or interfere with wildlife movement; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the FEIR Volume 3, the Project area contains no significant cover of native plant communities and currently experiences heavy disturbance associated with agricultural activities. Additionally, the Project area is adjacent to State Route 60 (SR-60) and Gilman Springs Road on the north and east and is bordered by urban development on the west. The nearest linkage area as identified under the MSHCP is Proposed Linkage 5 and is located approximately 3 miles north of the Project and approximately 3.6 miles south of the Project is Proposed Constrained Link 20. The development of the Project area will not impede the movement of any wildlife; therefore, the Project will not affect any wildlife movement corridor.

The 910-acre Conservation Buffer Area located in the southern portion of the Project area is owned by the CDFW and currently regularly disked as part of the San Jacinto Wildlife Area (SJWA) agricultural operations. It currently provides foraging habitat for various resident and migratory wildlife species. The portion of the Project area adjacent to the SJWA lands has been actively farmed for decades and is regularly disked. The Conservation Buffer Area is designated as open space in the Project and no development is proposed for this area.

Although the Project area does not contain any designated wildlife movement corridors or MSHCP linkages (i.e., MSHCP, City General Plan, etc.) it is likely that wildlife moves through adjacent properties such as the SJWA and the Mystic Lake area to the south, the Badlands area to the east and the Lake Perris State Recreation Area to the southwest. The Project biological report concluded that development of the Project as proposed would not have any significant impact on wildlife movement in the area, and would not fragment habitat or adversely affect wildlife movement through the surrounding areas. In addition, Drainage 12 is being designed to allow for wildlife movement between the Badlands and the SJWA (e.g., relatively natural channel conditions with 50-foot setbacks on either side of the channel through the WLC

Specific Plan property. Therefore, impacts related to wildlife movement are less than significant, and no mitigation is needed. (FEIR, Volume 3 pg. 4.4-73 to 4.4-74).

4. Cultural Resources

a. Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to human remains are discussed in detail in Section 4.5 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts to human remains; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.5 of the FEIR Volume 3, the Project site is currently undeveloped. No evidence suggesting the Project site has been utilized in the past for human burials has been identified. In the unlikely event that human remains are discovered during grading or construction activities within the Project site, compliance with State law (Health and Safety Code § 7050.5) (HSC § 7050.5) would be required. State law requires that no further disturbance shall occur until the County Coroner has made determination of the origin and disposition pursuant to Public Resources Code 5097.98. Because adherence to provisions of Health and Safety Code §7050.5 is required of all development projects, and because adherence to the requirements in State law sufficiently mitigates for potential impacts to human remains, no significant impact related to this issue will occur. Because potential impacts associated with this issue are less than significant, no mitigation is required. (FEIR, Volume 3 pgs. 4.5-16 to 4.5-17).

5. Geology and Soils

a. Landslides and Rockfalls

Potential Significant Impact: Whether the Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.

Findings: Potential impacts of the Project related to landslides and rockslides are discussed in detail in Section 4.6 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to landslides and rockslides that may result in loss, injury or death; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.6 of the FEIR Volume 3, a large older landslide has been mapped primarily off site on the north easterly flanks of Mount Russell, near the

DRAFT

southwest portion of the property. The landslide appears to have originated on the higher slopes off site, and moved northeast, partially onto the subject property. The Specific Plan designates 74.3 acres in the southwestern portion of the property as open space. This 74.3 acres includes the steepest slopes on site (i.e., the Mount Russell foothills), which will reduce the potential for significant landslide or rockfall impacts on the Project to less than significant levels; therefore, no mitigation is required. (FEIR, Volume 3 pg. 4.6-13)

b. Soil Erosion or Loss of Top Soil

Potential Significant Impact: Whether the Project would result in substantial soil erosion or the loss of topsoil.

Findings: Potential impacts of the Project related to soil erosion or loss of topsoil are discussed in detail in Section 4.6 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to soil erosion or loss of topsoil; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.6 of the FEIR Volume 3, development of the site would require the movement of on-site soils. Portions of the site have been and are being used for dry farming, and several rural residences are present. Prior to the issuance of grading permits, the Project proponent will be required to prepare and submit detailed grading plans as each phase is developed. These plans will be prepared in conformance with applicable standards of the City's Grading Ordinance. Construction of off-site utility and roadway improvements will also result in the movement of soil. Plans are not available at this time for off-site improvements but that construction will be subject to the same permitting and plan checking processes.

Development of the site and related off-site improvements would involve the disturbance of more than one acre; therefore, the Project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit. A Storm Water Pollution Prevention Plan (SWPPP) will also be required to address erosion and discharge impacts associated with the proposed on-site grading. Compliance with storm water regulations include minimizing storm water contact with potential pollutants by providing covers and secondary containment for construction materials, designating areas away from storm drain systems for storing equipment and materials and implementing good housekeeping practices at the construction site.

Additionally, a preliminary Water Quality Management Plan (WQMP) was prepared for the WLC Specific Plan and contains the post-construction measures, which will help reduce potential impacts to soil erosion to less than significant levels and identifies measures to treat and/or limit the entry of

contaminants into the storm drain system. The WQMP is incorporated by reference and/or attached to the Project's SWPPP as the Post-Construction Management Plan.

As soils covering the Project site have a slight-to-high erosion hazard potential and because the Project would be required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, and prepare an SWPPP and a WQMP, construction and operational impacts associated with soil erosion hazards are considered to be less than significant, and no mitigation is required.

Grading for off-site improvements would require subsequent grading permits or related approvals from both the City and County of Riverside, depending on the improvement and its location. Most roadway and intersection improvements will occur within existing rights-of-way or on land that has been previously disturbed. The SWPPP and the WQMP establish performance standards for future development, and implementation the identified measures in those plans will reduce potential erosion impacts to less than significant levels. (FEIR, Volume 3 pgs. 4.6-13 to 4.6-16).

c. Septic Tanks

Potential Significant Impact: Whether the Project would have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

Findings: Potential impacts of the Project related to septic tanks are discussed in detail in Section 4.6 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to soils that may be incapable of supporting septic tanks or alternative wastewater disposal systems; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.6 of the FEIR Volume 3, all buildings within the Project will be connected to existing wastewater facilities (sewer) owned and operated by the Eastern Municipal Water District. Septic tanks will not be used anywhere within the Project; therefore, no mitigation is required. (FEIR Volume 3 pg. 4.6-16).

d. Seismic-Related Ground Failure

Potential Significant Impact: Whether the Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic ground failure.

Findings: Potential impacts of the Project related to seismic-related ground failure are discussed in detail in Section 4.6 of the FEIR Volume 3. Based on the entire record before us, this Council finds that

development of the Project will not result in significant impacts related to seismic-related ground failure; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.6 of the FEIR Volume 3, the Project site is located within Seismic Zone 4 as defined by the Uniform Building Code (UBC). Exhibit S4 of the Safety Element of the City's General Plan indicates that the Project site is not located in an area susceptible to landslides or slope instability. The Project site lies on relatively flat terrain (±2% grade) and no landslide areas or mass movement were observed onsite. The only steep topographical features are located in the southwest corner of the Project area. This area is designated for Open Space uses and is not proposed for development.

The Project does not propose any activity known to cause damage by subsidence (e.g., oil, gas, or groundwater extraction). Settlement generally occurs within areas of loose, granular soils with relatively low density. The Project site is underlain by relatively dense alluvial and dense sedimentary bedrock materials at depth and the potential for settlement is considered low. Because the Project site does not exhibit characteristics of a high potential for subsidence or settlement, impacts are considered less than significant. No mitigation is required.

The potential for liquefaction generally occurs during strong ground shaking within relatively cohesionless loose sediments where the groundwater is typically less than 50 feet below the surface. Because the Project site does not exhibit characteristics of a high potential for liquefaction induced settlement (i.e., relatively dense soils with groundwater levels in excess of 100 feet), impacts are considered less than significant. No mitigation is required. (FEIR, Volume 3 pg. 4.6-16).

e. Cumulative Geology Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would have a cumulative significant impact on geologic resources.

Findings: Potential cumulative impacts of the Project related geologic resources are discussed in detail in Section 4.6 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to geologic resources; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.6 of the FEIR Volume 3, the cumulative area for geologic issues is the City of Moreno Valley and western Riverside County, within the larger context of southern California due to regional seismicity. The Project area has potential geotechnical and soils

constraints, as the entire southern California area contains a number of major regional and local faults, including the San Andreas, San Jacinto, and Elsinore Faults.

The presence of regional faults creates the potential for damage to structures or injury to persons during seismic events. However, City, County, and State regulations provide guidelines for development in areas with geologic constraints and ensure that the design of buildings is in accordance with applicable California Building Code standards and other applicable standards, which reduces potential property damage and human safety risks to less than significant levels. Anticipated development in the City and surrounding area in general will not have a cumulatively considerable impact on earth resources, nor will regional geotechnical constraints have a cumulatively considerable impact on the WLC Project or cumulative projects, as long as proper design and engineering are implemented based on available seismic and other geotechnical data. The WLC Project represents an incremental portion of this potential impact, so the Project will not have cumulatively significant impacts in this regard.

Because it is reasonable to conclude that all development within seismically active areas will be required to adhere to applicable State regulations, California Building Code standards, and the design and siting standards required by local agencies, a less than significant cumulative impact would occur with implementation of the WLC Project. (FEIR, Volume 3 pgs. 4.6-23).

6. Greenhouse Gas Emissions

a. Cumulative Greenhouse Gas Emissions Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would have a cumulative significant impact from greenhouse gas emissions.

Findings: Potential cumulative impacts of the Project related greenhouse gas emissions are discussed in detail in Section 4.7 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to greenhouse gas emissions therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.7 of the FEIR Volume 3, while it is not possible for any one development project to have a significant impact on global warming or climate change, the project will contribute to cumulative GHG emissions in California. Cumulatively, the buildout of the project would contribute approximately from 12,000 metric tons of CO_2e in its first year of construction up to 386,000 mt CO_2e per year at buildout (with mitigation). Of those emissions at buildout, the majority, 98 percent, are within the AB 32 cap meaning that total emissions will not increase due to the cap-and-trade program. The remainder, 6,000 mt CO_2e, per year at buildout represents an increase in

uncapped emissions, which is 0.001 percent of California's total emissions of 458.68 million mt of CO_2e in 2012 for the entire State. Comparing the state inventory to the project's inventory is not a straightforward comparison because different methods are utilized in each inventory. The mitigation measures discussed above will reduce the project's emissions of GHGs to below significance. The CARB is currently in the process of designing regulations to monitor, limit, and ultimately reduce California GHG emissions, but there are as yet no adopted numerical or quantifiable standards for assessing the significance of cumulative impacts from projects in the South Coast Air Basin.

Cumulatively, the emissions from electricity production (which are capped under the requirements of AB 32) would comprise approximately 26 percent of the project's total CO_2e emissions. Water usage and solid waste disposal emissions comprise approximately 2 percent of the project's total CO_2e emissions while the emissions from vehicle exhaust would comprise approximately 70 percent of the project's total CO_2e emissions. The emissions from vehicle exhaust are controlled by the State and Federal governments and are outside the control of the City. The remaining CO_2e emissions are primarily associated with building systems. The project is required to comply with existing State and Federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which would reduce the project's electricity demand. The new buildings constructed in accordance with current energy efficiency standards would be more energy-efficient than older buildings.

With implementation of the strategies and programs described previously, the project is consistent with the strategies to reduce California's emissions to the levels proposed in Executive Order S-3-05. In addition, emissions not covered or capped by AB 32 are below the significance threshold. Therefore, cumulative greenhouse gas emissions impacts are less than significant. (FEIR, Volume 3 pgs. 4.7-60 to 4.7-61).

7. Hazards and Hazardous Materials

a. Within Two Miles of a Public Airport or Within an Airport Land Use Plan or Within Two Miles of a Private Airport

Potential Significant Impact: Whether the Project would result in a safety hazard for people residing or working in the Project area or be located within an airport land use plan or where such a plan has not been adopted within two miles of a public airport or public use airport, resulting in a safety hazard for people residing or working in the Project area.

Findings: Potential impacts of the Project related to safety hazards associated with proximity to public and private airports are discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire

record before us, this Council finds that development of the Project will not result in significant impacts related to airport safety hazards; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.8 of the FEIR Volume 3, the nearest airport to the Project area is March Air Reserve Base (MARB), approximately 5.5 miles to the southwest. The airfield is operated by two entities, MARB (military) and March Inland Port Airport Authority (quasi-governmental/private). In addition, Perris Valley Airport is located approximate 15 miles southwest of the Project area. Perris Valley Airport is a private airport that is open to the public, and is utilized for skydiving and ballooning activities. The WLC Project area is not located within the Airport Influence Area for either airport. Given the distance of the WLC Project area to both airports in the vicinity, the development of the WLC Project area as proposed would not result in private airport safety hazards for people working in the WLC Project area. No impacts associated with this issue would occur and no mitigation is required. (FEIR, Volume 3 pg. 4.8-15).

b. Existing or Proposed Schools

Potential Significant Impact: Whether the Project would create hazardous emissions or handle acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Findings: Potential impacts of the Project related to existing or proposed schools are discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant hazardous materials impacts related to existing or proposed schools; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.8 of the FEIR Volume 3, there are no existing school facilities within one-quarter of a mile of the Project area. The nearest existing school is Calvary Chapel Christian School which is located approximately 1.17 miles northwest of the Project. There is one proposed elementary school site that is located within one-quarter mile of the WLC Project area. The site for proposed Wilmot Elementary School is located on Bay Avenue at Wilmot Street, approximately 0.25 mile west of the Project area.

The amount and type of materials that would be used during Project construction (building and infrastructure) or stored in the high-cube logistics distribution center after construction is unknown at this time. While the warehouse facilities themselves are not expected to utilize acutely hazardous materials, the possibility exists that such materials could be stored or transported to and from the Project site. For the purposes of this analysis, it is assumed that the Project will handle substances that may be acutely hazardous. The handling of hazardous materials or emission of hazardous substances in accordance with

the Hazardous Materials Business Emergency Plan (HMBEP) as required by applicable local, State, and Federal standards, ordinances, and regulations will ensure that impacts associated with environmental and health hazards related to an accidental release of hazardous materials or emissions of hazardous substance near existing or proposed schools are less than significant and no mitigation is required. (FEIR, Volume 3 pgs. 4.8-15 through 4.8-16).

c. Routine Transport, Use, or Disposal of Hazardous Materials and Reasonable Foreseeable Upset and Accident Conditions

Potential Significant Impact: Whether the Project would create a significant hazard to the public through the routine transport, use, or disposal of hazardous materials or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident. Whether the Project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Findings: Potential impacts of the Project related to the routine transport, use, or disposal of hazardous materials and reasonable foreseeable upset and accident conditions are discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the routine transport, use, or disposal of hazardous materials and reasonable foreseeable upset and accident conditions; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.8 of the FEIR Volume 3, exposure to hazardous materials during the operation of the on-site uses may result from (1) the improper handling or use of hazardous substances; (2) transportation accidents; or (3) an unforeseen event (e.g., fire, flood, or earthquake). The severity of any such exposure is dependent upon the type and amount of the hazardous material involved; the timing, location, and nature of the event; and the sensitivity of the individual or environment affected.

Truck-Related Risks. The regulation of the transport of hazardous materials on State highways is governed by the United States Department of Transportation (USDOT), as described in Title 49 of the Code of Federal Regulations and by Title 13 of the California Code of Regulations. Appropriate documentation for all hazardous waste that is transported in connection with Project site activities would be provided as required by hazardous materials regulations. Hazardous waste produced on site is subject to requirements associated with accumulation time limits, proper storage locations and containers, and proper labeling. Additionally, for removal of hazardous waste from the site, hazardous waste generators are required to use a certified hazardous waste transportation company, which must ship hazardous waste

DRAFT

to a permitted facility for treatment, storage, recycling, or disposal. Compliance with applicable regulations would reduce impacts associated with the use, transport, storage, and sale of hazardous materials. The enforcement of applicable local, State, and Federal standards, ordinances, and regulations will ensure that potential impacts associated with environmental and health hazards related to an accidental release of hazardous materials are less than significant and no mitigation is required.

Freeway Accident Risks. According to the California Department of Transportation's Traffic Accident Surveillance and Analysis System (TASAS) report, there are approximately 105 accidents per year along a 3.75-mile stretch of SR-60 between Nason Street and Gilman Springs Road in the general vicinity of the Project area. The data were derived for the three-year span of January 1, 2008, to December 31, 2010. During this period, there were 316 accidents (average of 105 per year) along SR-60 (both westbound and eastbound). Of the 316 accidents, approximately 15.8 percent involved trucks (tractor/trailer). There were 127 eastbound accidents (19 or 15% involving trucks) and 189 westbound accidents (31 or 16.4% involving trucks). It is possible that congestion on the freeway might result in some WLC Specific Plan-related trucks exiting the freeway at off-ramps other than Theodore Street, or attempting to enter the freeway at on-ramps if the drivers see or hear on their radios that the freeway is congested. In most instances, drivers will use the shortest route indicated on GPS system maps or the route(s) they have used previously, regardless of traffic conditions at the time. In addition, due to the type of uses planned within the WLC Specific Plan, much of the Project-related traffic will be accessing the WLC site during off-peak times, so the chances of congestion or accidents occurring during the time they are accessing the site would be reduced. The accident database contains no information on whether the truck was the cause of a particular accident or the time of day, the vehicles involved, if hazmat spills occurred, if trucks or other vehicles detoured off the freeway, etc. Without these data, it is overly speculative to extrapolate any particular conclusions. Despite the lack of specific evidence regarding freeway accidents, it is reasonable to conclude that potential environmental impacts in this regard will be less than significant given the regulation of truck traffic on freeways according to State and Federal laws, and truck restrictions on local streets according to the City's Municipal Code (i.e., truck route enforcement) and no mitigation is necessary.

Land Use-Related Hazmat Risks. Both the Federal Government and the State of California require all businesses that handle more than a specified amount of hazardous materials or extremely hazardous materials, to submit an Hazardous Materials Business Emergency Plan (HMBEP) to the local Certified Unified Program Agency (CUPA). The CUPA with responsibility for the City of Moreno Valley is the County of Riverside Community Health Agency, Department of Environmental Health. The HMBEP must include an inventory of the hazardous materials used in the facility, and emergency response plans

and procedures to be used in the event of a significant or threatened significant release of a hazardous material. The HMBEP must also include the Material Safety Data Sheet for each hazardous and potentially hazardous substance used. The Material Safety Data Sheets summarize the physical and chemical properties of the substances and their health impacts. The plan also requires immediate notification to all appropriate agencies and personnel of a release, identification of local emergency medical assistance appropriate for potential accident scenarios, contact information of all company emergency coordinators of the business, a listing and location of emergency equipment at the business, an evacuation plan, and a training program for business personnel.

HMBEPs are designed to be used by responding agencies, such as the Moreno Valley Fire Department, to allow for a quick and accurate evaluation of each situation for an appropriate response. HMBEPs are also used during a fire to quickly assess the types of chemical hazards that firefighting personnel may have to deal with, and to make decisions as to whether or not the surrounding areas need to be evacuated. Compliance with existing law will ensure that no significant impacts pertaining to the creation of hazards affecting the public will occur. The handling of hazardous materials in accordance with the HMBEP as required by applicable local, State, and Federal standards, ordinances, and regulations will ensure that impacts associated with environmental and health hazards related to an accidental release of hazardous materials are less than significant and no mitigation is required.

Though the uses in the Project area are not expected to utilize acutely hazardous materials in their daily operation, a potential for an accidental release of hazardous materials into the environment is present at the Project site as it is at any commercial, retail, or industrial site. Compliance with the identified State and Federal transportation safety standards will govern the handling of hazardous materials during truck and freight transfer operations. These standards include procedures to contain, report, and remediate any accidental spill or release of hazardous materials. The handling of hazardous materials in accordance with all applicable local, State, and Federal standards, ordinances, and regulations will ensure that impacts associated with environmental and health hazards related to an accidental release of hazardous materials at the Project site will be less than significant and no mitigation is required.

Hazardous On-site Facilities. The Project site contains a regional natural gas compressor station operated by SDG&E. At present, the plant occupies a 19-acre site, surrounded by 174 acres of SDG&E-owned open space. There is additional open space around the plant, consisting of land owned by the CDFW as part of the SJWA. There are no plans to expand or otherwise modify the plant and/or its open space zone, which is considered adequate at this time to protect public health and safety, including users of the SJWA and new employees and users of the new warehouses associated with the WLC Specific Plan.

There will be sufficient setback from the plant to future warehouse uses (e.g., 1,000 feet). No development or change in operation has been announced for the property within the SJWA. Existing safety conditions will continue relative to the gas facility as it relates to the SJWA. Compliance with established safety laws and regulations regarding the natural gas facilities will reduce the potential impact to a less than significant level and no mitigation is required.

The Southern California Gas Company (SCGC) operates a natural gas metering station on a one-acre site located one-quarter mile north of the Moreno Compressor Plant. The land plan will provide 1,000 feet setback from the SCGC station as an additional setback between these uses. These setbacks appear sufficient to protect future uses/users within the WLC Specific Plan if upset conditions were to occur at this station. Compliance with established safety laws and regulations regarding natural gas plants is expected to reduce this potential impact to a less than significant level and no mitigation is required.

The site also contains two natural gas lines that cross the central and southern portions of the site in an east-west direction. They range in size from 16 to 36 inches in diameter and carry natural gas under medium and high pressure. As development occurs in areas with buried natural gas lines, the Project proponent will be required to negotiate with the involved utility provider as to whether these pipelines can be relocated or need to be protected in place. Future development is required to maintain clearance for pipelines depending on their contents and size, in consultation with the serving utility provider. As long as these design restrictions are implemented during the site design and construction process, no significant impacts are expected. However, if a catastrophic accident were to occur involving one or more natural gas lines on site, there could be property damage and loss of life. While the chance of occurrence is low, there are potential safety risks, mainly to Project employees, if such an accident were to occur. Compliance with established safety laws and regulations regarding pipelines is expected to reduce this potential impact to a less than significant level and no mitigation is required.

Off-site Improvements. A number of off-site improvements will be needed to serve the Project, including three reservoirs, various water, sewer, and drainage improvements within existing rights-of-way, and the SR-60/Theodore Street interchange. None of these facilities is expected to create significant hazards or risks to public health or safety. These facilities will require standard improvement plan approvals through the City of Moreno Valley and/or County of Riverside. Based on these plan reviews, no significant hazard-related impacts are expected and no mitigation is required.

Hunting Accidents. Immediately south of the Project area is the SJWA, where limited hunting is permitted. Hunting in these areas requires a hunting license issued by the State. The Fish and Game Code provides strict regulations on hunting, including limits on hours, time of year, quantity, and firearms.

Hunting on State lands, such as the SJWA, can only be done with shotguns that are smaller in size (higher in gauge) than 10-gauge shotguns. In addition, Federal law allows no more than three shells in the chamber of the shotgun at any given time during hunting. The SJWA is patrolled by CDFW wardens to ensure that all hunting rules and regulations are followed. The private hunt clubs are also governed by similar rules and regulations to ensure the safety of their members and the general public.

Given the proximity of the Project area to the nearby hunting areas, it is appropriate to consider the possibility of stray gunfire as a possible risk to future employees, visitors, and facilities on the Project site. Accident conditions that could arise from the nearby hunting activities are expected to be less than significant for the following reasons: the most intensive operations at the high-cube logistics center would be during off-peak hours when there is no hunting; the hunting on the adjacent areas to the south of the WLC Project area is in accordance with all applicable local, State, and Federal standards and regulations; and the range for the allowed firearms (shotguns smaller than 10-gauge) would be 60 yards or less providing a safe distance for development to occur in the WLC Project area, which would be a safe distance from the actual hunting areas. It should also be noted that the Specific Plan provides for a minimum 250-foot setback along the southern boundary of the Specific Plan property, which is greater than the minimum safe distance described above. Impacts are less than significant and no mitigation is required.

Valley Fever. During processing of the Highland Fairview Corporate Park EIR, a local resident expressed concern regarding Valley Fever (*Coccidiomycosis*), a disease caused by fungus spores (*Coccidioides immitis*). The WLC Specific Plan site is adjacent to the Highland Fairview Corporate Park site. These fungal spores most typically lie dormant in relatively undisturbed soil with native vegetation cover in the Central Valley of California.

The likelihood of these spores to occur at this site is remote. The soil at the Project site is not undisturbed and has little, if any, native vegetation cover. The site consists primarily of disturbed agricultural soils (i.e., regularly tilled and occasionally irrigated) and had virtually no native vegetative cover. The local soils will be extensively disturbed during grading and would be regularly watered to control dust. Erosion control measures will be implemented immediately following grading. Under these conditions, it is unlikely that *Coccidioides immitis* spores would survive in the soil. This potential impact appears minimal and no mitigation is required. (FEIR, Volume 3 pgs. 4.8-16 to 4.8-20).

DRAFT

d. Located on a List of Hazardous Materials Sites

Potential Significant Impact: Whether the Project would be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

Findings: Potential impacts of the Project related to being located on a hazardous materials site is discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to development occurring on a hazardous materials site; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.8 of the FEIR Volume 3, the Project area is not listed in any of the searched regulatory databases provided by Environmental Data Resources (EDR). This included a review of Federal, State, and local environmental databases for information pertaining to documented and/or suspected contaminated sites, known handlers or generators of hazardous waste, waste disposal facilities, releases of regulated hazardous substances and/or petroleum products within specified search distances. Analysis of soil samples obtained during the limited site characterizations conducted as part of the Phase I Environmental Site Assessments (ESAs) indicated there were trace concentrations of pesticides present in near surface soils at some of the sample locations. However, the pesticide concentrations were below the EPA's Preliminary Remediation Goals, for residential properties. No further sampling was deemed necessary and unrestricted use of the property is warranted. Since neither the Project site nor areas in the vicinity of the Project site are listed on any of the hazardous materials sites as defined by Government Code Section 65962.5, there would be a less than significant impact and no mitigation is required. (FEIR, Volume 3 pg. 4.8-20)

e. Conflict with Emergency Response Plans

Potential Significant Impact: Whether the Project would impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation

Findings: Potential impacts of the Project related to emergency response plan conflicts are discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to emergency response plan conflicts; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.8 of the FEIR Volume 3, the City of Moreno Valley adopted its Local Hazard Mitigation Plan (LHMP) on October 4, 2011. This document identifies

DRAFT

known hazards throughout the community and identifies strategies for which to prepare for and respond to these hazards if and when it is necessary. Figure 12-2 of the LHMP maps primary and alternative evacuations routes out of Moreno Valley. There are three (3) routes that either run through or along the Project area that are identified as primary evacuation routes: Redlands Boulevard, Theodore Street, and Alessandro Boulevard. The Project will be designed, constructed, and maintained in accordance with applicable standards associated with vehicular access, ensuring that adequate emergency access and evacuation will be provided. Construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Compliance with existing regulations for emergency access and evacuation will ensure that impacts related to this issue are less than significant and no mitigation is required. (FEIR, Volume 3 pg. 4.8-21)

f. Wildland Fire Risk

Potential Significant Impact: Whether the Project would expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Findings: Potential impacts of the Project related to wildland fire risk are discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildland fire risk; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.8 of the FEIR Volume 3, The City of Moreno Valley is subject to both wildland and urban fires. Wildfires in particular pose a threat to the northern and eastern portions of the City, near the WLC Project area. Moreno Valley's LHMP documents that three wildland fires have occurred within the WLC Project area since 2003. Although the Project area is not within a mapped fire hazard area, the Badlands directly east of the Project area are considered a High Fire Hazard Area. Development of the eastern portion of the Project could expose persons or property to wildland fire risks given the proximity of the Project area adjacent to a High Fire Hazard Area. Regardless of this proximity, all new structures in the Project area must be constructed in compliance with Title 24 of the California Code of Regulations to safeguard life and property from fire hazards, including the installation of automated fire suppression systems. Compliance with these standards would be enforced during building permit review and the construction inspection period. In addition, no development will be allowed within the San Jacinto Fault Zone, which runs parallel and just west of

DRAFT

Gilman Springs Road; this area of limited development will provide a fuel or fire break to help protect future occupied uses within the WLCSP.

Six fire stations presently serve the City of Moreno Valley. Station No. 58, the Moreno Beach station, is the closest station to the Project area (approximately a quarter of a mile directly west). Given the proximity of Station No. 58 and with all new structures constructed in compliance with Fire and Building ode regulations, the susceptibility and exposure of the Project to wildland fires would be limited. (FEIR, Volume 3 pg. 4.8-21)

g. Cumulative Hazards and Hazardous Materials Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would have a cumulative hazards and hazardous materials significant.

Findings: Potential cumulative impacts of the Project related hazards and hazardous materials are discussed in detail in Section 4.8 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to hazards and hazardous materials; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.8 of the FEIR Volume 3, the cumulative impact analysis considers development of the Project in conjunction with other development in the City and this portion of Riverside County. Significant cumulative impacts associated with the routine transport, use, and disposal of hazardous materials would occur as the Project would increase the amount of truck traffic in the area as well as the number of trucks potentially transporting hazardous materials. The Project, in combination with other projects of a similar nature, has the potential to create a significant cumulative impact related to this issue. Some of these risks are site-specific and localized, such as businesses that handle hazardous materials within their facilities (i.e., on site); these types of hazmat impacts are generally limited to the Project site. It is also possible there will be incrementally increased impacts by the transport and disposal of hazardous materials related to warehouse operations on the Project site. For example, the substantial increase in trucks in and around the WLC site would incrementally increase the risks of accidents involving truck-related fuels (e.g., fire or explosion). However, the number of trucks containing hazardous materials on the road in a given area at any given time would be difficult if not impossible to calculate, and it would be likewise difficult to estimate the number and/or location of accidental spills and leaks, which, by their nature, are accidental or unplanned occurrences, it would be impossible to predict the specific occurrence of such events on the Project site.

Despite these uncertainties, it is reasonable to assume that with an increase in vehicles transporting hazardous materials would incrementally increase the potential for accidents on a regional basis.

As anticipated in the City's General Plan, demographic increases, and the availability of vacant property in the City would lead to the new industrial development in the City and surrounding area. While the project-specific hazardous material impacts of individual development projects will be addressed separately in future CEQA documents, anticipated future development will contribute, through increases in population and the number of outlets that transport, or dispose of hazardous materials, to a cumulative increase in risk for hazardous material incidents. Although each project has unique hazardous materials considerations, it is anticipated that future cumulative projects would comply with the local, State, and Federal regulations and requirements as these are required for all development projects. As a result, cumulative impacts associated with hazardous materials would be less than significant.

Cumulative impacts involving wildfires consists of future development adjacent to a High Fire Hazard Area. The risk to each future project is based on the location and interface between urbanized area and wildland areas. The risks associated with development in these area can only be reduced through conformance with Fire and Building Code regulations, it is anticipated that cumulative development within the Project area would not create a significant and cumulative impact associated with wildland fire hazards. (FEIR, Volume 3 pgs. 4.8-23 through 4.8-24)

8. Hydrology, Drainage, and Water Quality

a. Seismic Flooding-Related Impacts

Potential Significant Impact: Whether the Project would expose people or structure to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam.

Findings: Potential impacts of the Project related to seismic flooding-related impacts are discussed in detail in Section 4.9 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to seismic flooding-related impacts; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.9 of the FEIR Volume 3, the Project's off-site improvement areas are not identified as being located within the City's mapped dam inundation area; therefore, the Project would not result in the exposure of people or structures to risk of loss, injury, or death involving flooding as a result of failure of either the Poorman Reservoir (Pigeon Pass Dam) or Lake Perris Dam. Impacts related to this issue would be less than significant, and no mitigation is required. (FEIR, Volume 3 pg. 4. 9-27 to 4.9-28)

b. Seismic-Related Impacts

Potential Significant Impact: Whether the Project would expose people or structure to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to seismic-related impacts are discussed in detail in Section 4.9 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to loss, injury, or death involving inundation by seiche, tsunami, or mudflow; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.9 of the FEIR Volume 3, the Project area is not at risk of inundation by a tsunami as it is located approximately 56 miles from the Pacific Ocean. The Project area is located approximately 2.5 miles northeast of Lake Perris. Lake Perris is an enclosed body of water and could be subject to a seiche during a seismic event. However, a seiche event would not affect the Project area because water levels in the lake are not high enough to overtop the Perris Dam in the event of a seiche.[1] The Perris Dam has been designed to prevent seiche phenomena due to the region's high seismicity. In addition, the topography between the Specific Plan area and Lake Perris has multiple hills and valleys. Given these factors, impacts associated with seiche events are less than significant for the WLC Project.

Except for the far southwest corner, the Project site is located in a gently sloping area where landslides and mudslides would not occur. No development is proposed on the steep slopes of Mount Russell in the southwesterly portion of the property, which is included in the 74.3 acres of open space designated within the WLC Specific Plan. Therefore, a less than significant impact associated with exposure of people or structure to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow would occur, and no mitigation is required. (FEIR, Volume 3, pgs. 4.9-28).

c. Groundwater

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

Findings: Potential impacts of the Project related to groundwater impacts are discussed in detail in Section 4.9 of the FEIR Volume 3. Based on the entire record before us, this Council finds that

[1] The existing earthen wall is approximately 128 feet high with the highest elevation at 1,628 feet. Normal operating water levels for Lake Perris are at 1,588 feet (leaving 40 feet of excess height between the water level and the top of the dam). Restricted operating water levels for Lake Perris are at 1,563 feet (leaving 65 feet of excess height between the water level and the top of the dam).

development of the Project will not result in significant impacts related to interference with groundwater recharge resulting in a net deficit in aquifer volume or lowering of the local groundwater table; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.9 of the FEIR Volume 3, based on the Water Supply Assessment (WSA) prepared for the Project by the Eastern Municipal Water District (EMWD), water demand for the proposed on-site uses would total approximately 1,991.25 acre-feet per year (AFY).[2] The EMWD considers this a worst-case estimate based on the total acres and amount of square footage of high cube logistics uses proposed by the Project. This estimate does not take into account the Project landscaping design with xeriscape drought-tolerant landscaping and on-site collection of runoff and channeling it to landscaped areas to minimize irrigation on the interior of the Project site. The Project will obtain water service from the EMWD. It is anticipated that the Project would primarily utilize imported water purchased from Metropolitan. In the event that the supply of imported water is reduced, it would be supplemented with new local supply projects during multiple dry years, if needed. The WSA prepared for the Project indicates that development of the Project will not include groundwater for water supply. Rather, this Project, as well as other new developments in the EMWD's service area, will be supplied exclusively with imported water provided by Metropolitan. The imported water may be treated by Metropolitan, provided by Metropolitan as untreated water and subsequently treated by the EMWD, or recharged into the basin for later withdrawal.

The Project will not substantially interfere with groundwater recharge due to the Project implementation of bioretention areas and detention basins with infiltration capacity that mitigates the impact of reduced pervious areas. Bioretention areas and detention basins will be implemented in addition to the remaining impervious areas. The only use of groundwater may be to support continued agriculture on portions of the WLC Specific Plan property that have not yet been developed. The EMWD developed the West San Jacinto Groundwater Basin Management Plan (Plan) to help ensure that local groundwater resources are conserved and groundwater overdraft does not occur, based on projections of future growth and expected water supply conditions. The Plan projects the water consumption demands of existing and future development based on rates of growth assumed by regional planning organizations (i.e., SCAG and WRCOG) and estimates water demand versus available supply under different water supply scenarios (e.g., multiple dry years).

[2] *Water Supply Assessment Report for the World Logistics Center Specific Plan in Moreno Valley*, Eastern Municipal Water District, March 21, 2012.

Based on the State Water Supply analysis provided in the EIR, the WLC Project is not expected to interfere with groundwater recharge activities or groundwater supplies. Impacts associated with this issue are less than significant, and no mitigation is required. (FEIR Volume 3 pg. 4.9-28 to 4.9-31).

d. 100-Year Flooding Impacts

Potential Significant Impact: Whether the Project would place within a 100-year flood hazard area structures that would impede or redirect flood flows or place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map .

Findings: Potential impacts of the Project related to 100-year flood events are discussed in detail in Section 4.9 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to 100-year flooding events; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.9 of the FEIR Volume 3, the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) identify areas subject to flooding during the 100-year storm.[3] Based on these FIRM maps, the Project site does not fall within a 100-year flood zone.[4] Because the Project site does not lie within a 100-year floodplain impacts related to this issue are less than significant. No mitigation is required. (FEIR Volume 3 pg. 4.9-31 to 4.9-32).

e. Hydrology and Water Quality Cumulative Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would have significant cumulative impacts on hydrology and water quality.

Findings: Potential impacts of the Project related to cumulative hydrology and water quality impacts are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts to hydrology and water quality and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.9 of the DEIR, increases in the amount and extent of development in the City and surrounding areas will increase the potential for pollutants in runoff, which in turn would affect water quality. The Project's water quality impacts will be mitigated through on-site detention/sedimentation basins and other water pollution control mechanisms such as

[3] The term "100-year" is a measure of the size of the flood, not how often it occurs. The "100-year flood" is a flooding event that has a one percent chance of occurring in any given year.

[4] FEMA DFIRM Data, 2008.

vegetated swales, sand filters, and storm drain inlet filters. Similar requirements will be placed on all other development in the Project vicinity by the City and the RWQCB, further reducing the potential for cumulative impacts. Since all development within the City is required to account and mitigate for their individual water quality impacts before runoff leaves each individual site, it is reasonable to conclude that water quality would be maintained throughout the cumulative area. Adherence to NPDES, SWPPP, and WQMP requirements will reduce any such cumulative water quality impact to a less than significant level.

Groundwater recharge policies and practices implemented by the RWQCB and local agencies will ensure groundwater supplies are maintained at appropriate levels. As such, no significant cumulative groundwater supply impacts are anticipated to occur with the development of the Project.

The drainage system for the Project would be designed so that runoff from the Project site after Project development is directed to on-site treatment BMPs and flow volumes would be equal to or less than historic conditions at any given discharge location. This same requirement will be placed on all other development in the vicinity of the Project site by the City of Moreno Valley. Therefore, the Project will not make a significant contribution to any cumulatively considerable impacts related to drainage or water quality and no mitigation is required. (DEIR Volume 3, pgs. 4.9-65)

9. Land Use and Planning

a. Conflict with Any Applicable Habitat or Natural Community Conservation Plan

Potential Significant Impact: Whether the Project would conflict with any applicable habitat conservation plan or natural community conservation plan.

Findings: Potential impacts of the Project related to the conflict with any applicable habitat conservation plan are discussed in detail in Section 4.10 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to a conflict with any applicable habitat or natural community conservation plan; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.10 in the FEIR Volume 3, the Project site is located within the MSHCP area, Mead Valley and Reche Canyon/Badlands Plan Area.[5] Portions of the Project area occur in 14 criteria cells of the MSHCP. The Project site is not located within any special linkage areas identified by the MSHCP. The Project applicant, the City, and the County[6] are required to

[5] *Multiple Species Habitat Conservation Plan Compliance Report*, Michael Brandman Associates. April 23, 2012.
[6] Western Riverside County Regional Conservation Authority (RCA)

use the Joint Project Review (JPR) process established in the MSHCP to identify and acquire habitat as part of the development review process. The JPR process involves negotiations between a landowner and the Western Riverside County Regional Conservation Authority (RCA) so the County can acquire land with important habitat or other biological resources while providing fair compensation and/or reasonable development opportunities on the remaining land for the landowner.

The Project site is located within areas requiring burrowing owl surveys, within the MSHCP Criteria Area Species Survey Area (CASSA), and Narrow Endemic Plant Species Survey Area (NEPSSA). Because the Project site is within an MSHCP CASSA and is considered to be a covered activity, the Project is subject to provisions of the MSHCP. In particular, the Project proponent will be required to provide payment of mitigation fees and adhere to the Best Management Practices found in Appendix C of the MSHCP. Pursuant to agreements with the U.S. Fish and Wildlife Service (USFWS) and the CDFW, the payment of the mitigation fees and compliance provisions of the MSHCP provides full mitigation under CEQA, the Federal Endangered Species Act (FESA), and the California Endangered Species Act (CESA) for impacts to the species and habitats covered by the MSHCP. Since the City has adopted the MSHCP and its requirements and provisions, and since the Project is within Moreno Valley, the WLC Project would be required to adhere to applicable MSHCP requirements and fees. Therefore, the WLC Project was determined to be consistent with the MSHCP. (FEIR Volume 3 pgs. 4.10-11 to 4.10-12)

b. Conflict with Applicable Land Use Plans, Policies, or Regulations (Regional)

Potential Significant Impact: Whether the Project would conflict with any applicable regional land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Findings: Potential impacts of the Project related to the conflict with any applicable land use plans, policies, or regulations are discussed in detail in Section 4.10 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to a conflict with any applicable regional land use plan, policies, or regulations; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.10 in the FEIR, Volume 3, pursuant to *CEQA Guidelines* Section 15125 (d), the Project's EIR includes an evaluation of the consistency of the WLC Project with pertinent goals and policies of relevant adopted local and regional plans. The analysis

evaluates the Project against all the applicable regional planning documents and processes which include: airport regulations associated with MARB and Riverside County Airports; Southern California Council of Governments' (SCAG) 2008 Regional Comprehensive Plan (RCP), Regional Transportation Plan (RTP), and Compass Growth Vision; SCAG's 2012 RTP and Sustainable Communities Plan, Santa Ana Water Quality Control Plan (Basin Plan; Riverside County Drainage Area Management Plan (DAMP); and EMWD's Urban Water Management Plan (UWMP).

The analysis in the EIR demonstrates that the Project is generally consistent with the goals of SCAG's Regional Comprehensive Plan, Compass Plan and Regional Transportation Plan in that it seeks to add employment in an area that has historically been "jobs poor," which will help reduce worker commute trips from Moreno Valley over the long term. The WLC Specific Plan Project is generally consistent with these plans because the WLC Specific Plan will generate fewer emissions than the currently approved Moreno Highland Specific Plan, and it will provide for a better balance of jobs versus housing in Moreno Valley, which will incrementally improve regional commuting directions and distances by providing almost 24,000 new jobs (direct, indirect and induced) in an area currently planned for housing. No other conflicts with the applicable plans were identified. (FEIR Volume 3 pgs. 4.10-12 to 4.10-26).

c. Conflict with Applicable Land Use Plans, Policies, or Regulations (Local)

Potential Significant Impact: Whether the Project would conflict with any applicable local land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Findings: Potential impacts of the Project related to the conflict with any applicable local land use plans, policies, or regulations are discussed in detail in Section 4.10 of the FEIR Volume 3. The Project will advance many of the goals, objectives and policies contained in the various elements of the City's General Plan. It will add significant employment opportunities, facilitate significant economic growth, establish well-planned attractive new development, establish a broader and more stable tax base for the City, expand recreational trail systems, increase permanent open space, provide for alternative forms of transportation, implement extensive sustainable design features and advance the progress of the City's annexation program. These are specifically identified and discussed in the Findings and Statement of Overriding Considerations (Section VI of this document) including statements about how the Project helps the City to achieve these goals, objectives and policies.

Facts in Support of the Findings: According to Section 4.10 in the FEIR Volume 3, the Project proposes to amend the existing City of Moreno Valley General Plan Land Use Plan for the Project area. By definition, the Project is inconsistent with the existing General Plan and approval of the Project would correct the inconsistency by amending the General Plan Land Use and other Elements to be consistent with the WLC Project and Specific Plan.

In summary, the Project is consistent with the goals, objectives, and policies of the City of Moreno Valley General Plan, except Objective 2.1 and Community Development Policy 2.5.2. As proposed, the Specific Plan represents a fundamental land use change for the Rancho Belago area, the eastern portion of Moreno Valley.

The land is currently planned for a mixed-use residential community, but the WLC Project will introduce 40.6 million square feet of logistics warehousing onto existing agricultural land that is adjacent to existing residential uses to the west and the San Jacinto Wildlife Area to the south.

Housing Element. During the NOP period, several group representatives expressed concern that the WLC Specific Plan would eliminate 7,700 housing units in the Moreno Highlands Specific Plan that would have to be replaced elsewhere in the City. The City adopted an updated Housing Element in February 2011 identifying the Moreno Highlands area as a potential location for future jobs-producing land uses rather than housing (affordable or otherwise).

The 2011 Housing Element update indicated the Moreno Highlands area would likely be rezoned to support employment-generating uses rather than housing. It also stated that "pursuing any land use changes with the Moreno Highlands Specific Plan area will not hinder the City's ability to meet its Regional Housing Needs Allocation (RHNA) obligations." The term RHNA refers to the Regional Housing Needs Allocation (affordable housing allocations) from the SCAG. The State Department of Housing and Community Development (HCD) certified the City's Housing Element on May 31, 2011.

In April 2011 and April 2013, the City adopted its Economic Development Action Plan, which also identified the eastern part of the City as a potential area for major job-producing land uses. The *Fiscal and Economic Impact Study World Logistics Center Moreno Valley, California* ("Study") prepared by David Taussig & Associates, Inc., in 2014 concluded that the WLC Project would generate 24,000 jobs/ employees to the area, which includes the creation of direct, indirect, and induced jobs/employees to the City. (FEIR, Volume 3, Appendix O)

The City's 2006 Housing Element identified the Moreno Highlands Specific Plan as a potential source of vacant land that could accommodate possible future residential growth in the City. However, in 2011 the

City updated its Housing Element and (i) anticipated possible land use changes from mixed use and residential to jobs producing warehouses in the eastern part of the City, and (ii) concluded that redesignating the entire land east of Redlands to the eastern City border for warehouse uses would not impede the City's Housing Element Objectives. The HCD certified the City's Housing Element as compliant with State law on May 31, 2011. In February 2014, the Housing Element was updated again, however this update did not include any changes relating to the Moreno Highlands property. This means that approval of Project will not impede the City's housing goals as set forth in its Housing Element, and no mitigation is required. (FEIR Volume 3 pgs. 4.10-27 to 4.10-35).

d. Cumulative Land Use Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and foreseeable future projects would result in cumulative land use impacts.

Findings: Potential impacts of the Project related to cumulative land use impacts are discussed in detail in Section 4.10 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to land uses; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.10 of the FEIR Volume 3, the WLC Project would not have significant Project-related impacts related to conflicts with applicable land use plans, policies, or regulations with approval of the General Plan Amendment, or conflict with an approved habitat conservation plan. While the Project would represent a shift in land use policy for the eastern portion of the City, this policy shift does not represent a significant cumulative land use impact under CEQA. The EIR determined the Project would have significant land use impacts on existing rural residences ("dividing an established community"), but this conflict does not rise to the level of a cumulative impact since the potential land use impacts to all adjacent residences will be less than significant. (FEIR Volume 3 pg. 4.10-36 and 4.10-37).

10. Mineral Resources

a. Loss of Statewide, Regional, or Locally Important Mineral Resources

Potential Significant Impacts: Whether the Project would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plans.

Findings: Potential impacts of the Project relating to mineral resources are discussed in detail in Section 4.11 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to mineral resources will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.11 of the FEIR Volume 3, lands within the City of Moreno Valley and its Sphere of Influence are designated Mineral Resources Zone–3 (MRZ-3) and MRZ-4, which are not defined as significant mineral resource areas. No sites have been designated as locally-important mineral resource recovery sites on any local plan.[7] In addition, Figure OS-5 of the Riverside County General Plan shows that the Project area is also located within MRZ-3. The development of the Project site would not result in the loss of identified regional or local mineral resources, conversion of an identified mineral resource use, or conflict with existing mineral resource extraction activities. Therefore, the development of the Project site would not result in a loss of statewide, regional, or locally important mineral resources. No impacts associated with this issue would occur and no mitigation is required. (FEIR Volume 3 pg. 4.11-3).

b. Cumulative Mineral Resource Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and foreseeable future projects would incrementally affect mineral resources.

Findings: Potential impacts of the Project related to cumulative mineral resource impacts are discussed in detail in Section 4.11 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to mineral resources; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.11 of the FEIR Volume 3, the cumulative area for mineral resources is the City of Moreno Valley and this part of western Riverside County. As population levels increase in the region, greater demand for aggregate and other mineral materials will be placed on mineral resources, especially sand and gravel. Similarly, development pressures in areas where these materials are known or expected to occur would result in the loss of availability of these mineral resources. However, because the Project site is not identified as a significant source of sand/gravel deposits and development subsequent to the adoption of the land use actions on any of the sites would not decrease the local or regional availability of mineral resources, potential future development of any of the

[7] *Section 6.10 Mineral Resources, Section 6.0 Issues Found Not To Be Significant*, Draft Environmental Impact Report for City of Moreno Valley General Plan 2030, State Clearinghouse #2004031135, City of Moreno Valley, October 2004.

sites would have no significant cumulative mineral resources impact. (FEIR Volume 3 pg. 4.11-3 and 4.11-4).

11. Noise

a. Ground-Borne Vibrations

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.12 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.12 of the FEIR Volume 3, roadways in the vicinity of the Project area are either paved or would be paved as the area develops, and would not result in Project traffic driving over rough or dirt roads. Well maintained roads typically do not result in substantial vibration levels. Even roads with irregularities typically only generate substantial levels of vibration very near, less than 50 feet from the irregularity. Construction activities that would occur within the WLC Specific Plan area are not anticipated to require blasting or pile driving. Roadway vibrations are typically not perceptible more than 50 feet from the roadway except in very unusual circumstances. Generally, the interface between the soft tire of a truck or automobile will not generate significant vibration unless the road is in poor shape (e.g., potholes or pavement joints) Therefore, impacts associated with this issue are anticipated to be less than significant, and no mitigation is required. (FEIR Volume 3 pg. 4.12-34).

b. Airport Noise

Potential Significant Impacts: Whether a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would results in exposure of people residing or working in the Project area to excessive noise levels or if a Project within the vicinity of a private airstrip, would expose people residing or working in the Project area to excessive noise levels.

Findings: Potential impacts of the Project relating to airport noise are discussed in detail in Section 4.12 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts

DRAFT

related to airport noise will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.12 of the FEIR Volume 3, **t**he Project area is located approximately 5.5 miles northeast of the March Airfield (MAF) and is not located within two miles of a private airstrip. The MAF is a joint-use airport, used for both military and civilian purposes. The March Air Reserve Base (MARB) is the military operator of the MAF and March Inland Port (MIP) is the civilian operator of the airport. This facility is anticipated to play an increasingly important role in the transportation of goods and cargo for the Southern California region. Existing flight patterns affect a large portion of the City of Moreno Valley, along a path that affects the western portion of the City in a northwest/southeast alignment. Aircraft operations from the airport currently contribute intermittent single-event noise.

There is potential for single-event noise exposure levels from MAF activity to affect the Project. The exposure levels will vary dependent upon the type of aircraft and flight track flown for each operation at MAF. However, the Project is not identified as being within the noise or safety contours delineated for the MARB Airport.[8] In addition, the Project is not considered to contain sensitive receivers and, therefore, the impacts from these single-event noise levels are considered to be below the level of significance. The City's exterior noise standard for industrial uses is 70 dBA CNEL. MAF noise levels are less than 60 dB CNEL within the Project area. Therefore, the Project would not have the potential to expose people to excessive noise levels from airport operations. Therefore, no significant noise impacts would occur regarding these issues from implementation of the Project, and no mitigation is required. (FEIR Volume 3 pgs. 4.12-35)

c. Cumulative Noise Impacts During Construction

Potential Significant Impact: Whether the Project in connection with past, current, and foreseeable future projects would incrementally result in excessive noise levels during construction.

Findings: Potential impacts of the Project related to cumulative noise impacts during construction are discussed in detail in Section 4.12 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to excessive noise levels during construction; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.12 of the FEIR Volume 3, construction crew commutes and the transport of construction equipment, and materials to the WLCSP area would

[8] *Figure 5.4-1 March Reserve Air Base Noise Impact Area*, City of Moreno Valley General Plan EIR, July 2006.

incrementally increase noise levels on access roads leading to the site. Secondary sources of noise would include noise generated during excavation, grading, and building erection on the project site. The net increase in project site noise levels generated by these activities and other sources has been quantitatively estimated and compared to the applicable noise standards and thresholds of significance. Although it is not possible to predict if contiguous properties may be constructed at the same time and create cumulative noise impacts that would be greater than if developed at separate times, it is unlikely that adjacent properties will be developed at the same time as the Specific Plan area. However, in the unlikely event that adjacent properties are developed at the same time as the WLC Project, adherence to the City's Municipal Code provisions that regulate construction activities and other development standards would render the cumulative impacts of the Project to less than significant levels. (FEIR Volume 3 pg. 4.12-59).

d. Cumulative Operational On-site Noise Impacts on Sensitive Receptors

Potential Significant Impact: Whether the Project in connection with past, current, and foreseeable future projects would incrementally result in operational noise level impacts on adjacent sensitive uses, both existing and future.

Findings: Potential impacts of the Project related to cumulative operational noise level impacts on adjacent sensitive uses, both existing and future are discussed in detail in Section 4.12 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts related to operational noise level impacts on adjacent sensitive uses, both existing and future.

Facts in Support of the Findings: According to Section 4.12 of the FEIR Volume 3, the noise analysis contained in this section also provides an assessment of on-site operational noise level impacts on adjacent sensitive uses, both existing and future. Additionally, on-site operational noises are individual noise occurrences and are not typically additive in nature. It is extremely unlikely that adjacent properties will generate noises that would be additive in nature because of two important reasons. First, the noise sources would have to be adjacent or in close proximity to one another in order for the noises to intermingle. Second, the sensitive receptor or receptors would also have to be adjacent to or in close proximity to the noise generators. Although it is not possible to predict if contiguous or proximate properties may generate noise at the same time that would be additive in nature and thus create a significant cumulative noise impact at sensitive receptors, adherence to the City's Municipal Code provisions that regulate nuisance noise from land uses and other development standards would render the cumulative impacts of the Project to less than significant levels. (FEIR Volume 3 pg. 4.12-59).

12. Population and Housing

a. Population Growth

Potential Significant Impact: Whether the Project would induce substantial population growth in an area, either directly (e.g., new homes and businesses) or indirectly (e.g., extension of roads and infrastructure).

Findings: Potential impacts of the Project related to population growth are discussed in detail in Section 4.13 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to population growth will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.13 of the FEIR Volume 3, population projections developed by SCAG estimate the City's population will reach approximately 213,700 persons by the year 2020 and approximately 255,200 persons by the year 2035. The extent to which the new jobs created by a Project are filled by existing residents is a factor that tends to reduce the growth-inducing effect of a Project. Construction of the WLC Project will create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the Project area; therefore, construction of the WLC Project will not generate a permanent increase in population within the Project area.

An economic study of the Project prepared by DTA concluded that the WLC Project could generate up to 20,307 new direct on-site jobs within the City.[9] In addition to the projected on-site job creation, the DTA study estimates the WLC Project could generate new off-site jobs (i.e., indirect/induced employment) in all industries of the economy. The DTA study also estimated that an additional 7,386 indirect/induced jobs could be created in the County, of which 3,693 jobs were projected to be within the City as a result of Project implementation. While the specific location of the potential additional indirect/induced jobs created within the County cannot be specifically determined, it is reasonable to assume that some percentage of these jobs will be support service jobs and are likely to be located in the WLC Project vicinity, and therefore the City.

The WLC Project does not include a residential component. The WLC Project is located within an area that is currently largely vacant and planned for a mix of residential, commercial, business park, and open space land uses in accordance with the General Plan Community Development Element. The WLC

[9] David Taussig and Associates, Inc. (DTAA). Fiscal and Economic Impact Study, Draft dated March 13, 2012, revised report dated January 15, 2013 February 5, 2014.

Project includes a General Plan Amendment to change the existing mix of land use designations to Business Park/Light Industrial (BP).

If approved, the WLC Specific Plan would supplant the approved Moreno Highlands Specific Plan (MHSP) Project west of Gilman Springs Road that did have a residential component. The EIR for that project indicated it would have increased the City's population by 17,019 persons over 15 years (7,736 units × 2.2 persons/unit). However, because the City is considered housing rich (and jobs poor) by SCAG, the loss of that projected population growth is not considered a significant impact and, in fact, a number of State policies (e.g., SB 375) encourage the creation and development of jobs-producing development in areas with poor jobs/housing numbers such as that which exists in the City.

Currently, there are seven single-family homes in various locations on the property along with associated ranch/farm buildings. Streets, water and sewer utilities, and municipal services would be extended to serve the WLC Project. The WLC Project may benefit other development projects in the Project area by the installation of infrastructure (e.g., roads and utilities), but is not expected to induce substantial population growth into the area since there would be no large areas of vacant land left in the east end of the City (south of SR-60) that could be developed with residential uses.

It should be understood that the actual eventual number of employees generated by the Project will vary depending on a variety of economic factors (e.g., actual companies that relocate and current hiring conditions). The projected employment estimate also does not take into account relocation of existing employees from other jurisdictions as a result of existing businesses relocating into the WLC Project. However, these would be counted as "new" employees for the City of Moreno Valley. For the purposes of this analysis, the EIR will use 20,307 direct employees working at the WLC or one employee per 2,000 square feet as a conservative estimate (in terms of environmental impacts) for future employment growth from WLC Specific Plan development.

The new employment opportunities resulting from development of the high-cube logistics warehouse and general warehouse uses will raise the City's current jobs-to-housing ratio by providing additional jobs to local residents. While the place of residence of the persons accepting employment provided by the proposed uses is uncertain, due to the City's projected jobs/housing ratio, it is reasonable to assume and therefore expect that some percentage of these jobs would be filled by persons already living within the City or Project area. Therefore, no significant increase in population of the City would result from the development or operation of the WLC Project, resulting in a less than significant impact associated with growth inducement and no mitigation is required.

Indirect City Population Impacts Related to Fiscal and Economic Changes. If the MHSP Project is not built, it could be argued the City may experience a financial impact from the loss of higher property tax, sales tax, and other revenues related to growth and development.

Potential economic impacts that may occur with Project implementation include permanent employment (direct on site and indirect/induced), permanent output (gross receipts; total direct output plus output produced by suppliers and employee spending), and one-time construction impacts.

The DTA study indicates that the creation of new jobs to the City will lead to more consumer spending by employees in existing retail establishments within the City, as well as new retail development that will be attracted to the City as a result of this spending. Job creation also results in increased tax revenues to the City through increased property taxes and sales taxes associated with development of the WLC Project. However, it is important to note that because of the difference in timing of the development of the various phases of the WLC Project, the number of employees summarized above will not be realized at the same time.

Development of the WLC Project is projected to create approximately 16,521 construction-related full-time equivalent (FTE) jobs within the City. Similar to recurring employment (i.e., permanent), it is likely that some percentage of these jobs will be associated with support services and are likely to be located in the vicinity of the WLC Project and therefore within the City.

The WLC Project does not include a residential component, so it would not directly generate additional new housing. Employees of the Project that choose to live in the City would likely utilize the existing supply of housing within the City.

Based on the potential increase in jobs (additional 20,307 direct jobs) within the City and no substantial increase in population as a result of the Project, the City's jobs-to-housing ratio would improve from the existing (2011) ratio of 0.47 to 0.91, thus achieving a greater jobs-to-housing balance within the City. Similarly, the potential new County employees that may be generated by the WLC Project would increase the total County employment to 571,799 from 551,492 resulting in a ratio of 0.74 from 0.69.

As development of the WLC Project is expected to occur over the course of many years, the jobs-to-housing ratio will not significantly change immediately. The City's current jobs-to-housing ratio is exceptionally low when compared to SCAG standards; therefore, the need for employment is immediate. A balance between jobs and housing within the City would have a positive impact by decreasing costs associated with commuting and traffic congestion. It also provides savings to consumers in the operation

DRAFT

and maintenance of automobiles, and saving to local public agencies in terms of the need to construct and maintain new road improvements.

Based on the foregoing discussion, implementation of the WLC Project would not result in a deficit in the City's General Fund even after City costs to provide public services to the development are considered. The estimated surplus is approximately $5.7 million annually, which is about two times the projected annual City General Fund costs. Additionally, the WLC Project is expected to generate sizeable, substantial, and lasting employment, wages, output, and revenues for the City and region. Therefore, potential fiscal and economic changes that could affect the City's population or housing are considered to be less than significant, and no mitigation is required. (FEIR Volume 3 pgs. 4.13-11 to 4.13-17)

b. Displace Substantial Housing/People

Potential Significant Impact: Whether the Project would displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere.

Findings: Potential impacts of the Project related to displacement of housing or people are discussed in detail in Section 4.13 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to displacement of housing or people will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.13 of the FEIR Volume 3, the WLC Project site currently contains seven rural residences. At the City Council meeting on May 22, 2012, some of the existing residents stated that they did not want to be included in the Specific Plan. After deliberation, the Council decided to include the rural properties in the Specific Plan in the interest of comprehensive land planning for the WLC property. Upon approval of the Specific Plan, these properties can continue as non-conforming uses, and the WLC Specific Plan designates these properties as "Light Logistics" (LL), which allows for future industrial-related uses (vehicle storage, light assembly, etc.). In this way, the WLC Specific Plan will not remove or displace any of the existing residents or residences from the Project site. As large warehouse buildings are developed near or adjacent to these residences, it may become less desirable to reside within the WLC Specific Plan area; however, the Project itself does not cause housing displacement.

Therefore, impacts to the seven on-site residences would not be considered a significant housing impact. For these reasons, the WLC Specific Plan will not have significant population or housing impacts related to displacing substantial numbers of people or existing housing.

The *Fiscal and Economic Impact Study World Logistics Center Moreno Valley, California* ("Study") prepared by DTAA in 2014 concluded that the WLC Project would generate 20,307 direct jobs/employees to the City. Section 4.13.5.3 of the EIR determined that the WLC Project is consistent with the 2011 Housing Element, and it will not displace substantial numbers of existing housing or necessitate the construction of replacement housing elsewhere. Therefore, no significant displacement impacts relative to people or housing are expected to occur, and no mitigation is required. (FEIR Volume 3 pgs. 4.13-18 to 4.13-19).

c. Cumulative Population and Housing Impacts

Potential Significant Impact: Whether the Project could cause an increase in population that is substantial in relation to the past, current, and probable future projects.

Findings: Potential impacts of the Project related to cumulative impacts of the Project on housing or population are discussed in detail in Section 4.13 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to cumulative impacts on housing or population will occur as a result of development of the Project and, therefore, no mitigation is required.

Fact Supporting the Findings: The cumulative area for the discussion of population and housing impacts is the City of Moreno Valley. The WLC Project would require a General Plan Amendment and Zone Change to re-designate the site from a mix of land uses and zoning designations to Logistics Development and Public Utility land uses and a Specific Plan zoning designation. The Project would not contribute to substantial population growth and therefore would not result in an increased demand on the current or future housing in the region. In addition, the Moreno Valley area is considered housing rich and jobs poor by SCAG, so the loss of population (and planned housing) would actually be a regional benefit according to the Regional Transportation Plan. The Project may result in an influx of new workers who would need to locate temporarily or permanently in the area, but the City has an overabundance of existing housing stock due to current market conditions. Implementation of the WLC Project would actually benefit population and housing conditions relative to employment and jobs/housing ratio and, therefore, not result in cumulatively adverse impacts to population or housing. The WLC Project would also not significantly induce growth into areas where growth was not previously anticipated since the WLC Project area represents the last largest remaining vacant land in the City of Moreno Valley. (FEIR Volume 3 pg. 4.13-19 to 4.13-20).

DRAFT

13. Public Services and Facilities

a. Law Enforcement Services and Facilities

Potential Significant Impact: Whether the Project would result in substantial adverse physical impacts associated with the provision of new or physically altered law enforcement facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police services.

Findings: Potential impacts of the Project related to law enforcement services and facilities are discussed in detail in Section 4.14 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to law enforcement services or facilities will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.14 of the FEIR Volume 3, the WLC Specific Plan requires building and site design characteristics that specifically support police services by encouraging buildings that are safe and can be secured by design, fencing, security services, etc. The WLC Specific Plan design guidelines are consistent with the goals of the General Plan relative to police protection and site design. In addition, future development within the WLC Specific Plan will be required to comply with the City's Development Impact Fee (DIF) requirements as new development is constructed. It is anticipated that DIF revenues will help fund additional equipment needs and increased property taxes would help fund increased service or staffing needs. Therefore, the Project will have less than significant impacts relative to police service, and no mitigation is required. (FEIR Volume 3 pgs. 4.14-4 to 4.14-7).

b. Fire Protection Services and Facilities

Potential Significant Impact: Whether the Project would result in substantial adverse physical impacts associated with the provision of new or physically altered fire-fighting facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police services.

Findings: Potential impacts of the Project related to fire-fighting services and facilities are discussed in detail in Section 4.14 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to law enforcement services or facilities will occur as a result of development of the Project; therefore, no mitigation is required.

DRAFT

Facts in Support of the Findings: According to Section 4.14 of the FEIR Volume 3, the WLC Specific Plan will dedicate a new 1.5-acre urban fire station site within its boundaries to allow for expansion of fire protection services as the Project develops (see WLC Specific Plan Section 2.2.6). The revised WLC Specific Plan indicates the new fire station will be at the north end of Planning Area 11. The WLC Specific Plan also requires building and site design characteristics that specifically support fire services by encouraging buildings that are safe and can be secured by design, fencing, security services, etc. The proposed WLC Specific Plan design guidelines are consistent with the goals of the General Plan relative to fire protection and site design. Finally, future development within the WLC Specific Plan will be required to comply with the City's DIF requirements as new development is constructed. Therefore, the Project will have less than significant impacts relative to fire protection service, and no mitigation is required. (FEIR Volume 3 pgs. 4.14-10 to 4.14-13).

c. School Facilities

Potential Significant Impact: Whether the Project would result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, the construction of which could cause significant environmental impacts.

Findings: Potential impacts of the Project related to school facilities are discussed in detail in Section 4.14 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to school facilities will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.14 of the FEIR Volume 3, the Project contains no residential development, so it would not cause a significant increase in the local population that would increase the number of students attending local schools. Since payment of the school impact fees is required of all projects within Moreno Valley Unified School District and San Jacinto Unified School District boundaries, impacts to school services and facilities would not occur. The WLC Project is also consistent with the applicable General Plan policies as it will assist in the provision of adequate school facilities by providing legally required development impact fees. Accordingly, impacts to the environment resulting from new or expanded school facilities would not occur, resulting in a less than significant impact and no mitigation is required. (FEIR Volume 3 pg. 4.14-15 to 4.14-17).

d. Parks, Recreation, and Trails

Potential Significant Impact: Whether the Project would result in increased use of existing neighborhood and regional parks or other recreational facilities (e.g., trails) where substantial physical

deterioration would occur or be accelerated or result in construction or expansion of recreational facilities that would have an adverse physical effect on the environment.

Findings: Potential impacts of the Project related to parks, recreation, and trails are discussed in detail in Section 4.14 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to parks, recreation, or trails will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.14 of the FEIR Volume 3, there is a potential for the Project to indirectly generate new residents in the City, although predicting the exact number would be too speculative. Increases in the City's population from future residential development will help fund new parks and trails through dedications of land and the payment of Development Impact Fees.

The WLC Specific Plan Project proposes a General Plan Amendment to the Master Plan of Trails to reduce the extent of trail systems in the area to reflect the change from a residential neighborhood (Moreno Highlands) to a non-residential neighborhood (World Logistics Center). Trail linkages are provided in the WLC Project to extend existing trail routes from the western edge of the Project to the east, providing for future linkages to Gilman Springs Road, to the Lake Perris State Recreation Area, and to the San Jacinto Wildlife Area.

Implementation of these new trails and the General Plan Amendment (i.e., revised Master Plan of Trails) will allow the Project to be consistent with the General Plan policies relative to trails. The Project is consistent with the City General Plan policies relative to parks, recreation, and trails.

The WLC Specific Plan will provide connections to existing trails to the west and southwest, and a connection to and trailhead for a future planned trail in the San Jacinto Wildlife Area south of the site, as outlined in Section 3.4.2, *Multi-Use Trails*, and as shown on Figure 3-17 of the Specific Plan. In addition, future development within the WLC Specific Plan will pay applicable DIFs to offset any potential impacts to parks or recreational services. Based on this, the Project will not create significant impacts on parks, recreation, or trails.

The Project does not include the construction or expansion of a recreational facility since it would not create any substantial demands on recreational facilities. The Project would have a less than significant impact on population or housing; therefore, no new demand on existing park facilities would occur, and no expansion of existing parks or the construction of new parks would be required. (FEIR, Volume 3 pgs. 4.14-23 to 4.14.25).

DRAFT

e. Cumulative Public Services and Facilities and Parks, Recreation, and Trails Impacts

Potential Significant Impact: Whether the Project could cause an increase in population resulting in the deterioration of public services and facilities and/or parks, recreation, and trails that is substantial in relation to the past, current, and probable future projects.

Findings: Potential impacts of the Project related to cumulative impacts of the Project on public services and facilities, and parks, recreation, and trails are discussed in detail in Section 4.14 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to cumulative impacts on public services and facilities, and parks, recreation, and trails will occur as a result of development of the Project; therefore, no mitigation is required.

Fact Supporting the Findings: The cumulative areas for police and fire protection services are the service areas for the Riverside County Sheriff's Department (RCSD) and Riverside County Fire Department (RCFD). The need for the public services and associated facilities is measured by service area population, or the number of residents and workers within the City's service area. Service population, as well as the type and density of development, determines the need for new or expanded police and services. Utilizing statistical information, local planning policies, and by interacting with other agencies, fire and police service providers can delineate past patterns, emerging trends, and future issues of concern. Once identified, service providers can redeploy resources to meet future needs.

There is the need for new fire station within the WLC Project. Payment of DIFs and provision of a new fire station site within the WLC Specific Plan is expected to fully mitigate potential impacts of the WLC Project relative to fire services. In addition, payment of DIFs is expected to fully mitigate potential impacts of the WLC Project relative to police services.

As additional development occurs in the City of Moreno Valley and region, there may be an overall increase in the demand for law enforcement and fire protection services, including personnel, equipment, and/or facilities. Increases in demand are routinely assessed by these agencies as part of the annual monitoring and budgeting process. New development within the service areas of the RCSD and RCFD would be required to adhere to conditions established by fire and police service providers. Therefore, there would be no cumulative impact on police and fire services in the City. Accordingly, cumulative impacts to the environment resulting from new or expanded police and fire protection facilities would not occur, resulting in a less than significant impact and no mitigation is required.

DRAFT

The cumulative area for school-related issues encompasses the two school district(s) that provide school services/facilities in the Project area. While no significant population increase is anticipated to result from the construction and operation of the Project, future development (particularly residential development) forecast in the City's General Plan will increase the demand for school facilities and services. New school facilities are currently being constructed to accommodate the growth in the local student population. Additionally, school districts are engaged in planning new facilities in anticipation of future local and regional growth. Each district requires the payment of development fees to provide for new school services and/or facilities. As every new development is mandated to provide the fees applicable to the school district affected, there would be no cumulative impact on school services in the City. Accordingly, cumulative impacts to the environment resulting from new or expanded school facilities would not occur, resulting in a less than significant impact and no mitigation is required.

Implementation of the Project will not increase the use of existing parks and recreation facilities. As future residential development is proposed, the City will require developers to provide the appropriate amount of parkland or payment of in-lieu fees, which will contribute to future recreational facilities. Payment of these fees and/or implementation of facilities on a project-by-project basis would offset cumulative parkland impacts by providing funding for new and/or renovated parks equipment and facilities. As such, the cumulative impact of buildout associated with the implementation of the Project, when considered with cumulative projects in the area, would be less than significant with implementation of the WLC Project. (FEIR Volume 3 pg. 4.14-26 to 4.14-27).

14. Transportation

a. Air Traffic Patterns

Potential Significant Impact: Whether the Project would result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.15 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.15 of the FEIR Volume 3, airport facilities within the vicinity of the Project site include the March Air Field, which is part of the March Air Reserve Base (MARB). The Department of the Defense (Air Force) completed an Air Installation Compatible Use Zone (AICUZ) study for MARB in 1998. The AICUZ study was designed and is intended to aid in the

development of compatible land uses in non-government areas surrounding military airfields to protect public safety and health. The study established three zones based on potential crash patterns: a Clear Zone and two Accident Potential Zones (APZs). The Clear Zone reaches from along the extended runway centerline to a distance of 3,000 feet, APZ 1 extends from 3,000 feet to 8,000 feet, and APZ II extends from 8,000 feet to 15,000 feet. According to the AICUZ, outside of the Clear Zone and APZs "the risk of aircraft accidents is not significant enough to warrant special consideration in land use planning." The Project site is not located within a Clear Zone, APZ 1, or APZ 2 for MARB as designated by the Air Force 2005 AICUZ Study. In addition to the AICUZ, Airport Influence Area boundaries around MARB have been adopted by County of Riverside Airport Land Use Commission (ALUC) in its Airport Land Use Plan (ALUP). The Project site is located within Influence Area III.

The Project site is approximately 5.5 miles east of the March Air Field and is entirely within Airport Influence Area III of the MIP. As part of the standard process for development within Airport Influence Areas for MARB, Projects are required to be reviewed by the ALUC for consistency with the ALUP. As a standard condition imposed during ALUC reviews, development located within the boundaries of Influence Area III is required to provide navigation easements. Development that is allowed to occur within Airport Influence III of MIP would not include any features that would alter air traffic patterns or the level of air traffic at the MIP; therefore, a less than significant air safety impact would occur and no mitigation is required. (FEIR Volume 3 pg. 4.15-86 to 4.15-87).

b. Design Features or Incompatible Uses

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to design features or incompatible uses are discussed in detail in Section 4.15 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to design features or incompatible uses will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.15 of the FEIR Volume 3, the design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway improvements in and around the Project site would be designed and constructed to satisfy all City and Caltrans requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically

to Project access requirements. Adherence to applicable City requirements would ensure the Project would not include any sharp curves or dangerous intersections.

During the Project review process, City staff expressed a concern about the intersection of Cactus Extension Street and the eastern end of Cactus Avenue, east of Redlands Boulevard. Early designs showed it as a skewed "T" intersection, but the Specific Plan now shows it as a more gently curving "knuckle" configuration, which eliminated the original concern about the safety of the intersection.

Temporary impacts associated with the construction of infrastructure improvements included as a part this Project may temporarily restrict vehicular traffic or cause temporary hazards. The construction of infrastructure would coincide with roadway improvements, which would include road or lane closures as well as the presence of construction workers and equipment on public roads. Construction operations would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road or lane closures. Site-specific activities, such as temporary construction activities, are finalized on a project-by-project basis by the City and are required to ensure adequate traffic flow. At the time of approval of any site-specific plans required for the construction of infrastructure as a part of typical conditions of approval, the Project would be required to implement measures that would maintain traffic flow and access. In the absence of a roadway design hazard, no impact would occur; therefore, no mitigation is required.

As identified in the Project TIA, the Project would not produce a significant safety risk and appropriate safety features are already present on roads near local schools. Other than Perris Boulevard, which would experience a small number of Project trucks (22 and 25 medium and heavy duty trucks in the a.m. and p.m. peak hours, respectively), none of the other truck routes would result in Project trucks traveling near local schools. The safety impact of Project-related passenger cars along streets near local schools was also evaluated by reviewing existing pedestrian facilities and collecting pedestrian counts at the intersections along Project truck routes. All pedestrian crossings at signalized intersections near schools are protected. Crosswalks near schools are striped in yellow (per the California Manual on Traffic Control Devices page 1,282). In most cases, sidewalks exist along roadways and lead to the striped, protected crosswalks at the intersections. Intersection and roadway features along Project truck routes were reviewed and it was determined that adequate pedestrian amenities already exist in the form of protected crossings, crosswalks, curb ramps, and pedestrian signals. For these reasons, Project passenger cars and trucks would not create unsafe conflicts with pedestrians. (FEIR Volume 3 pgs. 4.15-87 to 4.15-88).

c. Inadequate Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.15 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.15 of the FEIR Volume 3, Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road closures. Site-specific activities such as temporary construction activities are finalized on a project-by-project basis by the City and are required to ensure adequate emergency access.

The roadway improvements that will take place as a part of this Project will improve the traffic circulation in the area. For example, emergency vehicles that currently pass through the site using either Theodore Street or Alessandro Boulevard would continue to have those routes available to them, and these roads will be upgraded to arterial standards within the Project limits. Access to Alessandro Boulevard would be provided by a connection to Redlands Boulevard at Cactus Avenue instead of a direct extension to Alessandro Boulevard. The change would not lengthen the distance between Gilman Springs Road and the Riverside Community Regional Medical Center on Cactus Avenue or the route to and from the Kaiser Moreno Valley Community Hospital on Iris Avenue. The extension of Eucalyptus Avenue through the Project area would improve access between the Project site and the nearest existing fire station (the Moreno Beach fire station). As a condition of approval, the Project will also be required to construct a fire station on site.

These roadway improvements of the Project would enhance the ability of emergency vehicles to access the Project as well as the surrounding properties. Access to the Project site is designed to accommodate large trucks with trailers used for the distribution of goods to and from the warehouses. This would provide ample vehicular access for emergency vehicles. During the operational phase of the Project, on-site access would be required to comply with standards established by the City Public Works Department. The size and location of fire suppression facilities (e.g., hydrants) and fire access routes would be required to conform to Fire Department standards. As required of all development in the City, the operation of the Project would conform to applicable Uniform Fire Code standards. The submittal of such plans would be considered a condition of approval, which would be part of the permitting process

DRAFT

initiated by the applicant and approved by the City in accordance with City standards. As with any development, access to and through the Project would be required to comply with the required street widths, as determined in the California Building Code (CBC), Master Plan of Streets, and the Uniform Fire Code. Therefore, implementation of the Project would not significantly impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; therefore, no mitigation is required. (FEIR Volume 3 pg. 4.15-89)

d. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.15 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.15 of the FEIR Volume 3, the Project would result in the development of employment opportunities and would therefore reduce vehicle miles traveled. The provision of additional employment options in proximity to existing residential development in the City will help reduce local vehicle miles traveled as the employment generated by the Project slowly improves the City's job/housing ratio, and more local jobs are created for City residents. Therefore, the Project is consistent with City policies encouraging alternative transportation. Since the Project will not create any significant impacts related to non-vehicular transportation, no mitigation is required.

Although there is currently no transit service in the Project area, the Project would be designed to accommodate bus access on all Project streets. Bus turn-outs and shelters would be provided at all active bus stops. It is expected that transit service would be provided once the Project reaches a transit-supportable level of operations. Candidate streets for future bus routes within the Project limits are Eucalyptus Avenue, Street C, Street E, and Street F.

The WLC Specific Plan provides for Class II bicycle lanes on all Project streets. In addition, WLC Specific Plan Section 6.0, Sustainability, Item 2 indicates showers and changing rooms will be available which will facilitate people using bicycles to get to and from work.

DRAFT

The WLC Specific Plan provides for connections to existing trails to the west along Redlands Boulevard, and to the southwest along Cactus Avenue. In addition, the plan provides for a new trail connection from the southwest corner of the site around the land designated as open space under the WLC Specific Plan, to connect to a future planned "trailhead" at the northwest corner of the state-owned property to the south. The WLC Specific Plan also includes a "loop" trail segment through the WLC Specific Plan along Street F to Eucalyptus Avenue and back to Redlands Boulevard. In addition, the Project will be conditioned to provide sidewalks and landscaping treatments to allow for pedestrian access throughout the site. With these planned improvements, the WLC Specific Plan will have less than significant impacts regarding non-vehicular circulation and no mitigation is required. (FEIR Volume 3 pg. 4.15-89 to 4.15-90).

15. Utilities and Service Systems

a. Construction or Expansion of Water Treatment Facility

Potential Significant Impact: Whether the Project would require the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.

Findings: Potential impacts of the Project related to construction or expansion of water treatment facilities are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts that would cause the construction or expansion of water treatment facilities will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.16 of the FEIR Volume 3, Metropolitan has analyzed the reliability of water delivery through the State Water Project (SWP) and the Colorado River Aqueduct. Metropolitan's Integrated Resources Plan and 2010 Regional Urban Water Management Plan conclude that, with the storage and transfer programs developed by Metropolitan, there will be a reliable source of water to serve its member agencies' needs through 2035.

All necessary water distribution facilities would be installed simultaneously with required roadway frontage improvements for each phase of development of the WLC Project. Therefore, the connection to the existing water delivery system would not result in substantial disturbance of existing roadways or water facilities. As previously identified, the potable water demand that would be required for the WLC Project would total 1,991.25 acre-feet per year (AFY). The amount of water demand would be within the existing available supply even with a reduction in deliveries from the State Water Project (SWP). Imported sources of water will be supplemented by an increase in desalination of brackish groundwater,

DRAFT

recycled water use, and water use efficiency, and implementation of aggressive conservation measures by the EMWD. The WLC Project would not require the construction of new water treatment facilities or expansion of existing facilities, which could cause significant environmental effects. (FEIR Volume 3 pgs. 4.16-13 to 4.16-15)

b. Wastewater Treatment Requirements

Potential Significant Impact: Whether the Project would exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB).

Findings: Potential impacts of the Project related to construction or expansion of water treatment facilities are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts that would exceed wastewater treatment requirements of the applicable RWQCB as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.16 of the FEIR Volume 3, The WLC Project would result in a connection to the sewer line underlying Redlands Boulevard in the vicinity of the intersection of Redlands Boulevard and Brodiaea Avenue. It is anticipated that all wastewater generated by the WLC Project would be routed to and treated by the Moreno Valley Regional Water Reclamation Facility (MVRWRF). The MVRWRF is considered to be a publicly owned treatment works (POTW), so operational discharge flows treated at the MVRWRF would be required to comply with waste discharge requirements contained within the waste discharge requirements for that facility. Compliance with condition or permit requirements established by the City, and waste discharge requirements at the MVRWRF would ensure that discharges into the wastewater treatment facility system from the operation of the WLC Project would not exceed applicable Santa Ana RWQCB wastewater treatment requirements. Expected wastewater flows from the WLC Project will not exceed the capabilities of the serving treatment plant, so no significant impact related to this issue would occur and no mitigation would be required. (FEIR Volume 3 pgs. 4.16-28).

c. Wastewater Treatment Capacity and/or New or Expanded Wastewater Treatment Facilities

Potential Significant Impact: Whether the Project would result in a determination by the wastewater treatment provider, which serves or may serve the Project, that it lacks adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments or require the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Findings: Potential impacts of the Project related to adequate water supply are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to wastewater treatment capacity or need for new or expanded wastewater treatment facilities will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.16 of the FEIR Volume 3, the WLC Project would connect to the existing sewer pipeline underlying Redlands Boulevard in the vicinity of the intersection of Redlands Boulevard and Brodiaea Avenue. Wastewater flows from the WLC Project site would be handled by the EMWD and would be conveyed to the MVRWRF located in the southwestern portion of the City, southwest of the WLC Project site. Current capacity at this facility is 16 mgd[10] with an existing average inflow of approximately 11.2 million gallons per day (mgd).[11] Under current conditions, the average daily surplus treatment capacity is approximately 4.5 mgd. Generally, water use and wastewater flows are related in that wastewater is generated from indoor water uses.

Based on a square footage of 40.6 million, the wastewater generated from the logistics uses on the site is 812,000 gallons per day (gpd). An additional 5,100 gpd of flow was added to account for the in-Project fueling station. Thus, the total wastewater generated from the site is 817,100 (0.82 mgd). The additional wastewater treatment demand of 0.82 mgd resulting from development of the WLC Project totals approximately 18.2 percent of current surplus treatment capacity. Improvements planned for the MVRWRF facility would increase capacity at this facility from 16 mgd to 18 mgd with an ultimate expansion of this facility of 41 mgd. The planned expansion of the MVRWRF to increase capacity from 16 mgd to 18 mgd is anticipated to be completed by June 2013.[12] Impacts associated with wastewater facilities would be less than significant because the amount of wastewater generated by the Project would be within the existing surplus treatment capacity at the MVRWRF. The WLC Project would not require the construction of new wastewater treatment facilities or expansion of existing facilities, which could cause significant environmental effects. Therefore, impacts associated with wastewater facilities would be less than significant and no mitigation is required. (FEIR Volume 3 pgs. 4.16-29).

d. Cumulative Impacts to Wastewater Facilities

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would result in cumulative impacts to wastewater facilities.

---

10 *5.13 Public Services and Utilities*, City of Moreno Valley General Plan Final EIR, July 2006.

11 Eastern Municipal Water District Moreno Valley Regional Water Reclamation Facility, http://www.emwd.org/modules/showdocument.aspx?documentid=1423, website accessed April 2, 2012.

12 *3.10.b Regional Water Reclamation Facilities*, West San Jacinto Groundwater Basin Management Plan 2010 Annual Report, Eastern Municipal Water District, June 2011.

Findings: Potential impacts of the Project related to cumulative wastewater facilities are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant cumulative impacts related to wastewater facilities will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.16 of the FEIR Volume 3, the Project would not have a cumulatively significant impact on wastewater infrastructure because the WLC Project would not require the expansion of existing infrastructure, only connections to existing infrastructure would be required by the Project. By adhering to the wastewater treatment requirements established by the Santa Ana RWQCB through the NPDES permit, wastewater from the Project site that is processed through the MVRWRF would meet established standards. As the wastewater from all development within the service area of the MVRWRF would be similarly treated under the NPDES, no cumulatively significant exceedance of Santa Ana RWQCB wastewater treatment requirements would occur.

The MVRWRF is expected to have adequate capacity to service the City's wastewater needs through 2030. Any proposed changes to capacity of the MVRWRF or any facility maintained by EMWD are reviewed throughout the year. EMWD has a funding and construction mechanism in place that ensures improvements to EMWD facilities occurs in a timely manner. This funding mechanism is referred to as EMWD's Sewer Financial Participation Charge Program. For all new development within the EMWD service area, the Sewer Financial Participation Charge is allocated to assist in the financing of any future collection and disposal facilities and any future sewer treatment plant facilities. Cumulative development would not exceed the capacity of the wastewater treatment system because the MVRWRF would expand as growth occurred. (FEIR Volume 3 pg. 4.16-29 to 4.16-30)

e. Solid Waste Facilities

Potential Significant Impact: Whether the Project would be served by a landfill with insufficient permitted capacity to accommodate the Project's solid waste disposal needs.

Findings: Potential impacts of the Project related to solid waste facilities are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to solid waste facilities will occur as a result of development of the Project; therefore, no mitigation is required.

DRAFT

Facts in Support of the Findings: According to Section 4.16 of the FEIR Volume 3, the WLC Project is anticipated to generate approximately 104.6 tons of solid waste per day (38,164 tons/year).[13] Solid waste from the WLC Project would be hauled by Waste Management of Inland Valley and transferred to the Badlands Sanitary Landfill, located in Moreno Valley. The Badlands Sanitary Landfill has a daily permitted throughput of 4,000 tons per day, a remaining capacity of 14,730,025 cubic yards, and an estimated closure date of 2024.[14] The average daily throughput at the Badlands Sanitary Landfill for 2011 is estimated at 1,683 tons/day[15] with a current surplus capacity totaling 2,317 tons/day.

The volume of solid waste generated by the WLC Project per day represents 2.6 percent of the current permitted throughput and 4.5 percent of the current surplus capacity at the Badlands Sanitary Landfill. As adequate daily surplus capacity exists at the receiving landfill, development of the WLC Project would not significantly affect current operations or the expected lifetime of the landfill serving the Project area. No significant solid waste disposal impact would occur and no mitigation is required. (FEIR Volume 3 pgs. 4.16-32 to 4.16-33)

f. Solid Waste Reduction

Potential Significant Impact: Whether the Project would fail to comply with applicable Federal, State, and local statutes and regulations related to solid waste.

Findings: Potential impacts of the Project related to solid waste reduction are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant impacts related to solid waste reduction will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.16 of the FEIR Volume 3, The City of Moreno Valley is responsible for meeting the requirements of AB 939 and SB 1016, which includes a 50 percent reduction in disposal by the start of 2000 and preparation of a solid waste reduction plan to help reduce the amount of solid waste disposed of at the landfills. Various programs are implemented by the City of Moreno Valley to satisfy the mandated reduction in solid waste.

The WLC Project would be required to coordinate with the waste hauler to develop collection of recyclable materials for the Project on a common schedule as set forth in applicable local, regional, and

---

13 South Coast Air Quality Management District. CalEEMod Manual, Appendix D, Table 10.1, Solid Waste Disposal Rate for Unrefrigerated Warehouse. http://www.aqmd.gov/caleemod/user's-guide. Calculation: 0.94 tons/thousand square feet/year × 40,600 thousand square feet = 38,164 tons per year.

14 *Badlands Sanitary Landfill Facility/Site Summary Details*, CalRecycle website, http://www.calrecycle.ca.gov/SWFacilities/Directory/33-AA-0006/Detail/, website accessed April 2, 2012.

15 Based on 2011 average; e-mail correspondence with John Farrar, Administrative Services Assistant, County of Riverside Waste Management Department, December 2, 2012.

State programs. Recyclable materials that would be recycled by the Project include paper products, glass, aluminum, and plastic. Additionally, the Project would be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, State, and Federal solid waste disposal standards, thereby ensuring that the solid waste stream to the Badlands Sanitary Landfill is reduced in accordance with existing regulations. Impacts are considered less than significant and require no mitigation. (FEIR Volume 3 pg. 4.16-33 to 4.16-34).

g. Solid Waste Cumulative Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and probable future projects would have an incremental impact on solid waste.

Findings: Potential impacts of the Project related to cumulative solid waste are discussed in detail in Section 4.16 of the FEIR Volume 3. Based on the entire record before us, this Council finds that no significant cumulative impacts related to solid waste will occur as a result of development of the Project; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.16 of the FEIR Volume 3, AB 939 mandates the reduction of solid waste disposal in landfills. While the Badlands Sanitary Landfill has an estimated closure date of 2024, as previously identified, the City's waste hauler will also use other County landfills in the area (e.g., Lamb Canyon Landfill and El Sobrante Landfill). The estimated closure date of the Lamb Canyon Landfill is 2023 and the estimated closure date of the El Sobrante Landfill is 2030. With planned expansion activities of landfills in the Project vicinity and projected growth rates contained in the City's General Plan EIR, sufficient landfill capacity would exist to accommodate future disposal needs through City buildout in 2030. Therefore, buildout of the City General Plan would not create demands for solid waste services that would exceed the capabilities of the County's waste management system. Consequently, cumulative impacts associated with solid waste within the City would be considered less than significant. (FEIR Volume 3 pgs. 4.16-34).

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

DRAFT

I. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including aesthetics, agricultural resources, biological resources, cultural and paleontological resources, hazards and hazardous materials, hydrology, drainage, water quality, noise (short-term construction), transportation (local intersections), utilities, and global climate change (individually and cumulatively) were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the Mitigation Monitoring and Reporting Program (MMRP) adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. Aesthetics

a. Light and Glare

Potentially Significant Impact: The EIR evaluated and concluded that the Project has the potential to introduce a significant new source of light and glare into the Project area.

Finding: Potential impacts of the Project related to light and glare impacts are discussed in detail in Section 4.1 of the FEIR, Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to light and glare would be reduced to a less than significant level with implementation of **Mitigation Measures 4.1.6.4.A** and **4.1.6.4.B**:

4.1.6.4A Each Plot Plan application for development adjacent to residential development shall include a photometric plot of all proposed exterior lighting demonstrating that the project

is consistent with the requirements of Section 9.08.100 of the City Municipal Code. The lighting study shall indicate the expected increase in light levels at the property lines of adjacent residential uses. The study shall demonstrate that the proposed lighting fixtures and/or visual screening meet or exceed City standards regarding light impacts.

4.1.6.4B Each Plot Plan application for development shall include an analysis of all proposed solar panels demonstrating that glare from panels will not negatively affect adjacent residential uses or negatively affect motorists along perimeter roadways. Design details to meet these requirements shall be implemented to the satisfaction of the Planning Official.

Facts in Support of the Finding: According to Section 4.1 of the FEIR Volume 3, development of the Project site would introduce numerous new sources of light and glare into the area in the form of street lighting, parking lots, and security lighting for the buildings and nighttime traffic.

The WLC Specific Plan requires that all site lighting be oriented downward so as to not project direct light rays upward into the sky or onto adjacent properties. The development of the Project will cause a significant increase in light and glare in the area. This new lighting will incrementally affect nighttime conditions in the area.

Exterior surfaces of the concrete tilt-up structure would be finished with a combination of architectural coatings, trim, and/or other building materials such as concrete and brushed metal. The Project will incrementally increase the amount of daytime glare in the Project area by introducing windows and metal fixtures into the area. All development in the City, which includes light generated from warehouse buildings and parking lots, is required to adhere to lighting requirements contained in the City's Municipal Code (Section 9.08.100 Lighting), which states that any outdoor lighting associated with nonresidential uses shall be shielded and directed away from the surrounding residential uses. Such lighting shall not exceed one-quarter (0.25) foot-candle at property lines and shall not blink, flash, oscillate, or be of unusually high intensity or brightness. Lighting in parking areas and drive aisles must be at least 1.0 foot candle and cannot exceed a maximum of 8.0 foot candles.

Adherence to the City's Zoning Code would help reduce potential building or parking lighting impacts, but the location of industrial uses adjacent to residential uses would not reduce potential lighting impacts on adjacent residential uses to less than significant levels.

The WLC Specific Plan also allows for the installation of roof-mounted solar panels on future warehouse buildings and these panels may produce unintended glare to the southeast, south, and southwest of the site, depending on the angle of the sun, the number and location of panels, and the degree to which the

building parapet blocks views of the panels from surrounding land uses. Without additional information, this impact is determined to be potentially significant and requires mitigation.

Light and glare impacts of the Project can be reduced to less than significant levels by compliance with the lighting requirements of the City Municipal Code and implementation of **Mitigation Measures 4.1.6.4A** and **4.1.6.4B.** (FEIR Volume 3 pgs. 4.1-80 to 4.1-82).

2. Agricultural Resources

a. Farmland Conversion

Potential Significant Impact: The EIR evaluated and concluded that the Project has the potential to convert 25 acres of Unique Farmland as identified by the State of California to non-agricultural uses.

Finding: Potential impacts of the Project related to farmland conversion are discussed in detail in Section 4.2 of the FEIR Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to farmland conversion would be reduced to a less than significant level with implementation of **Mitigation Measure 4.2.6.1.A**:

4.2.6.1A Prior to the issuance of any grading permit affecting land designated as "Unique Farmland" (Figure 4.2.2 in the World Logistics Center Environmental Impact Report), an Agricultural Conservation Easement shall be recorded over land of equivalent or better agricultural economic productivity of the offsite easement property compared to the World Logistics Center property. The analysis will include a comparison of the project's "Unique Farmland" considering its relative economic potential as the best measure of productivity (i.e., net profitability per acre or potential net rental income per acre). It will include a consideration of various important physical factors including location and accessibility, soils and topography, micro and macro climatic conditions, water availability and quality, as well as local practices, good farm management and cultural (growing) costs. The form and content of this easement, as well as the estimates of agricultural productivity, shall be reviewed and approved in advance by the Planning Official.

Facts in Support of the Finding: According to Section 4.2 of the FEIR Volume 3, approximately 25 acres of the Project site are designated Unique Farmland. Under the Specific Plan, this land will eventually be converted to non-agricultural use, which would result in a significant and unavoidable impact relative to "designated" farmland conversion. In addition, the Project would result in the conversion of 2,201 acres of land designated as Farmland of Local Significance within the Specific Plan

DRAFT

area (total 2,610 acres total minus 25 acres of Unique Farmland and 384.0 acres designated as Other). The 1,104 acres of open space and utility lands south of the Specific Plan site are not proposed for development and it is expected they will remain in their existing condition (i.e., dry farming). The eventual conversion of 25 acres of Unique Farmland is a significant impact of the Project resulting from the basic Project objectives. However, implementation of **Mitigation Measure 4.2.6.1A** will reduce this impact to a less than significant level (FEIR Volume 3 pgs. 4.2-18 to 4.2-20).

b. Conversion of Farmland to Non-Agricultural Uses

Potential Significant Impact: The EIR evaluated and concluded that the Project has the potential to convert approximately 2,226 acres of land currently being farmed, which includes 2,201 acres of land designated as Farmland of Local Importance, to non-agricultural uses.

Finding: Potential impacts of the Project related to conversion of farmland to non-agricultural uses are discussed in detail in Section 4.2 of the FEIR Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to conversion of farmland to non-agricultural use would be reduced to a less than significant level with implementation of the above **Mitigation Measure 4.2.6.1.A**.

Facts in Support of the Findings: According to Section 4.2 of the FEIR Volume 3, implementation of the Project would result in the permanent conversion of approximately 2,226 acres currently used for dry farming to non-agricultural uses. While this could have an effect on accelerating the loss of other existing agricultural land, the state conservation lands to the south could be continued for agricultural production. Likewise, there is no other agricultural use in the Zone of Influence (term used in the State LESA Model) and a majority of the land in that zone is vacant (i.e., in the Badlands to the east and portions of the San Jacinto Wildlife Area and the Lake Perris State Recreation Area to the south). The conversion of agricultural lands to urban uses is supported by the City's General Plan policies. The entire Project site and adjacent lands have been designated for urban uses for nearly 20 years by the City. Nevertheless, much of the Specific Plan area is designated Farmland of Local Importance and will be permanently converted to non-agricultural urban uses. Therefore, the Project will cause significant impacts related to conversion of locally important farmland. However, implementation of **Mitigation Measure 4.2.6.1A** to establish an offsite agricultural conservation easement would mitigate the conversion of agricultural land, to non-agricultural uses. With implementation of this measure, Project impacts to agricultural resources are reduced to less than significant levels (FEIR Volume 3 pgs. 4.2-20 to 4.2-23).

DRAFT

c. Cumulative Agricultural Impacts

Potential Significant Impact: The EIR evaluated and concluded that the Project has the potential to remove 25 acres of Unique Farmland from potential agricultural production in Riverside County. In addition, it will eventually remove 2,201 acres of land that is designated as Farmland of Local Importance (including all of the land currently being dry farmed, in the Project area) from potential agricultural production in this portion of the County.

Findings: Potential impacts of the Project related to cumulative agricultural impacts are discussed in detail in Section 4.2 of the FEIR Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to cumulative agricultural impacts would be reduced to a less than significant level with implementation of **Mitigation Measures 4.2.6.1.A**.

Facts in Support of the Findings: According to Section 4.2 of the FEIR Volume 3, the Project has the potential to remove 25 acres of Unique Farmland from potential agricultural production in Riverside County. In addition, it will eventually remove 2,201 acres of land that is designated as Farmland of Local Importance (including all of the land currently being dry farmed, in the Project area, from potential agricultural production in this portion of the County.

While agricultural land is a finite resource, the City, through its designation of the site for non-agricultural urban uses in its General Plan, has previously considered that continuing development pressures in the City and region would result in the conversion of agricultural land to non-agricultural uses. The utilization of the property sites for agricultural activity would impede the City from achieving the goals and objectives set forth in its General Plan.

The CBRE[16] and the ACC[17] reports concluded that the agriculture industry within the Inland Empire will become less competitive and continue to decline whether or not the Project is developed. Under these circumstances, no mitigation that would artificially preserve or prolong agricultural activities (i.e., other than current market forces) in the Project area would be feasible or effective over the long term.

The continuation of agricultural operations on site over the long term is likely not economically viable. The County continues to experience a net loss of Unique Farmland and Farmland of Local Importance, and the development of the Project would contribute to the countywide net loss of designated farmland. However, with implementation of **Mitigation Measure 4.2.6.1A**, the WLC Project will not make a

[16] Agricultural Resources Assessment for the World Logistics Center Specific Plan Draft Environmental Impact Report, Parsons Brinckerhoff, original dated February 2012, revised dated December 2013).

[17] An Agriculture Industry Analysis of the Inland Empire, Andrew Chang & Company, LLC. March 12, 2012 (FEIR Appendix C).

significant contribution to cumulative agricultural impacts in western Riverside County. (FEIR Volume 3 pgs. 4.4-23 to 4.4-24)

3. Air Quality

a. Cancer Risk and Cancer Burden

Potential Significant Impact: The EIR evaluated and concluded that construction and operation of the Project would have the potential to result in a significant health risks.

Finding: Potential impacts of the Project related to cancer risk and cancer burden impacts are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to cancer risk impacts would be reduced to a less than significant level with implementation of **Mitigation Measures 4.1.6.1A, 4.3.6.2A**, **4.3.6.2B**, **4.3.6.2D, 4.3.6.3A, 4.3.6.3B, 4.3.6.3C, 4.3.6.3D,** and **4.3.6.3E**.

Facts in Support of the Finding: As set forth in EIR Section 4.3, adverse health effects would exist, in the absence of mitigation, as a result of the construction and operation of the Project.

However, as also set forth in EIR Section 4.3, in January, 2015, the Health Effects Institute (HEI) announced the results of the final phase of its five and a half year Advanced Collaborative Emissions Study (ACES), the first comprehensive evaluation of lifetime exposures of rats, which are more sensitive to diesel exhaust than humans, to exhaust from diesel engines designed to meet the strict USEPA emission regulations enacted in 2007. The HEI study distinguished between older Traditional Diesel Exhaust (TDE) (exhaust from engines that are older than model year 2007) engines and new technology diesel exhaust (NTDE) (exhaust from engines that model year 2007 or newer) engines.

Phase 3 of ACES evaluated whether emissions from NTDE engines cause cancer or other adverse health effects. Specifically, it evaluated the health impacts of a 2007-compliant engine equipped with a diesel particulate filter. The study confirmed that the concentrations of particulate matter and toxic air pollutants emitted from NTDE engines are more 90 to 99% lower than emissions from TDE engines. HEI found that lifetime exposure to NTDE "would *not* cause an increase in tumor formation or substantial toxic health effects in rats …" [italics in the original].

Mitigation Measures 4.3.6.3B and 4.3.6.2A require that all diesel trucks that access the Project site be model 2010 or newer and that construction equipment used on the project site be Tier 4 which has diesel exhaust equivalent to that emanating from 2010 compliant diesel trucks. Because of these mitigation

measures, the HEI study indicates that the Project will have a less than significant health risk associated with both the construction and the operation of the project.

The DEIR analysis of health risks from diesel exhaust was prepared before the release of the HEI study and therefore assumed that diesel exhaust would result in health risks. The methodology in effect at the time showed that the cancer risk, both on and off the Project site, exceeded the significance threshold adopted by the South Coast Air Quality Management District. Since the time that the DEIR was prepared, the California Office of Environmental Health Hazard Assessment (OEHHA) has released a new methodology which decreases the exposure times of various classes of receptors and adds age weighting factors to reflect the increased sensitivity of infants and children. The FEIR has applied this new methodology, referred to as the "Current OEHHA Guidance" in the FEIR, to the diesel exhaust resulting from the construction and operation of the Project to allow the reader to compare the results obtained using both the old and the new methodologies on the assumption that NTDE does result in adverse health effects.

Table 4.3.AF shows the estimated cancer risks using the "Current OEHHA Guidance" after application of mitigation. Although the cancer risks are substantially less after mitigation, the SCAQMD cancer risk significance threshold would continue to be exceeded at locations within the project boundaries but not at any residential areas outside of the project boundary. The large reduction in cancer risk after mitigation is attributable principally to the reduced diesel particulate matter attributed to mitigation such as the commitment to Tier 4 construction equipment. The impact of this mitigation is largely felt during the first 3 to 5 years of construction when the "Current OEHHA Guidance" assigns large age sensitivity factors to the first few years of the 30-year exposure duration. Therefore, the project would result in a significant cancer risk if NTDE caused cancer. After application of mitigation, the estimated cancer burden is reduced to 0.1. The analysis using the "Current OEHHA Guidance" was provided in the final EIR to allow decision makers and the public to see the cancer-related impacts of the Project on the assumption that NTDE does cause cancer, contrary to what was found by the HEI study.

b. Cumulative Health Risk Impacts

Potentially Significant Impact. The EIR evaluated and concluded that construction and operation of the Project would have the potential to result in a cumulative significant health risks.

Finding: Potential impacts of the Project related to cumulative cancer risk and cancer burden impacts are discussed in detail in Section 4.3 of the FEIR Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to cumulative cancer risk impacts would be

reduced to a less than significant level with implementation of **Mitigation Measures M 4.1.6.1A, 4.3.6.2A**, **4.3.6.2B**, **4.3.6.2D, 4.3.6.3A, 4.3.6.3B, 4.3.6.3C, 4.3.6.3D,** and **4.3.6.3E**.

Facts in Support of the Finding: The Health Risk Assessment (HRA) conducted for the Project identified the increase in health risks to the nearby sensitive receptors from the Project's air pollutant emissions. SCAQMD recommends that any given project's potential contribution to cumulative cancer risk impacts should be assessed using the same significance criteria as for project-specific impacts. Therefore, a project that has the potential to exceed any significance threshold on its own would also result in a cumulatively considerable significant impact. As noted in previously discussed Impact 4.3.6.5, the project would implement mitigation measures resulting in the cleanest on-road and off- road diesel equipment and the emissions from such equipment have been shown to not cause cancer.

As set forth in Section 4.3 of the FEIR, Volume 3, the Project would contribute diesel particulate matter to the area during Project construction and operation. However, since the Project would implement mitigation measures resulting in the cleanest on-road operational and off-road construction equipment and emissions from such equipment have been shown through recent extensive health effects research to not cause cancer in laboratory studies, the Project would result in a less than significant impact on a project and cumulative basis.

4. Biological Resources

a. Endangered and Threatened Species

Potential Significant Impact: The EIR evaluated and concluded that the Project has the potential to affect species that are listed as endangered or threatened.

Finding: Potential impacts of the Project related to endangered and threatened species are discussed in detail in Section 4.4 of the FEIR Volume 3. Based on the entire record before us, this Council finds that potentially significant impacts related to endangered and threatened species would be reduced to a less than significant level with implementation of **Mitigation Measures 4.4.6.1.A** and **4.4.6.1.B**.

4.4.6.1A All Plot Plan applications within Planning Areas 10 and 12 (i.e. adjacent to the San Jacinto Wildlife Area as shown in Final EIR Volume 2 Figure 4.1.6B) shall provide a 250-foot setback from the southerly property line. Permitted uses within this setback area include landscaping, drainage and water quality facilities, fences and walls, utilities and utility structures, maintenance access drives, and similar related uses. No logistics buildings or truck access/parking/maneuvering facilities are permitted in this setback

area.

In addition, logistics buildings within Planning Areas 10 and 12 may not be located within 400 feet of the southerly property line. All development proposals in Planning Areas 10 and 12 shall include a minimum six-foot tall chain link fence or similar barrier to separate warehouse activity from the setback area. This fence/barrier shall have metal mesh installed below and above ground level to prevent animals from moving between the development area and the setback area.

Within Planning Areas 10 and 12, all truck activity areas adjacent to the 250-foot buffer area along the southern property line shall be enclosed by minimum 11-foot tall solid walls to reduce noise and lighting impacts on the adjacent property. This measure shall be implemented to the satisfaction of the Planning Official.

A preliminary landscape plan for the 250-foot setback area shall be submitted with all Plot Plan applications for lots adjacent to the California Department of Fish and Wildlife property. Precise landscape plans shall be submitted with any grading permit for said lots and must be approved prior to the issuance of any building permit on said lots. The landscape plan shall be prepared by a licensed landscape architect in consultation with a qualified biologist and shall be consistent with the design standards contained in the World Logistics Center Specific Plan. No plant species listed in Section 6.1.4 of the Western Riverside County Multiple Species Habitat Conservation Plan shall be installed within the setback area. Cottonwood trees shall be planted within the setback area consistent with the World Logistics Center Specific Plan. This measure shall be implemented to the satisfaction of the Land Development Division Manager.

4.4.6.1B Each Plot Plan application in Planning Areas 10 and 12 shall provide runoff management and water quality facilities adequate to minimize downstream erosion, maintain water quality standards and retain pre-development flows in a manner meeting the approval of the City Engineer. All drainage improvements shall be designed to minimize runoff and erosional impacts on adjacent property. This measure shall be implemented to the satisfaction of the Land Development Division Manager of Public Works.

Facts in Support of the Finding: According to Section 4.4 of the FEIR Volume 3, of the special-status plant and animal species that have the potential to occur within the general vicinity of the Project area, 17 plant and animal species are designated as endangered or threatened by State and/or Federal authorities

(Table 4.4.F, FEIR, Volume 3, pg. 4.4-73). None of these species was observed or is believed to be present on the Project site; it is possible the listed birds may utilize the SJWA on a seasonal basis.

The potential for occurrence determination was based on the results of focused biological resource surveys, and/or the lack of suitable habitat in the Project limits for the referenced species. No Federal or State endangered/threatened species were detected on the Project site during the focused biological resource surveys. However, to err on the side of caution, it is reasonable to conclude that, at a minimum, indirect impacts to listed species may be significant, and mitigation is required.

The 250-foot setback identified in **Mitigation Measure 4.4.6.1A**, and the presence of the CDFW Conservation Buffer Area, will effectively mitigate potential indirect impacts of air pollutants, including diesel particulate matter, on wildlife within the SJWA. Compliance with the off-site lighting guidelines of the Specific Plan, compliance with the night lighting standards in Section 9.08.100 of the City Municipal Code, and implementation of Aesthetics **Mitigation Measure 4.1.6.4A** will help reduce lighting impacts on the SJWA to less than significant levels.

Compliance with the Specific Plan, Municipal Code, and implementation of the recommended **Mitigation Measures 4.4.6.1A** and **4.4.6.1B** will help reduce Project impacts to listed species to less than significant levels. (FEIR Volume 3 pgs. 4.4-74 to 4.4-84).

b. Adopted Habitat Conservation Plans

Potential Significant Impact: Section 4.4 of FEIR Volume 3, evaluated and concluded that the Project has the potential to conflict with adopted habitat conservation plans, which includes the MSHCP for Western Riverside County and the Stephens' Kangaroo Rat (SKR) HCP.

Finding: With implementation of **Mitigation Measures 4.4.6.1A, 4.4.6.1B, 4.4.6.2A,** and **4.4.6.2B,** potential impacts related to potential adverse impacts to adopted habitat conservation plans will be reduced to less than significant levels.

4.4.6.2A Each Plot Plan application shall include a focused plant survey of the proposed development site prepared by a qualified biologist to identify if any of the following sensitive plants (i.e., Coulter's goldfields, smooth tarplant, Plummers' mariposa lily, or thread-leaved brodiaea) are present. If any of the listed plants are found, they may be relocated to the 250-foot setback area outlined in the Specific Plan and discussed in Mitigation Measure 4.4.6.1A. Alternatively, at the applicant's discretion, an impact fee may be paid to the Western Riverside County Regional Conservation Authority (RCA) or

other appropriate conservation organizations to offset for the loss of these species. This measure shall be implemented to the satisfaction of the Planning Official.

4.4.6.2B Prior to the approval of any tentative maps for development including or adjacent to any Criteria Cells identified in the Western Riverside County Multiple Species Habitat Conservation Plan, the applicant shall prepare and process a Joint Project Review (JPR) with the Riverside County Resource Conservation Agency (RCA). All criteria cells shall be identified on all such tentative maps. This measure shall be implemented to the satisfaction of the City Planning Division and Riverside County Resource Conservation Agency ("RCA").

Facts in Support of the Finding: According to Section 4.4 of the FEIR Volume 3, the Project site is within the SKR HCP Fee Area. The SKR is relatively widespread throughout the SKR HCP Fee Area, but the main blocks of occupied habitat are concentrated in several Core Areas that must be conserved. The Project site is not within an SKR Core Area. The long-term SKR HCP provides Take Authorization for the SKR within its boundaries. The core reserves established by the SKR HCP will be managed as part of the MSHCP Conservation Area consistent with the provisions of the SKR HCP. Focused surveys for Stephens' kangaroo rat will not be required for this Project because the Project lies within the SKR Fee Area; therefore, no requirements under the SKR HCP other than payment of a local mitigation fee are required.

The Project area is located within the Reche Canyon/Badlands Area of the MSHCP. Development of the Project area would not conflict with the conservation goals established by the MSHCP for Cell Group X or Cell Group E. In addition, no conflict from development would occur in relation to the Reche Canyon/Badlands Area Plan, the Area Plan Subunit 4, the Area Plan Subunit 3, Proposed Core 3, or Existing Core H.

No development is proposed within the portion of the Project area that lies within Cell Group D and the SJWA. This area is already owned by the State and managed by the CFDW. However, development that will be adjacent to the SJWA property may cause significant indirect impacts to species within the SJWA, which will require mitigation (i.e., designing an appropriate buffer along this "urban edge" will help minimize potential impacts on the SJWA).

The Project area is not adjacent to any Cores or Linkages identified in the MSHCP. However, it is adjacent to the SJWA and is subject to the Project guidelines provided in MSHCP Section 6.1.4

DRAFT

(Guidelines Pertaining to the Urban/Wildlands Interface). The Project is also required to adhere to the Best Management Practices (BMPs) found in Appendix C of the MSHCP.

The Project does not propose to alter land use in any way that would adversely affect Cores, Linkages, or Reserve Assembly within the Reche Canyon/Badlands Area Plan.

The Project is not located within any Amphibian, Mammalian, or Special Linkage Areas identified by the MSHCP. The Project is in an area requiring burrowing owl surveys, is within the MSHCP Criteria Area Species Survey Area (CASSA), and is within the Narrow Endemic Plant Species Survey Area (NEPSSA).

The MSHCP and its Implementation Agreement contain a fee mitigation program pursuant to which local agencies collect development impact fees and remit such fees to the Riverside Conservation Authority (RCA). These fees are in turn used to acquire lands that are suitable for habitat preservation for species covered by the MSHCP. Payment of the local MSHCP mitigation fee will be required of the Project prior to the issuance of building permits.

From available information, potential indirect impacts to avian and other biological resources within Mystic Lake and the SJWA will be reduced to less than significant levels by the creation of a 250-foot on-site setback or buffer area in **Mitigation Measure 4.4.6.1A**, which will be in addition to the existing setback provided by the CDFW Conservation Buffer Area just south of the development area.

Participation in the MSHCP and contribution of MSHCP provides compensation for the loss of raptor foraging habitat due to approved projects. Typically, a Project proponent would participate as outlined in the MSHCP, so that loss of raptor foraging habitat is typically considered to be less than significant and no mitigation is required.

Narrow Endemic Plant Species. No Narrow Endemic plant species are anticipated to occur in the Project area and no additional action is required.

Criteria Area Plant Species. No Criteria Area plant species are anticipated to occur on the Project area and no additional action is required.

Riparian/Riverine Areas and Vernal Pools. Drainage Features 7, 8, 9, 12, and 15 contain riparian/riverine areas, as designated by the MSHCP. The Project area does not contain habitat suitable for covered riparian species, such as least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo. No vernal pools or ephemeral ponds were observed on the Project area and no suitable habitat for any fairy shrimp species was identified on site. No additional mitigation regarding vernal pools or vernal pool species is required. A programmatic-level Determination of Biologically Equivalent or Superior

Preservation (DBESP) was prepared by MBA in 2013 to outline specific requirements for Project related impacts to these features in the future. A Project-specific DBESP will be required during each development Project.

Specific Plan Design Features. The Project is consistent with the major MSHCP requirements relative to core areas, criteria cells, threatened and endangered species. In addition, the Project complies with the MSHCP guidelines for urban/wildland interface, riparian/riverine areas, or related buffers (with implementation of **Mitigation Measure 4.4.6.1A**). In addition, future development will be required to demonstrate that it is also consistent with all MSHCP requirements, including indirect impacts such as lighting, noise, and air pollution effects.

Regulatory Compliance. Stephens' kangaroo rats have a low potential to occur within the study area. While the study area is not within the SKR Core Reserve Area, the SKR HCP Implementing Agreement requires payment for loss of habitat within defined areas. The entire study area lies within the fee area. An assessment of individual actions for development within the WLC Specific Plan would be required prior to any implementation. The number of acres of disturbance associated with the development and any off-site improvements shall require payment to comply with the SKR HCP. In addition, prior to issuance of a grading permit on each Project, applicants will be required to pay the mandatory mitigation fee for the MSHCP. The mitigation fee is a per acre fee for commercial or industrial development.

In addition, the previously outlined **Mitigation Measures 4.4.6.1A, 4.4.6.1B,** and **4.4.6.1C** will also help reduce potential direct and indirect impacts to biological resources covered by the MSHCP.

With implementation of **Mitigation Measures 4.4.6.1A** and **4.4.6.1B** and **4.4.6.2A** and **4.4.6.2B**, potential impacts related to MSHCP consistency will be reduced to less than significant levels. (FEIR Volume 3 pgs. 4.4-85 to 4.4-88).

c. Jurisdictional Delineation, Riparian Habitat or Other Sensitive Natural Communities

Potential Significant Impact: The EIR evaluated and concluded that the Project has the potential to result in significant impacts to jurisdictional land, riparian habitat, and sensitive natural communities and may require subsequent permits from various resource agencies.

Finding: Implementation of the following mitigation measures will reduce the potential adverse impacts to riparian habitat or other sensitive natural communities to less than significant:

4.4.6.3A Prior to the issuance of grading permits the applicant shall secure a jurisdictional determination from the United States Army Corps of Engineers (USACE) and confirm with the Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW) if drainage features mapped on the property to be developed are subject to jurisdictional authority. If the features are subject to regulatory protection, the applicant will secure permit approvals with the appropriate agencies prior to initiation of construction. Compensatory riparian habitat mitigation will be provided at a minimum ratio of 1:1 (replacement riparian habitat to impacted riparian habitat) to ensure no net loss of riparian habitat or aquatic resources. It should be noted that this is a minimum recommended ratio but the actual permitting ratio may be higher. Detention basins will be oversized to accommodate the provision of areas of riparian habitat. Maintenance of the basins will be limited to that necessary to ensure their drainage and water quality functions while encouraging habitat growth. Riparian habitat mitigation will be provided concurrent to or prior to impacts. A Compensatory Mitigation Plan will be prepared for all unavoidable impacts and will be consistent with the United States Army Corps of Engineers (USACE)/United States Environmental Protection Agency's Compensatory Mitigation for Losses of Aquatic Resources; Final Rule and the United States Army Corps of Engineers Standard Operating Procedure for Determination of Mitigation Ratios.

The applicant shall consult with United States Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board to establish the need for permits based on the results of a recent jurisdictional delineation and final design plans for each of the proposed the facilities. Consultation with the three agencies shall take place and appropriate permits obtained for project-level development. Compensation for losses associated with the altering of drainages on site shall be in agreement with the permit conditions and in coordination with compensation outlined below.

Mitigation will consist of onsite creation, offsite creation, or purchase of mitigation credits from an approved mitigation bank. As outlined in the WLC programmatic DBESP report, onsite riparian habitat will be created at a minimum 1:1 ratio due to the poor quality of onsite habitat. New habitat will be created within the onsite detention/infiltration basins to the extent allowed by the resource agencies to reduce storm flows, improve water quality, and reduce sediment transport. Habitat creation will

DRAFT

include the installation of mule fat scrub or similar riparian scrub habitat to promote higher quality riparian habitat, but still maintain the basins for their primary role as detention facilities. The use of these areas as conservation areas would require consent from CDFW and the City of Moreno Valley (MM BIO-2b and MM DBESP 1 through 3).

4.4.6.3B As required by the Resource Conservation Agency (RCA), a program-level Determination of a Biological Equivalent or Superior Preservation (DBESP) for impacts to Riverine/Riparian habitat has been prepared and shall be approved by the Resource Conservation Agency prior to project approval. The Determination of a Biological Equivalent or Superior Preservation includes a general discussion of mitigation options for impacts to riverine/riparian areas as well as general location and size of the mitigation area and includes a monitoring program.

If impacts to riparian habitat within the World Logistics Center Specific Plan (WLCSP) cannot be avoided at the time of specific development, then a separate project-level Determination of Biologically Equivalent or Superior Preservation (DBESP) shall be prepared to identify project-specific impacts to riparian habitat and incorporate mitigation options identified in Mitigation Measure 4.4.6.3A.

A project-level Determination of a Biological Equivalent or Superior Preservation for each specific development shall be prepared to document measures to reduce impacts to riparian/riverine habitats in accordance with the Western Riverside County Multiple species Habitat Conservation Plan (MSHCP). The project-level Determination of a Biological Equivalent or Superior Preservation shall include specific measures to reduce impacts to riparian areas and provide mitigation in the form of onsite preservation of riparian areas and/or a combination of compensation through purchase and placement of lands with riparian/riverine habitat into permanent conservation through a conservation easement and/or restoration or enhancement efforts at offsite or onsite locations. Therefore, mitigation required for compensation for impacts to riparian/ riverine areas will require a minimum of 1:1 mitigation ratio of riparian/riverine mitigation land.

As outlined in the WLC programmatic DBESP, erosion control improvements will be installed within Drainage 9 to reduce sediment transport, and additional riparian habitat will be enhanced within this drainage following the installation of the erosion control improvements (MM DBESP 4 and 5).

DRAFT

4.4.6.3C. Prior to issuance of any grading permit for any offsite improvements that support development within the World Logistics Center Specific Plan, the developer shall retain a qualified biologist to prepare a jurisdictional delineation (JD) for any drainage channels affected by construction of the offsite improvements. This jurisdictional delineation shall be submitted to the U.S. Army Corps of Engineers (USACE) and California Department of Fish and Wildlife (CDFW) for review and concurrence. If the offsite improvements will not affect any identified jurisdictional areas, no United States Army Corps of Engineers permitting is required. However, permitting through the Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (i.e., Streambed Alternation Agreement) may still be required for these improvements. The applicant shall consult with United States Army Corps of Engineers, California Department of Fish and Wildlife and Regional Water Quality Control Board to establish the need for permits based on the results of the 2012 jurisdictional delineation and final design plans for each of the proposed the facilities. Consultation with the three agencies shall take place and appropriate permits obtained. Compensation for losses associated with any altered offsite drainages shall be in agreement with the permit conditions. Any landscaping associated with these offsite improvements shall use only native species to help protect biological resources residing within or traveling through these drainages per Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Table 6.1.2. This measure shall be implemented to the satisfaction of the City Planning Division in consultation with the U.S. Fish and Wildlife Service, U.S. Army Corps. of Engineers, and the California Department of Fish and Wildlife.

Facts in Support of the Findings: According to Section 4.4 of the FEIR Volume 3, a total of 15 primary drainage features were identified during this survey and a number of sub-drainages or tributaries were also identified. Jurisdiction for each drainage and/or sub-drainage or tributary was evaluated for jurisdiction under Section 404 and 401 of the CWA as administered by USACE and RWQCB, respectively; Porter Cologne as administered by the RWQCB; and Section 1600 of the Fish and Game Code as administered by the CDFW.

There are two drainage features that are completely isolated, Drainage Features 3 and 14. Drainage Feature 3 is an isolated temporary water quality facility serving the new Skechers building. This feature was created in an existing upland area and will eventually be converted into an underground storm drainage system. The second feature (consisting of two small basins) was created in an upland area to contain polluted runoff from a now-abandoned cattle operation. The eastern feature (Feature 14) is

dominated by non-native tree species and contains no native riparian habitat. The western feature contains a mix of non-native trees and native riparian habitat. There is no evidence of ponding and the basin is no longer in use. These basins no longer serve any water quality function and are therefore not considered to be isolated waters of the State under the Porter Cologne Act.

The EIR concludes that two of the drainages on the project site are under the jurisdiction of the USACE (Drainages 12 and 15), and several additional drainages are under the jurisdiction of the CDFW and RWQCB (Drainages 7, 8, 9, 12, and 15). Drainage Feature 7, 8, 9, 12, and 15 within the WLC project are considered riparian/riverine areas, as defined by MSHCP.

The Project area does not contain habitat suitable for sensitive riparian species, such as least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo. Additionally, no vernal pools or ephemeral ponds were observed on the Project area and no suitable habitat for any fairy shrimp species was identified on site.

Raptor Foraging Habitat. The WLC Specific Plan and off-site facilities contain flat, open areas with sparse vegetation, which could be considered foraging habitat for some raptor species. Due to the regular, heavy disturbance associated with the various agricultural activities in the WLC Specific Plan and off-site facilities resulting in a rather limited prey base, and the limited size of the site in relation to the expansive foraging habitat in the near vicinity including both the CDFW Conservation Buffer Area and the SJWA, LPSRA and the extensive Badlands to the east, the foraging habitat on site is considered marginally suitable and an adverse but not significant impact to raptor foraging habitat is anticipated.

Therefore, **Mitigation Measures 4.4.6.3A through 4.4.6.3C** will help ensure there will be no significant impacts to riparian areas associated with Waters of the U.S. or Waters of the State as a result of future development within the Project.

With implementation of **Mitigation Measures 4.4.6.1A, 4.4.6.1B, 4.4.6.3A, and 4.4.6.3A** through **4.4.6.3C**, potential impacts to riparian habitat or other sensitive natural communities, including on-site drainages, will be reduced to less than significant levels. (FEIR Volume 3 pgs. 4.4-89 to 4.4-92).

d. Candidate, Non-listed Sensitive, or Other Special Status Species

Potential Significant Impact: The EIR evaluated and concluded that the Project has the potential to affect migratory bird species including the burrowing owl, designated "species of special concern" by the California Department of Fish and Wildlife; and the Los Angeles Pocket Mouse (LAPM).

Finding: Implementation of **Mitigation Measures 4.4.6.4A** through **4.4.6.4K** will reduce the potential

adverse impacts to sensitive or special status species to less than significant:

Migratory/Nesting Birds

4.4.6.4A A Pursuant to the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGC), site preparation activities (removal of trees and vegetation) shall be avoided during the nesting season of potentially occurring native and migratory bird species (generally February 1 to August 31). If site preparation activities must occur during the nesting season, a pre-activity field survey shall be conducted by a qualified biologist prior to issuance of grading permits for such development. The survey shall determine if active nests of species protected by the Migratory Bird Treaty Act or California Fish and Game Code are present in the construction zone. If active nests of these species are found, the developer shall establish an appropriate buffer zone with no grading or heavy equipment activity within of 500 feet from an active listed species or raptor nest, 300 feet from other sensitive or protected bird nests (non-listed), 250 feet from passerine birds, or 100 feet for sensitive or protected songbird nests. All construction activity within the vicinity of active nests must be conducted in the presence of a qualified biological monitor. Construction activity may encroach into the buffer area at the discretion of the biological monitor in consultation with CDFW. In the event no special status avian species are identified within the limits of disturbance, no further mitigation is required. In the event such species are identified within the limits of ground disturbance, Mitigation Measure 4.4.6.4B shall also apply. This measure shall be implemented to the satisfaction of the City Planning Division.

4.4.6.4B If it is determined that project-related grading or construction will affect nesting migratory bird species, no grading or heavy equipment activity shall take place within the limits established in Mitigation Measure 4.4.6.4A until it has been determined by a qualified biologist that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. This measure shall be implemented to the satisfaction of the City Planning Division.

4.4.6.4C The loss of foraging habitat for golden eagle and white-tailed kite will be mitigated by payment of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) fee and the creation of a landscaped buffer area adjacent to the San Jacinto Wildlife Area property (SJWA). First, the payment of the Western Riverside County Multiple species Habitat Conservation Plan fee will be required on a project-by-project

DRAFT

basis. Second, a 250-foot setback as described in Mitigation Measure 4.4.6.1A will be established within the World Logistics Center Specific Plan area. This area will reduce impacts to raptor species foraging in the adjacent San Jacinto Wildlife Area open space areas.

Burrowing Owl

4.4.6.4D A pre-construction clearance survey for burrowing owl shall be conducted by a qualified biologist no more than thirty (30) days prior to any grading or ground disturbing activities within the project area.

In the event no burrowing owls are observed within the limits of ground disturbance, no further mitigation is required.

If construction is to be initiated during the breeding season (February 1 through August 31) and burrowing owl is determined to occupy any portion of the disturbance area during the 30-day pre-construction survey, construction activity shall maintain a 500-foot buffer area around any active nest/burrow until it has been determined that the nest/burrow is no longer active, and all juveniles have fledged the nest/burrow. If this avoidance buffer cannot be maintained, consultation with the California Department of Fish and Wildlife (CDFW) shall take place and an appropriate avoidance distance established. No disturbance to active burrows shall occur without appropriate permitting through the Migratory Bird Treaty Act and/or California Department of Fish and Wildlife.

If active burrowing owl burrows are detected outside the breeding season (September through January), or within the breeding season but owls are not nesting or in the process of nesting, active and/or passive relocation may be conducted following consultation with the California Department of Fish and Wildlife. A relocation plan may be required by California Department of Fish and Wildlife if active and/or passive relocation is necessary. The relocation plan will outline the basic process and provides options for avoidance and mitigation. Artificial burrows -may be constructed within the buffer area south of the World Logistics Center Specific Plan. Construction activity may occur within 500 feet of the burrows at the discretion of the biological monitor in consultation with CDFW.

A relocation plan may be required by California Department of Fish and Wildlife if active or passive relocation is necessary. Artificial burrows may be constructed within appropriate burrowing owl habitat within the proposed open space/conservation area

DRAFT

(Planning Area 30), a 74.3-acre area in the southwest portion of the Specific Plan. This area abuts the Lake Perris State Recreation Area (LPSRA) which is already in conservation. If suitable habitat is not present in Planning Area 30, owls may be relocated to the SJWA, the 250-foot buffer area or other suitable on-site or off-site areas. Construction activity may occur within 500 feet of the burrows at the discretion of the biological monitor.

Los Angeles Pocket Mouse

4.4.6.4E Prior to the approval of any Plot Plans proposing the development of land including or adjacent to Drainage 9, a protocol survey for the Los Angeles Pocket Mouse (LAPM), including 100 feet upstream and downstream of the affected reach shall be prepared by a qualified biologist and submitted to the City. If the affected drainage is not occupied, the area is considered not to be occupied and development can continue without further action. If the species is found within the specific survey area, no development shall occur until an appropriate mitigation fee is paid or appropriate amount of land set aside on the project site or off site to compensate for any loss of occupied Los Angeles Pocket Mouse habitat. Alternatively, individuals may be relocated to the 250-foot setback zone along the southern boundary of the property identified in Mitigation Measure 4.4.6.1A, or other appropriate areas as determined by the United States Fish and Wildlife Service. If necessary, this measure shall also be coordinated with Mitigation Measure 4.4.6.2B regarding preparation and processing of a Determination of a Biological Equivalent or Superior Preservation report. This measure shall be implemented to the satisfaction of the City Planning Division.

Resource Management

4.4.6.4F Prior to approval of any discretionary permits for development within Planning Areas 10 and 12, a Biological Resource Management Plan (BRMP) shall be prepared to prescribe how the 250-foot setback area outlined in Mitigation Measure 4.4.6.1A will be developed and maintained. This plan will identify frequent and infrequent vegetation management requirements (i.e., removal of invasive plants) and the planting and maintaining trees to provide roosting and nesting opportunities for raptors and other birds. The Biological Resource Management Plan will also describe how relocation of listed or sensitive species will occur from other locations as outlined in Mitigation Measures 4.4.6.2A, 4.4.6.4D, and 4.4.6.4E.

DRAFT

The Biological Resource Management Plan shall be reviewed and approved by the Planning Official in consultation with the San Jacinto Wildlife Area Manager. The Biological Resource Management Plan shall cover all the land within the 250-foot setback zone within Planning Areas 10 and 12 Implementation of the plan shall be supervised by a qualified biologist, to the satisfaction of the City Planning Division.

4.4.6.4G Mitigation Measure 4.4.6.1A specifies that a landscape plan shall be submitted with any development proposal for lots adjacent to the San Jacinto Wildlife Area (SJWA) property prior to issuance of a precise grading permit. The landscape plan shall be prepared by a licensed landscape architect in consultation with a qualified biologist and shall be consistent with the design standards contained in the Specific Plan. No plant species listed in Section 6.1.4 or Table 6.2 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) shall be installed within the setback area. In conjunction with development adjacent to the San Jacinto Wildlife Area (SJWA), cottonwood trees shall be planted within the 250-foot setback area, consistent with the World Logistics Center Specific Plan plant palette (per DBESP MM 8).

During construction, the runoff leaving construction areas will be directed to onsite detention basins and away from downstream drainage features located offsite. All projects within the WLCSP will be required to prepare a Storm Water Pollution Prevention Plan (as outlined in MM 4.9.6.2B). Regarding the 250-foot setback area, pedestrian and vehicular access to areas of riparian/riverine habitat will be prohibited except for controlled maintenance access. Finally, no grading shall be permitted within conserved riparian/riverine habitat areas except for grading necessary to established or enhance habitat areas (DBESP MM 6, 7, 9, and 10).

4.4.6.4H As outlined in Mitigation Measure 4.4.6.1A, development adjacent to the 250-foot open space setback shall have a six-foot chain link fence or similar barrier to help separate human activity and the buffer area. Any chain link fencing installed on any properties adjacent to the 250-foot buffer area shall have metal mesh installed below and above ground level to prevent animals from accessing new development areas.

4.4.6.4I The individual property owner and/or Property Owners Association (POA) as appropriate shall be responsible for maintaining the various onsite landscaped areas, open improved or natural drainage channels, and detention or flood control basins in a manner that provide for fuel management and vector control pursuant to standards maintained by the City Fire Marshall and County Department of Environmental Health- Vector Control

DRAFT

Group. This measure requires the individual owner or Property Owners Association (POA) to manage vegetation in and around these areas or improvements so as to not represent a fire hazard as defined by the City Fire Department through the substantial buildup of combustible materials. This measure also requires the individual owner or Property Owners Association to manage vegetation and standing water in drainage channels and basins such that they do not encourage or allow vectors to occur (primarily rats and mosquitoes). Runoff shall not be allowed to stand in channels or basins for more than 72 hours without treatment or maintenance to prevent establishment of mosquitoes per published County vector control guidelines and "Best Management Practices for Mosquito Control on California State Properties" which is available from the California West Nile Virus website at http://www.westnile.ca.gov/resources. This measure shall be implemented by the Property Owners Association in consultation with the City Fire Department and Riverside County Department of Environmental Health – Vector Control Group.

4.4.6.4J A Fuel Management Plan shall be prepared on a project-by-project basis for those Planning Areas adjacent to the south and east boundary of the World Logistics Center Specific Plan adjacent to Western Riverside County Multiple Species Habitat Conservation Plan Conservation Areas. The Fuel Management Plan shall be prepared by the project proponent and submitted for approval to the prior to plot plan approval for those projects on the southern and eastern Western Riverside County Multiple Species Habitat Conservation Plan boundary. Per the Western Riverside County Multiple Species Habitat Conservation Plan guidelines, the Fuel Management Plan shall include the following:

- A plant palette of adequate plant species that may be planted within the Fuel Management Area, which will be approved by a biologist familiar with the plant requirements of the area.
- A list of non-native invasive plants that are prohibited from installation.
- Maintenance activities and a maintenance schedule.
- Fuel modification zones shall be mapped and include an impact assessment as required under California Environmental Quality Act guidelines for a project-level analysis. The plan shall demonstrate that the adjacent Western Riverside County Multiple Species Habitat Conservation Plan Areas are adequately protected from expected fire risks.

DRAFT

4.4.6.4K Prior to approval of any plot plans for development adjacent to the SJWA, the applicant shall demonstrate that direct light rays have been contained within the development area, per requirements of the MSHCP. Section 6.0 which states, "Night lighting shall be directed away from the MSHCP Conservation Area to protect species within the MSHCP Conservation Area from direct night lighting." This measure shall be implemented to the satisfaction of the City Planning Division.

Facts in Support of the Finding: According to Section 4.4 of the FEIR Volume 3, no USFWS designated Critical Habitat for any species is located within the Project area; therefore, no further action with regard to Critical Habitat is necessary.

Migratory or Nesting Birds. The 2013 MBA report found the extensive agriculture plant communities in the WLC Specific Plan and offsite facilities provide suitable nesting habitat for ground-nesting avian species such as western meadowlark (*Sturnella neglecta*) and burrowing owl. Suitable habitat for shrub and tree nesting species such as red-tailed hawk, black phoebe (*Sayornis nigricans*), and house finch occur along the edges of existing development surrounding the WLC Specific Plan and offsite facilities as well as isolated, remnant patches of vegetation in undisturbed portions of the WLC Specific Plan and offsite facilities. Therefore, portions of the WLC Specific Plan and offsite facilities and immediately adjacent to the WLC Specific Plan and offsite facilities provide suitable nesting habitat for migratory birds protected under the MBTA and California Fish and Game Code.

The Project area contains suitable nesting habitat for several tree-, shrub-, and ground-nesting avian species. Therefore, MBA recommends construction activities avoid the avian nesting season, from February to August, if possible. If construction activity must take place during the nesting season, a pre-construction nesting bird survey should be conducted prior to any ground disturbance activities. The survey can be conducted in conjunction with the pre-construction survey for burrowing owl.

If passerine birds are found to be nesting or if there is evidence of nesting behavior within 250 feet of the impact area, a 250-foot setback will be required around the nest where no vegetation disturbance will be permitted. For raptor species such as hawks and owls, this buffer should be expanded to 500 feet. A qualified biologist will be required to closely monitor nests until it is determined that they are no longer active, at which time construction activity in the vicinity of nests could continue. Construction activity may proceed within the buffer area at the discretion of the biological monitor. **Mitigation Measures 4.4.6.4A** through **4.4.6.4C** will ensure that impacts are less than significant.

Burrowing Owl. For those species that are not covered by the take and incidental take provisions of the MSHCP (e.g., burrowing owl), the MSHCP requirements dictate that further protective action be taken. While no burrowing owls were identified within the Project's area of disturbance, because suitable habitat is present within the Project area for the burrowing owl and because the species is highly mobile, a potential exists that, at some future date prior to Project development, this species may occupy the development sites. This is a potentially significant impact requiring mitigation. **Mitigation Measure 4.4.6.4D** will ensure that impacts are less than significant.

Los Angeles Pocket Mouse. Focused surveys for the LAPM were conducted in August 2005, June 2010, June 2012, and July 2013. Suitable habitat was found within Drainage Feature 9, one of the main drainage features located in the eastern end of the Project area. In its MSHCP Consistency Report, MBA concluded that LAPM is absent from the Project area. However, the Specific Plan indicates this drainage will remain in its present natural condition, except for the southern end as it becomes the Street H channel and outlets to the SJWA land to the south. Extensive surveys were completed in 2005, 2010, 2012, and 2013, which concluded that Los Angeles pocket mouse was not present. However, **Mitigation Measure 4.4.6.4E** will ensure that impacts are less than significant.

Plant Survey Areas. The Project limits are within MSHCP Survey Area 10 of the NEPSSA and MSHCP Survey Area 9 of the CASSA for plant species. The MSHCP requires that a habitat site assessment (HSA) be conducted for all proposed developments within Narrow Endemic Plant Species' Survey Areas (NEPSSAs) and Criteria Area Sensitive Plant Species' Survey Areas (CASSAs). The HSA for most NEPSSA and CASSA plants must be done during a normal rainfall year and/rainy season. If it is determined during the HSA that suitable soils and/or growing conditions are present on site to support identified NEPSSA species, a focused plant survey is required during the plant species blooming period.

Habitat suitability of the site for NEPSSA and CASSA species is detailed in the General Biological Resources and MSHCP Compliance Report (FEIR, Volume 3 Appendix E). None of the species analyzed in the NEPSSA or CASSAs is anticipated to occur on the WLC Project site. The implementation of the WLC Project would not affect the habitat or result in a direct impact for any special status plant species. **Mitigation Measure 4.4.6.2A** will ensure that impacts are less than significant.

In summary, implementation of the above-listed mitigation measures **(Mitigation Measures 4.4.6.4A** through **4.4.6.4K)** would reduce impacts to burrowing owl, migratory bird species, and Los Angeles pocket mouse to less than significant levels. (FEIR Volume 3 pgs. 4.4-92 to 4.4-98).

e. Cumulative Biological Impacts

Potential Significant Impact: Whether the Project in connection with past, current, and probably future projects would incrementally affect biological resources.

Findings: Potential impacts of the Project related to cumulative biological impacts are discussed in detail in Section 4.4 of the FEIR Volume 3. Based on the entire record before us, this Council finds that development of the Project will not result in significant cumulative impacts to biological resources; therefore, no mitigation is required.

Facts in Support of the Findings: According to Section 4.4 of the DEIR, the cumulative area for biological resources is the Western Riverside County MSHCP area. The MSHCP establishes a comprehensive, multi-jurisdictional program focused on the conservation of 146 species and their habitats in western Riverside County. As stated in its Conservation Element, the City reviews all public and private development and construction projects and other land use plans/activities within the MSHCP area to ensure compliance with the conservation criteria procedures and mitigation requirements set forth in the MSHCP. As a signatory to the MSHCP Implementing Agreement, the City has been issued "Take Authorization," which allows the implementation of land use decisions consistent with the MSHCP without individual authorization by State or Federal authorities. As required by the MSHCP, focused biological resource studies have been conducted to assess potential impacts associated with development of the proposed uses. Where impacts to special status bird species and jurisdictional areas have been identified, mitigation has been identified to reduce the Project specific impacts to a less than significant level. Additionally, the MSHCP and its Implementation Agreement contain a fee mitigation program pursuant to which local agencies collect development impact fees and remit such fees to the RCA. These fees are in turn used to acquire lands which are suitable for habitat preservation for species covered by the MSHCP. In fact, habitat lands created by the MSHCP also have biological benefits for species technically not covered by the MSHCP, such as the burrowing owl. Habitat acquired by the MSHCP may be suitable as owl habitat. The latest adjustment of the MSHCP fee mitigation (July 1, 2009) allows the collection of fees of $6,597 per acre of industrial development. The payment of required MSHCP is a standard requirement for all development occurring within the MSHCP area.

The EIR determined that indirect impacts of the Project on the SJWA would be less than significant with mitigation, and the regional (cumulative) implications of the Project can be addressed through the fee payment program of the MSHCP because it provides a regional and comprehensive approach to conservation planning. For example, future development that impacts Drainage 9 would be required to prepare a DBESP report consistent with MSHCP requirements. Through the implementation of the stated

mitigation for Project-specific impacts, and the payment of required MSHCP mitigation fees, no significant cumulative effect on biological resources would result from the development of the proposed uses with implementation of the identified program mitigation measures. (FEIR Volume 3 pg 4.4-98).

5. Cultural Resources

a. Prehistoric Cultural Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on significant archaeological resource pursuant to Section 15064.5.

Finding: Implementation of the following mitigation measures will reduce the impact to unique archaeological resources to less than significant:

4.5.6.1A Prior to the approval of any grading permit for any of the "Light Logistics" parcels, the parcels shall be evaluated for significance by a qualified archaeologist. A Phase 1 Cultural Resources Assessment shall be conducted by the project archaeologist and an appropriate tribal representative(s) on each of the "Light Logistics" parcel to determine if significant archaeological or historical resources are present.

A Phase 2 significance evaluation shall be completed for any of these sites in order to determine if they contain significant archaeological or historical resources. Cultural resources include but are not limited to stone artifacts, bone, wood, shell, or features, including hearths, structural remains, or historic dumpsites. All resources determined to be prehistoric or historic shall be documented using DPR523 forms for archival research/storage in the Eastern Information Center (EIC). If the particular resource is determined to be not significant, no further documentation is required. If prehistoric resources are determined to be significant, they shall be considered for relocation or archival documentation. If any resource is determined to be significant, a Phase 3 recovery study shall be conducted to recover remaining significant cultural artifacts. If prehistoric archaeological/cultural resources are discovered during the Phase 1 survey and it is determined that they cannot be avoided through site design, they shall be subject to a Phase 2 testing program. The project archaeologist in consultation with appropriate tribal group(s) shall determine the significance of the resource(s) and determine the most appropriate disposition of the resource(s) in accordance with applicable laws, regulations and professional practices (per Cultural Report MM CR-1, MM CR-2, MM CR-7 Table 3, pg.74).

DRAFT

4.5.6.1B Prior to the issuance of any grading or ground-disturbing permit for construction of off-site improvements a qualified archaeologist shall be retained to prepare a Phase I cultural resource assessment (CRA) of the project site if an up to date Phase I cultural resource assessment is not available for the site at the time of development per Cultural Report MM CR-5, Table 3, pg.74).

Appropriate tribal representatives as identified by the City shall be invited by the Project Archeologist to participate in this assessment.

If archaeological resources are discovered during construction activities, no further excavation or disturbance of the area where the resources were found shall occur until a qualified archaeologist evaluates the find. If the find is determined to be a unique archaeological resource, appropriate action shall be taken to (a) plan construction to avoid the archeological sites (the preferred alternative); (b) cap or cover archeological sites with a layer of soil before building on the affected project location; or (c) excavate the site to adequately recover the scientifically consequential information from and about the resource. At the discretion of the project archaeologist, work may continue on other parts of the project site while the unique archaeological resource mitigation takes place. This measure shall be implemented to the satisfaction of the Planning Official.

If the project archaeologist, in consultation with the monitoring Tribe(s), determines that the find is a unique archaeological resource, the resource site shall be evaluated and recorded in accordance with requirements of the State Office of Historic Preservation (OHP). If the resource is determined to be significant, data shall be collected by the qualified archaeologist and the findings of the report shall be submitted to the City. If the find is determined to be not significant no mitigation is necessary.

Should a future project-level analysis show that cultural resource site CA-RIV-3346 will be directly or partially impacted by project-level construction, an Addendum cultural resource report must be prepared and include an analysis of the alternatives associated with mitigation for impacts to this resource following CEQA Guidelines Section 15126.4(b)(3). This information must be included in any project-level CEQA compliance documentation. It should be noted that Phase 3 data recovery is an acceptable mitigation action under CEQA Guidelines Section 15126.4(b)(3)(C) (per Cultural Report MM CR-3,Table 3, pg.74).

DRAFT

Should it be determined through a future project-level EIR analysis that prehistoric cultural resource sites CA-RIV-2993 and/or CA-RIV-3347 shall be directly impacted by future construction, these sites must be Phase 2 tested for significance (per Cultural Report MM CR-4, Table 3, pg.74).

4.5.6.1C Prior to the issuance of any grading permits a qualified archaeologist shall be retained to monitor all grading and shall invite tribal groups to participate in the monitoring. Project-related archaeological monitoring shall include the following requirements per Cultural Report MM CR-6, MM CR-8, Table 3, pg.74):

1. All earthmoving shall be monitored to a depth of ten (10) feet below grade by the Project Archaeologist or his/her designated representative. Once all areas of the development project that have been cut to 10 feet below existing grade have been inspected by the monitor, the Project Archaeologist may, at his or her discretion, terminate monitoring if and only if no buried cultural resources have been detected.
2. If buried cultural resources are detected, monitoring shall continue until 100 percent of virgin earth within the specific project area has been disturbed and inspected by the Project Archaeologist or his/her designated representative.
3. Grading shall cease in the area of a cultural artifact or potential cultural artifact as delineated by the Project Archaeologist or his/her designated representative. A buffer of at a minimum 25 feet around the cultural item shall be established to allow for assessment of the resource. Grading may continue in other areas of the site while the particular find are investigated; and
4. If prehistoric cultural resources are uncovered during grading, they shall be Phase 2 tested by the Project Archaeologist, and evaluated for significance in accordance with §15064.5(f) of the CEQA Guidelines. Appropriate actions for significant resources as determined by the Phase 2 testing include but are not limited to avoidance or capping, incorporation of the site in green space, parks, or delineation into open space. If such measures are not feasible, Phase 3 data recovery of the significant resource will be required, and curation of recovered artifacts and/or reburial, shall be required. A report associated with Phase 2 testing or Phase 3 data recovery must be delivered to the City and, if necessary, the museum where any recovered artifacts have been curated.

DRAFT

5. No further grading shall occur in the area of the discovery until the City approves specific actions to protect identified resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the City where they would be afforded long-term preservation to allow future scientific study.

6. The developer shall make reasonable efforts to avoid, minimize, or mitigate significant adverse impacts on cultural resources The State Historic Preservation Office (SHPO) and local Native American tribes will be consulted and the Advisory Council on Historic Preservation will be notified within 48 hours of the find in compliance with 36 CFR 800.13(b)(3). This measure shall be implemented to the satisfaction of the Planning Official.

4.5.6.1D Prior to the issuance of any grading permit, the project archaeologist shall invite interested Tribal Group(s) representatives to monitor grading activities. Qualified representatives of the Tribal Group(s) shall be granted access to the project site to monitor grading as long as they provide 48-hour notice to the developer of their desire to monitor, so the developer can make appropriate safety arrangements on the site. This measure shall be implemented to the satisfaction of the Planning Official.

4.5.6.1E It is possible that ground-disturbing activities during construction may uncover previously unknown, buried cultural resources (archaeological or historical). In the event that buried cultural resources are discovered during grading and no Project Archaeologist or Historian is present, grading operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be retained to determine the most appropriate course of action regarding the resource. The Archeologist shall make recommendations to the City on the actions that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with §15064.5 of the *CEQA Guidelines*. Cultural resources could consist of, but are not limited to, stone artifacts, bone, wood, shell, or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of CEQA criteria. If the resources are determined to be unique historic resources as defined under §15064.5 of the *CEQA Guidelines*, appropriate protective actions for significant resources such as avoidance or capping, incorporation of the site in green space, parks, or

DRAFT

open space, or data recovery excavations of the finds shall be implemented by the project archaeologist and the City.

No further grading shall occur in the area of the discovery until the City and project archaeologist approve the measures to address these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the City where they would be afforded long-term preservation to allow future scientific study.

Facts in Support of the Finding: Based on Section 4.5 of the FEIR Volume 3, a reconnaissance pedestrian-survey for the Project site was conducted in November 2007. Although the Project site is located within the Moreno Hills Complex, no archaeological resources were identified on the Project site during the field survey, and the cultural resource assessment concluded the Project would have no significant impacts; however, there is a potential for Project grading to disturb previously undiscovered cultural resources. While there is no recorded or surface evidence that archaeological resources are present on site, the Project is located in an area with a high potential of containing prehistoric archaeological resources. Therefore, a potential exists that excavation and construction activities may uncover previously undetected prehistoric or historic cultural resources. Adherence to **Mitigation Measures 4.5.6.1A** through **4.5.6.1E** would reduce potential impacts to archaeological resources to a less than significant level. (FEIR, Volume 3 pgs. 4.5-17 to 4.5-21)

b. Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project could have a significant adverse effect on historic resources.

Findings: Implementation of the following mitigation measures will reduce the impact to historic resources to less than significant:

4.5.6.2A If any historic resources are found during implementation of Mitigation Measure 4.5.6.1A, the property owner shall offer any artifacts or resources to the Moreno Valley Historical Society (MVHS) or the Eastern Information Center/County Museum or the Western Science Center in Hemet as appropriate for archival storage. From the time any artifacts are turned over to the Moreno Valley Historical Society or other appropriate historical group, the property owner/developer shall have no further responsibility for their management or maintenance.

DRAFT

4.5.6.2B As part of construction of the trail segment connecting Redlands Boulevard to the California Department of Fish and Wildlife property, the developer shall contribute $5,000 to the City for the installation of a historical marker acknowledging the passing of Juan Bautista de Anza through this area during his exploration of California. This measure shall be incorporated into trail plans for this segment which will be subject to review and approval by the City Park and Recreation Department in consultation with the Moreno Valley Historical Society.

4.5.6.2C Streets C and E shall follow the historical alignment of Alessandro Boulevard and shall be named Alessandro Boulevard.

Facts in Support of the Findings: According to Section 4.5 of the FEIR, Volume 3, the project site contains two previously identified historic sites: CA-RIV-4201H and CA-RIV-4210H. Both of these are historic-era homesteads and previously contained farm buildings and related out-buildings. They were located in the eastern portion of the Specific Plan, but MBA could find no remains of these facilities or related artifacts. The MBA report concludes the buildings were demolished and/or their materials removed for disposal or reuse at some point in the past.

There are seven rural residential structures and associated out-buildings currently present on the project site, and one (APN 478-220-009) near Redlands Boulevard contains a farm building that was built around 1900 and may be one of the oldest surviving buildings of the historic Moreno community.[18] No other evidence of past structures or unique features was identified; however, access to the seven rural residential properties was not available at the time of survey, and it appears from general observations, historical aerial photographs, and historical records that one or more of these buildings may be older than 40 years. Without more information, there is a possibility that removal of these buildings could represent a significant impact to historic structures, features, or resources, and mitigation is required.

In addition, historical evidence indicates Juan Bautista de Anza traveled through the project area (i.e., along the base of Mt. Russell from south to northwest), which should be acknowledged as part of the trail proposed within the Specific Plan.

Alessandro Boulevard was designated as a City Landmark in 1988 (Resolution CPAB 88-2). Resolution CPAB 88-2 was designed to assure the maintenance, enhancement, or protection of a street of historical significance. Over the years various portions of Alessandro Boulevard have been modernized to enhance traffic flow throughout the City, but the original routing has remained unchanged. Alessandro Boulevard

[18] *Cultural Resources Assessment*, Michael Brandman Associates, Inc., September 2014.

within the WLCSP would retain its original alignment but the roadway would be enhanced to serve modern traffic needs. This has been done in multiple areas along Alessandro Boulevard in the past to better serve the needs of the community. These changes have not impacted the integrity of the landmark status, as the significance of the Landmark status is associated with the original location of the boulevard since 1890 and the retention of the original name of the boulevard across the City. These aspects would remain and the impacts would not be considered significant since the California Register requires that a resource possess integrity, which is defined as "the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance" (California Office of Historic Preservation 1999). To retain integrity, a resource should have its original location, design, setting, materials, workmanship, feeling, and association. Which of these factors is most important depends on the particular criterion under which the resource is considered eligible for listing (California Office of Historic Preservation 1999). Alessandro Boulevard integrity is retained in the original location, however, design, setting, materials feeling have changed over time through modifications to the road throughout the City and thus the impacts are not significant.

Approximately 1,350 feet of Alessandro Boulevard east of Merwin Street would be closed to through traffic to keep trucks from using Alessandro Boulevard through the residential neighborhood between Merwin Street and Wilmot Street. The loss of this portion of Alessandro Boulevard would not have a significant impact on the landmark status of the road, as the name would continue to be employed and the original routing would be retained throughout. These are the two key characters of the landmark status. This portion of road would be open to hikers and bikers and the closure will be designed to keep access open to non-vehicular users. Both the original route and name would be retained in keeping with the main aspects of the landmark designation.

Implementation of **Mitigation Measures 4.5.6.1A, 4.5.6.2A,** and **4.5.6.2B,** will help reduce potential impacts to historical resources to less than significant levels. (FEIR, Volume 3 pgs. 4.5-21 to 4.5-26).

c. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on significant paleontological resource or site or unique geologic feature.

Findings: Implementation of the following mitigation measures will reduce the impact to unique paleontological resource or unique geologic feature to less than significant:

DRAFT

4.5.6.3A Prior to the issuance of any grading permits, a City-approved Paleontologist shall be retained to conduct paleontological monitoring as needed for all grading related to development. Development monitoring shall include the following actions:

1. Monitoring must occur in areas where excavations are expected to exceed twenty (20) feet in depth, in areas where fossil-bearing formations are found during grading, and in all areas found to contain, or are suspected of containing, fossil-bearing formations.
2. To avoid construction delays, paleontological monitors shall be equipped to salvage fossils and remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates if they are unearthed.
3. Monitors shall be empowered to temporarily halt or divert equipment to allow removal of specimens.
4. Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by the Project Paleontologist to have low potential to contain fossil resources.

This measure shall be implemented to the satisfaction of the Planning Official. The Project Paleontologist and the Project Archaeologist described in Mitigation Measure 4.5.6.1C may be the same person if he/she meets the qualifications of both positions per Cultural Report MM PR-1, Table 4, pg. 76).

4.5.6.3B Prior to the issuance of any permits for the construction of off-site improvements, a qualified paleontologist shall conduct an assessment for paleontological resources on each off-site improvement location. If any site is determined to have a potential for exposing paleontological resources, the project paleontologist shall monitor off-site grading/excavation, subject to coordination with the City. Development monitoring shall include the following mitigation measures:

1. Monitoring must occur in areas where excavations are expected to reach fossil-bearing formations during grading. This monitoring must be conducted by the Project Paleontologist in all areas found to or suspected of containing fossil-bearing formations.

DRAFT

2. To avoid construction delays, the Project Paleontologist shall be equipped to salvage fossils and remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates as they are unearthed.
3. The Project Paleontologist shall be empowered to temporarily halt or divert equipment to allow removal of specimens.
4. Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by the Project Paleontologist to have low potential to contain fossil resources.

Facts in Support of the Findings: According to Section 4.5 of the FEIR, Volume 3, the Project site is located within an area that has a high potential to contain near-surface Pleistocene fossils.[19] The paleontological literature search indicated that there is potential for significant, nonrenewable resources that to encountered during onsite construction activities. Therefore, a paleontological resources impact mitigation program (PRIMP), including excavation monitoring by a qualified paleontologist, is recommended for earthmoving activities in Pleistocene sediments on the Project site with potential to contain significant, nonrenewable paleontological resources. Although no paleontological resources were identified on site during the field survey, because of the location of the Project site and associated sensitivity for paleontological resources, the potential exists that paleontological resources maybe uncovered during construction. Adherence to the **Mitigation Measures 4.5.6.3A** and **4.5.6.3B** will reduce potential impacts to paleontological resources to a less than significant level. (FEIR, Volume 3 pgs. 4.5-26 to 4.5-27).

d. Cumulative Cultural Resources Impacts

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on significant cumulative impact on cultural resources.

Findings: Implementation of **Mitigation Measures 4.5.6.1A** through **4.5.6.1E, 4.5.6.2A** and **4.5.6.2B,** and **4.5.6.3A** and **4.5.6.3B** will reduce the cumulative impacts on cultural resources to less than significant.

Facts in Support of the Findings: According to Section 4.5 of the FEIR, Volume 3, Implementation of the project and related off-site improvements would require measures to identify, recover, and/or record any cultural and/or paleontological resource that may occur within the project limits. Although unlikely to occur, potential impacts associated with human remains would be reduced to a less than significant level

[19] Ibid.

through adherence to existing State law. With implementation of the recommended mitigation measures, potential impacts to archaeological or paleontological resources from future development will be reduced to less than significant levels. Since this region contains archaeological, historical, and paleontological resources that have been found in the past, future development in the surrounding region may impact these resources as well. However, implementation of the mitigation measures outlined in this document, and other CEQA documents for development projects in the area, will help reduce potential impacts to cultural resources to less than significant levels. With implementation of the project-level mitigation for future development identified in Section 4.5.6, the Project will not have significant impacts related to cultural resources, and will also not make any significant contributions to cumulatively. (FEIR, Volume 3 pg. 4.5-27 to 4.5-28).

6. Geology and Soils

a. Fault Rupture

Potential Significant Impact: The EIR evaluated and concluded that the future development permitted by the project would locate development in an area susceptible to fault rupture.

Findings: Implementation of the following mitigation measures will reduce the impact related to fault rupture to less than significant:

4.6.6.1A Prior to approval of any projects for development between Redlands Boulevard and Theodore Street, south of Dracaea Avenue (projected east from Redlands Boulevard), and the area south of Alessandro from the western boundary along the Mount Russell toe of slope easterly into the site 1,500 feet, the City shall determine if a detailed fault study of the Casa Loma Fault Zone area is required based on available evidence. If necessary, any additional geotechnical investigations shall be prepared by a qualified geologist and determine if structural setbacks are needed, and shall identify specific remedial earthwork and/or foundation recommendations. Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigations in the site-specific geotechnical investigations. In addition, the project structural engineer shall review the site specific investigations, provide any additional necessary mitigation to meet the California Building Code requirements, and incorporate all applicable mitigations from the investigation into the structural design plans and shall ensure that all structural plans for the project meet current Building Code requirements. Additionally, a registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical mitigations contained in the

DRAFT

investigation in the plans submitted for the grading, foundation, structural, infrastructure, and all other relevant construction permits. The City Building Division shall review and approve plans to confirm that the siting, design and construction of all structures and facilities are in accordance with the regulations established in the California Building Code (California Code of Regulations, Title 24), and/or professional engineering standards appropriate for the seismic zone in which such construction may occur. Structures intended for human occupancy shall not be located within any structural setback zone as determined by those studies. This measure shall be implemented to the satisfaction of the City Engineer in consultation with the Project Geologist.

4.6.6.1B Prior to approval of any projects for development within or adjacent to the San Jacinto Alquist-Priolo Earthquake Fault Zone, the City shall review and approve a geotechnical fault study prepared by a qualified geologist to confirm the alignment and size of any required building setbacks related to the fault zone. If necessary, this study shall identify a "special foundation or grading remediation zone" for the areas supporting structures intended for human occupancy where coseismic deformation (fractures) is observed. This zone shall be determined after subsurface evaluation based on proposed building locations. Specific remedial earthwork and foundation recommendations shall be evaluated as necessary based on proposed building locations. Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigations in the site-specific geotechnical investigations. In addition, the project structural engineer shall review the site specific investigations, provide any additional necessary mitigation to meet the California Building Code requirements, and incorporate all applicable mitigations from the investigation into the structural design plans and shall ensure that all structural plans for the project meet current Building Code requirements. Additionally, a registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical mitigations contained in the investigation in the plans submitted for the grading, foundation, structural, infrastructure, and all other relevant construction permits. The City Building Division shall review and approve plans to confirm that the siting, design and construction of all structures and facilities are in accordance with the regulations established in the California Building Code (California Code of Regulations, Title 24), and/or professional engineering standards appropriate for the seismic zone in which such construction may occur.

DRAFT

This study may involve trenching to adequately identify the location of the Claremont segment of the San Jacinto Fault Zone that crosses the eastern portion of the World Logistics Center Specific Plan property. This measure shall be implemented to the satisfaction of the City Engineer in consultation with the Project Geologist.

4.6.6.1C Prior to the approval of grading permits, or permits for construction of off-site improvements, the City shall review and approve plans confirming that the project has been designed to withstand anticipated ground shaking and other geotechnical and soil constraints (e.g., settlement). The project proponent shall submit plans to the City as appropriate for review and approval prior to issuance of grading permits or issuance of permits for the construction of any offsite improvements. This measure shall be implemented to the satisfaction of the City Engineer

Facts in Support of the Findings: According to Section 4.6 of the FEIR, Volume 3, the western portion of the site is crossed by the City of Moreno Valley Seismic Zone, a postulated trace of the Casa Loma Fault and the Farm Road Strand. A detailed fault investigation was performed by Leighton for these projected faults. Although no active faulting was observed, some local discontinuous fracturing was observed and documented. Because of the potential for ground movements in this area, mitigation is required.

State law prohibits the construction and placement of habitable structures[20] over the trace of an active fault pursuant to the Alquist-Priolo Act. The A-P Earthquake Fault Zone is located on the eastern border of the project site. Trenching conducted by Leighton across the Claremont Segment of the San Jacinto Fault in the eastern area of the project site identified the location of a portion of the fault; however, the entire length of the fault through the project site was not trenched. Although no habitable structure can be located on an active fault per State law, fault rupture hazard represents a potential significant seismic hazard on site that would require mitigation.

Implementation of **Mitigation Measures 4.6.6.1A** through **4.6.6.1C** will ensure fault rupture hazards are reduced to a less than significant level. (FEIR, Volume 3 pgs. 4.6-17 to 4.6-20).

b. Ground Shaking

Potential Significant Impact: The EIR evaluated and concluded that the future development permitted by the project would locate development in an area susceptible to ground shaking.

[20] California Code of Regulations, Section 3601 states, "A structure for human occupancy is any structure used or intended for supporting or sheltering any use of occupancy, which is expected to have a human occupancy rate of more than 2,000 person-hours per year."

Findings: Implementation of the following mitigation measures will reduce the impact related to ground shaking to less than significant:

4.6.6.2A Prior to issuance of building permits for any portion of the project site, a site-specific, design level geotechnical investigation for each parcel shall be submitted to the City , which would comply with all applicable state and local code requirements, and includes an analysis of the expected ground motions at the site from known active faults using accepted methodologies. The report shall determine:

1. Structural design requirements as prescribed by the most current version of the California Building Code, including applicable City amendments, to ensure that structures can withstand ground accelerations expected from known active faults.
2. The final design parameters for walls, foundations, foundation slabs, utilities, roadways, parking lots, sidewalks, and other surrounding related improvements.

Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigations in the site-specific geotechnical investigations. In addition, the project structural engineer shall review the site specific investigations, provide any additional necessary mitigation to meet the California Building Code requirements, and incorporate all applicable mitigations from the investigation into the structural design plans and shall ensure that all structural plans for the project meet current Building Code requirements. Additionally, a registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical mitigations contained in the investigation in the plans submitted for the grading, foundation, structural, infrastructure, and all other relevant construction permits. The City Building Division shall review and approve plans to confirm that the siting, design and construction of all structures and facilities are in accordance with the regulations established in the California Building Code (California Code of Regulations, Title 24), and/or professional engineering standards appropriate for the seismic zone in which such construction may occur.

Facts in Support of the Findings: According to Section 4.6 of the FEIR, Volume 3, Southern California is a seismically active area and, therefore, will continue to be subject to ground shaking resulting from seismic activity on regional faults. Ground shaking from earthquakes associated with nearby and more distant faults is expected to occur during the lifetime of the project. The level of potential ground motion is considered moderate to high in the City of Moreno Valley and, therefore, in the project area.

DRAFT

In accordance with the City's General Plan Safety Element (Objective 6.1),[21] project development will require geological and geotechnical investigations by State-licensed professionals. The geotechnical investigations will provide design considerations and earthwork recommendations to ensure that ground shaking impacts are appropriately mitigated. In addition, California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code, contains building design and construction requirements relating to fire and life safety, and structural safety. The CBC also includes standards designed to ensure that structures within California are built to withstand expected levels of seismic activity for each earthquake region throughout the State. Specifically, Part 2 of Title 24, including Chapters 4, 16-18, and Appendix J provide guidance regarding grading, soils, and construction techniques related to seismic protection. These codes are provided to protect public safety and ensure that all structures built in the State can withstand anticipated seismic ground shaking and other related geotechnical and soils constraints. Implementation of **Mitigation Measure 4.6.6.2A** will ensure ground shaking impacts caused by earthquakes are reduced to a less than significant level. (FEIR, Volume 3 pgs. 4.6-20 to 4.6-21).

c. Unstable Soils

Potential Significant Impact: The EIR evaluated and concluded that the future development permitted by the project would locate development in an area susceptible to unstable soils.

Findings: Implementation of the following mitigation measures will reduce the impact related to unstable soils to less than significant:

4.6.6.3A Each Plot Plan application for development shall include a site-specific, design level geotechnical investigation for each parcel, in compliance with all applicable state and local code requirements, and including an analysis of the expected soil hazards at the site. The report shall determine:

1. Structural design requirements as prescribed by the most current version of the California Building Code, including applicable City amendments, to ensure that structures can withstand ground accelerations expected from known active faults.
2. The final design parameters for walls, foundations, foundation slabs, utilities, roadways, parking lots, sidewalks, and other surrounding related improvements.

Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigations in the site-specific geotechnical investigations. In addition, the project

[21] Moreno Valley General Plan, Chapter 9 Goals and Objectives, pg. 9-30.

structural engineer shall review the site specific investigations, provide any additional necessary mitigation to meet the California Building Code requirements, and incorporate all applicable mitigations from the investigation into the structural design plans and shall ensure that all structural plans for the project meet current Building Code requirements. These investigations shall identify any site-specific impacts from compressible and expansive soils based on the actual location of individual pads proposed in the future, so that differential movement can be further verified or evaluated in view of the actual foundation plan and imposed fill or structural loads. Additionally, a registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical mitigations contained in the investigation in the plans submitted for the grading, foundation, structural, infrastructure, and all other relevant construction permits. The City Building Division shall review and approve plans to confirm that the siting, design and construction of all structures and facilities are in accordance with the regulations established in the California Building Code (California Code of Regulations, Title 24), and/or professional engineering standards appropriate for the seismic zone in which such construction may occur.

Compliance with this measure will ensure that future buildings are designed to protect the structure and occupants from on-site soil limitations, consistent with State Building Code requirements. This measure shall be implemented to the satisfaction of the City Engineer.

4.6.6.3B Any cut slopes in excess of five (5) feet in vertical height shall be constructed as "replacement fill slopes" per the project geotechnical report, due to the variable nature of the onsite alluvial soils. This measure shall be implemented to the satisfaction of the City Land Development Division and the City Engineer in consultation with the Project Geologist.

4.6.6.3C During all grading activities, a geotechnical engineer shall monitor site preparation, removal of unsuitable soils, mapping of all earthwork excavations, approval of imported earth materials, fill placement, foundation installation, and other geotechnical operations. Laboratory testing of subsurface materials to confirm compacted dry density and moisture content, consolidation potential, corrosion potential, expansion potential, and resistance value (R-value) shall be performed prior to and during grading as appropriate. This measure shall be implemented to the satisfaction of the City Engineer in consultation with the Project Geologist.

DRAFT

Facts in Support of the Findings: According to Section 4.6 of the FEIR, Volume 3, expansive soils generally have a substantial amount of clay particles, which can give up water (shrink) or absorb water (swell). The change in the volume exerts stress on buildings and other loads placed on these soils. The extent or range of the shrink/swell is influenced by the amount and kind of clay present in the soil. Expansive soils can be widely dispersed and they can occur in hillside areas as well as low-lying alluvial basins. On-site soils (Dv and Wb soils) are identified as having a moderate to low shrink-swell potential. Because the potential exists to locate development on moderately expansive soils, impacts are considered significant and mitigation is required. In accordance with the City's General Plan Safety Element (Implementation Measure I.E.1) and as indicated previously, development of the project will require geological and geotechnical investigations by State-licensed professionals. To ensure impacts from expansive soils are addressed for specific development sites, adherence to **Mitigation Measures 4.6.6.3A** through **4.6.6.3C** is required to reduce impacts from unstable soils to less than significant. (FEIR, Volume 3 pg. 4.6-21 to 4.6-23)

7. Greenhouse Gas Emissions, Climate Change, and Sustainability

a. Greenhouse Gas Emissions

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect due to the generation of greenhouse gas emissions (GHGs).

Findings: Implementation of the following mitigation measures will reduce the impact related to greenhouse gas emissions to less than significant:

4.7.6.1A The project shall implement the following requirements to reduce solid waste and greenhouse gas emissions from construction and operation of project development:

a) Prior to January 1, 2020, divert a minimum of 50 percent of landfill waste generated by operation of the project. After January 1, 2020, development shall divert a minimum of 75 percent of landfill waste. In January of each calendar year after project approval the developer and/or Property Owners Association shall certify the percentage of landfill waste diverted on an annual basis.

b) Prior to January 1, 2020, recycle and/or salvage at least 50 percent of non-hazardous construction and demolition debris. After January 1, 2020, recycle and/or salvage at least 75 percent of non-hazardous construction and demolition debris. In January of each calendar year after project approval the developer

DRAFT

and/or Property Owners Association shall certify the percentage of landfill waste diverted on an annual basis.

Develop and implement a construction waste management plan that, at a minimum, identifies the materials to be diverted from disposal and whether the materials will be sorted on-site or co-mingled. Calculations can be done by weight or volume, but must be consistent throughout.

c) The applicant shall submit a Recyclables Collection and Loading Area Plan for construction related materials prior to issuance of a building permit with the Building Division and for operational aspects of the project prior to the issuance of the occupancy permit to the Public Works Department. The plan shall conform to the Riverside County Waste Management Department's Design Guidelines for Recyclable Collection and Loading Areas.

d) Prior to issuance of certificate of occupancy, the recyclables collection and loading area shall be constructed in compliance with the Recyclables Collection and Loading Area plan.

e) Prior to issuance of certificate of occupancy, documentation shall be provided to the City confirming that recycling is available for each building.

f) Within six months after occupancy of a building, the City shall confirm that all tenants have recycling procedures set in place to recycle all items that are recyclable, including but not limited to paper, cardboard, glass, plastics, and metals.

g) The property owner shall advise all tenants of the availability of community recycling and composting services.

h) Existing onsite street material shall be recycled for new project streets to the extent feasible.

4.16.4.6.1C Prior to the issuance of a building permit, new development shall demonstrate that each building has implemented the following:

1) Install solar panels with a capacity equal to the peak daily demand for the ancillary office uses in each warehouse building;

DRAFT

2) Increase efficiency for buildings by implementing either 10 percent over the 2008 Title 24's energy saving requirements or the Title 24 requirements in place at the time the building permit is approved, whichever is more strict; and

3) Require the equivalent of "Leadership in Energy and Environmental Design Certified" for the buildings constructed at the World Logistics Center based on Leadership in Energy and Environmental Design Certified standards in effect at the time of project approval.

This measure shall be implemented to the satisfaction of the Building and Safety and Planning Divisions.

Facts in Support of the Findings: According to FEIR, Volume 3 Section 4.7, future development that could occur on the Project site could generate GHG emissions during construction and operation activities. Most of the project's GHG emissions (transportation and electricity) are covered under the AB 32 California cap-and-trade program and are therefore "capped" GHG emissions. For informational purposes, the capped construction GHG emissions averaged over 30 years are approximately 8,820 metric tons of carbon dioxide equivalents (mt CO_2e) before mitigation and 7,750 mt CO_2e after applying air quality mitigation. The capped operational GHG emissions are approximately 396,800 mt CO_2e per year without mitigation and 379,800 mt CO_2e per year after applying mitigation from other impact sections (i.e., air quality, water, energy).

Based on a comparison of the Project to the South Coast Air Quality Management District tiered interim GHG significance criteria, the most applicable South Coast Air Quality Management District threshold for the uncapped GHG emissions is the Industrial at 10,000 mt CO_2e per year. The long-term Project operational uncapped GHG emissions for the Project are 19,237 mt CO_2e per year and exceed this threshold; therefore, the Project operational GHG emissions are significant before mitigation. With implementation of **Mitigation Measure 4.7.5.1A**, the Project's uncapped GHG emissions would be reduced to approximately 6,000 mt CO_2e, which is less than significant. In order to ensure that the Project complies with and would not conflict with or impede the implementation of reduction goals identified in AB 32, the Governor's EO S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor, **Mitigation Measures 4.3.6.3B, 4.3.6.4A, 4.3.6.3C, 4.3.6.3D, 4.7.5.1A, 4.16.1.6.1A, 4.16.1.6.1B, 4.16.1.6.1C, 4.16.4.6.1A, 4.16.4.6.1B,** and **4.16.4.6.1C** shall be implemented. (FEIR, Volume 3 pg. 4.7-34 to 4.7-59)

b. Greenhouse Gas Plan, Policy, Regulation Consistency

Potential Significant Impact: The EIR evaluated and concluded that the Project could be inconsistent with greenhouse gas plans, policies and regulations.

Findings: Implementation of **Mitigation Measures 4.3.6.3B, 4.3.6.3C, 4.3.6.3D, 4.3.6.4A, 4.7.6.1A, 4.16.1.6.1A, 4.16.1.6.1B, 4.16.1.6.1C, 4.16.4.6.1A, and 4.16.4.6.1B and 4.16.4.6.1C** will help reduce project-related GHG emissions and therefore make it more consistent with GHG reduction plans, policies, and/or regulations. Those mitigation measures are as follows:

4.3.6.3B The following shall be implemented as indicated:

Prior to Issuance of a Certificate of Occupancy

a) Signs shall be prominently displayed informing truck drivers about the California Air Resources Board diesel idling regulations, and the prohibition of parking in residential areas.

b) Signs shall be prominently displayed in all dock and delivery areas advising of the following: engines shall be turned off when not in use; trucks shall not idle for more than three consecutive minutes; telephone numbers of the building facilities manager and the California Air Resources Board to report air quality violations.

c) Signs shall be installed at each exit driveway providing directional information to the City's truck route. Text on the sign shall read "To Truck Route" with a directional arrow. Truck routes shall be clearly marked per the City Municipal Code.

On an Ongoing Basis

d) Tenants shall maintain records on fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles are maintained pursuant to manufacturer's specifications. The records shall be maintained on site and be made available for inspection by the City.

e) Tenant's staff in charge of keeping vehicle records shall be trained/certified in diesel technologies, by attending California Air Resources Board approved courses (such as the free, one-day Course #512). Documentation of said training shall be maintained on-site and be available for inspection by the City.

f) Tenants shall be encouraged to become a SmartWay Partner.

g) Tenants shall be encouraged to utilize SmartWay 1.0 or greater carriers.

DRAFT

h) Tenants' fleets shall be in compliance with all current air quality regulations for on-road trucks including but not limited to California Air Resources Board's Heavy-Duty Greenhouse Gas Regulation and Truck and Bus Regulation.

i) Information shall be posted in a prominent location available to truck drivers regarding alternative fueling technologies and the availability of such fuels in the immediate area of the World Logistics Center.

j) Tenants shall be encouraged to apply for incentive funding (such as the Voucher Incentive Program [VIP], Carl Moyer, etc.) to upgrade their fleet.

k) All yard trucks (yard dogs/yard goats/yard jockeys/yard hostlers) shall be powered by electricity, natural gas, propane, or an equivalent non-diesel fuel. Any off-road engines in the yard trucks shall have emissions standards equal to Tier 4 Interim or greater. Any on-road engines in the yard trucks shall have emissions standards that meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.

l) All diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.

m) All standby emergency generators shall be fueled by natural gas, propane, or any non-diesel fuel.

n) Truck and vehicle idling shall be limited to three (3) minutes.

4.3.6.3C Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area, a publically-accessible fueling station shall be operational within the Specific Plan area offering alternative fuels (natural gas, electricity, etc.) for purchase by the motoring public. Any fueling station shall be placed a minimum of 1000 feet from any off-site sensitive receptors or off-site zoned sensitive uses. This facility may be established in connection with the convenience store required in Mitigation Measure 4.3.6.3D.

DRAFT

4.3.6.3D Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area a site shall be operational within the Specific Plan area offering food and convenience items for purchase by the motoring public. This facility may be established in connection with the fueling station required in Mitigation Measure 4.3.6.3C.

4.3.6.4A The following measures shall be incorporated as conditions to any Plot Plan approval within the Specific Plan:

a) All tenants shall be required to participate in Riverside County's Rideshare Program–

b) Storage lockers shall be provided in each building for a minimum of three percent of the full-time equivalent employees based on a ratio of 0.50 employees per 1,000 square feet of building area. Lockers shall be located in proximity to required bicycle storage facilities.

c) Class II bike lanes shall be incorporated into the design for all project streets.

d) The project shall incorporate pedestrian pathways between on-site uses.

e) Site design and building placement shall provide pedestrian connections between internal and external facilities.

f) The project shall provide pedestrian connections to residential uses within 0.25 mile from the project site.

g) A minimum of two electric vehicle-charging stations for automobiles or light-duty trucks shall be provided at each building. In addition, parking facilities with 100 parking spaces or more shall be designed and constructed so that at least three percent of the total parking spaces are capable of supporting future electric vehicle supply equipment (EVSE) charging locations. Only sufficient sizing of conduit and service capacity to install Level 2 Electric Vehicle Supply Equipment (EVSE) or greater are required to be installed at the time of construction.

h) Each building shall provide indoor and/or outdoor - bicycle storage space consistent with the City Municipal Code and the California Green Building Standards Code.-

DRAFT

Each building shall provide a minimum of two shower and changing facilities for employees.

i) Each building shall provide preferred and designated parking for any combination of low-emitting, fuel-efficient, and carpool/vanpool vehicles equivalent to the number identified in California Green Building Standards Code Section 5.106.5.2 or the Moreno Valley Municipal Code whichever requires the higher number of carpool/vanpool stalls.

j) The following information shall be provided to tenants: onsite electric vehicle charging locations and instructions, bicycle parking, shower facilities, transit availability and the schedules, telecommunicating benefits, alternative work schedule benefits, and energy efficiency.

4.7.6.1A The project shall implement the following requirements to reduce solid waste and greenhouse gas emissions from construction and operation of project development:

a) Prior to January 1, 2020, divert a minimum of 50 percent of landfill waste generated by operation of the project. After January 1, 2020, development shall divert a minimum of 75 percent of landfill waste. In January of each calendar year after project approval the developer and/or Property Owners Association shall certify the percentage of landfill waste diverted on an annual basis.

b) Prior to January 1, 2020, recycle and/or salvage at least 50 percent of non-hazardous construction and demolition debris. After January 1, 2020, recycle and/or salvage at least 75 percent of non-hazardous construction and demolition debris. In January of each calendar year after project approval the developer and/or Property Owners Association shall certify the percentage of landfill waste diverted on an annual basis.

Develop and implement a construction waste management plan that, at a minimum, identifies the materials to be diverted from disposal and whether the materials will be sorted on-site or co-mingled. Calculations can be done by weight or volume, but must be consistent throughout.

c) The applicant shall submit a Recyclables Collection and Loading Area Plan for construction related materials prior to issuance of a building permit with the

DRAFT

Building Division and for operational aspects of the project prior to the issuance of the occupancy permit to the Public Works Department. The plan shall conform to the Riverside County Waste Management Department's Design Guidelines for Recyclable Collection and Loading Areas.

d) Prior to issuance of certificate of occupancy, the recyclables collection and loading area shall be constructed in compliance with the Recyclables Collection and Loading Area plan.

e) Prior to issuance of certificate of occupancy, documentation shall be provided to the City confirming that recycling is available for each building.

f) Within six months after occupancy of a building, the City shall confirm that all tenants have recycling procedures set in place to recycle all items that are recyclable, including but not limited to paper, cardboard, glass, plastics, and metals.

g) The property owner shall advise all tenants of the availability of community recycling and composting services.

h) Existing onsite street material shall be recycled for new project streets to the extent feasible.

4.16.1.6.1A Prior to approval of a precise grading permit for each plot plan for development within the World Logistics Center Specific Plan (WLCSP), the developer shall submit landscape plans that demonstrate compliance with the World Logistics Center Specific Plan, the State of California Model Water Efficient Landscape Ordinance (AB 1881), and Conservation in Landscaping Act (AB 325). This measure shall be implemented to the satisfaction of the Planning Division. Said landscape plans shall incorporate the following:

- Use of xeriscape, drought-tolerant, and water-conserving landscape plant materials wherever feasible and as outlined in Section 6.0 of the World Logistics Center Specific Plan;

- Use of vacuums, sweepers, and other "dry" cleaning equipment to reduce the use of water for wash down of exterior areas;

- Weather-based automatic irrigation controllers for outdoor irrigation (i.e., use moisture sensors);
- Use of irrigation systems primarily at night or early morning, when evaporation rates are lowest;
- Use of recirculation systems in any outdoor water features, fountains, etc.;
- Use of low-flow sprinkler heads in irrigation system;
- Provide information to the public in conspicuous places regarding outdoor water conservation; and
- Use of reclaimed water for irrigation if it becomes available.

4.16.1.6.1B All buildings shall include water-efficient design features outlined in Section 4.0 of the World Logistics Center Specific Plan. This measure shall be implemented to the satisfaction of the Land Development Division/Public Works. These design features shall include, but not limited to the following:

- Instantaneous (flash) or solar water heaters;
- Automatic on and off water facets;
- Water-efficient appliances;
- Low-flow fittings, fixtures and equipment;
- Use of high efficiency toilets (1.28 gallons per flush [gpf] or less);
- Use of waterless or very low water use urinals (0.0 gpf to 0.25 gpf);
- Use of self-closing valves for drinking fountains;
- Infrared sensors on drinking fountains, sinks, toilets and urinals;
- Low-flow showerheads;

DRAFT

- Water-efficient ice machines, dishwashers, clothes washers, and other water-using appliances;
- Cooling tower recirculating system where applicable;
- Provide information to the public in conspicuous places regarding indoor water conservation; and
- Use of reclaimed water for wash down if it becomes available.

4.16.4.6.1C Prior to the issuance of a building permit, new development shall demonstrate that each building has implemented the following:

1) Install solar panels with a capacity equal to the peak daily demand for the ancillary office uses in each warehouse building;

2) Increase efficiency for buildings by implementing either 10 percent over the 2008 Title 24's energy saving requirements or the Title 24 requirements in place at the time the building permit is approved, whichever is more strict; and

3) Require the equivalent of "Leadership in Energy and Environmental Design Certified" for the buildings constructed at the World Logistics Center based on Leadership in Energy and Environmental Design Certified standards in effect at the time of project approval.

This measure shall be implemented to the satisfaction of the Land Development Division/Public Works.

4.16.4.6.1A Each application for a building permit shall include energy calculations to demonstrate compliance with the California Energy Efficiency Standards confirming that each new structure meets applicable Building and Energy Efficiency Standards. The plans shall also ensure that buildings are in conformance with the State Energy Conservation Efficiency Standards for Nonresidential buildings (Title 24, Part 6, Article 2, California Administrative Code). This measure shall be implemented to the satisfaction of the Land Development Division/Public Works. Plans shall show the following:

DRAFT

- Energy-efficient roofing systems, such as “cool” roofs, that reduce roof temperatures significantly during the summer and therefore reduce the energy requirement for air conditioning.

- Cool pavement materials such as lighter-colored pavement materials, porous materials, or permeable or porous pavement, for all roadways and walkways not within the public right-of-way, to minimize the absorption of solar heat and subsequent transfer of heat to its surrounding environment.

- Energy-efficient appliances that achieve the 2008 Appliance Energy Efficiency Standards (e.g., EnergyStar Appliances) and use of sunlight-filtering window coatings or double-paned windows.

4.16.4.6.1B Prior to the issuance of any building permits within the World Logistics Center Specific Plan, each project developer shall submit energy calculations used to demonstrate compliance with the performance approach to the California Energy Efficiency Standards to the Building Department Land Development Division/Public Works that shows each new structure meets the applicable Building and Energy Efficiency Standards. Plans may include but are not necessarily limited to implementing the following as appropriate:

- High-efficiency air-conditioning with electronic management system (computer) control.

- Variable Air Volume air distribution.

- Outside air (100 percent) economizer cycle.

- Staged compressors or variable speed drives to flow varying thermal loads.

- Isolated High-efficiency air-conditioning zone control by floors/separable activity areas.

- Specification of premium-efficiency electric motors (i.e., compressor motors, air handling units, and fan-coil units).

- Use of occupancy sensors in appropriate spaces.

- Use of compact fluorescent lamps in place of incandescent lamps.

DRAFT

- Use of cold cathode fluorescent lamps.
- Use of Energy Star exit lighting or exit signage.
- Use of T-8 lamps and electronic ballasts where applications of standard fluorescent fixtures are identified.
- Use of lighting power controllers in association with metal-halide or high-pressure sodium (high intensity discharge) lamps for outdoor lighting and parking lots.
- Use of skylights (may conflict with installation of solar panels in some instances).
- Consideration of thermal energy storage air conditioning for spaces or hotel buildings, meeting facilities, theaters, or other intermittent-use spaces or facilities that may require air-conditioning during summer, day-peak periods.

4.16.4.6.1C Prior to the issuance of a building permit, new development shall demonstrate that each building has implemented the following:

1) Install solar panels with a capacity equal to the peak daily demand for the ancillary office uses in each warehouse building;

2) Increase efficiency for buildings by implementing either 10 percent over the 2008 Title 24's energy saving requirements or the Title 24 requirements in place at the time the building permit is approved, whichever is more strict; and

3) Require the equivalent of "Leadership in Energy and Environmental Design Certified" for the buildings constructed at the World Logistics Center based on Leadership in Energy and Environmental Design Certified standards in effect at the time of project approval.

This measure shall be implemented to the satisfaction of the Land Development Division/Public Works.

Facts in Support of the Findings: According to FEIR, Volume 3 Section 4.7, implementation of the Project could result in the development of an approximately 40.6 million square foot high cube-logistics

distribution logistics. The Project includes a variety of physical attributes and operational programs that would help reduce operational-source pollutant emissions from worker commuting, including GHG emissions. Future development that would occur under the Project would be consistent with greenhouse gas emission reduction strategies and policies, including the City's Climate Change Strategy. The Project would implement the Mitigation Measures listed above to reduce its contribution to GHG emissions and to ensure it does not conflict with or impede implementation of reduction goals identified in AB 32, Governor's Executive Order S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor. In addition, the Project would also be subject to all applicable regulatory requirements, which would also reduce the GHG emissions of the project. Therefore, the Project would not conflict with any applicable plan, program, policy, or regulation related to the reduction of GHG emissions. Impacts are considered less than significant.

Similar to the discussion of cumulative air quality impacts, the Project may employ workers locally from the City. This has the benefit of improving the local jobs/housing balance leading to air quality benefits in terms of shorter trip lengths, which lead to lower emissions than if the workforce was derived from distant locations.

The analysis in the EIR concluded that the Project's contributions to climate change are less than significant. Given (i) the global nature of climate change; (ii) uncertainty regarding the extent to which anthropogenic sources are the true causes of any increase in the earth's temperatures; and (iii) the lack of emissions controls being imposed by the world's most rapidly developing nations, even if there is a causal relationship between anthropogenic emissions and an increase in the world's temperature, it is difficult to argue that an individual Project's cumulative contribution to climate change is foreseeable and cumulatively considerable. Nonetheless, the State of California has adopted a number of policies, including AB32, Governor's Executive Order S-3-05, and Pavley I, that provide the structure and commitment to address California's contribution to global climate change. Since the proposed project is consistent with these policies, including being below the SCAQMD threshold for greenhouse gases that was structured in accordance with these State policies, the project is consistent with greenhouse gas plans, policies and regulations. (FEIR, Volume 3, pgs. 4.7-52 through 4.7-59)

8. Hazards and Hazardous Materials

a. On-site Conditions Involving Hazardous Materials

Potential Significant Impact: The EIR evaluated and concluded that the Project could through the demolition of the existing on-site rural residential structures may involve hazardous materials (ACM and

LBP) and possibly soil contamination from past agricultural chemical use and may involve hazardous materials (LNG/CNG).

Findings: Implementation of the following mitigation measures will reduce the impact of the Project related hazardous materials to less than significant:

4.8.6.1A Prior to demolition of any existing structures on the project site, a qualified contractor shall be retained to determine if asbestos-containing materials (ACMs) and/or lead-based paint (LBP) are present. If asbestos-containing materials and/or lead-based paint are present, prior to commencement of demolition, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. In addition, onsite soils shall be tested for contamination by agricultural chemicals. If present, these materials shall be removed and transported to an appropriate landfill by a licensed contractor. This measure shall be implemented to the satisfaction of the Building Division including written documentation of the disposal of any asbestos-containing materials, lead-based paint, or agricultural chemical residue in conformance with all applicable regulations.

4.8.6.1B Prior to the issuance of any discretionary permits associated with the proposed fueling facility ("logistic support" site in the LD zone), a risk assessment or safety study that identifies the potential public health and safety risks from accidents at the facility (e.g., fire, tank rupture, boiling liquid, or expanding vapor explosion) shall be submitted to the City for review and approval This study shall be prepared to industry standards and demonstrate that the facility will not create any significant public health or safety impacts or risks, to the satisfaction of the City Building and Safety Division and the Fire Prevention Bureau.

4.8.6.1C Prior to grading for any discretionary permits for development in Planning Areas 9-12 adjacent to the natural gas compressor plant, the applicant shall prepare a risk assessment report analyzing safety conditions relative to the existing compressor plant and planned development. The report must be based on appropriate industry standards and identify the potential hazards from the compressor plant (e.g., fire, explosion) and determine that the distance from the plant to the closest planned buildings in Planning Areas 9-12 is sufficient to protect the safety of workers from accidents that could occur (see Final EIR Volume 3 Figure 4.1.6B) at the compressor plant. This measure shall be implemented to the satisfaction of the City Building and Safety Division and the Fire Prevention Bureau.

DRAFT

4.8.6.1D Prior to the issuance of any grading permit, the developer shall inform the City of any existing solid waste materials within the development area. In conjunction with grading activities, all solid waste matter within the development area shall be removed by a licensed contractor and disposed of in an approved landfill. A record of the removal and disposal of any waste materials, in compliance with applicable laws and regulations, shall be submitted to the City prior to the issuance of any building permits

Facts in Support of the Findings: According to Section 4.8 of the FEIR, Volume 3, due to the suspected age of the rural residential structures on the site, it is possible that demolition of these structures may involve asbestos-containing materials (ACMs) and/or lead-based paint (LBP). Demolition of these structures may need to be supervised or conducted by contractors certified to remove and dispose of ACMs and/or LBP.

Also because the site was previously farmed the on-site soils may contain pesticide. Prior to grading, soil testing shall performed to determine if in fact these areas contain any significant levels of agricultural chemicals in the soil, and, if so, they will be remediated by a licensed contractor.

In addition, the Specific Plan proposes a liquefied natural gas/compressed natural gas (LNG/CNG) fueling station to be constructed on approximately 3,000 square feet somewhere in the eastern portion of the Logistics Development (LD) land use area of the Specific Plan. This LNG/CNG facility is referred to as "logistics support" in the Specific Plan land uses. It would provide natural gas to fuel heavy and light-duty trucks serving the project. Since this facility would store natural gas under liquefied and compressed conditions, there is a potential for fire and/or explosion involving natural gas.

Implementation of **Mitigation Measures 4.8.6.1A** through **4.8.6.1D**, impacts associated with potential hazardous materials in existing rural residential structures or from the proposed natural gas fueling facility will be reduced to less than significant levels. (FEIR, Volume 3 pg. 4.8-22 to 4.8-23).

9. Hydrology, Drainage, and Water Quality

a. Drainage Pattern and Capacity-Related Impacts

Potential Significant Impact: The EIR evaluated and concluded that the Project may significantly increase off-site runoff.

Findings: Implementation of the following mitigation measures will reduce the Project's increase in off-site runoff to less than significant:

4.9.6.1A Prior to issuance of any building permit within the Specific Plan area, the developer shall construct storm drain pipes and conveyances, as well as, combined detention and infiltration basin(s), bioretention area(s), and spreading area(s) within each proposed watershed, as outlined in the project hydrology plan, to mitigate the impacts of increased peak flow rate, velocity, flow volume and reduce the time of concentration by storing and infiltrating increased runoff for a limited period of time and release the outflow at a rate that does not exceed the pre-development peak flows and velocities for the 2, 5, 10, 25, and 100-year storms and volumes as assessed in the water balance model for historical conditions. For the purpose of this mitigation measure, the term "construct" shall mean to substantially complete construction so as to function for its intended purpose during construction with complete construction prior to occupancy. Field investigations will be conducted to determine the infiltration rate of soils underlying the proposed locations of bioretention areas and detention basins. The infiltration rate of the underlying soils will be used to properly size the bioretention areas and detention basins/infiltration basins to ensure that adequate volumes of runoff, in cumulative total for all bioretention areas and detention areas are captured and infiltrated. The water balance model will be updated and rerun for the site-specific conditions encountered to confirm the water balance. This measure shall be implemented to the satisfaction of the City Engineer. Energy dissipaters shall be used as the spillways of basins to reduce the runoff velocity and dissipate the flow energy. Drainage weir structures shall be constructed at the downstream end of the watersheds flowing to the San Jacinto Wildlife Area to control the runoff and spread the flow such that the flows exiting the project boundary will return to the sheet flow pattern similar to the existing condition. Detention basins and spreading areas shall be designed to account for the amount of the sediment transported through the project boundary so that the existing sediment carrying capacity is maintained.

4.9.6.1B The bioretention areas and detention/infiltration basins shall be designed to assure infiltrations rates. The monitoring plan will follow the guidelines presented by the California Storm Water Quality Association (CASQA) in the California Storm Water Best Management Program (BMP) Handbook, Municipal, January 2003 Section 4, Treatment Control Best Management Programs Fact Sheets TC-11 Infiltration Basin and TC-30 Vegetated Swale).

For the bioretention areas, as needed maintenance activities shall be conducted to remove accumulated sediment that may obstruct flow through the swale. Bioretention areas shall

DRAFT

be monitored at the beginning and end of each wet season to assess any degradation in infiltration rates. The maintenance activities should occur when sediment on channels and culverts builds up to more than 3 inches (CASQA 2003). The swales will need to be cultivated or rototilled if drawdown takes more than 72 hours.

For the Detention/infiltration Basins, a 3-5 year maintenance program shall be implemented mainly to keep infiltration rates close to original values since sediment accumulation could reduce original infiltration rate by 25-50%. Infiltration rates in detention basins will be monitored at the beginning and end of each wet season to assess any degradation in infiltration rates. If cumulative infiltration rates of all detention basins drops below the minimum required rates, then the detention basins will be reconditioned to improve infiltration capacity by scraping the bottom of the detention basin, seed or sod to restore groundcover, aerate bottom and dethatch basin bottom (CASQA 2003).

Facts in Support of the Findings: According to Section 4.9 of the FEIR, Volume 3, Due to the construction of impervious surfaces on the project site, post-development flows will be higher than the pre-development flows. To avoid a significant impact to the existing drainage capacity, the post-development flows, volumes, and velocities coming from the Project site must be managed to be equal to or less than pre-development flows volumes, and velocities.[22] As required by **Mitigation Measure 4.9.6.1A**, flows will be reduced to below or equal to pre-development conditions by routing the on-site storm water flows through a series of on-site detention and infiltration basins before flows are released off site. The existing storm water runoff discharge rate for the undeveloped project site is 7,720 cubic feet per second (cfs). With the installation of the on-site detention basins, culverts, and energy dissipaters included in the project, expected discharges would be at a rate of 6,835 cfs, which is less than the existing condition. With the installation of the storm drain system facilities outlined in CH2M Hill's hydrology reports (Appendix J, FEIR Volume 3) and implementation of the **Mitigation Measure 4.9.6.1A**, the buildout of the project will convey storm flows safely through the region in accordance with Riverside County Flood Control requirements and will not result in flooding or additional erosion within the project area or any downstream areas, including the Perris Valley Storm Drain Channel. (FEIR, Volume 3, pg. 4.9-49)

Development of the WLC Project site will increase impervious surfaces on the Project site due to the construction of the Project's buildings, roadways, and associated improvements. While the resultant

[22] As part of the MS4 Permit issuance requirements, projects must identify any Hydrologic Conditions of Concern and demonstrate that changes to hydrology are minimized to ensure that post-development runoff rates and velocities from a site do not adversely impact downstream erosion, sedimentation or stream habitat.

increase in impervious surfaces would contribute to a greater volume and higher velocities of storm flow, **Mitigation Measure 4.9.6.1A** require the WLC Project site's drainage system be designed to accept and accommodate runoff that would result from the project construction at or better than historic, or pre-development, conditions, as outlined in the Project's Master Plan of Drainage. **Mitigation Measure 4.9.6.1B** provides for the operation and maintenance of these facilities to ensure that they will be maintained. (FEIR, Volume 3, pg. 4.9-32 to 4.9-51)

b. Construction-Related Water Quality Impacts

Potential Significant Impact: The EIR evaluated and concluded that the Project could violate water quality standards or waste discharge requirements during construction phases of the Project in form of increased soil erosion, sedimentation, or storm water discharges.

Findings: Implementation of the following mitigation measures will reduce the impact to construction-related water quality to less than significant:

4.9.6.2A Prior to issuance of any grading permit for development in the World Logistics Center Specific Plan, the project developer shall file a Notice of Intent (NOI) with the Santa Ana Regional Water Quality Control Board to be covered under the National Pollutant Discharge Elimination System (NPDES) General Construction Permit for discharge of storm water associated with construction activities. The project developer shall submit to the City the Waste Discharge Identification Number issued by the State Water Quality Control Board (SWQCB) as proof that the project's Notice of Intent is to be covered by the General Construction Permit has been filed with the State Water Quality Control Board. This measure shall be implemented to the satisfaction of the City Engineer.

4.9.6.2B Prior to issuance of any grading permit for development in the World Logistics Center Specific Plan, the project developer shall submit to the State Water Quality Control Board (SWQCB) a project-specific Storm Water Pollution Prevention Plan (SWPPP). The Storm Water Pollution Prevention Plan shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. In addition, the Storm Water Pollution Prevention Plan shall emphasize structural and nonstructural best management practices (BMPs) to control sediment and non-visible discharges from the site. Best Management Practices to be implemented may include (but shall not be limited to) the following:

DRAFT

- Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary debris basins (if deemed necessary), and other discharge control devices. The construction and condition of the Best Management Practices are to be periodically inspected by the Regional Water Quality Control Board during construction, and repairs would be made as required.
- Materials that have the potential to contribute non-visible pollutants to storm water must not be placed in drainage ways and must be placed in temporary storage containment areas.
- All loose soil, silt, clay, sand, debris, and other earthen material shall be controlled to eliminate discharge from the site. Temporary soil stabilization measures to be considered include: covering disturbed areas with mulch, temporary seeding, soil stabilizing binders, fiber rolls or blankets, temporary vegetation, and permanent seeding. Stockpiles shall be surrounded by silt fences and covered with plastic tarps.
- The Storm Water Pollution Prevention Plan shall include inspection forms for routine monitoring of the site during the construction phase.
- Additional required Best Management Practices and erosion control measures shall be documented in the Storm Water Pollution Prevention Plan.
- The Storm Water Pollution Prevention Plan would be kept on site for the duration of project construction and shall be available to the local Regional Water Quality Control Board for inspection at any time.

The developer and/or construction contractor for each development area shall be responsible for performing and documenting the application of Best Management Practices identified in the project-specific Storm Water Pollution Prevention Plan. Regular inspections shall be performed on sediment control measures called for in the Storm Water Pollution Prevention Plan. Monthly reports shall be maintained and available for City inspection. An inspection log shall be maintained for the project and shall be available at the site for review by the City of Moreno Valley and the Regional Water Quality Control Board.

Facts in Support of the Findings: According to Section 4.9 of the FEIR, Volume 3, the construction and grading phases of the Project site would require the disturbance of surface soils and removal of existing orange groves and vegetative cover. During the construction period, grading and excavation activities would result in exposure of soil to storm runoff, potentially causing erosion and sediment in runoff. If not

managed through Best Management Practices (BMPs), the runoff could cause erosion and increased sedimentation in local drainage ways such as the Quincy Channel. The potential for chemical releases is present at most construction sites in the form of fuels, solvents, glues, paints, and other building construction materials. However, implementation of construction practices and adherence to existing water quality regulations and **Mitigation Measures 4.9.6.2A** and **4.9.6.2B** would reduce these impacts to a less than significant level. (FEIR, Volume 3 pgs. 4.9-52 to 4.9-54)

c. Operational-Related Water Quality Impacts

Potential Significant Impact: The EIR evaluated and concluded that the Project could violate water quality standards or waste discharge requirements during the operational phases of the Project in the form of increased soil erosion, sedimentation, or urban runoff.

Findings: Implementation of the following mitigation measure will reduce the impact to operational-related water quality to less than significant:

4.9.6.3A Prior to discretionary permit approval for individual plot plans, a site-specific Water Quality Management Plan (WQMP) shall be submitted to the City Land Development Division for review and approval. The Water Quality Management Plan shall specifically identify site design, source control, and treatment control Best Management Practices that shall be used on site to control pollutant runoff and to reduce impacts to water quality to the maximum extent practicable. The Water Quality Management Plan shall be consistent with the Water Quality Management Plan approved for the overall World Logistics Center Specific Plan project. At a minimum, the site developer shall implement the following site design, source control, and treatment control Best Management Practices as appropriate:

Site Design Best Management Practices

(a) Minimize urban runoff.

(b) Maximize the permeable area.

(c) Incorporate landscaped buffer areas between sidewalks and streets.

(d) Maximize canopy interception and water conservation by planting native or drought-tolerant trees and large shrubs.

(e) Use natural drainage systems.

(f) Where soil conditions are suitable, use perforated pipe or gravel filtration pits for low flow infiltration.

DRAFT

(g) Construct on-site ponding areas or retention facilities to increase opportunities for infiltration consistent with vector control objectives.

(h) Minimize impervious footprint.

(i) Construct streets, sidewalks and parking lot aisles to the minimum widths necessary, provided that public safety and a walkable environment for pedestrians are not compromised.

(j) Reduce widths of street where off-street parking is available.

(k) Minimize the use of impervious surfaces such as decorative concrete, in the landscape design.

(l) Conserve natural areas.

(m) Minimize Directly Connected Impervious Areas (DCIAs).

(n) Runoff from impervious areas will sheet flow or be directed to treatment control Best Management Practices.

(o) Streets, sidewalks, and parking lots will sheet flow to landscaping/ bioretention areas that are planted with native or drought tolerant trees and large shrubs.

Source Control Best Management Practices

Source control Best Management Practices are implemented to eliminate the presence of pollutants through prevention. Such measures can be both non-structural and structural.

Non-structural source control Best Management Practices include:

(a) Education for property owners, operator, tenants, occupants, or employees;

(b) Activity restrictions;

(c) Irrigation system and landscape maintenance;

(d) Common area litter control;

(e) Street sweeping private streets and parking lots; and

(f) Drainage facility inspection and maintenance.

Structural source control Best Management Practices include:

(g) MS4 stenciling and signage;

(h) Landscape and irrigation system design;

(i) Protect slopes and channels; and

DRAFT

(j) Properly design fueling areas, trash storage areas, loading docks, and outdoor material storage areas.

Treatment Control Best Management Practices

Treatment control Best Management Practices supplement the pollution prevention and source control measures by treating the water to remove pollutants before it is released from the project site. The treatment control Best Management Practice strategy for the project is to select Low Impact Development (LID) Best Management Practices that promote infiltration and evapotranspiration, including the construction of infiltration basins, bioretention facilities, and extended detention basins. Where infiltration Best Management Practices are not appropriate, bioretention and/or biotreatment Best Management Practices (including extended detention basins, bioswales, and constructed wetlands) that provide opportunity for evapotranspiration and incidental infiltration may be utilized. Harvest and Reuse Best Management Practice will be used to store runoff for later non-potable uses.

Site-specific Water Quality Management Plans have not been prepared at this time as no site-specific development project has been submitted to the City for approval. When specific projects within the project are developed, Best Management Practices will be implemented consistent with the goals contained in the Master Water Quality Management Plan. All development within the project will be required to incorporate on-site water quality features to meet or exceed the approved Master Water Quality Management Plan's water quality requirements identified previously.

4.9.6.3B The Property Owners Association (POA) and all property owners shall be responsible to maintain all onsite water quality basins according to requirements in the guidance Water Quality Management Plan and/or subsequent site-specific Water Quality Management Plans, and established guidelines of the Regional Water Quality Control Board. Failure to properly maintain such basins shall be grounds for suspension or revocation of discretionary operating permits, and/or referral to the Regional Water Quality Control Board for review and possible action. This measure shall be implemented to the satisfaction of the City Land Development Division, in consultation with the City Engineer, and Regional Water Quality Control Board.

4.9.6.3C Prior to issuance of future discretionary permits for any development along the southern boundary of the World Logistics Center Specific Plan (WLCSP), the project developer of

DRAFT

such sites, in cooperation with the Property Owners Association (POA), shall establish and annually fund a Water Quality Mitigation Monitoring Plan (WQMMP) to confirm that project runoff will not have deleterious effects on the adjacent San Jacinto Wildlife Area (SJWA). This program shall include at least quarterly sampling along the southern boundary of the site (i.e., at the identified outlet structures of the project detention basins) during wet season flows and/or when water is present, as well as sampling of any dry-season flows that are observed entering the San Jacinto Wildlife Area property from the project property, including Drainage 9, which is planned to convey only clean off-site flows from north of the World Logistics Center Specific Plan site across Gilman Springs Road. The program shall also include at least twice yearly sampling after completion of construction, and a pre-construction survey must be completed to determine general water quality baseline conditions prior to and during development of the southern portion of the World Logistics Center Specific Plan. This sampling shall be consistent with and/or comply with the requirements of applicable Storm Water Pollution Prevention Plans (SWPPPs) for the development site.

The project developer of sites along the southern border of the World Logistics Center Specific Plan shall be responsible for preventing or eliminating any toxic pollutant (not including sediment) found to exceed applicable established public health standards. In addition, the discharge from the project shall not cause or contribute to an exceedance of Receiving Water Quality Objectives for the potential pollutants associated with the project as identified in Table 4.9.J. Once development is complete, the developer shall retain qualified personnel to conduct regular (i.e., at least quarterly) water sampling/testing of any basins and their outfalls to ensure the San Jacinto Wildlife Area will not be affected by water pollution from the project site. This measure shall be implemented to the satisfaction of the City Land Development Division Manager based on consultation with the project developer, Eastern Municipal Water District, the Regional Water Quality Control Board-Santa Ana Region, and the Mystic Lake Manager.

Facts in Support of the Findings: According to Section 4.9 of the FEIR, Volume 3, during the operational phase of any urban use, the major source of pollution in storm water runoff will be contaminants that have accumulated on the land surface over which runoff passes. Storm runoff from the roadways, parking lots, and commercial and industrial buildings can carry a variety of pollutants such as sediment, petroleum products, commonly utilized construction materials, landscaping chemicals, and (to a lesser extent) trace metals such as zinc, copper, lead, cadmium, and iron, which may lead to the

degradation of storm water in downstream channels. Runoff from landscaped areas may contain elevated levels of phosphorus, nitrogen, and suspended solids. Oil and other hydrocarbons from vehicles are also expected in storm water runoff.

Pollutant concentrations in urban runoff are variable depending on storm intensity, land use, elapsed time since previous storms, and the volume of runoff generated in a given area that reaches receiving waters. Pollutant concentrations are typically highest during the first major rainfall event after the dry season, known as the "first-flush." The Water Quality Management Plan (WQMP) prepared for the project identifies pollutants and hydrologic conditions of concern that may be associated with the implementation of the project.

Site-specific WQMPs have not been prepared at this time as no site-specific development project has been submitted to the City for approval. When specific projects within the project are developed, BMPs will be implemented consistent with the goals contained in the master WQMP. All development within the project will be required to incorporate on-site water quality features to meet or exceed the approved Master WQMP's water quality requirements identified previously. This would include the design based on the appropriate pollutant loads for the project from all sources including climate change.

The project will comply with the *Water Quality Management Plan for the Santa Ana Region of Riverside County* (approved by the Santa Ana Regional Water Quality Control Board October 22, 2012), which requires the use of Low Impact Development (LID) BMPs that maximize infiltration, harvest and use, evapotranspiration and/or bio-treatment. Flows from the project will be treated first by LID BMPs where the flow will be infiltrated, evapotranspired, or treated. As required by **Mitigation Measure 4.9.6.1A**, the treated flows will then be reduced to below or equal to pre-development conditions by routing the on-site storm water flows through a series of on-site detention and infiltration basins before flows are released off site. These basins will provide incidental infiltration and secondary treatment downstream of the LID BMPs. All runoff from the site will be treated by LID BMPs and then routed through the detention and infiltration basins before it leaves the project area and into Mystic Lake and the San Jacinto Wildlife Area.

The project will comply with the Nutrient Total Maximum Daily Load (TMDL) for Lake Elsinore and Canyon Lake by implementing LID-based BMPs. According to the *Comprehensive Nutrient Reduction Plan for Lake Elsinore and Canyon Lake* (prepared for Riverside County Flood Control and Water Conservation District by CDM Smith, January 28, 2013 in compliance with Order No. R8-2010-0033, NPDES Permit No. CAS618033), "Post construction LID based BMPs required for new development and

significant redevelopment projects are the only structural watershed based BMPs currently included in the Comprehensive Nutrient Reduction Plan (CNRP). The newly developed WQMP requirements ensure that a portion of the wet weather runoff will be contained onsite for all future development projects subject to WQMP requirements. Implementation of WQMP requirements over time coupled with the in lake remediation projects are expected to provide sufficient mitigation of nutrients."

The proposed Project incorporates on-site drainage control structures and programs sufficient to meet the applicable Federal, State, and local water quality requirements. Through the use of site design BMPs, source control BMPs (e.g., street and parking lot sweeping and vacuuming), and treatment control BMPs (e.g., infiltration basins and pervious pavement), the resulting pollutant loads coming from the Project will be reduced, thereby reducing pollutants discharged from urban storm water runoff to surface water bodies. Compliance with the requirements of the NPDES permit, which include implementation of the BMPs outlined in the WQMP, will be enforced by the City during the ongoing operation of the Project. Implementation of **Mitigation Measures 4.9.6.3A** through **4.9.6.3C** will help to reduce potential water quality impacts resulting from storm water and urban runoff to less than significant levels. (FEIR, Volume 3 pgs. 4.9-55 to 4.9-64)

10. Noise

a. Short-Term Construction Noise

Potential Significant Impact: The EIR evaluated and concluded that noise levels from grading and other construction activities for the Project may range up to 91 dBA at the closest residences southeast of the Project site for very limited times when construction occurs near the Project's boundary. Construction-related noise impacts from the Project would be potentially significant.

Finding: Implementation of the following mitigation measures will reduce potential short-term construction noise impacts to less than significant:

4.12.6.1A Prior to issuance of any discretionary project approvals, a Noise Reduction Compliance Plan (NRCP) shall be submitted to and approved by the City. The Noise Reduction Compliance Plan shall show the limits of nighttime construction in relation to any then-occupied residential dwellings and shall be in conformance with City standards. Conditions shall be added to any discretionary projects requiring that the limits of nighttime grading be shown on the Noise Reduction Compliance Plan and all grading plans submitted to the City (per Noise Study MM N-2, pg. 51).

4.12.6.1B All construction equipment, fixed or mobile, shall be equipped with operating and maintained mufflers consistent with manufacturers' standards.

4.12.6.1C Construction vehicles shall be prohibited from using Redlands Boulevard south of Eucalyptus Avenue to access on-site construction for all phases of development of the Specific Plan (per Noise Study MM N-1, pg. 51).

4.12.6.1D No grading shall occur within 2,800 feet of residences south of State Route-60 between 8 p.m. and 6 a.m. on weekdays and between 8 p.m. and 7 a.m. on weekends. These restrictions shall be included as part of the Noise Reduction Compliance Plan per Mitigation Measure 4.12.6.1A (per Noise Study MM N-2, pg. 51).

4.12.6.1E As an alternative to Mitigation Measure 4.12.6.1D, a 12-foot tall temporary construction sound barrier may be installed for residences within 1,580 feet of active nighttime construction areas. The temporary sound barrier shall be constructed of plywood with a total thickness of 15 inches, or a sound blanket wall may be used. If sound blankets are used, they must have a Sound Transmission Class (STC) rating of 27 or greater. This shall be included as part of the Noise Reduction Compliance Plan required in Mitigation Measure 4.12.6.1A, which shall be reviewed and approved by the City prior to implementation (per Noise Study MM N-2 and N-3, pg. 51 and pg. 52)

4.12.6.1F As an alternative to Mitigation Measures 4.12.6.1D and 4.12.6.1E, on-site noise measurements of construction areas may be taken by qualified personnel and specific buffer distances between construction activities and existing residences may be proposed based on actual noise levels. These measurements will be incorporated into the Noise Reduction Compliance Plan required in Mitigation Measure 4.12.6.1A, which shall be reviewed and approved by the City prior to implementation (per Noise Study MM N-2, pg. 51).

4.12.6.1G Any discretionary approvals for development that proposes grading within 1,580 feet of occupied residential units shall require that all grading equipment be equipped with residential grade mufflers (or better). All stationary construction equipment shall be placed so that emitted noise is directed away from noise-sensitive receptors nearest the site. Additionally, stationary construction equipment shall have all standard acoustic covers in place during operation (per Noise Study MM N-4, pg. 52).

DRAFT

4.12.6.1H All material stockpiles in connection with any grading operations shall be located at least 1,200 feet from existing residences (per Noise Study MM N-5, pg. 52).

4.12.6.1I All project-related off-site construction shall be limited to 6 a.m. and 8 p.m. on weekdays only. Construction during weekends and City holidays shall not be permitted (per Noise Study MM N-6, pg. 53) to the satisfaction of the Land Development Division/Public Works.

4.12.6.1J Prior to issuance/approval of any grading permits, off-site construction activities adjacent to residential uses shall provide for installation of 12-foot temporary sound barriers for construction activities lasting more than one month. The sound barrier will reduce noise levels by approximately 10 dB. The temporary sound barrier may be constructed of plywood with a total thickness of 1.5 inches, or a sound blanket wall may be used. If sound blankets are used, the curtains must have a Sound Transmission Class (STC) rating of 27 or greater. No off-site construction is permitted during weekday nighttime hours (8 p.m. to 6 a.m.) or during weekends and City holidays except for emergencies (per Noise Study MM N-7, pg.53).

Facts in Support of the Finding: According to Section 4.9 of the DEIR, two types of short-term noise impacts could occur during the construction of the Project. First, construction crew commutes and the transport of construction equipment and materials to the site for the Project would incrementally increase noise levels on access roads leading to the site. The second type of short-term noise impact is related to noise generated during excavation, grading, and building erection on the Project site. Construction of the Project is expected to require the use of scrapers, bulldozers, and water and pickup trucks. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings. The maximum noise level generated by each scraper on the Project site is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper. Each bulldozer would generate approximately 85 dBA Lmax at 50 feet. The maximum noise level generated by water and pickup trucks is approximately 86 dBA L_{max} at 50 feet from these vehicles. Each doubling of the sound sources with equal strength increases the noise level by three (3) dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case composite

noise level during this phase of construction would be 91 dBA L_{max} at a distance of 50 feet from the active construction area.

The nearest noise-sensitive receptor locations outside the Project site are existing residences approximately 50 feet to the southeast. These nearest residents may be subject to short-term, intermittent, maximum noise reaching 91 dBA L_{max}, generated by construction activities on the Project site. This noise level would exceed the City's exterior noise standard of 60 dBA[23] CNEL for residential uses. However, no significant construction noise impacts would occur if construction of the Project would occur within the permitted hours of 6:00 a.m. to 8:00 p.m. of any working day, and within the permitted hours of 7:00 a.m. and 8:00 p.m. on weekends and federal holidays. Compliance with the construction hours specified in the City's Municipal Code would result in construction noise impacts that are less than significant. While impacts would be considered less than significant as long as construction activities occur within the designated hours identified in the City's Municipal Code, mitigation measures have been identified to reduce the noise levels that would expose nearby sensitive receptors to noise levels in excess of the City's noise standards.

With adherence to the City's designated construction hours and with implementation of **Mitigation Measures 4.12.6.1A** through **4.12.6.1J**, potential short-term construction noise impacts would be reduced below the level of significance. (FEIR, Volume 3 pgs. 4.12-35 to 4.12-41)

b. Long-term Operational Noise

Potential Significant Impact: The EIR evaluated and concluded that the Project would cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies. Long-term operational noise impacts from the Project would be potentially significant.

Finding: Implementation of the following mitigation measures will reduce potential long-term operational noise impacts to less than significant:

4.12.6.1A Prior to issuance of any discretionary permits, a Noise Reduction Compliance Plan (NRCP) shall be submitted to and approved by the City. The Noise Reduction Compliance Plan shall show the limits of nighttime construction in relation to any then-occupied residential dwellings and shall be in conformance with City standards. Conditions shall be added to any discretionary projects requiring that the limits of nighttime grading be shown on the Noise Reduction Compliance Plan and all grading

[23] *Chapter 11.80.030 Table 11.80.030-2, City of Moreno Valley Municipal Code,* City of Moreno Valley.

plans submitted to the City (per Noise Study MM N-2, pg.51).

Facts in Support of the Findings: Potential long-term stationary noise impacts would primarily be associated with operations at logistics facilities within the WLCSP area. Logistics facility uses would generate noise from truck delivery, loading/unloading activities at the loading areas, heating, ventilation, and air-conditioning (HVAC) equipment and other noise-producing activities within the parking lot (e.g., doors slamming, vehicle engine start-ups, and conversing in the parking lot). These activities are potential point sources of noise that could affect noise-sensitive receptors adjacent to the loading areas and parking lots. As noise spreads from a source, it loses energy; therefore, the farther away the noise receiver is from the noise source, the lower the perceived noise level would be.

Noise levels were measured at similar facilities to determine representative noise levels that might be generated by this type of activity. Noise measurements were made at two facilities; specifically, Lowes Distribution Center (3984 Indian Avenue, Perris, CA) and Ross Distribution Center (3404 Indian Avenue, Perris, CA).

The City of Moreno Valley Noise Ordinance requires that noise levels remain below 55 dBA (Leq) during nighttime hours. To achieve this noise level, the warehouse property line would only need to be 100 feet from the nearest residential property and no soundwall would need to be present.

Another consideration is whether the proposed activity levels will be substantially higher than current ambient conditions. No matter what is developed in the Specific Plan area, ambient conditions would be higher in future years due to higher levels of traffic and activity. Ambient noise levels were measured at seven sites that could border the World Logistics Center (i.e., Measurement Sites 3 through 9). The nighttime ambient noise levels (Leq) ranged from 35.8 to 61.8 dBA with an average for the sites of 46.6 dBA. To keep the noise levels at nearby residential areas less than typical ambient conditions, the logistics property line should be located a minimum distance of 250 feet and a 12-foot soundwall should be located along the perimeter of the property that faces any residential areas. This would keep the logistic use noise to less than 45 dBA (Leq) at the residences. The implementation of this buffer between logistics uses and noise sensitive uses has been included as **Mitigation Measure 4.12.6.1A**. (FEIR, Volume 3 pg. 4.12-41 to 4.12-56)

c. Long-term Utility Noise

Potential Significant Impact: The EIR evaluated and concluded that the Project would cause exposure of persons to or generation of noise levels in excess of standards established in the City of Moreno Valley

General Plan, Moreno Valley Municipal Code, or applicable standards of other agencies. Long-term utility noise impacts from the Project would be potentially significant.

Finding: Implementation of the following mitigation measures will reduce potential long-term utility noise impacts to less than significant:

4.12.6.4A Prior to the issuance of building permits for projects within 1,300 feet of the Southern California Gas Company (SCGC) and San Diego Gas and Electric (SDG&E) blow-down facilities, documentation shall be submitted to the City confirming that sound attenuation devices and/or improvements for the blow-down facilities providing at least a 40 dB reduction in noise levels during blow-down events are available and will be installed for all planned blow-down events. It shall be the responsibility of the developer to fund all sound attenuation improvements to the blow-down facilities required by this measure. It shall also be the responsibility of the developer to coordinate with San Diego Gas and Electric and/or Southern California Gas Company regarding the installation of any sound attenuation devices or improvements on the blow-down facilities at either the San Diego Gas and Electric compressor station or the Southern California Gas Company pipelines. This measure shall be implemented to the satisfaction of the City Land Management Division (per Noise Study MM N-11, pg.65).

Facts in Support of the Findings: There is one existing SDG&E compressor station and two existing SCGC facilities located within the WLC Specific Plan area.

The worst-case compressor station operational characteristics will result in a maximum noise level just above 65 CNEL within the Project area proposed for development (i.e., not open space). Typical commercial construction results in buildings that achieve at least a 20 dB reduction of outdoor noise levels. Therefore, an office use exposed to the highest noise level from the compressor station will be just above 45 CNEL and below the 50 CNEL limit prescribed by the City's General Plan, resulting in a less than significant impact and no mitigation is required. (Figure 4.12.3, FEIR, Volume 3, pg. 4.12-17)

The Leq noise level generated by the compressor station does not exceed 60 dBA Leq beyond the property lines of the facility. Therefore, the compressor station is not considered a noise disturbance based on City criteria. Operation of the compressor station would not result in any interior noise levels exceeding the limits established by the City in the General Plan. Therefore, noise impacts associated with the operation of the compressor station would be less than significant and no mitigation is required. (Figure 4.12.4, FEIR, Volume 3, pg. 4.12-19)

The maximum noise level from a blow-down at the SDG&E compressor station within the WLCSP area proposed for development (i.e., the Logistics Development land use) is 100 dBA. A person would need to be exposed to this level for more than two hours in a day before permanent hearing loss would be expected. As discussed above, blow-down events at the SDG&E compressor station typically do not last longer than 90 seconds. Therefore, the SDG&E blow-down events will not result in a significant impact to the uses proposed within the WLCSP area, and no mitigation is required. (Figure 4.12.5, FEIR, Volume 3, pg. 4.12-21)

For SCGC blow-down events, noise generated could reach as high as 130 dBA just outside the fence line of the southern facility and in excess of 135 dB just outside the fence line of the northern facility. People within approximately 250 feet of the blow-down points would be exposed to noise levels greater than 115 dBA, which would likely cause permanent hearing damage regardless of the exposure time. The SCGC blow-downs could last as long as 90 minutes. It is anticipated that people exposed to noise levels greater than 102 dBA, within approximately 1,300 feet from the blow-down point could experience permanent hearing loss based on this event duration. Noise generated by SCGC blow-down events has the potential to cause permanent hearing loss in persons in the developed area of the project. This is a significant impact and mitigation is required. (FEIR, Volume 3, pg. 4.12-57)

SCGC blow-down events also have the potential to produce groundborne vibration. However, the effect of the blow-down groundborne vibration would be limited to within 100 feet of the equipment and would not be perceived beyond the facility fence line, resulting in a less than significant impact and no mitigation is required. (FEIR, Volume 3, pg. 4.12-57 to 4.12-59)

11. Transportation

a. Existing (2012) With Phase 1 Project Conditions Traffic and Level of Service (On-site Roads and Intersections)

Potential Significant Impact: The EIR evaluated and concluded that Phase I of the Project could cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

Findings: Implementation of the following mitigation measures will reduce the impact related to future traffic LOS (Existing 2012 with Phase 1 Project Buildout Conditions) to less than significant:

4.15.7.4A A traffic impact analysis ("TIA") conforming to the guidelines for traffic impact analysis adopted by the City shall be submitted in conjunction with each Plot Plan application within the World Logistics Center Specific Plan. Prior to the approval of the Plot Plan,

the City shall review the traffic impact analysis to determine if any of the traffic improvements listed in Final EIR Volume 3 Tables 4.15.AV through 4.15.BA (TIA Tables 74 through 79) of the traffic impact analysis prepared for the Program Environmental Impact Report are required to be completed prior to the issuance of a certificate of occupancy for each building. If the City determines that any of the improvements within Moreno Valley are required to be constructed in order to ensure that the traffic impacts which will result from the construction and operation of the building will be mitigated into insignificance, then the completion of construction of the improvements prior to the issuance of a Certificate of Occupancy for the building shall be made a Condition of Approval of the Plot Plan. Construction of improvements within the City shall be subject to credit/reimbursement agreement for those DIF and/or TUMF eligible costs. If the City determines that any of the improvements outside Moreno Valley are required to be constructed in order to ensure that the traffic impacts which will result from the construction and operation of the building will be mitigated to a less than significant level, then the payment of any necessary fair share contribution as prescribed in Mitigation Measure 4.15.7.4G prior to the issuance of a Certificate of Occupancy for the building shall be made a Condition of Approval of the Plot Plan. If the City determines that the traffic impacts which will result from the construction or operation of a building will be significantly more adverse than those shown in the Program Environmental Impact Report, further environmental review shall be conducted prior to the approval of the Plot Plan pursuant to Public Resources Code § 21166 and CEQA Guidelines § 15162 to determine what additional mitigation measures, if any, will be required in order to maintain the appropriate levels of service.

4.15.7.4B As a condition of approval for individual development permits processed in the future under the World Logistics Center Specific Plan, the City shall require the dedication of appropriate right-of-way consistent with the Subdivision Map Act for frontage street improvements contained within the World Logistics Center Specific Plan Circulation Map, as shown in this Program Environmental Impact Report Figure 3-10 (or Figure 22 in the Traffic Impact Analysis prepared for this Program Environmental Impact Report). Required dedications shall be made prior to the issuance of occupancy permits for the requested development.

4.15.7.4C As a condition of approval for individual development permits processed in the future under the World Logistics Center Specific Plan, City shall require each project to pay the

DRAFT

requisite Development Impact Fees (DIF) as set forth in Municipal Code Chapter 3.42. Required Development Impact Fee payments shall be made prior to the issuance of occupancy permits for the requested development.

4.15.7.4D As a condition of approval for individual development permits processed in the future under the World Logistics Center Specific Plan, City shall require each project to pay the requisite Transportation Uniform Mitigation Fees (TUMF) as set forth in Municipal Code Chapter 3.44. Required Transportation Uniform Mitigation Fee payments shall be made prior to the issuance of occupancy permits for the requested development.

4.15.7.4E In order to ensure that all of the Project's traffic impacts are mitigated to the greatest extent feasible, the Applicant shall contribute its fair share of the cost of the needed traffic improvements that are not within the City as identified in the World Logistic Center Specific Plan Traffic Impact Analysis (i.e., under the jurisdiction of other cities, the County of Riverside or Caltrans, pursuant to Mitigation Measure 4.15.7.4F). As used in this mitigation measure, the Applicant's "fair share" has been determined in compliance with the requirements of the Fee Mitigation Act, Government Code § 66000 et seq., and, pursuant to § 66001(g), does not require that the Applicant be responsible for making up for any existing deficiencies.

For example, the intersection of Martin Luther King Blvd. and the I-215 northbound ramps (Intersection 85) in the City of Riverside was identified as a place where the World Logistic Center contributes to cumulatively significant impacts, and where the fair share contribution of the World Logistic Center project as a whole was computed to be 6.2%. If the City of Riverside establishes a fair share contribution program consistent with this Mitigation Measure 4.15.7.4F to improve that intersection, then when a certificate of occupancy is to be issued for a 2-million square feet high-cube warehouse in the World Logistic Center (approximately 5% of the entire World Logistic Center project) the amount of the fair share payment due from the Applicant to the City of Riverside would be computed as follows:

Amount Due	=	Total cost of Improvement	X	Total World Logistics Center fair share (6.2%) as determined by Traffic Impact Analysis	X	% attributable to the building that is subject to the certificate of occupancy (5%)

DRAFT

A similar calculation would be done for each subsequent building, with payments for each due at the time of issuance of the certificate of occupancy. As a result, while each building individually would not produce a significant impact, and therefore would not be required to pay any mitigation fees if considered by itself, the total amount of the payments for all of the buildings would be equal to the fair share payment for the entire World Logistic Center to the extent that the responsible jurisdiction has chosen to adopt a fair share contribution funding program consistent with Mitigation Measure 4.15.7.4F.

4.15.7.4F The Applicant shall pay a portion of the fair share of the cost of traffic improvements identified in the Transportation Impact Analysis for those significantly impacted road segments and intersections for each warehouse building within the World Logistics Center if the impacted jurisdiction has established a fair share contribution program prior to the approval of a building-specific plot plan. The City shall determine whether a fair share program exists in the impacted jurisdiction and, if one does exist, require that the appropriate fees are paid by the Applicant, consistent with the requirements below, prior to the issuance of a certificate of occupancy for the building in question. If no fair share program exists or if the existing programs are not consistent with the requirements below, then no payment of fees shall be required. The impacts are to be determined on a road segment or intersection basis. Nothing in this condition requires the payment of a traffic impact fee imposed by another jurisdiction which covers improvement to facilities where the project does not have a significant impact. Fair-share contributions will be determined on a building-by-building basis as a share of the impact of the Project as a whole (for each segment or intersection where the World Logistics Center project as a whole has a significant impact identified in the Programmatic Environmental Impact Report) as determined by the Traffic Impact Analysis and will be due as each certificate of occupancy is issued. The fair share payments for the significantly impacted road segments and intersections identified in the Programmatic Environmental Impact Report will be required even though the impact resulting from a specific building does not, by itself, cause a significant impact.

4.15.7.4G City shall work directly with Western Riverside Council of Governments to request that Transportation Uniform Mitigation Fee funding priorities be shifted to align with the needs of the City, including improvements identified in the World Logistics Center Specific Plan traffic impact analysis. Toward this end, City shall meet regularly with Western Riverside Council of Governments.

DRAFT

Facts in Support of the Findings:

Intersection Analysis. Existing baseline (year 2012) with Phase 1 intersection levels of service for the study area intersections are summarized in FEIR, Volume 3 Section 4.15 Tables 4.15.AA-1 and 4.15.AA-2 (pgs. 4.15-93 to 4.15-102), which shows there are 15 study intersections where Phase 1 of the project would have a significant impact. Twelve of these intersections already exceed the threshold of significance under existing conditions and would therefore be considered cumulative impacts and mitigation is required. Phase 1 of the project would cause a direct project impact at the other three intersections as follows:

- Redlands Boulevard/Cactus Avenue;
- Arlington Avenue/Victoria Avenue; and
- Moreno Beach Drive/John Kennedy Drive.

Phase 1 of the Project would worsen the existing LOS deficiency at the following 12 intersections under existing with Phase 1 conditions:

- Redlands Boulevard/Locust Avenue;
- Redlands Boulevard/SR-60 Westbound Ramps;
- Oliver Street/Alessandro Boulevard;
- Lasselle Street/Cactus Avenue;
- Gilman Springs Road/Bridge Street;
- SR-79 (Sanderson Avenue) Northbound/Gilman Springs Road;
- SR-79 (Sanderson Avenue) Southbound/Gilman Springs Road;
- San Timoteo Canyon Road/Alessandro Boulevard;
- San Timoteo Canyon Road/Live Oak Canyon Road;
- Redlands Boulevard/San Timoteo Canyon Road;
- Moreno Beach Drive/SR-60 EB Ramps; and
- Alessandro Boulevard/Chicago Avenue.

Roadway Analysis. Existing baseline (year 2012) with Phase 1 roadway segment levels of service for the study area are summarized in FEIR, Volume 3 Section 4.15, Table 4.15.AB (pg. 4.15-105), which shows two roadway segments would operate at unsatisfactory levels of service. Phase 1 of the project would

DRAFT

contribute toward the worsening of an already unsatisfactory LOS at the two roadway segments and, therefore, have a significant cumulative impact at these locations.

Phase 1 of the Project would worsen the existing LOS deficiency at the following two roadway segments under existing with Phase 1 conditions:

- Gilman Springs Road between Alessandro Boulevard and Bridge Street; and
- Gilman Springs Road between SR-60 and Alessandro Boulevard.

The on-site improvements and changes to the road system within the WLC project site are being undertaken as part of the WLC project. The developer shall be responsible for constructing the improvements described in the TIA (Chapter 4, "Proposed Road Network") in accordance with City standards for roadway construction and the roadway cross sections in the WLC Specific Plan. Completion of these improvements shall constitute the developer's mitigation of the project's on-site impacts. In addition implementation of **Mitigation Measures 4.15.7.4.A** through **4.15.7.4.G**, and implementation of all the improvements identified in FEIR, Volume 3 Section 4.15, Tables 4.15.AV through 4.15.BA (pgs. 4.15-197 through 4.15-224) direct and cumulative impacts on study area roadway segments and intersections would be reduced to less than significant for those roadways and intersections within the City of Moreno Valley. When these improvements are completed, the project's impacts on the roadway system within the WLC project site will be mitigated to a less-than-significant level. (FEIR, Volume 3 Section 4.15, pg. 4.15-92 to 4.15-114)

b. Existing (2012) With Project (Buildout) Conditions Traffic and Level of Service (On-site Roads and Intersections)

Potential Significant Impact: The EIR evaluated and concluded that Project Buildout conditions could cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

Findings: Implementation of the **Mitigation Measures 4.15.7.4.A** through **4.15.7.4.G** will reduce the impact related to future traffic LOS (Existing 2012 with Project Buildout Conditions) to less than significant.

Facts in Support of the Findings:

Intersections. Existing baseline (2012) with project buildout intersection levels of service for the study area intersections are summarized in Table 4.15.AF-1 and 4.15.AF-2, which shows there are 17 study

intersections where the project would contribute to a significant impact and mitigation is required. Twelve of these intersections already exceed the threshold of significance under existing conditions and would therefore be considered cumulative impacts. Those twelve intersections are:

- Redlands Boulevard/Locust Avenue;
- Redlands Boulevard/SR-60 Westbound Ramps;
- Oliver Street/Alessandro Boulevard;
- Moreno Beach Drive/SR-60 Eastbound Ramps;
- Lasselle Street/Cactus Avenue;
- Alessandro Boulevard/Chicago Avenue;
- Gilman Springs Road/Bridge Street;
- SR-79 (Sanderson Avenue) Northbound/Gilman Springs Road;
- SR-79 (Sanderson Avenue) Southbound/Gilman Springs Road;
- San Timoteo Canyon Road/Alessandro Road;
- San Timoteo Canyon Road/Live Oak Canyon Road; and
- Redlands Boulevard/San Timoteo Canyon Road.

The project would cause a direct project impact at the following five intersections:

- Redlands Boulevard/Cactus Avenue;
- Moreno Beach Drive/John Kennedy Drive;
- Moreno Beach Drive/Ironwood Avenue;
- Arlington Avenue/Victoria Avenue; and
- Bridge Street/Ramona Expressway.

The on-site improvements and changes to the road system within the WLC project site are being undertaken as part of the WLC project. The developer shall be responsible for constructing the improvements described in the TIA (Chapter 4, “Proposed Road Network”) in accordance with City standards for roadway construction and the roadway cross sections in the WLC Specific Plan. Completion of these improvements shall constitute the developer’s mitigation of the project’s on-site impacts. In addition implementation of **Mitigation Measures 4.15.7.4.A** through **4.15.7.4.G**, and implementation of

all the improvements identified in FEIR, Volume 3 Section 4.15, Tables 4.15.AV through 4.15.BA (pgs. 4.15-197 through 4.15-224) direct and cumulative impacts on study area roadway segments and intersections would be reduced to less than significant for those roadways and intersections within the City of Moreno Valley. When these improvements are completed, the project's impacts on the roadway system within the WLC project site will be mitigated to a less-than-significant level. (FEIR, Volume 3 Section 4.15, pg. 4.15-115 to 4.15-139).

c. Year (2022) With Phase 1 Project Conditions Traffic and Level of Service (On-site Roads and Intersections)

Potential Significant Impact: The EIR evaluated and concluded with Project Phase 1 added to Year 2022 conditions there would be an increase in traffic load and capacity on the street system which is significant.

Findings: Implementation of **Mitigation Measure 4.15.7.4A** through **4.15.7.4G** will reduce the Project's Phase 1 added to Year 2022 conditions impacts on traffic to less than significant.

Facts in Support of the Findings:

Intersection Analysis. Year 2022 with Phase 1 intersection levels of service for the study area intersections are summarized in FEIR, Volume 3, Section 4.15, Tables 4.15.AK-1 and 4.15.AK-2 (pg. 4.15-142 to 4.15-151), shows 34 study intersections operating at unsatisfactory LOS in the Year 2022 with Phase 1 condition. Twenty-eight of these intersections would exceed the threshold of significance under Year 2022 No Project conditions and would therefore be considered significant cumulative impacts requiring mitigation. At eight of these intersections the level of service would drop from satisfactory to unsatisfactory with the addition of Phase 1 traffic, which would also be considered a significant cumulative impact requiring mitigation. Those six intersections are:

- Redlands Boulevard/Cactus Avenue;
- Kitching Street/Iris Avenue;
- Perris Boulevard/John F. Kennedy Drive;
- Iris Avenue/Perris Boulevard;
- Heacock Street/Alessandro Boulevard; and
- Day Street/Alessandro Boulevard.

Roadway Analysis. Year 2022 with Phase 1 roadway segment levels of service for the study area intersections are summarized in FEIR, Volume 3, Section 4.15, Table 4.15.AL (pg. 4.15-, which shows three

roadway segments would operate at unsatisfactory levels of service. Phase 1 of the project would contribute toward the worsening of an already unsatisfactory LOS at two roadway segments and, therefore, have a significant cumulative impact at these locations. One roadway segment would drop from satisfactory to unsatisfactory level of service with the addition of Phase 1 traffic, which would also be considered a significant cumulative impact.

Phase 1 of the Project would have a significant cumulative impact at the following roadway segments under year 2022 with Phase 1 conditions:

- Gilman Springs Road between Alessandro Boulevard to Bridge Street; and
- Gilman Springs Road between SR-60 and Alessandro Boulevard.

Phase 1 of the Project would also create a significant cumulative impact at the following roadway segment under Year 2022 with Phase 1 conditions:

- Redlands Boulevard from Fir (future Eucalyptus) Avenue to the SR-60 Eastbound Ramps.

The Project's direct impacts on road sections are summarized in FEIR, Volume 3, Section 4.15, Table 4.15.AV (pg. 4.15-197). The project's direct impacts on study intersections are summarized in FEIR, Volume 3, Section 4.15, Table 4.15.AW (pg. 4.15-201). As individual projects within the WLC are processed, the City will require that each project do a traffic impact assessment in accordance with City guidelines. These project-level assessments will determine the timing of each transportation improvement measure and will ensure that the impact assumptions made in this programmatic EIR document are consistent with the analysis of potential impacts at the project-specific implementation stage. Section 4.15 of the FEIR, Volume 3 determined with the implementation of **Mitigation Measures 4.15.7.4.A** through **4.15.7.4.G**, and implementation of all the improvements identified in FEIR, Volume 3 Section 4.15, Tables 4.15.AV through 4.15.BA (pgs. 4.15-197 through 4.15-224) direct and cumulative impacts on study area roadway segments and intersections would be reduced to less than significant for those roadways and intersections within the City of Moreno Valley.

d. Year 2035 With Project Buildout Conditions (Intersection) Traffic and Level of Service Impacts

Potential Significant Impact: The EIR evaluated and concluded that the Project could cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system.

Findings: Implementation of **Mitigation Measure 4.15.7.4A** through **4.15.7.4G** will reduce the impact related to General Plan buildout to less than significant.

Facts in Support of the Findings: General Plan Buildout with Project conditions considers the addition of traffic generated by the Project to General Plan Buildout baseline conditions. An intersection LOS analysis was conducted to determine General Plan Buildout intersection performance. The addition of Project traffic to the General Plan Buildout scenario would result in conditions exceeding City and Caltrans LOS standards at 13 intersections.

All of the intersections that are forecast to experience a deficient LOS with the Project would also operate with a deficient LOS without the Project. Although the Project does not cause these intersections to operate at an unsatisfactory LOS, it does contribute to the worsening of the intersections' LOS and therefore mitigation would be required to offset the cumulative impact of the Project. (FEIR, Volume 3 pg. 4.15-167 to 4.15-187)

According to Section 4.15 of the FEIR, Volume 3, with the implementation of the recommended improvements, the minimum level of service standards would be maintained for the General Plan Build Out with Project scenario and impacts would be reduced to a less than significant level for all identified intersections. However, as noted previously, improvements to the freeway intersections and infrastructure are under the authority of Caltrans. In addition, the deficient freeway ramp intersections identified in **Mitigation Measure 4.15.7.4E** are already programmed into the TUMF program. It is anticipated that by the General Plan Buildout, improvements to the identified freeway ramps and intersections would be built through the TUMF process and coordination by Caltrans, WRCOG, and the City of Moreno Valley. Because the Project would pay its fair-share cost associated with these improvements and because such improvements are anticipated to be constructed by the future year (2035), impacts associated with this issue are less than significant after the identified mitigation measures have been implemented. (FEIR, Volume 3 pg. 4.15-167 to 4.15-187)

12. Utilities and Service Systems

a. Adequate Water Supply

Potential Significant Impact: The EIR evaluated and concluded that the Project could result in the lack of sufficient water supplies available to serve the project from existing entitlements.

Findings: Implementation of the following mitigation measures will reduce the project impacts on water supply to less than significant:

4.16.1.6.1A Prior to approval of a precise grading permit for each plot plan for development within the World Logistics Center Specific Plan (WLCSP), the developer shall submit landscape plans that demonstrate compliance with the World Logistics Center Specific Plan, the State of California Model Water Efficient Landscape Ordinance (AB 1881), and Conservation in Landscaping Act (AB 325). This measure shall be implemented to the satisfaction of the Planning Division. Said landscape plans shall incorporate the following:

- Use of xeriscape, drought-tolerant, and water-conserving landscape plant materials wherever feasible and as outlined in Section 6.0 of the World Logistics Center Specific Plan;
- Use of vacuums, sweepers, and other "dry" cleaning equipment to reduce the use of water for wash down of exterior areas;
- Weather-based automatic irrigation controllers for outdoor irrigation (i.e., use moisture sensors);
- Use of irrigation systems primarily at night or early morning, when evaporation rates are lowest;
- Use of recirculation systems in any outdoor water features, fountains, etc.;
- Use of low-flow sprinkler heads in irrigation system;
- Provide information to the public in conspicuous places regarding outdoor water conservation; and
- Use of reclaimed water for irrigation if it becomes available.

4.16.1.6.1B All buildings shall include water-efficient design features outlined in Section 4.0 of the World Logistics Center Specific Plan. This measure shall be implemented to the satisfaction of the Land Development Division/Public Works. These design features shall include, but not limited to the following:

- Instantaneous (flash) or solar water heaters;
- Automatic on and off water facets;
- Water-efficient appliances;
- Low-flow fittings, fixtures and equipment;

DRAFT

- Use of high efficiency toilets (1.28 gallons per flush [gpf] or less);
- Use of waterless or very low water use urinals (0.0 gpf to 0.25 gpf);
- Use of self-closing valves for drinking fountains;
- Infrared sensors on drinking fountains, sinks, toilets and urinals;
- Low-flow showerheads;
- Water-efficient ice machines, dishwashers, clothes washers, and other water-using appliances;
- Cooling tower recirculating system where applicable;
- Provide information to the public in conspicuous places regarding indoor water conservation; and
- Use of reclaimed water for wash down if it becomes available.

4.16.1.6.1C Prior to approval of a precise grading permit for each plot plan, irrigation plans shall be submitted to and approved by the City demonstrating that the development will have separate irrigation lines for recycled water. All irrigation systems shall be designed so that they will function properly with recycled water if it becomes available. This measure shall be implemented to the satisfaction of the City Planning Division and Land Development Division/Public Works.

Facts in Support of the Findings: According to Section 4.16 of the FEIR, Volume 3, the Eastern Municipal Water District (EMWD) has determined that it will be able to provide adequate water supply to meet the potable water demand for the Project in addition to existing and future users. The WSA prepared for the Project by the EMWD concluded that the water demand for the proposed on-site uses would be approximately 1,991.25 AFY.[24] The EMWD considers this a "worst-case" estimate based on the total acres and amount of square footage of warehousing proposed by the project. This estimate does not take into account the project landscaping design with xeriscape (drought-tolerant plants) and on-site collection of runoff and channeling it to landscaped areas to minimize irrigation on the interior of the project site. For example, the "Water Budget Technical Memorandum' prepared by CH2MHill (see EIR Appendix N) in September 2011 for the WLC Project indicates that actual water usage of on-site buildings, based on the specific development characteristics of the WLC Specific Plan, would be on the order of 450 AFY,

[24] *Water Supply Assessment Report for the World Logistics Center Specific Plan in Moreno Valley*, Eastern Municipal Water District, March 21, 2012.

which is less than a quarter of the amount estimated by EMWD; however, this estimate does not include on-site irrigation of landscaping and could only be achieved if all on-site landscaping was irrigated by collection and distribution of on-site runoff from roofs and hardscape areas.

Taking into account the Project's proposed water xeriscape landscaping plan, it is likely that actual water use for development within the WLC Specific Plan will be substantially less than the worst-case EMWD estimate. Therefore, for the purposes of analysis in this EIR, both the CH2MHill figure of 450 AFY and the EMWD's worst-case estimate of 1,991 AFY figure were used relative to water consumption. Under either scenario, the anticipated water demand for the WLC Project is substantially less than what is identified above for the General Plan land uses and what was used in the formulation of the 2010 UWMP. Anticipated water supplies in the EMWD total 213,900 and 302,200 AFY in 2015 and 2035, respectively. The water demand required for the WLC Project would total 0.93 and 0.66 percent of the EMWD's 2015 and 2035 supplies under worst-case conditions. The demand estimated for this project is substantially less and therefore still within the limit of growth projected in the 2010 UWMP.

Implementation of the Mitigation Measures **4.16.1.6.1A** through **4.16.1.6.1C** will reduce impacts to water supply over the long term to less than significant levels. (FEIR, Volume 3, pgs. 4.16-15 through 4.16-22).

b. Storm Water Drainage Requirements

Potential Significant Impact: The EIR evaluated and concluded that the Project could result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Findings: Implementation of the following mitigation measures will reduce the impact to storm water drainage to less than significant:

4.16.1.6.2A Each Plot Plan application for development shall include a concept grading and drainage plan, with supporting engineering calculations. The plans shall be designed such that the existing sediment carrying capacity of the drainage courses exiting the project area is similar to the existing condition. The runoff leaving the project site shall be comparable to the sheet flow of the existing condition to maintain the sediment carrying capacity and amount of available sediment for transport so that no increased erosion will occur downstream. This measure shall be implemented to the satisfaction of the Land Development Division/Public Works.

Facts in Support of the Findings: According to Section 4.16 of the FEIR, Volume 3, the Project would route storm water flows from the Project site into existing storm drains to the west and the San Jacinto

Wildlife Area to the south after flows are routed through a combination of water quality basins and sand filters. Due to the installation of impervious surfaces on the Project site, the post-development flows would be higher than the pre-development flows. To avoid a significant impact to the existing drainage capacity, the post-development flows coming from the Project site are required to be equal to or less than pre-development flows.[25] To reduce flows to below or equal to pre-development conditions, the on-site storm water flows would be routed to the on-site detention basins[26] before flows are routed off site. While the increase in impervious surfaces attributable to the Project would contribute to a greater volume and higher velocity of storm water flows, the Project's water quality basins would accept and accommodate runoff that would result from Project construction at pre-Project conditions.

As identified in the Preliminary Hydrology Calculations prepared for the Project, to adequately contain and store the greatest volume that would be generated, the Project site would require a minimum storage volume of 13.6 acre-feet. The proposed amount of storage area (20.3 acre-feet) is greater than the required amount of storage area. Based on this, it appears there is excess capacity of 6.7 acre-feet (20.3 acre-feet – 13.6 acre-feet = 6.7 acre-feet) of storage area available from the on-site detention basins; therefore, the Project appears to have adequate drainage capacity that would result in post-development flows being reduced to pre-development flows before leaving the Project site. However, to ensure that impacts associated with on-site drainage capacity are reduced to a less significant level, the **Mitigation Measures 4.9.6.1A** and **4.9.6.1B** and **4.16.1.6.2A** has been identified to reduce potential impacts to less than significant levels. (FEIR, Volume 3, pgs. 4.9-22 to 4.9-25)

c. Cumulative Impacts to Water Supply Services

Potential Significant Impact: The EIR evaluated and concluded that the Project could result in cumulative impacts to the water supply.

Findings: With implementation of the WLC Specific Plan as proposed and **Mitigation Measures 4.16.6.1A** through **4.16.6.1C**, potential cumulative impacts to regional long-term water supplies will not be cumulatively considerable.

Facts in Support of the Findings: According to Section 4.16 of the FEIR, Volume 3, the cumulative area for water supply-related issues is the EMWD service area. Existing and future development within

[25] As part of the MS4 Permit issuance requirements, projects must identify any Hydrologic Conditions of Concern and demonstrate that changes to hydrology are minimized to ensure that post-development runoff rates and velocities from a site do not adversely affect downstream erosion, sedimentation, or stream habitat.

[26] A detention basin is an area where excess storm water is stored or held temporarily and then slowly drains when water levels in the receiving channel recede. In essence, the water in a detention basin is temporarily detained until additional room becomes available in the receiving channel.

the EMWD's service area would demand additional quantities of water. The adopted UWMP (2010) projects population within the EMWD service area to increase to 1,111,729 persons by the year 2035. Increases in population, square footage, and intensity of uses would contribute to increases in the overall regional water demand. The anticipated conversion of water-intensive uses (i.e., agriculture) and the implementation of existing water conservation measures and recycling programs would reduce the need for increased water supply.

As previously identified, Metropolitan will continue to rely on the plans and policies outlined in its Regional Urban Water Management Plan (RUWMP) and Integrated Resources Plan (IRP) to address water supply shortages and interruptions (including potential shut downs of SWP pumps) to meet water demands. An aggressive campaign for voluntary conservation and recycled water usage, curtailment of groundwater replenishment water and agricultural water delivery are some of the actions outlined in the RUWMP. As previously stated, Metropolitan currently does not have surplus water available, due in part to pumping restrictions imposed on the SWP in place to avoid and minimize impacts to Federal- and State-protected fish species in the Delta. However, Metropolitan has analyzed the reliability of water delivery through the SWP and the Colorado River Aqueduct. Metropolitan's IRP and RUWMP conclude that, with the storage and transfer programs developed by Metropolitan, there will be a reliable source of water to serve its member agencies' needs through 2035. The EWMD would have water supplies for projected growth through 2035 in wet, dry, and multiple-dry years, so cumulative impacts to water supply would be less than significant. The WLC Project would connect to existing conveyance infrastructure and adequate treatment capacity is available, so the WLC Project would not make a significant contribution to any cumulatively considerable impacts on water supply or infrastructure.

With implementation of the WLC Specific Plan as proposed and **Mitigation Measures 4.16.6.1A** through **4.16.6.1C**, potential cumulative impacts to regional long-term water supplies will not be cumulatively considerable. (FEIR, Volume 3, pg. 4.16-26)

d. Construction or Expansion of Electrical and Natural Gas Facilities

Potential Significant Impact: The EIR evaluated and concluded that the Project could result in the construction or expansion of electrical and natural gas facilities, the construction of which could cause significant environmental effects.

Findings: Implementation of the following mitigation measures will reduce the impact to the construction or expansion of electrical and natural gas facilities to less than significant:

4.16.4.6.1A Each application for a building permit shall include energy calculations to demonstrate compliance with the California Energy Efficiency Standards confirming that each new structure meets applicable Building and Energy Efficiency Standards. The plans shall also ensure that buildings are in conformance with the State Energy Conservation Efficiency Standards for Nonresidential buildings (Title 24, Part 6, Article 2, California Administrative Code). This measure shall be implemented to the satisfaction of the Building and Safety and Planning Divisions. Plans shall show the following:

- Energy-efficient roofing systems, such as "cool" roofs, that reduce roof temperatures significantly during the summer and therefore reduce the energy requirement for air conditioning.
- Cool pavement materials such as lighter-colored pavement materials, porous materials, or permeable or porous pavement, for all roadways and walkways not within the public right-of-way, to minimize the absorption of solar heat and subsequent transfer of heat to its surrounding environment.
- Energy-efficient appliances that achieve the 2008 Appliance Energy Efficiency Standards (e.g., EnergyStar Appliances) and use of sunlight-filtering window coatings or double-paned windows.

4.16.4.6.1B Prior to the issuance of any building permits within the World Logistics Center Specific Plan, each project developer shall submit energy calculations used to demonstrate compliance with the performance approach to the California Energy Efficiency Standards to the Building and Safety and Planning Divisions that shows each new structure meets the applicable Building and Energy Efficiency Standards. Plans may include but are not necessarily limited to implementing the following as appropriate:

- High-efficiency air-conditioning with electronic management system (computer) control.
- Variable Air Volume air distribution.
- Outside air (100 percent) economizer cycle.
- Staged compressors or variable speed drives to flow varying thermal loads.

DRAFT

- Isolated High-efficiency air-conditioning zone control by floors/separable activity areas.
- Specification of premium-efficiency electric motors (i.e., compressor motors, air handling units, and fan-coil units).
- Use of occupancy sensors in appropriate spaces.
- Use of compact fluorescent lamps in place of incandescent lamps.
- Use of cold cathode fluorescent lamps.
- Use of Energy Star exit lighting or exit signage.
- Use of T-8 lamps and electronic ballasts where applications of standard fluorescent fixtures are identified.
- Use of lighting power controllers in association with metal-halide or high-pressure sodium (high intensity discharge) lamps for outdoor lighting and parking lots.
- Use of skylights (may conflict with installation of solar panels in some instances).
- Consideration of thermal energy storage air conditioning for spaces or hotel buildings, meeting facilities, theaters, or other intermittent-use spaces or facilities that may require air-conditioning during summer, day-peak periods.

4.16.4.6.1C Prior to the issuance of a building permit, new development shall demonstrate that each building has implemented the following:

1) Install solar panels with a capacity equal to the peak daily demand for the ancillary office uses in each warehouse building;

2) Increase efficiency for buildings by implementing either 10 percent over the 2008 Title 24's energy saving requirements or the Title 24 requirements in place at the time the building permit is approved, whichever is more strict; and

3) Require the equivalent of "Leadership in Energy and Environmental Design Certified" for the buildings constructed at the World Logistics Center based on Leadership in Energy and Environmental Design Certified standards in effect at the time of project approval.

DRAFT

This measure shall be implemented to the satisfaction of the Building and Safety and Planning Divisions.

Facts in Support of the Findings: According to Section 4.16 of the FEIR, Volume 3, the WLC Project would consume approximately 376,426 megawatt-hours (MWh) of electricity and almost 14.6 million cubic feet of natural gas per year. The estimated electrical demand assumes no on-site electrical generation by photovoltaic panels.

The WLC Specific Plan requires future installation of solar photovoltaic panels on the roof of each warehouse building to offset the energy demands of the office portion of the building. Utility improvements are based on a "worst-case" assumption that on-site solar electrical generation is not available and electrical service would have to be provided by Moreno Valley Electric Utility (MVEU). In addition, partial or complete connection to the existing electrical grid may be necessary even with roof-mounted solar photovoltaic panels so there is redundancy (backup) in case of an emergency or during nighttime when no on-site power is being generated (i.e., some warehouses may operate 24/7). At this time, it is not anticipated that any uses will install sufficient on-site power generation and storage to be totally independent of the existing electrical grid.

A number of Southern California Edison (SCE) facilities would still require relocation and expansion of MVEU facilities in order to provide network backup (i.e., if the solar generation equipment were to fail) and accommodate the potential increase in electrical demand no matter the contribution of project alternative energy generated. Power poles, guy poles, and guy anchors for the existing overhead 115 kV line along Theodore Street and Gilman Springs Road will need to be relocated at the time these roadways are widened. The portion of the existing 115 kV line along Eucalyptus Avenue may also need to be relocated into the new Eucalyptus Avenue alignment between Theodore Street and Gilman Springs Road at the time the roadway is constructed. The existing 115 kV line along Brodiaea Avenue may be able to be protected in place except for a few hundred feet where the transmission line intersects with the new Merwin Street, which will need to be relocated to accommodate street and storm drain channel improvements.

The existing 12 kV overhead power distribution lines along Redlands Boulevard will need to be undergrounded when the roadway is developed to its ultimate width. The existing 12 kV overhead power feeder lines located along Theodore Street and Alessandro Boulevard will need to be relocated and undergrounded as these roadway improvements take place during the development of the WLC project. The existing 12 kV overhead power feeder line running south along Virginia Street to the Moreno Compressor Station (planned as Open Space) will be protected in place. The existing overhead service

lines from the Theodore Street 12 kV line along Dracaea Avenue to the east and along Cottonwood Avenue to the west can be abandoned when existing on-site residences served by these facilities are abandoned. Per SCE requirements, SCE 12 kV undergrounded lines cannot be in a common trench with MVEU facilities and require a separate underground facility with a minimum 6 feet from other utility lines.

Based on the *Technical Memorandum – Dry Utilities World Logistics Center, Moreno Valley, CA*, (EIR Appendix N Utility Specialists, September 2014) prepared for the WLC project, construction of the first three logistics buildings that would occur during the initial phase of construction can be served by the existing MVEU substation at Cottonwood Avenue and Moreno Beach Drive, as long as capacity is still available at that station. Subsequent buildings in Phase 1 of construction will require the expansion of this substation. The expansion that would occur to meet this demand would be the addition of two new 28 MW transformer units which can be accommodated within the existing substation property. New 12 kV underground feeder circuits, including trenching, conduit, electrical vaults, and conductors will need to be installed from the substation to the WLC Project site. These improvements will occur along Cottonwood Avenue, along Moreno Beach Drive, and along Alessandro Boulevard, Brodiaea Avenue, and Cactus Avenue. These improvements are expected to take place concurrently with roadway construction.

To meet the WLC Project's ultimate annual demand of 376,426 MW, a new 112 MW substation will be constructed within the project limits at a central location near one of SCE's 115 kV transmission lines that will feed power to the substation. The *Dry Utilities* memo for the Project indicates two potential locations; the first adjacent to the SCE transmission lines along Gilman Springs Road, and the other adjacent to the SCE transmission lines along Brodiaea Avenue. Impacts of constructing the new station at either of these on-site locations may be the same.

SCE will require approximately 2 acres for a switching station near the new 112 kV substation proposed by MVEU to serve the WLC Project. All MVEU primary distribution conductors within the project will be installed within underground conduits and vaults within the public roadway rights-of-way or within easements as a joint trench with telephone, cable television, and natural gas. Since the installation or relocation of electrical facilities would take place concurrently with roadway construction and/or within dedicated easements, or protected in place, the construction of these facilities would not result in significant environmental effects.

The Project intends to achieve applicable elements of certification from the U.S. Green Building Council Leadership in Energy and Environmental Design (LEED), and encourages LEED Certification. The Project will require sophisticated construction techniques that will provide pollution prevention and

control such as noise, air quality, erosion and sediment controls. Both site planning and future building design will require current best practices for use of recycled materials and products, such as recycled steel, and crushed concrete and pavement materials. Low-emitting VOC building materials will be used on site.

Additionally, the WLC Project would be required to adhere to Title 24, Part 6, of the California Code of Regulations, which identifies energy efficiency standards for residential and nonresidential buildings. These standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The most recent standards were adopted and went into effect January 1, 2011. The 2011 standards for residential and non-residential buildings are expected to reduce the growth in electricity use and reduce the growth in natural gas use. Such standards include the provision of cool roofs, demand control ventilation, skylights for day-lighting in buildings, thermal breaks for metal building roofs and lighting power limits.

Compliance with such standards would be reviewed before the issuance of a building permit by the City. Because the WLC Project would be required to adhere to standards contained in Title 24 in addition to requirements set forth by the respective utility providers, development of the WLC Project would not result in the wasteful, inefficient or unnecessary consumption of energy. (FEIR, Volume 3, pgs. 4.16-38 to 4.16-42).

e. Cumulative Impacts to Energy Facilities

Potential Significant Impact: The EIR evaluated and concluded that the Project could result in the cumulative impacts to the energy facilities.

Findings: With implementation of the WLC Specific Plan as proposed and **Mitigation Measures 4.16.4.6.1A** through **4.16.4.6.1C**, potential cumulative impacts to energy facilities will not be cumulatively considerable.

Facts in Support of the Findings: According to Section 4.16 of the FEIR, Volume 3, the WLC Project would not result in significant impacts related to energy consumption with implementation of the WLC Specific Plan as proposed, and with the recommended project-specific mitigation measures. The Project will adhere to Title 24, Part 6, of the CCR, which identifies state energy efficiency standards. Adherence to these energy efficiency standards would reduce the amount of energy consumed by the WLC Project. The WLCSP will require future development to install solar photovoltaic panels on the roof of each building to meet the electrical demand of the office portion of each warehouse building. The WLC Project will implement “green building” characteristics and its design will help reduce energy consumption. With

these measures, the WLC Project will not make a significant contribution to cumulative energy facility impacts. (FEIR, Volume 3, pg. 4.16-42).

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: aesthetics (individually and cumulative), air quality (individually and cumulative), land use and planning, noise, and transportation. In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the Project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. Aesthetics (Individual and Cumulative Impacts)

a. Scenic Vistas

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have adverse effects on one or more scenic vistas, notably views of the Badlands, Mount Russell Range, and Mystic Lake/San Jacinto Wildlife Area.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation **Measures 4.1.6.1A** through **4.1.6.1D, 4.1.6.3A, 4.1.6.4A,** and **4.1.6.4B** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will have a significant impact due to adverse effects on scenic vistas and therefore impacts are considered significant and unavoidable.

4.1.6.1A Each Plot Plan application for development along the western, southwestern, and eastern boundaries of the project (i.e., adjacent to existing or planned residential zoned uses) shall include a minimum 250-foot setback measured from the City/County zoning boundary line and any building or truck parking/access area within the project. The setback area shall include landscaping, berms, and walls to provide visual screening between the new development and existing residential areas upon maturity of the

landscaping materials. The existing olive trees along Redlands Blvd. shall remain in place as long as practical to help screen views of the project site. This measure shall be implemented to the satisfaction of the Planning Official.

4.1.6.1B Each Plot Plan application for development adjacent to Redlands Boulevard, Bay Avenue, or Merwin Street, shall include a plot plan, landscaping plan, and visual rendering(s) illustrating the appearance of the proposed development. The renderings shall demonstrate that views of proposed buildings and trucks can be reasonably screened from view from existing residents upon maturity of planned landscaping and to ensure consistency with the General Plan Objective 7.7. "Effective" screening shall mean that no more than the upper quarter (25%) of a building is visible from existing residences, which shall be achieved through a combination of landscaping, berms, fencing, etc. The location and number of view presentations shall be at the discretion of the Planning Division.

4.1.6.1C Prior to the issuance of a certificate of occupancy for buildings adjacent to the western, southwestern, and eastern boundaries of the project (i.e., adjacent to existing residences at the time of application) the screening required in Mitigation Measure 4.1.6.1A shall be installed in substantial conformance with the approved plans to the satisfaction of the Planning Official.

4.1.6.1D Prior to the issuance of permits for any development activity adjacent to Planning Area 30 (74.3 acres in the southwest portion of the Specific Plan), the entirety of Planning Area 30 shall be offered to the State of California for open space purposes. In the event that the State does not accept the dedication, the property shall be offered to Western Riverside County Regional Conservation Authority or an established non-profit land conservancy for open space purposes. In the event that none of these organizations accepts the dedication, the property may be dedicated to a property owners association or may remain in private ownership and may be fenced and access prohibited.

4.1.6.3A Each Plot Plan application for development shall include plans and visual rendering(s) illustrating any changes in views of Mount Russell and/or the Badlands, for travelers along SR-60, as determined necessary by the Planning Official. The plans and renderings shall illustrate typical views based on proposed project plans, with the location and number of view presentations to be determined by the Planning Official. These views shall be simulated from a height of six feet from the edge of the roadway travel lane closest to the visual resource. The renderings must demonstrate that the development will

DRAFT

preserve at least the upper two thirds (67%) of the vertical view of Mt. Russell from SR-60.

4.1.6.4A Each Plot Plan application for development adjacent to residential development shall include a photometric plot of all proposed exterior lighting demonstrating that the project is consistent with the requirements of Section 9.08.100 of the City Municipal Code. The lighting study shall indicate the expected increase in light levels at the property lines of adjacent residential uses. The study shall demonstrate that the proposed lighting fixtures and/or visual screening meet or exceed City standards regarding light impacts.

4.1.6.4B Each Plot Plan application for development shall include an analysis of all proposed solar panels demonstrating that glare from panels will not negatively affect adjacent residential uses or negatively affect motorists along perimeter roadways. Design details to meet these requirements shall be implemented to the satisfaction of the Planning Official.

Facts in Support of the Finding: According to Section 4.1 of the FEIR, Volume 3, the nearest sensitive permanent visual receptors would be the existing single-family residences to the west and southwest along Redlands Boulevard. In addition, the views of the motoring public along SR-60, Gilman Springs Road, Redlands Boulevard, Theodore Street, and Alessandro Boulevard would be significantly affected as well. At present, the Skechers building blocks views of the site for travelers on SR-60 who are immediately north of the Skechers building.

One of the development goals of the Specific Plan is to have the heights of the buildings along the north, west and south perimeter of the site, including SR-60, be approximately the same height as the existing Skechers building (i.e., approximately 55 feet above a ground elevation of 1,740 feet above mean sea level (amsl)). This means, as the site elevation decreases to the south, taller buildings theoretically could be built as long as they do not exceed 1,795 feet elevation (i.e., height above sea level, not building height above ground). This would result in seeing only the buildings adjacent to the freeway for eastbound travelers on SR-60, but it would adversely affect views from other locations around the WLC Specific Plan site regardless of the height comparison to the Skechers building. The motoring public heading westbound on SR-60 would experience impacts to their views of Mount Russell.

Many of the views of the motoring public while on local roadways will fundamentally change instead of views of open agricultural land, these residents and motorists will view new logistics buildings and the associated parking areas, roadways, infrastructure, and landscaping. Therefore, the Project will have a significant visual impact. The degree to which these buildings may block views of major scenic resources (i.e., Mount Russell, the Badlands, and Mystic Lake) will depend on the location and heights of buildings.

This impact requires mitigation; however, this change in views, while substantial, is anticipated in the City's General Plan, which allows development within the Project area. At present, the General Plan allows development of a mixed-use residential community (i.e., Moreno Highlands Specific Plan), which would mainly be one-story and two-story buildings (approximate maximum height 35 feet). The WLC Specific Plan proposes to instead develop the site with logistics warehouse buildings (maximum height 60–80 feet), so this change in itself would represent a significant visual impact. In addition, the eventual change in views from existing (baseline) conditions is substantial and is considered a significant visual impact on scenic vistas. After implementation of the **Mitigation Measures 4.1.6.1A** through **4.1.6.1C**, adverse effects on scenic vistas would remain significant and unavoidable due to the fundamental change in public views for residents within and surrounding the Project site, for travelers on SR-60, Gilman Springs Road, Redlands Boulevard, Theodore Street, and Alessandro Boulevard, and for users of the San Jacinto Wildlife Area. (FEIR, Volume 3, pgs. 4.1-61 to 4.1-73 and 4.1-82 to 4.1-83).

b. Scenic Resources and Scenic Highways

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have a significant impact on the views of scenic resources for motorists traveling on SR-60 and Gilman Springs Road.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.1.6.1A** through **4.1.6.1D, 4.1.6.3A, 4.1.6.4A,** and **4.1.6.4B** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project-related impacts to scenic vistas and scenic highways will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.1 of the FEIR, Volume 3, the City of Moreno Valley identifies SR-60 and Gilman Springs Road as local scenic roads. According to the City's General Plan EIR, major scenic resources within the Moreno Valley study area are visible from SR-60, and Gilman Springs Road, both of which are City-designated local scenic roadways. Development of the Project would significantly alter the existing view by introducing large industrial buildings adjacent to the freeway. Existing eastbound and westbound views on SR-60 and Gilman Springs Road would be fundamentally altered with the future development of the Project.

The perimeter portions of the site will have buildings with heights up to 60 feet, and some of the buildings south of Street C (southeastern portion of the site but not adjacent to the San Jacinto Wildlife

Area), would have heights of up to 80 feet. Since the Skechers building (roof height approximately 1,790 feet amsl) is already visible throughout the Project site and from off-site areas to the east, south, and southwest, it is likely that most new buildings will be visible from these areas or possibly even farther away, depending on building heights and locations. The use of light colors and reflective surfaces such as glass and polished metal near office entrances and building corners, such as required in the WLC Specific Plan design guidelines, will enhance the visibility of these buildings.

The proposed sound walls and ornamental landscaping would soften the visual impacts of future buildings, but the Project would likely result in at least a partial obstruction of a portion of the Mount Russell Range for motorists traveling on SR-60, so the proposed buildings may obstruct the view of a major scenic feature from a City-designated scenic route. The Project meets criteria in both the moderate and major visual intrusion categories. Therefore, it is anticipated that the WLC Specific Plan design guidelines may create a major visual intrusion (i.e., significant impact) for motorists traveling on SR-60 and Gilman Springs Road.

The WLC Specific Plan can preserve significant visual features, significant views, and vistas if the size and location of buildings developed under the WLC Specific Plan can be controlled so as to not substantially block views of Mount Russell, the Badlands, and Mystic Lake. The views from SR-60 and Gilman Springs Road will fundamentally change, but their views of major scenic resources (i.e., Mount Russell, the Badlands, and Mystic Lake) may be preserved through careful limitations on the height and location of future buildings. The WLC Specific Plan outlines how future development along SR-60 and Gilman Springs Road will be made visually attractive and can maintain some view corridors of the surrounding mountains and Mystic Lake through careful limitations on the height and location of future buildings. These are considered significant visual impacts on local scenic roads that will require mitigation.

Construction of future logistics warehousing according to the development standards and design guidelines of the WLC Specific Plan will help soften building façades, and the installation of ornamental landscaping will help buffer the visual appearance of the buildings from SR-60, but the obstruction of local views will still be significant. Implementation of **Mitigation Measures 4.1.6.1A** through **4.1.6.1D, 4.1.6.3A, 4.1.6.4A,** and **4.1.6.4B** will help reduce these impacts, but not to less than significant levels. (FEIR, Volume 3, pgs. 4.1-73 to 4.1-76).

c. Existing Visual Character and Surroundings

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could significantly degrade the existing visual character of the Project site from open space to an urbanized setting by introducing large high cube logistics warehouse buildings.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.1.6.1A** through **4.1.6.1D, 4.1.6.3A, 4.1.6.4A,** and **4.1.6.4B** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, the Project will have significant Project-related impacts to the existing visual character of the site and will remain significant and unavoidable.

Facts in Support of the Finding: Visual impacts associated with changes to the general character of the Project site (e.g., loss of open space), the components of the visual settings (e.g., landscaping and architectural elements), and the visual compatibility between proposed site uses and adjacent land uses would occur. The significance of visual impacts is inherently subjective as individuals respond differently to changes in the visual characteristics of an area. According to Section 1.4 of the FEIR, Volume 3, the Project site is currently undeveloped with existing agricultural fields throughout the site. Development of the proposed industrial uses on the Project site would include approximately 40.6 million square feet of warehouse distribution uses with associated parking areas, ornamental landscaping, and roadway and infrastructure on approximately 2,635 acres. Maximum building heights will range from 60 to 80 feet depending on location within the Project and will substantially change the views of both nearby residents and motorists on adjacent roadways.

The Project would also change views for travelers on the adjacent portion of SR-60 and Gilman Springs Road by introducing large industrial buildings in place of agricultural vacant land. The proposed buildings closest to the freeway would most likely have an average height of approximately 55 to 60 feet, although the maximum height may be increased by 10 feet, which would exceed the existing height of the adjacent freeway by approximately 30 feet.

Development of the Project would substantially and fundamentally change the existing character of the Project site from open space to an urbanized setting with many large logistics buildings. The change in the character of the site would constitute a significant alteration of the existing visual character of the WLC Project site, regardless of the architectural treatment and landscaping of the site. These impacts

DRAFT

would be especially significant for residents of the existing residences on the Project site, depending on the timing, location, and size of development in the future.

The WLC Specific Plan includes a variety of architectural elements including façade accents such as corner treatments and roof trim. The Project also provides variation in wall planes that serve to avoid an institutional appearance and break up the bulk of the buildings. This variation would create shadow lines at various times of the day.

The proposed setbacks, landscaping, berms, and walls outlined in the Specific Plan appear sufficient to provide adequate visual screening between proposed warehouse buildings and the existing residential uses. However, mitigation is required to ensure the actual design and appearance of setback areas will effectively screen new development from existing residences and neighboring roadways.

However, even with implementation of **Mitigation Measures 4.1.6.1A** through **4.1.6.1D, 4.1.6.3A, 4.1.6.4A,** and **4.1.6.4B** the substantial change in visual character of the Project site and surrounding area from development of the Project will cause aesthetic impacts to remain significant and unavoidable. (FEIR, Volume 3, pgs. 4.1-76 to 4.1-80)

d. Cumulative Aesthetics Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could in connection with past, present, and probable future projects adversely affect one or more scenic vistas.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this cumulative impact to a level of less than significant. Accordingly, Project-related cumulative impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: The Project, in combination with other projects in the eastern portion of the City and along SR-60 and Gilman Springs Road, would have a cumulatively significant and unavoidable impact related to views, scenic resources, night lighting, and glare in this portion of the City.

The development of the Project would partially obstruct views of surrounding mountain vistas from various vantage points in and around the Project area. Partial view opportunities would continue to be available over future buildings, along roadways, between development areas, etc. Development of lands within the City, particularly along SR-60, would result in the cumulative conversion from open space to urbanized land uses. The Project would continue the development of logistics uses along the south side of SR-60 east of the City's Auto Center. The Project, in conjunction with other cumulative projects, would

be developed in a manner consistent with existing development trends in the City. Since other projects in the area will include similar distribution uses, it can be anticipated that such uses would have a similar design and massing as the Project. Since the Project would affect views of the surrounding mountains, it is reasonable to conclude that similar warehouse distribution uses would also obstruct views of the surrounding mountains. However, the analysis in Section 4.1.6.1 determined visual impacts, though substantial, were consistent with applicable General Plan policies (Policy 7.7.4 in the Conservation Element). Based on this analysis, the Project, in combination with other cumulative projects in the surrounding area, will have a cumulatively significant and unavoidable impact related to aesthetics (i.e., views, scenic resources, and lighting) in this portion of the City.

The proposed, existing, and future development within the planning area will increase the amount of light and glare in the area. The cumulative lighting-related impacts of this new development would be reduced through the adherence to applicable City Municipal Code lighting standards. However, this Project, in combination with the Auto Center and other approved high cube logistics developments in this portion of the City, will result in cumulatively considerable light and glare impacts, and the Project will make a significant contribution to that cumulative impact. (FEIR, Volume 3, pgs. 4.1-82 to 4.1-83)

2. Air Quality

a. Air Quality Management Plan Consistency

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could conflict with implementation of the SCAQMD 2012 Air Quality Plan Management Plan (AQMP).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts related to air quality plan management plan consistency are significant and unavoidable.

Facts in Support of the Finding: An AQMP describes air pollution control strategies to be taken by counties or regions classified as nonattainment areas. The AQMP's main purpose is to bring the area into compliance with the requirements of Federal and State air quality standards. The AQMP uses the assumptions and projections by local planning agencies to determine control strategies for regional compliance status. Therefore, any projects causing a significant impact on air quality would impede the progress of the AQMP. CEQA requires that projects resulting in a General Plan Amendment be analyzed for consistency with the AQMP.

For a Project in the Basin to be consistent with the AQMP, the pollutants emitted from the Project must not exceed the South Coast AQMD significant thresholds or cause a significant impact on air quality. One measurement tool in determining consistency with the AQMP is to determine how a Project accommodates the expected increase in population or employment. The Project site is located in an urbanizing area of the City of Moreno Valley along SR-60, which accommodates traffic in the area. In addition, the proposed warehouse uses would be within walking distance of existing homes and commercial areas in the local vicinity. The Project would add jobs resulting from the development of the warehouse uses to the City, with the potential to minimize the VMT traveled within the Project site and community.

The SCAQMD also has the following consistency criteria: a project cannot result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP; and a project cannot exceed the assumptions in the AQMP in 2010 or increments based on the year of Project build-out phase.

The Project would exceed the regional emission significance thresholds for VOC, NO_X, CO, PM_{10}, and $PM_{2.5}$ after application of mitigation. This means that Project emissions of VOC and NO_X could combine with other sources and could result in an ozone, PM_{10}, or $PM_{2.5}$ exceedance at a nearby monitoring station. The Basin in which the Project is located is in nonattainment for these pollutants; therefore, according to this criterion, the Project would not be consistent with the AQMP. The regional emissions assume a zero baseline for existing emissions and therefore assumes that the AQMP had no emissions for the Project site. The regional significance thresholds can be interpreted to mean that if Project emissions exceed the thresholds, then the Project would also not be consistent with the assumptions in the AQMP. The Project does not meet this criterion.

Although the Project would be consistent with the policies, rules, and regulations in the AQMPs and State Implementation Plans (SIPs), the Project must meet all the criteria to be consistent with the AQMPs. The Project could impede AQMP attainment because its construction and operation emissions exceed the SCAQMD regional significance thresholds, so the Project is considered to be inconsistent with the AQMP. To facilitate monitoring and compliance, applicable SCAQMD regulatory requirements are restated in **Mitigation Measures 4.3.6.2A** through **4.3.6.2D, 4.3.6.3B,** and **4.3.6.4A**. These measures shall be incorporated in all Project plans, specifications, and contract documents. Despite the implementation of mitigation measures, emissions associated with the Project cannot be reduced below the applicable thresholds. In the absence of feasible mitigation to reduce the Project's emission of criteria

pollutants to below SCAQMD thresholds, potential air quality impacts resulting from exhaust from construction equipment will remain significant and unavoidable. (FEIR, Volume 3, pgs. 4.3-71 to 4.3-75)

b. Construction Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project has the potential to exceed applicable daily thresholds that may affect sensitive receptors.

For construction operations, the applicable daily thresholds are:

- 75 pounds per day of ROC/VOC;
- 100 pounds per day of NO_X;
- 550 pounds per day of CO;
- 150 pounds per day of PM_{10};
- 150 pounds per day of SO_X; and
- 55 pounds per day of $PM_{2.5}$.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.3.6.2A** through **4.3.6.2D** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will have a significant impact due to equipment exhaust from construction related activities and therefore impacts are considered significant and unavoidable.

4.3.6.2A Construction equipment maintenance records (including the emission control tier of the equipment) shall be kept on site during construction and shall be available for inspection by the City of Moreno Valley.

a) Off-road diesel-powered construction equipment greater than 50 horsepower shall meet United States Environmental Protection Agency Tier 4 off-road emissions standards. A copy of each unit's certified tier specification shall be available for inspection by the City at the time of mobilization of each applicable unit of equipment.

b) During all construction activities, off-road diesel-powered equipment may be in the "on" position not more than 10 hours per day.

c) Construction equipment shall be properly maintained according to manufacturer specifications.

d) All diesel powered construction equipment, delivery vehicles, and delivery trucks shall be turned off when not in use. On-site idling shall be limited to three minutes in any one hour.

e) Electrical hook ups to the power grid shall be provided for electric construction tools including saws, drills and compressors, where feasible, to reduce the need for diesel-powered electric generators. Where feasible and available, electric tools shall be used

f) The project shall demonstrate compliance with South Coast Air Quality Management District Rule 403 concerning fugitive dust and provide appropriate documentation to the City of Moreno Valley.

g) All construction contractors shall be provided information on the South Coast Air Quality Management District Surplus Offroad Opt-In "SOON" funds which provides funds to accelerate cleanup of off-road diesel vehicles.

h) Construction on-road haul trucks shall be model year 2007 or newer.

i) Information on ridesharing programs shall be made available to construction employees.

j) During construction, lunch options shall be provided onsite.

k) A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints per AQMD Standards.

l) Only non-diesel material handling equipment may be used in any logistics building in the WLC.

m) Off-site construction shall be limited to the hours between 6 a.m. to 8 p.m. on weekdays only. Construction during City holidays shall not be permitted.

4.3.6.2B Prior to issuance of any grading permits, a traffic control plan shall be submitted to and approved by the City of Moreno Valley that describes in detail the location of equipment staging areas, stockpiling/storage areas, construction parking areas, safe detours around the project construction site, as well as provide temporary traffic control (e.g., flag person) during construction-related truck hauling activities. Construction trucks shall be rerouted away from sensitive receptor areas. Trucks shall use State Route 60 using

DRAFT

Theodore Street, Redlands Boulevard (north of Eucalyptus Avenue), and Gilman Springs Road. In addition to its traffic safety purpose, the traffic control plan can minimize traffic congestion and delays that increase idling emissions. A copy of the approved Traffic Control Plan shall be retained on site in the construction trailer.

4.3.6.2C The following measures shall be applied during construction of the project to reduce volatile organic compounds (VOC):

a) Non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the project to the maximum extent practicable. If such products are not commercially available, products with a VOC content of 100 grams per Liter or lower for both interior and exterior surfaces shall be used.

b) Leftover paint shall be taken to a designated hazardous waste center.

c) Paint containers shall be closed when not in use

d) Low VOC cleaning solvents shall be used to clean paint application equipment.

e) Paint and solvent-laden rags shall be kept in sealed containers.

4.3.6.2D No grading shall occur on days with an Air Quality Index forecast greater than 150 for particulates or ozone as forecasted for the project area (Source Receptor Area 24).

Facts in Support of the Finding: Grading and other construction activities produce combustion emissions from various sources such as site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. The use of construction equipment on site would result in localized exhaust emissions. Activity during peak grading days typically generates a greater amount of air pollutants than other Project construction activities.

Section 4.3 of the FEIR, Volume 3 indicates that construction emissions of criteria pollutants would exceed the SCAQMD daily emission thresholds for all criteria pollutants, with the exception of SO_X.[27] This is a significant impact requiring mitigation.

Fugitive dust emissions are generally associated with land clearing and exposure of soils to the air and wind, and cut-and-fill grading operations. The Project will be required to comply with SCAQMD Rules

[27] The Project would emit SO_X from construction equipment exhaust; however, the maximum emissions (6.8 pounds per day) are less than significant as they are far below the threshold of 150 pounds per day.

402 and 403 to control fugitive dust. There are a number of feasible control measures that can be reasonably implemented to significantly reduce PM_{10} emissions from construction. Fugitive dust and exhaust emissions (i.e., PM_{10}) during the anticipated peak construction day for the Project would exceed SCAQMD daily construction thresholds. (FEIR, Volume 3, pgs. 4.3-75 to 4.3-80)

c. Localized Construction and Operational Air Quality Impacts

Significant Unavoidable Impact. The EIR evaluated and concluded that the Project would have short-term and long term significant impacts from PM_{10} emissions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.3.6.2A** through **4.3.6.2D** and **Mitigation Measures 4.3.6.3A** through **4.3.6.3E** reduce construction emissions of criteria pollutants are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, localized air quality impacts related are considered significant and unavoidable.

4.3.6.2A Construction equipment maintenance records (including the emission control tier of the equipment) shall be kept on site during construction and shall be available for inspection by the City of Moreno Valley.

a) Off-road diesel-powered construction equipment greater than 50 horsepower shall meet United States Environmental Protection Agency Tier 4 off-road emissions standards. A copy of each unit's certified tier specification shall be available for inspection by the City at the time of mobilization of each applicable unit of equipment.

b) During all construction activities, off-road diesel-powered equipment may be in the "on" position not more than 10 hours per day.

c) Construction equipment shall be properly maintained according to manufacturer specifications.

d) All diesel powered construction equipment, delivery vehicles, and delivery trucks shall be turned off when not in use. On-site idling shall be limited to three minutes in any one hour.

DRAFT

e) Electrical hook ups to the power grid shall be provided for electric construction tools including saws, drills and compressors, where feasible, to reduce the need for diesel-powered electric generators. Where feasible and available, electric tools shall be used

f) The project shall demonstrate compliance with South Coast Air Quality Management District Rule 403 concerning fugitive dust and provide appropriate documentation to the City of Moreno Valley.

g) All construction contractors shall be provided information on the South California Air Quality Management District Surplus Offroad Opt-In "SOON" funds which provides funds to accelerate cleanup of off-road diesel vehicles.

h) Construction on-road haul trucks shall be model year 2007 or newer.

i) Information on ridesharing programs shall be made available to construction employees.

j) During construction, lunch options shall be provided onsite.

k) A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints per AQMD Standards.

l) Only non-diesel material handling equipment may be used in any logistics building in the WLC.

m) Off-site construction shall be limited to the hours between 6 a.m. to 8 p.m on weekdays only. Construction during City holidays is not permitted.

4.3.6.2B Prior to issuance of any grading permits, a traffic control plan shall be submitted to and approved by the City of Moreno Valley that describes in detail the location of equipment staging areas, stockpiling/storage areas, construction parking areas, safe detours around the project construction site, as well as provide temporary traffic control (e.g., flag person) during construction-related truck hauling activities. Construction trucks shall be rerouted away from sensitive receptor areas. Trucks shall use State Route 60 using Theodore Street, Redlands Boulevard (north of Eucalyptus Avenue), and Gilman Springs Road. In addition to its traffic safety purpose, the traffic control plan can minimize traffic

DRAFT

congestion and delays that increase idling emissions. A copy of the approved Traffic Control Plan shall be retained on site in the construction trailer.

4.3.6.2C The following measures shall be applied during construction of the project to reduce volatile organic compounds (VOC):

a) Non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the project to the maximum extent practicable. If such products are not commercially available, products with a VOC content of 100 grams per Liter or lower for both interior and exterior surfaces shall be used.

b) Leftover paint shall be taken to a designated hazardous waste center.

c) Paint containers shall be closed when not in use

d) Low VOC cleaning solvents shall be used to clean paint application equipment.

e) Paint and solvent-laden rags shall be kept in sealed containers.

4.3.6.2D No grading shall occur on days with an Air Quality Index forecast greater than 150 for particulates or ozone.

4.3.6.3A Prior to issuance of occupancy permits for each warehouse building within the WLCSP, the developer shall demonstrate to the City that vehicles can access the building using paved roads and parking lots.

4.3.6.3B The following shall be implemented as indicated:

Prior to Issuance of a Certificate of Occupancy

a) Signs shall be prominently displayed informing truck drivers about the California Air Resources Board diesel idling regulations, and the prohibition of parking in residential areas.

b) Signs shall be prominently displayed in all dock and delivery areas advising of the following: engines shall be turned off when not in use; trucks shall not idle for more than three consecutive minutes; telephone numbers of the building facilities manager and the California Air Resources Board to report air quality violations.

DRAFT

c) Signs shall be installed at each exit driveway providing directional information to the City's truck route. Text on the sign shall read "To Truck Route" with a directional arrow. Truck routes shall be clearly marked per the City Municipal Code.

On an Ongoing Basis

d) Tenants shall maintain records on fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles are maintained pursuant to manufacturer's specifications. The records shall be maintained on site and be made available for inspection by the City.

e) Tenant's staff in charge of keeping vehicle records shall be trained/certified in diesel technologies, by attending California Air Resources Board approved courses (such as the free, one-day Course #512). Documentation of said training shall be maintained on-site and be available for inspection by the City.

f) Tenants shall be encouraged to become a SmartWay Partner.

g) Tenants shall be encouraged to utilize SmartWay 1.0 or greater carriers.

h) Tenants' fleets shall be in compliance with all current air quality regulations for on-road trucks including but not limited to California Air Resources Board's Heavy-Duty Greenhouse Gas Regulation and Truck and Bus Regulation.

i) Information shall be posted in a prominent location available to truck drivers regarding alternative fueling technologies and the availability of such fuels in the immediate area of the World Logistics Center.

j) Tenants shall be encouraged to apply for incentive funding (such as the Voucher Incentive Program [VIP], Carl Moyer, etc.) to upgrade their fleet.

k) All yard trucks (yard dogs/yard goats/yard jockeys/yard hostlers) shall be powered by electricity, natural gas, propane, or an equivalent non-diesel fuel. Any off-road engines in the yard trucks shall have emissions standards equal to Tier 4 Interim or greater. Any on-road engines in the yard trucks shall have emissions standards that meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.

l) All diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility

DRAFT

operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.

m) All standby emergency generators shall be fueled by natural gas, propane, or any non-diesel fuel.

n) Truck and vehicle idling shall be limited to three (3) minutes.

4.3.6.3C Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area, a publically-accessible fueling station shall be operational within the Specific Plan area offering alternative fuels (natural gas, electricity, etc.) for purchase by the motoring public. Any fueling station shall be placed a minimum of 1000 feet from any off-site sensitive receptors or off-site zoned sensitive uses. This facility may be established in connection with the convenience store required in Mitigation Measure 4.3.6.3D.

4.3.6.3D Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area a site shall be operational within the Specific Plan area offering food and convenience items for purchase by the motoring public. This facility may be established in connection with the fueling station required in Mitigation Measure 4.3.6.3C.

4.3.6.3E Refrigerated warehouse space is prohibited unless it can be demonstrated that the environmental impacts resulting from the inclusion of refrigerated space and its associated facilities, including, but not limited to, refrigeration units in vehicles serving the logistics warehouse, do not exceed any environmental impact for the entire World Logistics Center identified in the program Environmental Impact Report. Such environmental analysis shall be provided with any warehouse plot plan proposing refrigerated space. Any such proposal shall include electrical hookups at dock doors to provide power for vehicles equipped with Transportation Refrigeration Units (TRUs).

Facts in Support of the Findings: According to FEIR, Volume 3, Table 4.3.L, during Phase 1 (2012) the Project would exceed the SCAQMD's significance thresholds for NO_2 and $PM_{10}$for receptors located within the Project's boundaries and PM_{10} at receptors located outside of the project's boundaries. The majority of the Project's operational emissions are from on-road mobile sources, more particularly, heavy-duty trucks that contribute a disproportionate amount of emissions compared to passenger vehicles.

Emissions from on-road mobile sources are regulated at the State and Federal levels and, therefore, are outside of the control of local agencies such as the City and the SCAQMD. Emission controls on mobile source vehicles already adopted by the (California) Air Resources Board (ARB) particularly dealing with NO_X and PM_{10} controls on heavy duty trucks will reduce truck emissions significantly over the next 10 years.

According to FEIR, Volume 3, Table 4.2.N during Phase 1 and Phase 2 (2012) the Project would exceed the SCAQMD's significance thresholds for NO_2, PM_{10} and $PM_{2.5}$ for receptors located within the Project's boundaries and NO2 and PM_{10} at receptors located outside of the project's boundaries. The majority of the Project's operational emissions are from on-road mobile sources, more particularly, heavy-duty trucks that contribute a disproportionate amount of emissions compared to passenger vehicles. Emissions from on-road mobile sources are regulated at the State and Federal levels and, therefore, are outside of the control of local agencies such as the City and the SCAQMD. Emission controls on mobile source vehicles already adopted by the ARB particularly dealing with NO_X and PM_{10} controls on heavy duty trucks will reduce truck emissions significantly over the next 10 years.

The year 2021 was selected to determine the potential localized impacts from the Project's construction and operational emissions to the existing residences located to the west of the Project across Redlands Boulevard. These residences are the closest sensitive receptors outside of the project's boundaries. According to the conceptual construction schedule provided by the applicant, extensive building construction is expected to take place within the Project site along and to the east of Redlands Boulevard in 2021. The year 2021 also corresponds to the completion of approximated 88 percent of the Phase 1 operation (56 percent of the entire Project) and the attendant operational emissions.

The estimated maximum localized air quality impacts from the construction and operation of the Project in 2021 are summarized in Table 4.3.P for locations within the Project's boundaries (FEIR, Volume 3, pg. 4.3-84). These maximum impacts were found at the locations of the existing residences within the project boundaries of the Specific Plan. Table 4.3.Q (FEIR, Volume 3, pg. 4.3-87) summarizes the highest air quality impacts for sensitive receptors located outside of the boundary of the Specific Plan project boundaries. As noted from these two tables, Project construction impacts would exceed the significance thresholds for NO_X, PM_{10}, and $PM_{2.5}$ for locations within the project boundaries and NOx and PM_{10} at receptors located outside the project boundaries and thus represents a significant impact without mitigation.

The Project's maximum combined impacts from construction and operations during 2027 are shown in Table 4.3.R (FEIR, Volume 3, pg. 4.3-88) for the existing sensitive receptors located within the Specific

Plan project boundaries along with the SCAQMD-recommended significance thresholds. Table 4.3.S (FEIR, Volume 3, pg. 4.3-89) shows the maximum combined impacts for sensitive receptors located outside of the Specific Plan project boundaries. These latter impacts were found within the residential areas located to the west east of the Project across Redlands Boulevard Gilman Springs Road. As shown in these tables, the Project would only exceed the SCAQMD's significance thresholds for PM_{10} at locations within the project boundary.

Operational emissions during 2035 were estimated based on the Project's trip generation and Project-related travel along the local roadway network within and along the Project boundaries of the WLC Specific Plan. Table 4.3.T (FEIR, Volume 3, pg. 4.3-89) shows the maximum localized air quality impacts for 2035 relative to the background air quality levels in 2012 at the existing sensitive receptors located within the WLC Specific Plan project boundaries. Table 4.3.U (FEIR, Volume 3, pg. 4.3-92) identifies the highest localized impacts for sensitive receptors located outside of the Specific Plan project boundaries. These latter impacts were found within the residential areas located to the west of the Project across Redlands Boulevard. As shown in these tables Table 4.3.T, the concentrations of PM_{10} exceed the SCAQMD's significance thresholds due principally to the inclusion of entrained road dust in the impact assessment and would, therefore, represent a significant impact without mitigation.

After application of mitigation, the Project would continue to exceed the localized significance thresholds at the existing residences located within the Project boundaries for PM_{10} during the Project Phase 1 (2012) condition, PM_{10} during the Project Phase 1 and Phase 2 Full Build Out (2012), PM_{10} during the year 2021 when construction is projected to occur adjacent to the existing residence across Redlands Boulevard, PM_{10} during the Year 2027 when Project's combined construction and operational emissions are highest for several pollutants, and PM_{10} after the final Project build out in 2035.

d. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed applicable daily thresholds for operational activities.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures 4.3.6.3A** through **4.3.6.3E,** and **4.3.6.4A,** are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, long term construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.6.3A Prior to issuance of a Certificate of Occupancy, vehicles must be able to access the building using paved roads and parking lots.

4.3.6.3B The following shall be implemented as indicated:

Prior to Issuance of a Certificate of Occupancy

a) Signs shall be prominently displayed informing truck drivers about t the California Air Resources Board diesel idling regulations, and the prohibition of parking in residential areas.

b) Signs shall be prominently displayed in all dock and delivery areas advising of the following: engines shall be turned off when not in use; trucks shall not idle for more than three consecutive minutes; telephone numbers of the building facilities manager and the California Air Resources Board to report air quality violations.

c) Signs shall be installed at each exit driveway providing directional information to the City's truck route. Text on the sign shall read "To Truck Route" with a directional arrow. Truck routes shall be clearly marked per the City Municipal Code.

On an Ongoing Basis

d) Tenants shall maintain records on fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles are maintained pursuant to manufacturer's specifications. The records shall be maintained on site and be made available for inspection by the City.

e) Tenant's staff in charge of keeping vehicle records shall be trained/certified in diesel technologies, by attending California Air Resources Board approved courses (such as the free, one-day Course #512). Documentation of said training shall be maintained on-site and be available for inspection by the City.

f) Tenants shall be encouraged to become a SmartWay Partner.

g) Tenants shall be encouraged to utilize SmartWay 1.0 or greater carriers.

h) Tenants' fleets shall be in compliance with all current air quality regulations for on-road trucks including but not limited to California Air Resources Board's Heavy-Duty Greenhouse Gas Regulation and Truck and Bus Regulation.

DRAFT

i) Information shall be posted in a prominent location available to truck drivers regarding alternative fueling technologies and the availability of such fuels in the immediate area of the World Logistics Center.

j) Tenants shall be encouraged to apply for incentive funding (such as the Voucher Incentive Program [VIP], Carl Moyer, etc.) to upgrade their fleet.

k) All yard trucks (yard dogs/yard goats/yard jockeys/yard hostlers) shall be powered by electricity, natural gas, propane, or an equivalent non-diesel fuel. Any off-road engines in the yard trucks shall have emissions standards equal to Tier 4 Interim or greater. Any on-road engines in the yard trucks shall have emissions standards that meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025.

l) All diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.

m) All standby emergency generators shall be fueled by natural gas, propane, or any non-diesel fuel.

n) Truck and vehicle idling shall be limited to three (3) minutes.

4.3.6.3C Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area, a publically-accessible fueling station shall be operational within the Specific Plan area offering alternative fuels (natural gas, electricity, etc.) for purchase by the motoring public. Any fueling station shall be placed a minimum of 1000 feet from any off-site sensitive receptors or off-site zoned sensitive uses. This facility may be established in connection with the convenience store required in Mitigation Measure 4.3.6.3D.

4.3.6.3D Prior to the issuance of building permits for more than 25 million square feet of logistics warehousing within the Specific Plan area a site shall be operational within the Specific Plan area offering food and convenience items for purchase by the motoring public. This

DRAFT

facility may be established in connection with the fueling station required in Mitigation Measure 4.3.6.3C.

4.3.6.3E Refrigerated warehouse space is prohibited unless it can be demonstrated that the environmental impacts resulting from the inclusion of refrigerated space and its associated facilities, including, but not limited to, refrigeration units in vehicles serving the logistics warehouse, do not exceed any environmental impact for the entire World Logistics Center identified in the program Environmental Impact Report. Such environmental analysis shall be provided with any warehouse plot plan application proposing refrigerated space. Any such proposal shall include electrical hookups at dock doors to provide power for vehicles equipped with Transportation Refrigeration Units (TRUs).

4.3.6.4A The following measures shall be incorporated as conditions to any Plot Plan approval within the Specific Plan:

a) All tenants shall be required to participate in Riverside County's Rideshare Program

b) Storage lockers shall be provided in each building for a minimum of three percent of the full-time equivalent employees based on a ratio of 0.50 employees per 1,000 square feet of building area. Lockers shall be located in proximity to required bicycle storage facilities.

c) Class II bike lanes shall be incorporated into the design for all project streets.

d) The project shall incorporate pedestrian pathways between on-site uses.

e) Site design and building placement shall provide pedestrian connections between internal and external facilities.

f) The project shall provide pedestrian connections to residential uses within 0.25 mile from the project site.

g) A minimum of two electric vehicle-charging stations for automobiles or light-duty trucks shall be provided at each building. In addition, parking facilities with 100 parking spaces or more shall be designed and constructed so that at least three percent of the total parking spaces are capable of supporting future electric vehicle supply equipment (EVSE) charging locations. Only sufficient sizing of conduit and service capacity to install Level 2 Electric Vehicle Supply Equipment (EVSE) or greater are required to be installed at the time of construction.

DRAFT

h) Each building shall provide indoor and/or outdoor - bicycle storage space consistent with the City Municipal Code and the California Green Building Standards Code.- Each building shall provide a minimum of two shower and changing facilities for employees.

i) Each building shall provide preferred and designated parking for any combination of low-emitting, fuel-efficient, and carpool/vanpool vehicles equivalent to the number identified in California Green Building Standards Code Section 5.106.5.2 or the Moreno Valley Municipal Code whichever requires the higher number of carpool/vanpool stalls.

j) The following information shall be provided to tenants: onsite electric vehicle charging locations and instructions, bicycle parking, shower facilities, transit availability and the schedules, telecommunicating benefits, alternative work schedule benefits, and energy efficiency.

Facts in Support of the Finding: Long-term air pollutant emission impacts that would result from the Project are those associated with stationary sources and mobile sources involving any Project-related change (e.g., emissions from the use of motor vehicles by Project-generated traffic). The FEIR, Volume 3, also analyzed the on-going agricultural operations in combination with construction activated and operational activities that will occur at the same time. Although implementation of **Mitigation Measures 4.3.6.3B** through **4.3.6.3D, and 4.3.6.4A** may reduce vehicle trips associated with the Project, it is not possible to quantify the reduction in the amount of emissions that may occur. Considering the volume of emissions generated and current commuter habits, it is unlikely the implementation of vehicular management plans will result in a reduction of operational Project emissions to below existing SCAQMD thresholds. Application of Leadership in Energy and Environmental Design (LEED) standards and green building design principles could reduce emissions from building operations such as heating and cooling; however, such standards and principles would not reduce emissions of CO, ROG, NO_X, PM_{10}, and $PM_{2.5}$ to below SCAQMD thresholds. No other feasible mitigation measures have been identified to reduce the operational emissions of CO, ROG, NO_X, PM_{10}, and $PM_{2.5}$ to a less than significant level. Because the Project site is located in a nonattainment air basin for criteria pollutants, the addition of air pollutants resulting from operation of the Project would contribute to the continuation of nonattainment status in the Basin. In the absence of mitigation to reduce the Project's emission of contribution of ozone, PM_{10}, and $PM_{2.5}$ to below SCAQMD thresholds, long-term air quality impacts resulting from the operation of the Project would remain significant and unavoidable. (FEIR, Volume 3, pgs. 4.3-94 to 4.3-102)

e. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the Project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts cumulative air quality impacts will remain significant and unavoidable.

Facts in Support of the Finding: As set forth in Section 4.3 of the FEIR, Volume 3, the Project would contribute criteria pollutants to the area during Project construction. A number of individual projects in the area may be under construction simultaneously with the Project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction would result in substantial short-term increases in air pollutants. This would be a contribution to short-term cumulative air quality impacts.

The traffic study included vehicular trips from all present and future projects in the Project vicinity; therefore, the CO hot spot concentrations calculated at these intersections include the cumulative traffic effect. Based on this, no significant cumulative CO impacts would occur.

Long-term operation of the Project would exceed the standards for CO, ROC, NO_X, PM_{10}, and $PM_{2.5}$. The Basin is in nonattainment for PM_{10} and ozone at the present time; therefore, the construction and operation of the Project would exacerbate nonattainment of air quality standards for PM_{10} and ozone within the Basin and contribute to cumulative air quality impacts. Therefore, long-term cumulative air quality impacts are considered to be significant and unavoidable.

The Health Risk Assessment (HRA) conducted for the Project identified the increase in health risks to the nearby sensitive receptors from the Project's air pollutant emissions. This HRA identified that the Project's incremental increase is only a very small fraction of the ambient condition. Therefore, the concentration of diesel particulates at the Project site is below the established risk threshold. Individuals living and working in southern California may be exposed to levels of diesel emissions that are cumulatively significant; however, that circumstance is not created by the Project.

DRAFT

As noted from the results shown in Impact 4.3.6.5 in the subsection *Cancer Risks* (FEIR, Volume 3 Section 4.2 page 4.3-104 to 4.3-111), since the Project would implement mitigation measures resulting in the cleanest on-road and off-road diesel equipment and such equipment has been shown through extensive health effects studies to not result in cancer, the project would therefore not result in a cumulatively considerable impact. (FEIR, Volume 3, pgs. 4.3-111 to 4.3-112).

3. Land Use and Planning

a. Physically Divide an Established Community

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would adversely affect existing rural residences on the Project site.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there is no effective mitigation available to protect or separate these existing residences from future warehousing buildings and operations. Accordingly, Project-related conflicts with existing rural residences will remain significant and unavoidable.

Facts in Support of the Finding: According to Section 4.10 of the FEIR, Volume 3, the adjacent properties surrounding the WLC Project are residential, light industrial, open space and undeveloped. Essentially, the Project site is located along the eastern urban boundary of the City of Moreno Valley with development only adjacent to the western boundary and northwest corner of the site. At present, there are seven rural residences on the Project site. These properties vary in size from 0.5 to 10 acres and are located on the east side of Redlands Boulevard and Theodore Street. These properties represent less than 1.5% of entire WLC Specific Plan area. The WLC Specific Plan designates these properties as "Light Logistics" and allows various logistics-related uses. It is believed these properties are currently occupied. It is possible that, as development of the Project site occurs according to the WLC Specific Plan, large warehouse buildings may eventually be located in close proximity to the existing residences. It would be ineffective and inefficient to try to incorporate these residences into the WLC Specific Plan land plan of large logistics warehouses to accommodate these residences. In addition, logistics operations would cause air pollutant, noise, lighting, and health risk impacts on residents living in these units if they were adjacent to operating warehouses.

The WLC Specific Plan currently shows a 250-foot buffer or setback along the western boundary of the site to separate existing residences from the proposed warehouse buildings. However, it would be ineffective and inefficient to try to incorporate similar buffers or setbacks, for the existing residences, into the WLC Specific Plan land plan. Under CEQA, the question is whether a project will affect the

environment or persons in general, not whether a project will affect particular persons. For instance, CEQA addresses how view sheds are impacted by a proposed project, but would not address the specific view that an individual resident sees. Therefore, the effect on the estimated 15 people (7 homes x 2.2 persons average occupancy) who live in the 7 houses does not constitute an impact and is insignificant. The council has erred on the side of caution treating the impact as if it were significant.

Installation of solid block walls around the warehouse buildings or the existing residence would help reduce noise and lighting impacts, but they would not help reduce air pollutant or health risk impacts. Therefore, there is no effective mitigation available to protect or separate these existing residences from future warehousing buildings and operations. (FEIR, Volume 3, pgs. 4.10-36).

4. Noise

a. On-Site Short-term Construction Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would adversely affect residences located within 500 feet of a construction area would still be exposed to noise levels greater than 60 dBA (Leq).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there is no effective mitigation available to protect existing residences within 500 feet of a construction area from significant noise levels. Accordingly, Project-related noise impacts during construction on existing rural residences will remain significant and unavoidable.

Facts in Support of the Finding: Construction within 1,580 feet of residential areas south of the freeway has the potential to exceed the daytime Moreno Valley Noise Ordinance criteria of 60 dBA (Leq). With implementation of **Mitigation Measure 4.12.6.1E**, any existing residences within 1,580 feet of a construction area would be shielded from construction noise with a 12-foot temporary sound barrier. A sound barrier will reduce the noise levels by about 10 dB resulting in a reduction of noise below City thresholds at residences 500 feet or further from the construction area. Although the installation of the temporary sound barrier would reduce noise levels experienced at the closest residences, those residences that are located within 500 feet of a construction area would still be exposed to noise levels greater than 60 dBA (Leq). Therefore, impacts associated with this issue would remain significant and unavoidable. (FEIR, Volume 3, pg. 4.12-36 to 4.12-39)

DRAFT

b. Off-Site Short-term Construction Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would adversely affect off-site residences located adjacent to off-site construction projects would still be exposed to noise levels greater than 60 dBA (Leq).

Finding: Based on the entire record before us, this Council finds that the off-site construction impact is potentially significant as there is no effective mitigation available to protect existing residences adjacent to a construction area from significant noise levels. Accordingly, Project-related noise impacts during off-site construction on existing residences will remain significant and unavoidable.

Facts in Support of the Finding: With the implementation of **Mitigation Measure 4.12.6.1I**, off-site construction activities would be limited to daytime hours (6 am to 8 pm) during the weekdays only while **Mitigation Measure 4.12.6.1J** would require the installation of a temporary sound barrier. With these mitigation measures in place, residences adjacent to construction activities (depending on the loudness of the construction equipment) could experience noise levels greater than 60 dBA (L_{eq}) for off-site construction projects lasting less than one month. These impacts would only occur during weekday daytime hours. However, even with implementation of these mitigation measures, noise levels experienced at these residences would be above the City's threshold. Therefore, impacts would remain significant and unavoidable. (FEIR, Volume 3, pg. 4.12-39)

c. Long-Term Traffic Noise Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would result in noise levels at the closest residences within and adjacent to the WLC Specific Plan area exceeding the maximum noise level allowed under the City's Municipal Code.

Finding: Based on the entire record before us, this Council finds that the Project-related traffic noise impacts is potentially significant as there is no effective mitigation available to protect existing residences adjacent to roadways from significant noise levels. Even with implementation of **Mitigation Measures 4.12.6.2A** through **4.12.6.2D**, potential impacts due to long-term traffic noise impacts on existing residences will remain significant and unavoidable.

4.12.6.2A When processing future individual buildings under the World Logistics Center Specific Plan, as part of the City's approval process, the City shall require the Applicant to take the following three actions for each building prior to approval of discretionary permits for individual plot plans for the requested development:

Action 1: Perform a building-specific noise study to ensure that the assumptions set forth in the FEIR prepared for the programmatic level entitlement remain valid. These procedure used to conduct these noise analyses shall be consistent with the noise analysis conducted in the programmatic FEIR and shall be used to impose building-specific mitigation on the individually-proposed buildings.

Action 2: If the building-specific analyses identify that the proposed development triggers the need for mitigation from the proposed building, including all preceding developments in the specific plan area, the Applicant shall implement the mitigation identified in the WLC FEIR. Prior to implementing the mitigation, the Applicant shall send letters by registered mail to all property owners and non-owner occupants of properties that would benefit from the proposed mitigation asking them to provide a position either in favor of or in opposition to the proposed noise abatement mitigation within 45 days. Each property shall be entitled to one vote on behalf of owners and one vote per dwelling on behalf of non-owner occupants.

If more than 50% of the votes from responding benefited receptors oppose the abatement, the abatement will not be considered reasonable. Additionally, for noise abatement to be located on private property, 100% of owners of property upon which the abatement is to be placed must support the proposed abatement. In the case of proposed noise abatement on private property, no response from a property owner, after three attempts by registered mail, is considered a *no* vote.

At the completion of the vote at the end of the 45 day period, the Applicant shall provide the tentative results of the vote to all property owners by registered mail. During the next 15 calendar days following the date of the mailing, property owners may change their vote. Following the 15-day period, the results of the vote will be finalized and made public.

Action 3: Upon consent from benefited receptors and property owners, the Applicant shall post a bond for the cost of the construction of the necessary mitigation as estimated by the City Engineer to ensure completion of the mitigation. The certificate of occupancy permits shall be issued upon posting of the bond or demonstration that 50% of the votes from responding benefited receptors oppose the abatement or, if the abatement is located on private property, any property owners oppose the abatement (per Noise Study MM N-8, pg. 53).

DRAFT

4.12.6.2B Prior to issuance/approval of any building permits, the centerline of Cactus Avenue Extension will be located no closer than 114 feet to the residential property lines along Merwin Street. An alternative is to locate the roadway closer to the residences and provide a soundwall along Cactus Avenue Extension. The soundwall location and height should be determined by a Registered Engineer, and the soundwall shall be designed to reduce noise levels to less than 65 CNEL at the residences. The Engineer shall provide calculations and supporting information in a report that will be required to be submitted to and approved by the City prior to issuing permits to construct the road (per Noise Study, pg.51, Cactus Avenue Extension, ID #50).

4.12.6.2C Prior to the approval of any discretionary permits, cumulative impact areas shown in the WLC EIR Noise Study shall be included in the soundwall mitigation program outlined in Mitigation Measures 4.12.6.2A and 4.12.6.2D (per Noise Study MM N-9, pg. 62).

4.12.6.2D Prior to issuance of a building permit, the applicant shall demonstrate that the development maintains a buffer with soundwall for noise attenuation at residential/warehousing interface (i.e., western and southwestern boundaries of the project site). To keep the noise levels at nearby residential areas less than typical ambient conditions, the warehousing property line shall be located a minimum of 250 feet from the residential zone boundary, and a 12-foot noise barrier shall be located along the perimeter of the property that faces any residential areas. The 12 foot noise barrier may be a soundwall, berm, or combination of the two. The height shall be measured relative to the pad of the warehouse. This requirement shall be implemented anytime residential areas are within 600 feet of the warehousing property line to insure that a noise level of 45 dBA (Leq) will not be exceeded at the residential zone. This requirement is consistent with Item 10 of Municipal Code Section 9.16.160 Business park/industrial that states, "All manufacturing and industrial uses adjacent to residential land uses shall include a buffer zone and/or noise attenuation wall to reduce outside noise levels" (per Noise Study MM N-10, pg. 62).

Facts in Support of the Finding: Areas within the WLC Specific Plan area, these include two groups of residences that may remain with the implementation of the Project. (FEIR, Volume 3, pgs. 4.12-49 to 4.12-54). Under CEQA, the question is whether a project will affect the environment of persons in general, not whether a project will affect particular persons. For instance, CEQA addresses how view sheds are impacted by a proposed project, but would not address the specific view that an individual resident sees. Therefore, the effect on the estimated 15 people (7 homes x 2.2 persons average occupancy)

who live in the 7 houses does not constitute an impact and is insignificant. The council has erred on the side of caution treating the impact as if it were significant.

- *Theodore Street/Street A (Street B to Street F).* There are two residences in this area. These residences are anticipated to experience noise increases up to 16 dB due to the implementation of the Specific Plan. As a result, existing noise levels at these two residences will be changed significantly. The exact alignment of the roadway is to be determined, but the homes may be roughly 100 feet from the centerline on the roadway. One residence fronts onto Street A (Theodore Street), and the driveway access would make a soundwall ineffective. The other residence is on to Street A. It is difficult to determine where an outdoor living area is for this residence. However, since it is a single residence, a soundwall would have a limited effectiveness. Since mitigation is not feasible, impacts remain significant and unavoidable. (FEIR, Volume 3, pg. 4.12-49)

- *Dracaea Avenue/Street F (east of Theodore Street).* There is one residence in this area fronting onto the future alignment of Street F (currently Dracaea Avenue). Existing conditions identify low levels of traffic noise on Dracaea Avenue. The 65 CNEL contour is projected to lie 84 feet from the centerline of Street F and it is likely that the one residence would lie within this zone. With build out of the Project, noise levels would reach as high as 68.1 CNEL, which exceeds the City's 65 CNEL threshold. Installation of a soundwall would not be effective in reducing noise levels due to the opening for the driveway. Since mitigation is not feasible, impacts remain significant and unavoidable. (FEIR, Volume 3, pg. 4.12-54)

For the noise impact locations adjacent to the WLC Specific Plan area for which significant noise impacts have been identified, mitigation measures are not feasible or will not fully reduce the impact to less than significant levels. (FEIR, Volume 3, pgs. 4.12-49 to 4.12-50)

- *Gilman Springs Road (between Eucalyptus Avenue and Street C, and between Jack Rabbit Trail and Bridge Street).* There are three single-family homes scattered along these roadway segments. All of the houses are set back from the roadway, but none has soundwalls. A significant noise increase is projected for at least one of these segments in three of the four case years. Homes that are widely separated from other homes cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.

DRAFT

- *Ironwood Avenue (between Redlands Boulevard and Highland Boulevard).* There are two single-family homes that front onto Ironwood Avenue. There are also two churches along this roadway. A significant noise increase is projected for all four study years the 2012 time horizon. In 2035, the Project is projected to increase noise levels by 52.1 dB, bringing the noise level to 60.8 CNEL. Land uses that are widely separated from one another cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.

- *Locust Avenue (between Moreno Beach Drive and Smiley Boulevard).* There are three single-family homes along this roadway and they front onto the roadway. The 2035 time horizon results in a significant noise increase for this area. In 2035, the Project will increase noise levels by 1.5 dB, bringing the noise level to 66.9 CNEL. As discussed above, homes that are scattered and front onto a street cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.

- *Redlands Boulevard (Eucalyptus Avenue to State Route 60).* There are scattered homes in this area that either face Redlands Boulevard (or Shubert Street) or are on Redlands Boulevard. The 2012 and 2035 time horizons result in a significant noise increase for this area. Homes that are scattered and front onto a street cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.

- *Redlands Boulevard (State Route 60 to San Timoteo Canyon Road).* There are approximately 28 homes along this roadway that would be affected. The single-family homes are scattered and generally front the roadway. The 2012, 2022, and 2035 time horizons result in a significant noise increase for this area. The increases in noise are around 2 dB with a resultant noise level in the 70 to 71 CNEL range. Homes that are scattered and front onto a street cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.

- *San Timoteo Canyon Road (from Alessandro Road to Live Oak Canyon Road to Redlands Boulevard).* There are approximately four scattered residences along this roadway that would be affected. The existing baseline plus Project time horizon results in a significant noise increase for this area. The noise increases by a little over 3.0 dB with resultant noise levels in the 65 to 66 CNEL range. Homes that are scattered and front onto a street cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.

DRAFT

- *Theodore Street (State Route 60 to Highland Boulevard).* The noise analysis indicates that the Project will cause a 1.2 dB increase in the year 2035 with a resulting noise level of 66.3 CNEL. There are four existing homes on Theodore Street that front onto the roadway. Homes that are scattered and front onto a street cannot be effectively mitigated with a soundwall. Therefore, the significant impact cannot be feasibly mitigated and it will remain significant and unavoidable.

5. Transportation

a. Off-Site Improvements to TUMF Facilities

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would cause an increase in traffic relative to the existing traffic load and capacity of the street system.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measure 4.15.7.4A** is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the City does not have direct control over TUMF funding the City cannot ensure that the identified improvements would be made are considered significant and unavoidable.

Facts in Support of the Finding: As indicated in Section 4.15 of the FEIR, Volume 3, there are improvements and changes to roads that are part of the TUMF Regional System of Highways and Arterials, some of which are under the jurisdiction of Moreno Valley and others of which are located in other jurisdictions. The developer shall be responsible for paying the TUMF fees in effect at the time of approval. These payments shall constitute the developer's mitigation of Project impacts to this category of roads. The City will work with the other member agencies of WRCOG to program TUMF funds to implement the mitigation measures identified in Table 4.15.AT through Table 4.15.AY (FEIR, Volume 3, pgs. 4.15-185 to 4.15-213) pertaining to TUMF facilities outside the jurisdiction of the City of Moreno Valley. To the extent that TUMF fees provided by the developer are used to implement the recommended improvements the Project's impacts would be less-than-significant. However, because the City does not have direct control over TUMF funding the City cannot ensure that the identified improvements would be made. Thus at this point the Project's impacts on these facilities must be considered significant and unavoidable. (FEIR, Volume 3, pgs. 4.15-239)

DRAFT

b. Off-Site Improvements to Roads Outside the Jurisdiction of the City and Not Part of the TUMF Program.

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project would cause an increase in traffic relative to the existing traffic load and capacity of the street system.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measure 4.15.7.4E** is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, Project impacts to off-site roads outside the jurisdiction of the City and not part of the TUMF Program are considered significant and unavoidable.

Facts in Support of the Finding: At this time, the City does not have cooperative agreements with neighboring jurisdictions that would serve as a mechanism for collecting and distributing developer funds to cover the cost of cross-jurisdictions mitigation measures, other than the TUMF program. The City will work with the City of Redlands and Riverside County to collect fair share funds from the developer and to implement the signalization of the San Timoteo Road/Alessandro Road intersection and the San Timoteo Road/Live Oak Canyon intersection (respectively). The City will also work with the City of Riverside to collect a fair-share contribution from the developer to signalize the Martin Luther King Boulevard/I-215 northbound ramp intersection. To the extent that the City is able to establish such a mechanism and the other jurisdiction constructs the recommended improvement, the Project's impacts would be less-than-significant. However, because the City cannot guarantee that such a mechanism will be established and does not have direct control over facilities outside of its jurisdiction, the City cannot ensure that the identified improvements would be made. Thus, at this point the Project's impacts on these facilities must be considered significant and unavoidable.

Similarly, the City has not entered into an agreement with Caltrans for the collection of developer fair share payments for improvements to the state highway system other than freeway interchange improvements funded through the TUMF program. Nor has Caltrans established a program to collect fair-share contributions to freeway improvements such as those identified in Table 74 and Table 79 of the Traffic Impact Analysis FEIR, Volume 3, Appendix L. Instead, Caltrans has traditionally relied on other means to fund freeway improvements; means involving multiple stages of review and input from other agencies, with priorities and constraints applied at each stage, that preclude a direct connection between developer-provided fair-share funds and specific highway improvements.

The key feature of this system pertaining to the recommended freeway mitigation measures is that this system is outside the control of the City of Moreno Valley. The City will work with Caltrans to establish a mechanism for collecting fair share funds from developers for use in funding needed freeway improvements. However, since at the present time no such mechanism exists that would ensure that WLC funds contributed to Caltrans or any other state agency would be used to implement specific improvements that mitigate WLC impacts, and because there is no mechanism by which the City can construct or guarantee the construction of any improvements to the freeway system by itself, the Project's impacts on the state highway system must be considered significant and unavoidable. (FEIR, Volume 3, pgs. 4.15-239 to 4.15-240)

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed four alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess the maximum net change in the environment as a result of implementation of the Project. The No Project Alternative, referred to as the No Project/No Build, assumes no ground-disturbing activities would take place, nor would any form of structure or facility be erected. No Project/Existing General Plan Alternative, a Reduced Density Alternative, and two Mixed Use Alternatives were also selected for analysis. CEQA requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. No Project/No Build Alternative

Description: Under the No Build Alternative, no development would take place within the project limits. No ground-disturbing activities would take place, nor would any form of structure or facility be erected. This alternative provides a baseline comparison to the Project. (FEIR, Volume 3, pg. 6-14 to 6-15)

Impacts: The No Project/No Build Alternative, as referenced in Section 6.0 of the FEIR, Volume 3, would not result in any new physical environmental effects.

Objectives: Under the No Project/No Build Alternative, the subject site would not be developed and all twelve of the Project Objectives would not be achieved.

Finding: Under the No Build Alternative, No ground-disturbing activities would take place, nor would any form of structure or facility be erected. This Alternative would not result in the same significant and unavoidable impacts associated with agricultural resources, air quality, and traffic that have been

identified within the FEIR, Volume 3 for the Project. In the absence of development, no impacts would occur and this alternative would be the environmentally superior alternative. However, prohibiting development of the site, as suggested by this alternative, would not fulfill any of the primary objectives of the Project. Retention of the project site in its current condition would not create a high cube logistics facility consisting of approximately 2,610 acres of high-cube warehouse uses and it would not expand employment opportunities within the City and surrounding area. This Alternative provides a baseline comparison to the Project. Because the No Build Alternative does not meet any the Project objectives, the City Council hereby rejects the No Build Alternative.

2. No Project/Existing General Plan Alternative

Description: Pursuant to CEQA (§15126.6[e][2]), the No Project Alternative should discuss what would reasonably be expected to occur, based on current plans and consistent with available infrastructure and community services, in the foreseeable future. It is reasonable in the event the Project were not approved that the site would be developed in accordance with the existing General Plan land uses in the future.

The No Project/Existing General Plan Alternative would result in development of the Project with the land uses currently shown in the City's General Plan. The City's General Plan currently designates the project area as a mix of residential, commercial, business park, and open space land uses in accordance with the Moreno Highlands Specific Plan (MHSP). The approved 2,038-acre MHSP (without the CFDW Conservation Buffer Area) is a master planned, mixed-use community, consisting of up to 4,051 residential dwelling units on approximately 1,435 acres and approximately 603 acres of business, retail, institutional, and other uses. The 1,084 acres owned by the CDFW are currently designated as Residential, Public Facilities, and Open Space in the City's General Plan. However, as it is owned by the CDFW, this area would not be developed and the property will not remain with these designations as part of this alternative, but it is unlikely that this area would be developed by the CDFW. (FEIR, Volume 3, pg. 6-15 to 6-16)

Impacts: Under the No Project/Existing General Plan Alternative, impacts related to short-term construction-related air quality would be similar to the Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air quality impacts would be reduced from that identified for the Project but would remain significant and unavoidable. Under this alternative, population and housing impacts would be greater in magnitude as residential uses are proposed. Similar to the Project, the associated increases in employment are accounted for in the City General Plan and other applicable local and regional plans.

DRAFT

The development of the No Project/Existing General Plan Alternative would have increased demands on public services and recreation facilities due to the residential component and population growth; however, the payment of fees, provision of onsite parkland and open space, higher property tax revenues, and adherence to development requirements would reduce these impacts to a less than significant level. Water supply availability is expected to be available although water demand is increased. Water demand was determined to be available for the Project. Because of the increase in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally greater that what was identified for the Project; therefore, long-term traffic impacts would remain significant and unavoidable. Traffic-related noise would be greater in magnitude and noise impacts would be significant and unavoidable like the Project. (FEIR, Volume 3, pg. 6-16 to 6-22)

Objectives: The No Project/Existing General Plan Alternative would, to some degree, realize a few of the Project Objectives. Development of this Alternative would provide new employment opportunities for residents of Moreno Valley but not nearly to the degree as the Project. It would establish design standards and development guidelines to a consistent and attractive appearance throughout the entire project. This alternative would also encourage new development consistent with regional and municipal service capabilities and would provide appropriate transitions or setbacks between on-site and off-site uses. (FEIR, Volume 3, Table 6.K, pg. 6-22: Comparison of No Project/Existing General Plan Alternative to the Project Objectives)

The No Project/Existing General Plan Alternative would not meet the objectives of the Project because it would not provide the land use designation and infrastructure plan necessary to meet current market demands and to support the City's Economic Development Action Plan; it would not create a major logistics center; and it would not create a project that will provide a balanced approach to the City's fiscal viability, economic expansion, and environmental integrity. (FEIR, Volume 3, Table 6.K: Comparison of No Project/Existing General Plan Alternative to the Project Objectives, pg. 6-22)

Finding: Under the No Project/Existing General Plan Alternative, a mix of residential, commercial, business park, and open space land uses in accordance with the Moreno Highlands Specific Plan (MHSP) would be built. The City Council hereby finds that the No Project/Existing General Plan Alternative will not avoid or substantially reduce the significant and unavoidable construction and operational air quality impacts, and long-term traffic impacts and noise would remain significant and unavoidable identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the Alternative would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the No Project/Existing General Plan Alternative would

diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The No Project/Existing General Plan Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the No Project/Existing General Plan Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this Alternative that is independently sufficient to support the City Council's rejection of this alternative.

3. Alternative 1 - Reduced Density Alternative

Description: As identified in Section 6.0 of the FEIR, Volume 3, the Reduced Density Alternative has been considered with the intent of avoiding or substantially reducing significant impacts, and in particular the significant impacts that cannot be reduced to a less than significant level through implementation of mitigation measures created by the Project's traffic, air quality, and noise impacts. This Alternative includes development of the project site with approximately 28 million square feet of logistics warehousing, including 74.3 acres for open space. The 1,084 acres owned by the CDFW would be designated as Open Space in the City's General Plan, similar to the Project. Under this alternative, the proposed logistics uses would represent a net decrease of approximately 31 percent (28 million square feet) as compared with the Project.

Because of the large area, approximately 2,610 acres, of the Project that is proposed for development, public facilities, or off-site improvements, a variety of reduced density alternatives could be considered that might substantially reduce or eliminate one or more of the significant and unavoidable impacts of the Project. For example, warehousing development on the site would have to be reduced to approximately one percent of the project site, or 400,000 square feet, of the WLC Project's proposed high-cube logistics warehouse building area in order to eliminate significant and unavoidable impacts associated with air quality in order to reduce air pollution emissions to less than applicable SCAQMD thresholds. The only way this could logically occur would be to develop a small portion of the site (i.e., less than one percent) and leave the rest of the site vacant. In addition, even this substantial reduction in the proposed high-cube logistics warehouse building area and/or developable area would not eliminate the Project's other significant and unavoidable impacts associated with aesthetics, air quality, noise, and transportation. Any of the viable alternatives that are examined in this EIR would entail some type of development on all or most of the project site, rather than development of an illogically small portion of the site (i.e., one percent). (FEIR, Volume 3, pg. 6-23 to 6-24)

DRAFT

Impacts: As identified in Section 6.0 of the FEIR, Volume 3, the Reduced Density Alternative would result in similar impacts for the following nine environmental issues: Aesthetics; Agriculture and Forestry Resources; Biological Resources; Cultural Resources; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Recreation. Under the Reduced Density Alternative, development of the same high-cube logistics land uses, building heights and mass, but at a floor area level approximately 70 percent of the Project, would be constructed resulting in significant and unavoidable impacts associated with scenic vistas, local scenic roads, character of the site and surroundings, and on a cumulatively considerable basis in the same exact manner as the Project. Impacts related to short-term construction-related air quality would be the same as the Project, because the same amount of land would be disturbed and the same mix of equipment would be utilized. The Reduced Density Alternative would result in significant and unavoidable air quality impacts from CO, VOC, NO_X, and PM_{10}, emissions during project construction, in the same exact manner as the Project. Long-term operational-related air quality impacts would be incrementally reduced when compared to the Project, but the emissions cannot be mitigated to below SCAQMD thresholds and would remain significant and unavoidable in approximately the same manner as the Project. Similarly, impacts related to short-term construction-related noise cannot be mitigated to a less than significant level and would be significant and unavoidable in the exact same manner as the Project. Although traffic-related noise would be reduced when compared to the Project, impacts would have a similar effect on local roadway segments and would remain significant and unavoidable as there are no feasible mitigation measures that would be able to reduce impacts to a less than significant level, in approximately the same manner as the Project. Under this alternative, the volume of water required and the amount of wastewater and solid waste generated would be reduced in comparison to the Project and the decrease in the amount of logistics uses would result in a reduction of permanent jobs that would be created. Consequently, this Alternative would have incrementally reduced demand on public services, recreation, and water use. Similar to the Project, increased property tax revenues, the payment of fees, and adherence to City development and utility requirements would reduce these impacts to less than significant levels.

Because of the decrease in vehicle trips achieved under this alternative, impacts to the operation of local roadways and intersections would be proportionally reduced from those identified for the Project. However, under this Alternative, the future increases in traffic volumes would have a similar effect on freeways and interchanges, resulting in significant impacts similar to those identified for the Project. Since the City does not have control over when freeway improvements would occur, traffic impacts to freeways and interchanges would remain significant and unavoidable for impacts associated with freeway

segments in approximately the same manner as the Project, as the City does not have control of when such freeway improvements can be installed or constructed by Caltrans.

In summary, the Reduced Density Alternative would incrementally reduce almost all of the Project impacts by reducing the total square footage of development. However, all of the impacts identified as significant and unavoidable under the Project, including aesthetics, air quality, greenhouse gas emissions, noise, and traffic would still be significant and unavoidable under this alternative. (FEIR, Volume 3, pg. 6-24 to 6-29).

Objectives: Under this Alternative, some of the Project objectives are met, but not nearly to the same degree as the Project which includes creating substantial employment opportunities for the citizens; providing the land use designations and infrastructure plans necessary to meet current market demands and to support the City's Economic Development Action Plan; creates a major logistics center with good regional and freeway access; provides a major logistics center to accommodate to some degree the ever-expanding volumes at the Ports of Los Angeles and Long Beach; creates a project that will provide a balanced approach to the City's fiscal viability, economic expansion, and environmental integrity; provides the infrastructure improvements required to meet project needs in an efficient and cost-effective manner; encourages new development consistent with regional and municipal service capabilities; improves employment opportunities within the City to improve the City's jobs/housing balance and help reduce systemic unemployment within the City; provides thousands of construction job opportunities during the Project's buildout phase to improve the jobs/housing balance and help reduce systemic unemployment; and provide appropriate transitions or setbacks between on-site and off-site uses. (FEIR, Volume 3, Table 6.M: Comparison of Reduced Density Alternative to the Project Objectives, pg. 6-29)

Findings: Under the Reduced Density Alternative, development of the project site with approximately 28 million square feet of logistics warehousing, including 74.3 acres for open space would occur. This Alternative would have similar impacts that have been identified within the FEIR, Volume 3. However, the Reduced Density Alternative would result in a decrease in trip generation in comparison to the Project, and would result in a decrease in the severity of the significant and unavoidable impacts to construction and operational air pollution emissions, climate change and greenhouse gas emission, and traffic. The City Council finds that the Reduced Density Alternative would fulfill three of the twelve Project Objectives by establishing design standards and development guidelines to ensure a consistent and attractive appearance throughout the entire project; establishing a master plan for the entire project area to ensure that the project is efficient and business-friendly, accommodating the next-generation of logistics buildings; and providing appropriate transitions or setbacks between on-site and off-site uses. Moreno Valley

residents would also have more opportunities for employment. Because the Reduced Density Alternative will not fulfill nine of the twelve objectives of the Project and the severity of significant and unavoidable impacts would be not be reduced, the Council hereby rejects the Reduced Density Alternative.

4. Alternative 2 - Mixed Use A

Description: As identified in Section 6.0 of the FEIR, Volume 3, with the intent of avoiding or substantially reducing significant impacts created by the Project's traffic, air quality, and noise impacts, the City considered Mixed Use A Alternative. This alternative includes development of the project site with approximately 1,410 acres of logistics warehousing (22 million square feet), 1,000 acres of light industrial uses (2,120 million square feet), 50 acres of retail commercial uses (500,000 square feet), 100 acres of professional or medical office uses (1.0 million square feet), and 150 acres of open space. The 1,085 acres owned by the CDFW would be designated as Open Space in the City's General Plan, similar to the Project. (FEIR, Volume 3, pg. 6-29 to 6-30)

Impacts: Section 6.0 of the FEIR, Volume 3, identifies nine environmental issues that would have similar impacts as the Project. These issues are: Aesthetics, Agricultural and Forestry Resources, Cultural Resources, Biological Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, and Recreation. Under this alternative, impacts related to short-term construction-related air quality and noise impacts would remain significant and unavoidable, similar to the Project. Long-term air quality operational impacts under this alternative would be increased in magnitude, remain significant and unavoidable, and would result in similar conditions as identified for the Project. The Mixed Use A Alternative would decrease the amount of logistics warehousing and would add light industrial, commercial, and office uses that would generate more permanent and more varied jobs than the Project, but some uses may require skilled workers and it is not known if or to what degree these workers already reside in the City. In addition, the developer will be supporting a local employment center to help City residents find positions within the WLCSP before the positions are advertised on a regional basis. The office uses proposed under this alternative may incrementally increase the total number of people that would be added to the City's population and could have greater demands on public services and recreation. However, the increased property tax revenues, payment of fees, and dedication of parkland would reduce these impacts to a less than significant level. This alternative would increase the amount of wastewater generated, increase the amount of potable water required, and increase the amount of solid waste produced on site. Similar to the Project, adherence to utility requirements would reduce these impacts to less than significant levels. Because of the increase in vehicle trips resulting from this alternative, impacts to the operation of local roadways and intersections would be proportionally increased from the Project and remain significant and unavoidable.

Because of the increase in vehicle trips under this alternative, impacts to the operation of local roadways and intersections would be proportionally increased from what was identified for the Project. Long-term traffic impacts would remain significant and unavoidable for impacts associated with freeway segments as the City does not have control of when such freeway improvements would occur. Similarly, traffic-related noise would be increased in magnitude and cannot be mitigated to a less than significant level in a manner similar to the Project.

In summary, the Mixed Use A Alternative would increase employment opportunities but would substantially increase traffic, noise, and air quality impacts. All the impacts identified as significant under the Project, including air quality health risks, would still be significant under this alternative. (FEIR, Volume 3, pgs. 6-29 through 6-34)

Objectives: Under this alternative, nearly all of the Project objectives are met, with the exception of the following: creates a major logistics center with good regional and freeway access; provides a major logistics center to accommodate to some degree the ever-expanding volumes at the Ports of Los Angeles and Long Beach; creates a project that will provide a balanced approach to the City's fiscal viability, economic expansion, and environmental integrity; and provides the infrastructure improvements required to meet project needs in an efficient and cost-effective manner; encourages new development consistent with regional and municipal service capabilities. (FEIR, Volume 3, Table 6.O: Comparison of the Mixed Use A Alternative to the Project Objectives, pg. 6-34)

Finding: Under the Mixed Use A Alternative, the project site would be developed with approximately 1,410 acres of logistics warehousing (22 million square feet), 1,000 acres of light industrial uses (2,120 million square feet), 50 acres of retail commercial uses (500,000 square feet), 100 acres of professional or medical office uses (1.0 million square feet), and 150 acres of open space. The Mixed Use A Alternative would increase employment opportunities but would substantially increase traffic, noise, and air quality impacts. All the impacts identified as significant under the Project, including air quality health risks, would still be significant under this alternative.

Most of the objectives of the Project would be met; however, the Mixed Use A Alternative would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system. The Council finds that the Mixed Use A Alternative would have similar impacts to all environmental issues. Because the Mixed Use A Alternative will not substantially reduce the environmental impact of the Project and it would not meet the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system, the Council hereby rejects the Mixed Use A Alternative.

DRAFT

5. Alternative 3 - Mixed Use B

Description: As identified in Section 6.0 of the FEIR, Volume 3, the Mixed Use B Alternative would develop the project site similar to the land use plan of the Moreno Highlands Specific Plan (MHSP) but with 10 million square feet of logistics warehousing on the 603 acres proposed for business, retail, institutional, and other uses under the MHSP. The 1,085 acres owned by the CDFW would be designated as Open Space in the City's General Plan, similar to the Project. (FEIR, Volume 3, pg. 6-34 to 6-35)

Impacts: Section 6.0 of the FEIR, Volume 3, Under Alternative 3, impacts related to short-term construction-related air quality would be similar to the Project as the same amount of land would be disturbed and the same mix of equipment would be utilized. Long-term operational-related air pollutant emissions would be higher than the Project and would remain significant and unavoidable, with the exception of $PM_{2.5}$ and SO_X. Like the Project, long-term air quality relative to criteria pollutants would still be significant, with the exception of SO_X. Assuming the same level of mitigation as the proposed Project, there would be no cancer risks associated with this alternative since the use of new technology diesel engines do not contribute to cancer risk as described in Final EIR Volume 3 Section 4.3.The development of the Mixed Use B Alternative would have increased demands on public services and recreation facilities to serve future residential uses. However, increased property tax revenues, payment of development impact fees, and adherence to development requirements would reduce these impacts to a less than significant level. Water supply availability is expected to be available as water demand is expected to be the same. Water demand was determined to be available for the Project. There would be an increase in vehicle trips under this alternative, and impacts to the operation of local roadways and intersections would be similarly increased compared to that identified for the Project; therefore, long-term traffic impacts would remain significant and unavoidable. Development of the Mixed Use B Alternative would provide new employment opportunities and homes for residents of Moreno Valley, but new employment opportunities would be significantly reduced compared to the Project.

In summary, the Mixed Use B Alternative would incrementally increase traffic and not improve the City's jobs/housing balance over the long-term. However, this is the only alternative that would reduce a significant impact of the Project (aesthetics – views) by substantially reducing the amount of warehousing on the site and replacing it with residential uses. Views of the area would still transition from vacant agricultural land to suburban development, but it would have a residential appearance compared to the Project. All the other impacts identified as significant under the Project, including likely air quality health risks, would still be significant under this alternative. (FEIR, Volume 3, pgs. 6-34 through 6-38)

DRAFT

Objectives: Under this alternative, some of the Project objectives are met, with the exception of the following: provides the land use designation and infrastructure plans necessary to meet current market demands and to support the City's Economic Development Action Plan; creates a major logistics with good regional and freeway access; eestablishes a master plan for the entire project area to ensure that the project is efficient and business-friendly, accommodating the next-generation of logistics buildings; provides a major logistics center to accommodate to some degree the ever-expanding trade volumes at the Ports of Los Angeles and Long Beach; creates a project that will provide a balanced approach to the City's fiscal viability, economic expansion, and environmental integrity; provides the infrastructure improvements required to meet project needs in an efficient and cost-effective manner; encourages new development consistent with regional and municipal service capabilities; and provides thousands of construction job opportunities during the project's buildout. (FEIR, Volume 3, Table 6.Q: Comparison of the Mixed Use B Alternative to the Project Objectives, pg. 6-38)

Finding: Under the Mixed Use B Alternative, development of the project site with approximately develop the project site similar to the land use plan of the Moreno Highlands Specific Plan (MHSP) but with 10 million square feet of logistics warehousing on the 603 acres proposed for business, retail, institutional, and other uses under the MHSP. The Mixed Use B Alternative would incrementally increase traffic and not improve the City's jobs/housing balance over the long-term. However, this is the only alternative that would reduce a significant impact of the Project (aesthetics – views) by substantially reducing the amount of warehousing on the site and replacing it with residential uses. Views of the area would still transition from vacant agricultural land to suburban development, but it would have a residential appearance compared to the Project. All the other impacts identified as significant under the Project, including likely air quality health risks, would still be significant under this alternative. (FEIR, Volume 3, pgs. 6-37)

Some of the objectives of the Project would be met; however, the Project objectives of locating distribution services near transportation corridors and clustering such uses near the state highway system would not be met. The Council finds that the Mixed Use B Alternative would have similar impacts to all environmental issues except for aesthetic because this Alternative would eliminate the significant and unavoidable impacts to aesthetics. Because the Mixed Use B Alternative will not substantially reduce the environmental impact of the Project and it would not meet the Project objectives of locating major distribution services near transportation corridors and clustering such uses near the state highway system, provide land use designations and infrastructure plans necessary to meet current market demands and to support the City's Economic Development Action Plan, and create a project that will provide a balanced

approach to the City's fiscal viability, economic expansion, and environmental integrity the Council hereby rejects the Mixed Use B Alternative.

6. Alternatives Considered and Rejected

A variety of additional alternatives were considered as part of the FEIR, Volume 3's Alternatives Analysis. (FEIR, Volume 3, pgs. 6-3 through 6-5) Two possible alternatives were considered and rejected because they could not accomplish the basic objectives of the Project or they were considered infeasible. Per the *CEQA Guidelines* (Section 15126.6(c)), factors that may be considered when addressing the feasibility of alternatives include failure to meet most of the stated Project objectives, infeasibility, or inability to avoid significant environmental effects. The purpose of the Project is to provide for and expand employment and revenue opportunities within the City of Moreno Valley. The Project would expand employment options in a location that is convenient to existing transportation corridors, convenient to existing and future City residents and would augment the City's economic base. The following provides and discussion of the three development scenarios that were considered and rejected as potential alternatives to implementation of the Project based on Section 15126.6 of the *CEQA Guidelines* because they did not feasibly attaining most of the basic objectives of the Project while reducing or avoiding any of the significant effects of the Project:

- All Residential Alternative: A number of residential uses, including very low density (2-acre or 5-acre lots) were considered prior to deciding on all warehousing uses, but it was concluded that any residential alternatives, or alternatives that emphasized residential uses, would further exacerbate the City's jobs/housing imbalance and did not meet any of the Project goals. In addition, the City's Economic Strategy Plan excludes additional residential development in this area. For these reasons, all Residential Use Alternatives were rejected for further analysis. However, an evaluation of the largely residential Moreno Highlands Specific Plan (MHSP) was provided under the No Project/Existing General Plan alternative. (FEIR, Volume 3, pg. 6-X)

- Mixed Use Alternative: The EIR examines two Mixed Use Alternatives with varying amounts of residential and non-residential uses. The No Project-Existing General Plan Alternative is based on the approved mixed use Moreno Highlands Specific Plan (MHSP). In addition, Alternative 3 (Mixed Use B) evaluates the impacts of substituting logistics warehouse uses for the non-residential uses currently included in the MHSP. After extensive evaluation, it was concluded that any reasonable combination of residential and non-residential uses (i.e., light industrial, business park, office, commercial) would result in impacts similar to those of the MHSP, Alternative 2 (mixed non-residential uses but no residential uses), or Alternative 3 (Moreno Highlands Specific

Plan with logistics warehousing as the main non-residential use). For this reason, no other Mixed Use Alternatives were considered further in this analysis. (FEIR, Volume 3, pg. 6-X)

- Alternative Sites. Section 6.0 of the FEIR, Volume 3 examines different sites in the surrounding region to determine if an alternative location would reduce or eliminate one or more significant impacts of the Project. This analysis must be based on feasible sites that could realistically support the Project (i.e., a contiguous 2,610-acre site for 40.6 million square feet of high-cube and light logistics warehouse uses as envisioned by the WLC Specific Plan). The surrounding jurisdictions, including Cities of Riverside, Perris, San Jacinto, Menifee, Calimesa, Banning, and Beaumont and the County of Riverside, along with Moreno Valley were contacted to identify potential alternative sites for the Project. FEIR, Volume 3, Figure 6.1 pg. 44 shows the locations of the various jurisdictions that were contacted and/or analyzed in this evaluation and FEIR, Volume 3, Table 6.R pg. 45 presents the results of that analysis. Table 6.R indicates that there are no feasible alternative sites in the surrounding or nearby jurisdictions that could support the Project (i.e., that have enough vacant land zoned or available for logistics warehousing with good freeway and/or rail access). For these reasons, Alternative Sites were not considered further in this analysis. (FEIR, Volume 3, pgs. 6-38 through 6-41.)

7. Environmentally Superior Alternative

As identified in the FEIR, Volume 3, the No Project/Existing General Plan Alternative has mixed impacts relative to the Project; it reduces aesthetic impacts to less than significant levels but worsens the jobs/housing ratio by introducing more housing than employment-generating uses. The Mixed Use A Alternative substantially increases traffic and related impacts compared to the Project impacts, but it does not create any additional significant impacts. The Mixed Use B Alternative would incrementally increase traffic and would not improve the jobs/housing balance. It would incrementally reduce health risks to existing residents along Redlands Boulevard (i.e., approximately 30 percent less warehousing), but could create health risks for new residents depending on the ultimate location of warehouses and new residences. In addition, this alternative would also worsen the jobs/housing ratio of the City by allowing the construction of many more homes than job-creating land uses. Regarding air quality impacts, development of any land uses would likely exceed SCAQMD thresholds mainly due to the size of the Project site. (FEIR, Volume 3, pg. 6-45 to 6-47)

The *CEQA Guidelines* (Section 15126.6 (e[2]) requires that an environmentally superior alternative be identified in the EIR. Based on the analysis in EIR Section 6 and the summary contained in DEIR Table 6.S, Alternative 1 – Reduced Density – is the only alternative that reduces traffic, air quality, and

related impacts by reducing the total square footage of warehousing by approximately 30 percent. Alternative 3—Mixed Use B—is the only alternative that would reduce a significant impact of the proposed project (i.e., aesthetics – views). However, it could create health risks for future residents of the project, and would worsen the jobs/housing balance of the City over the long term. For these reasons, the EIR concluded that Alternative 1 – Reduced Density — was environmentally superior to the proposed project.

DEIR Table 6.T compared Alternative 1 to the project objectives and determined Alternative 1 does not meet 9 of the 12 major goals of the proposed project mainly because reducing the total square footage by 30 percent also reduces the amount of new employment and property tax revenues. Therefore, Alternative 1 - Reduced Density, was rejected in favor of the proposed project.

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The Project area is largely vacant undeveloped land, although there are seven existing single-family homes in various locations on the WLC Project site along with associated ranch/farm buildings. The site has been farmed since the early 1900s and has supported dry (non-irrigated) farming, livestock grazing, and limited citrus groves. Much of the site continues to be used for dry farming.

The City's population has grown steadily over the past decades. Population projections developed by SCAG estimate the City's population will reach approximately 213,700 persons by the year 2020 and approximately 255,200 persons by the year 2035. The extent to which the new jobs created by a Project are filled by existing residents is a factor that tends to reduce the growth-inducing effect of a Project. Construction of the WLC Project will create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the Project area; therefore, construction of the WLC Project will not generate a permanent increase in population within the Project area. Development envisioned under the Specific Plan consists of approximately 40.6 million square feet of logistics warehouse and general warehouse facilities.

Development of the high-cube logistics warehouse and general warehouse facilities will create jobs in the local economy. It is estimated that the WLCSP Project would result in approximately 24,000 new job opportunities (20,307 on-site permanent jobs plus 3,693 direct/induced permanent jobs).

The new employment opportunities resulting from development of the proposed high-cube logistics warehouse and general warehouse uses will raise the City's current jobs-to-housing ratio by providing additional jobs to local residents. While the place of residence of the persons accepting employment provided by the proposed uses is uncertain, due to the City's projected jobs/housing ratio, it is reasonable to assume that a large percentage of these jobs would be filled by persons already living within the City or Project area. The Project does not include a residential component. The WLC Project is located within an area that is currently largely vacant and currently planned for a mix of residential, commercial, business park, and open space land uses in accordance with the General Plan Community Development Element. The WLC Project includes a General Plan Amendment to change the existing mix of land use designations to Logistics Development and Light Logistics. Therefore, no significant increase in population of the City would result from the development or operation of the WLC Project.

The *Fiscal and Economic Impact Study World Logistics Center Moreno Valley, California* (EIR Appendix O "Study," DTA 2014) estimates that approximately 7,386 indirect/induced jobs will be created in the County, of which 3,693 jobs are projected to be within the City as a result of Project implementation. While the specific location of the potential additional indirect/induced jobs created within the County cannot be specifically determined, it is reasonable to assume that a large percentage of these jobs will be support service jobs and are likely to be located in the WLC Project vicinity, and therefore the City. As detailed in the Study, total recurring revenues available to the City are estimated at approximately $11,257,466 per year. The greatest percentage of revenue is attributed to the Property Tax In-Lieu of Vehicle License Fee (40.2%), followed by Secured Property Tax (29.1%), and Business Receipts Tax and Licenses (10.8%). Total recurring costs to the City are estimated at approximately $5,557,674 per year. The greatest percentage of cost is attributed to the Police Services (35.8%), followed by Infrastructure and Parks Maintenance Costs (34.1%), and Fire Services (13.3%).

Project recurring annual fiscal surplus that would be available to the City is estimated at approximately 7 million which is equal two times the Project annual City General Fund costs.

The Project proposes to eliminate the potential for 7,700 units of residential housing planned under the Moreno Highlands Specific Plan, although this anticipated change is already included in the City's current Housing Element which has been certified by California Housing and Community Development. This change would incrementally reduce the population and housing growth potential for this property from that projected in the current SCAG regional growth forecast. However, the Project would add 40.6 million square feet of logistics warehouse space in the eastern portion of the City. Since the City currently has a jobs-to-housing ratio substantially lower than the region (i.e., SCAG region), it is

likely that much of the employment that would be generated by this Project can be accommodated by the existing workforce in the City and surrounding area. In that way, the Project is growth-inducing in terms of employment. Due to relatively high vacancy rates in the City, it is also likely that the housing needs of new employees that do not already live in the City (i.e., own or rent) could largely be accommodated by the City's existing housing stock. Therefore, the WLC Project would only produce modest (i.e., not significant) growth inducement within Moreno Valley.

As previously noted, the specific location of the additional indirect jobs created within the County cannot be specifically determined; however, it is likely that a large some percentage of these jobs will be support service jobs and are likely to be located in the Project vicinity. The Study assumes that one-half of these indirect jobs will be located within the City. The Study indicates that the creation of new jobs to the City will lead to more consumer spending by employees in existing retail establishments within the City, as well as new retail development that will be attracted to the City as a result of this spending. Job creation also results in increased tax revenues to the City through increased property taxes and sales taxes associated with development of the WLC Project. However, it is important to note that because of the difference in timing of the development of the various phases of the WLC Project, the number of employees summarized above will not be realized at the same time.

Development of the WLC Project is projected to create approximately 16,521 construction-related jobs within the City. Similar to recurring employment (i.e., permanent), it is likely that a large percentage of these jobs will be located in the general vicinity of the WLC Project and therefore within the City.

The WLC Project does not include a residential component; therefore, the jobs generated by the WLC Project would not need to support new households as a result of direct employment or indirect employment. Based on the potential increase in jobs (additional 20,307 direct jobs) within the City and no substantial increase in population as a result of the project, the City's jobs-to-housing ratio would improve from the existing (2011) ratio of 0.47 to 0.91, thus achieving a greater jobs-to-housing balance within the City. As development of the WLC Project is expected to occur over the course of many years, the jobs-to-housing ratio will not be significantly changed immediately. The City's current jobs-to-housing ratio is exceptionally low when compared to SCAG standards; therefore, the need for employment is immediate. A balance between jobs and housing within the City would have a positive impact by decreasing costs associated with commuting, traffic congestion, air pollution, and improves the standard of living. It also provides savings and a better quality of life to consumers in the operation and

DRAFT

maintenance of automobiles, lessening commute times and saving to local public agencies in terms of the need to construct and maintain new road improvements.

Streets, water and sewer utilities, and municipal services would be extended to serve the WLC Project. The WLC Project will benefit other development projects in the project area, and therefore, could potentially induce additional business and job growth by removing an impediment to growth, such as a lack of basic infrastructure or services. However, the WLC Project is located proximate to other existing warehouse, commercial, and residential uses. Therefore, the Project will necessitate extension of major infrastructure; however, the project will not result in substantial population growth that has not already been planned for in the City's General Plan. As discussed in Section V.9.c and in the Statement of Overriding Considerations in Section VI, the adoption of the WLCSP and the proposed use for the project site would further the overall goals of the General Plan , and because the improvements necessary for development of the site would not facilitate growth that has not been anticipated in the project area, no significant growth-inducing effect would occur, and no mitigation is required. (Section 5.0 of the FEIR, Volume 3, pgs. 5-4 through 5-6)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126(c) of the CEQA Guidelines mandates that the EIR must address any significant irreversible environmental changes which would be involved in the proposed action should it be implemented. An impact would fall into this category if it resulted in any of the following:

1. The project would involve a large commitment of non-renewable resources;

2. The primary and secondary impacts of the project would generally commit future generations of people to similar uses;

3. The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; and/or

4. The project will consume large amounts of energy that are produced from non-renewable fossil fuels, although the WLC Specific Plan indicates the proposed uses will efficiently consume energy and water resources.

Determining whether the WLC Project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that

there would be little possibility of restoring them. The project site is generally marginal agricultural land; however, as identified within the City's General Plan, the City anticipates the eventual conversion of agricultural uses to urban uses and the WLC Project would permanently alter the site by converting predominantly agricultural uses to urban warehousing. This is a significant irreversible environmental change that would occur as a result of project implementation. Because no significant mineral resources were identified within the project limits, no significant impacts related to this issue would result from development of the project site. Natural resources in the form of construction materials would be utilized in the construction of the WLC Project and energy resources in the form of electricity and natural gas would be used during the long-term operation of the project; however, their use is not expected to result in a negative impact related to the availability of these resources. Existing scenic vistas were identified as being visible from the project limits. Implementation of the WLC Project would result in the obstruction of views of the Badlands, Mt. Russell and Mystic Lake/San Jacinto Wildlife Preserve from the nearest sensitive visual receptors and those traveling along roadways in the project vicinity. This is a significant and irreversible environmental change that would occur as a result of project implementation. Cumulatively, future development along SR-60 would also result in the obstruction of the existing views of surrounding mountains and visual features.

In addition, this logistics warehouse project, in concert with the other built or approved industrial warehouse projects to the north and west, will fundamentally change the character and land use pattern of this portion of the City. Many of the Project-specific impacts are addressed, as outlined above, but the land use change represented by this and other industrial projects represents a substantial irreversible change in community character for this area. (FEIR, Volume 3 pgs. 5-4).

VI. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Section 15093 of the CEQA Guidelines, the City Council must balance the benefits of the proposed Project against unavoidable environmental risks in determining whether to approve the proposed Project, and, CEQA Guidelines Section 15093(b) provides that when a public agency approves a project that will result in significant impacts that are identified in the Final EIR but are not avoided or substantially lessened, the agency must state in writing the specific reasons to support its decision based on the Final EIR and/or other information in the whole administrative record. If the specific economic, legal, social, technological or other benefits of a proposed project outweigh its unavoidable adverse environmental impacts, the adverse effects may be considered "acceptable."

As set forth in sections V.A and V.B above, many of the World Logistics Center's impacts on the environment will either be insignificant or, through the imposition of mitigation measures as conditions of approval of the Project, can be reduced to less than significant.

Some impacts of The World Logistics Center will remain significant and unavoidable even after the imposition of all feasible mitigation measures which include impacts to aesthetics, air quality, including associated health risks, land use, noise, transportation and circulation. There are no feasible alternatives to the Project which would mitigate or avoid those environmental impacts as indicated in section V.D above.

In consideration of the above and as set forth below, the Council has determined that the benefits which will accrue from the development of the Project outweigh the significant and unavoidable impacts which the Project will produce.

Finding: Notwithstanding the significant unavoidable impacts to aesthetics (individually and cumulative), air quality (individually and cumulative), land use and planning, noise, and transportation discussed in subsection V.C above, the development of otherwise underused land, the creation of jobs by the Project, both during construction and after the Project is in operation, the multiplier effect which will create secondary jobs to support the Project and those who work in it, the substantial economic benefits which will be generated, directly and indirectly, by the Project, the reduction in commute times and the reduction of trips on the County's highways during peak morning and evening hours in the peak travel direction, the reduction of water consumption over currently planned uses, the achievement of the City's goal of attracting new business opportunities, the improvement of the City's jobs/housing balance and the generation of revenues which will go into the City's general fund constitute benefits which outweigh the unavoidable adverse environmental impacts to aesthetics, agricultural resources, air quality, land use, noise and transportation and circulation. Each of the benefits, individually, constitutes a sufficient basis for approving the Project notwithstanding the significant and unavoidable impact on aesthetics, agricultural resources, air quality , land use, noise and transportation and circulation which will result.

Factual Basis for the Finding:

Approval of the Project Will Create Jobs and Increase Economic Activity. At full build out, the Project is estimated to generate over 20,000 ongoing direct jobs in the City, and an additional approximately 7,400 indirect and induced jobs, approximately 3,700 of these indirect and induced jobs will be in the City. (Appendix O, Table 4B.) In constant 2012 dollars, these jobs will result

in estimated annual wages of approximately $830,000,000 for direct jobs and approximately $300,000,000 in wages resulting from indirect and induced jobs. Of the estimated $300,000,000 indirect and induced jobs approximately $150,000,000 in wages will occur within the City. (Appendix O, Table 4B.). This translates into an overall annual estimated economic output of approximately $2,370,000,000, approximately $1,940,000,000 of which will occur within the City (Appendix O, Table 4C.). The Project also is estimated to generate in aggregate, almost 13,000 direct construction jobs over the 15 year build out period, equivalent to approximately 850 full-time equivalent jobs every year for the duration of the 15-year construction period. These jobs will result in estimated wages, in constant 2012 dollars, of approximately $625,000,000. (Appendix O, Table 4D.) Added to this will be approximately 7,400 estimated indirect and induced jobs, with approximately 3,700 of them within the City, with wages, in constant 2012 dollars, of approximately $300,000,000 half of which, approximately $150,000,000 will be for jobs within the City. (Appendix O, Table 4D.) Construction is estimated to result in approximately $2,600,000,000 in total economic output, which includes in wages and sales income of which approximately $2,140,000,000 will occur within the City. (Appendix O, Table 4D.)

Approval of the Project Will Increase the City's Tax Revenues and Generate a Substantial Annual tax Surplus. At full build out, the Project is estimated to generate approximately $11,300,000 in annual revenues (in constant 2012 dollars) for the City (Appendix O, Table 3A) with approximately $5,500,000 in costs (Appendix O, Table 3B) resulting in an estimated annual surplus of almost $5,700,000. (Appendix O, Table 3C.) In addition, the City will receive an estimated additional $1,800,000 in Moreno Valley Fire property taxes over the cost of the fire protection services which will be provided to the Project, money that can be spent on fire services in other parts of the City (Appendix O, page 18).

Approval of the Project Will Provide Money for Schools. The Project is estimated to provide approximately $20,300,000 in school impact mitigation fees (calculated based on a total 40,600,000 sq. ft. times the 2014 Moreno Valley School District and San Jacinto Unified School District's respective development fees) that can be used to improve educational opportunities for students within both the Moreno Valley Unified School District and the San Jacinto Unified School District. (Final EIR, Table 4.14.D.) The Project is estimated to also generate approximately $22,000,000 in additional State education revenue annually as a result of the 1% ad valorem property taxes assessed against the developed Project property. Finally, the Project will also benefit education as a result of income taxes paid to the State on jobs created by the Project, which will be used to fund elementary and high schools, both locally and throughout the State. (Education Code § 14002.)

Approval of the Project Will Improve the City's Jobs/Housing Balance. As shown in Section 4.13.1.3 of the Final EIR, the City's current jobs/housing balance of 0.47 is one of the lowest in Southern California and is almost 60% below the Southern California Association of Government's 1.14 average, resulting in long commutes for many of the City's residents. At full build out, the jobs within the City associated with the Project, direct, indirect and induced, are projected to increase the jobs/housing balance to 0.91 (Appendix O, Table 4F).

Approval of the Project Will Further the State of California's Goals of Improving the Urban Jobs/Housing Balance. California Government Code 65890.1 declares the following:

- State land use patterns should be encouraged that balance the location of employment-generating uses with residential uses so that employment-related commuting is minimized.
- Balance in employment and residential land use patterns reduces traffic congestion and may contribute to improvement of air quality in urban areas.
- Balancing of employment-generating land uses and residential land uses improves economic and housing opportunities and reduces loss of economic productivity caused by transportation delay.
- The attainment of a more balanced land use pattern requires the cooperation of government agencies with the private sector to assure that public and private decisions affecting land use take into consideration the need to seek balance in the location of employment-generating land uses and residential land uses.
- Local agencies and state agencies should cooperate to facilitate the balancing of employment-generating land uses and residential land uses and provisions of transportation to serve these uses.
- Local governments have the primary responsibility to plan for local land use patterns, within the parameters established by state law to achieve statewide needs.
- It is the intent of the Legislature to move toward the goal that every California worker have available the opportunity to reside close to his or her jobsite.

DRAFT

By creating an estimated 20,000 direct jobs and more indirect and induced jobs in Moreno Valley, the Project improves the City's jobs/housing balance and helps the City meet this State-mandated goal.

Approval of the Project Will Further the General Plan's Goal to Create an Orderly and Balanced Land Use Pattern that Accommodates a Range of Residential, Cultural, Recreational, Business and Employment Opportunities (Goal 9.1, I). The Project adds a major jobs-rich, high-demand land use which is projected to provide a substantial number of both construction and permanent job opportunities to significantly improve the City's low jobs-housing balance and establish a long-term stable tax base to fund City services. The Project includes a Specific Plan which incorporates extensive project design standards and project review processes to ensure that all project development occurs in an orderly and balanced manner.

Approval of the Project Will Further the General Plan's Goal of Creating Clean, Attractive Conditions, Free of Blight and Deteriorated Conditions (Goal 9.1, II). The Project will convert more than 2,600 acres of unused, unproductive marginal farmland into a comprehensively designed logistics campus incorporating project-wide guidelines for site planning, architecture, and landscaping. The WLC project will advance many of the City's General Plan goals, objectives and policies. This Project will replace the 20-year old Moreno Highlands Specific Plan which proved to be unmarketable. The Project includes a Specific Plan which requires compliance with these guidelines for all development within the WLC, all of which will be subject to a discretionary plan review process including provisions for public review.

Approval of the Project Will Further the General Plan's Goal of Creating a Community that Enjoys a Healthy Economic Climate that Benefits Both Residents and Businesses (Goal 9.1, IV). The Project will create substantial long-term economic growth and stability for the City as a whole through the creation of tens of thousands of short-term and long-term employment opportunities, increased property values, substantial on-going revenue sources from property taxes and retail sales, low cost of municipal services for logistics uses and payment of substantial development fees. Based on the projections from three separate economic analyses contained in the EIR, the Project will provide substantial annual tax surpluses that will generate funds for use by the City to address city-wide needs.

Approval of the Project Will Further the General Plan's Goal of Creating Recreational Amenities, Recreational Services and Open Space, Including but not Limited to Parks, Multi-Use Trails, Community Centers and Open Space (Goal 9.1, V). The Project includes the offer of dedication of 74.3 acres of significant open space in the Mt. Russell area. This area is immediately adjacent to the State of California's 8,800-acre Lake Perris State Recreation Area and the 9,000-acre San Jacinto Wildlife

Area. The 74.3 acres will be offered for dedication to the state and to the City for open space use. In addition, the WLC Specific Plan includes the provision for more than five miles of new mixed-use trails to be developed through the Project extending the existing trail system to provide public access opportunities to the Lake Perris Recreation Area and the San Jacinto Wildlife Area.

Approval of the Project Will Further the General Plan's Goal to Create a Pattern of Land Uses Which Organizes Future Growth, Minimizes Conflicts Between Land Uses and Which Promotes the Rational Utilization of Presently Underdeveloped and Undeveloped Parcels (Goal 2.1). The Project will develop a major undeveloped section of the City into a self-contained, master-planned logistics park featuring major buffer areas between the Project and adjacent land uses. Development of the Project will occur in an organized rational manner subject to the review and approval by the City of all development proposals.

Approval of the Project Will Further the General Plan's Goal to Create an Organized, Well-Designed, High Quality, and Functional Balance of Urban and Rural Land Uses that Will Meet the Needs of a Diverse Population and Promote the Optimum Degree of Health, Safety, Well-being and Beauty for All Areas of the Community While Maintaining a Sound Economic Base (Goal 2.2). The Project will convert more than 2,600 acres of unused, unproductive marginal farmland into a comprehensively designed logistics campus incorporating project-wide guidelines for site planning, architecture, and landscaping. The WLC project will advance many of the City's General Plan goals, objectives and policies. This Project will replace the 20-year old Moreno Highlands Specific Plan west of Gilman Springs Road which proved to be unmarketable. The Project is projected to create thousands of job opportunities in the City of Moreno Valley within a master-planned logistics campus that will feature unified building design concepts, on-site and off-site landscaping, architecture, street design and a project-wide drainage and water quality system that emphasizes the creation of a sustainable business environment, a safe working environment for thousands of employees, in an attractive comfortable setting while creating a source of major economic benefits and stability to the City and its residents.

Approval of the Project Will Further the General Plan's Goal of Achieving an Overall Design Statement that Will Establish a Visually Unique Image Throughout the City (Goal 2.3). The Project will be subject to extensive design guidelines which guide all elements of the development of the Project including grading, streets, buildings, lighting, landscaping, architecture, screening, parking, and signage all focused on creating a unified, aesthetically pleasing, functional design across the entire project area. The Project's proximity to SR60 and Gilman Springs Road will provide a comprehensively

DRAFT

planned, architecturally-significant entry statement for the City. Every element of the Project will be subject to City review and approval to ensure that all applicable standards and these City goals are met.

Approval of the Project Will Further the General Plan's Goal of Providing Systems for Water Supply and Distribution; Wastewater Collection, Treatment and Disposal; and Energy Distribution Which are Capable of Meeting the Present and Future Needs of All Residential, Commercial and Industrial Customers Within the City of Moreno Valley (Goal 2.5). The Project will provide necessary infrastructure systems to accommodate the future water, wastewater and utility needs of all users within the WLC. Such infrastructure systems will be constructed to keep pace with demand and will be monitored by the City and the Eastern Municipal Water District in connection with the review of each individual building application. Infrastructure improvements will be required to be operational at such time as buildings are occupied.

Approval of the Project Will Further the General Plan's Goal of Balancing the Provision of Urban and Rural Lands Within Moreno Valley by Providing Adequate Land for Present and Future Urban and Economic Development Needs, While Retaining the Significant Natural Features and the Rural Character and Lifestyle of the Northeastern Portion of the Community (Objective 2.1). The Project will establish a major center of jobs-rich land uses to provide thousands of job opportunities for residents of the City and the region and will generate substantial long-term tax revenues to the City, the County and the State to assist in the funding of public services throughout the region. The development of the Project will be accomplished without impact on the rural character and lifestyle of the northeastern portion of the community. The SR60 corridor will provide a significant visual and functional separation between the WLC project and the northeastern portion of the community.

Approval of the Project Will Further the General Plan's Goal of Providing a Mix of Industrial Uses Which Will Provide a Sound and Diversified Economic Base and Ample Employment Opportunities for the Citizens of Moreno Valley with the Establishment of Industrial Activities that Have Good Access to the Regional Transportation System, Accommodate the Personal Needs of Workers and Business Visitors; and which Meets the Service Needs of Local Businesses (Objective 2.5). The Project will provide a large-scale, master-planned logistics center specifically designed for the unique goods movement needs of the national and international business community relating to access, circulation, security and technology, all in an attractive, secure and sustainable environment. The project will create thousands of job opportunities for the citizens of Moreno Valley and the region and will provide a substantial long-term source of tax revenues to help provide a stable and diversified economic base for the City. The circulation plan for the Project is oriented toward

the SR60 freeway and to Gilman Springs Road so that traffic, particularly truck traffic, can move to and from the freeway system without interacting with drivers from residential areas in the vicinity. Heavy trucks are prohibited on streets adjacent to residential areas in the vicinity.

Approval of the Project Will Further the General Plan's Goal of Designating Business Park/Industrial Areas to Provide for Manufacturing, Research and Development, Warehousing and Distribution as Well as Office and Support Commercial Activities (Policy 2.5.1). The Project will create a 2,600-acre master-planned logistics park which can provide up to 40,600,000 square feet of logistics uses (warehouse and distribution) and ancillary office uses. Development of the project will create thousands of job opportunities responding to the strong demand of the logistics industry and adding to the depth and variety of employment opportunities in the City. Development of the Project will provide a substantial long-term revenue benefits to the City allowing for the funding of City services across a broader and more stable economic base.

Approval of the Project Will Further the General Plan's Goal of Locating Industrial Uses to Avoid Adverse Impacts on Surrounding Land Uses (Policy 2.5.2). The Project site is located at the most easterly end of the City and is buffered by SR60 on the north, Gilman Springs Road and the Badlands on the east, and the permanent open space of the San Jacinto Wildlife Area on the south. The Project includes several design features specifically to address the interface with the residential areas to the west of the Project. An extensive landscaped buffer runs the full length of the Project along Redlands Boulevard, Bay Avenue and Merwin Street. This buffer includes an earthen berm and a landscape design oriented to the adjacent residential neighborhoods. Special building height restrictions are applicable to the Project along its western edge to reduce the visibility of WLC buildings from the properties to the west. Other design features include: substantial development buffers along all edges of the Project, extensive landscape treatments within these buffers, a circulation system designed to direct trucks toward the freeways and away from residential areas, revisions to city-enforced Truck Routes to prohibit large trucks in residential areas, lighting restrictions, noise restrictions, building height limitations and architectural and landscape guidelines. These design features will be implemented by the City in connection with its review and approval of all development proposals within the WLC area.

Approval of the Project Will Further the General Plan's Goal of Screening Manufacturing and Industrial Uses When Necessary to Reduce Glare, Noise, Dust, Vibrations and Unsightly Views (Policy 2.5.3) The Project provides extensive design guidelines in the Specific Plan to provide appropriate screening of WLC uses. The Specific Plan contains provisions for extensive landscape buffers around the WLC project, including an earthen berm along the western project edge. In addition,

guidelines addressing building height limitations, on-site and off-site landscape requirements, equipment screening, light shielding and noise restrictions are contained in the Specific Plan. Implementation of these design features will ensure that adjacent properties are not adversely affected by the development of the WLC project. The City will implement these guidelines in connection with its Plot Plan review of all development proposals in the WLC as required in the Specific Plan.

Approval of the Project Will Further the General Plan's Goal of Designing Industrial Developments to Discourage Access Through Residential Areas (Policy 2.5.4). The Project provides for a circulation system that directs traffic toward the freeways and away from local residential areas. The circulation plan provides no vehicular access to Redlands Blvd. between the existing intersections with Eucalyptus Ave. on the north and Cactus Ave. on the south. The City's Truck Routes will be amended such that heavy truck traffic will be prohibited on Redlands Blvd. south of Eucalyptus Ave. and on Cactus Ave. west of the WLC project.

Approval of the Project Will Further the General Plan's Goal of Encouraging Open Space Preservation through Policies that Recognize Valuable Natural Resources and Areas Required for Protection of Public Safety that Exist in the City (Objective 2.7). The Project includes the redesignation of more than 1,000 acres of land to Open Space to reflect its present use as part of the San Jacinto Wildlife Area. In addition, 74.3 acres of land on the slopes of Mt. Russell will be offered for dedication to the State of California or to the City of Moreno Valley as permanent open space

Approval of the Project Will Further the General Plan's Goal of Supporting and Encouraging the Annexation of Unincorporated Areas within the General Plan Study Area for which: a)Long-term Benefits Will be Derived by the City, b) Adequate Infrastructure and Services Have Been or Can Be Economically Provided in Accordance with Current City Standards, and c)the Proposed Annexation Will Generate Sufficient Revenues to Adequately Pay for the Provision of City Services Within a Reasonable Period of Time (Policy 2.9.1) The Project includes the annexation of an 85-acre parcel at the intersection of Gilman Springs Road and Alessandro Blvd., the development of which is incorporated into the WLC Specific Plan. The site's location west of Gilman Springs Road makes its inclusion in the Specific Plan both practical and logical from a Project design perspective as well as for the delivery of public services.

Approval of the Project Will Further the General Plan's Goal of Ensuring that All Development within the City of Moreno Valley Is of High Quality, Yields a Pleasant Living and Working Environment for Existing and Future Residents and Attracts Business as the Result of

Consistent Exemplary Design (Objective 2.10). The Project establishes extensive design guidelines in the Specific Plan and establishes project review procedures by the City to ensure that all development is of high quality, compatible design, and incorporates features to enhance its environmental sustainability. The City will conduct a discretionary review of all development proposals to ensure that the overall WLC and each project within it will result in a pleasant environment for employees and visitors. Through the provisions of the Specific Plan, the Project will have a consistent design theme (Policy 2.10.1), will contain regulations regarding screening of outdoor storage and trash facilities (Policy 2.10.2), will require architecturally attractive building elevations (Policy 2.10.3), will require landscaping as an integral part of the project design (Policy 2.10.4), requires a landscape buffer along the freeway right-of-way (Policy 2.10.5), will require a comprehensive sign program for the entire Project area (Policy 2.10.6), provides regulations for the control of on-site lighting (Policy 2.10.7 and 8), provides design standards for fences and walls (Policy 2.10.9), provides design standards for street frontages (Policy 2.10.10), provides design features (buffers, berms, landscaping, height restrictions, etc.) to screen and buffer the Project from residential properties (Policy 2.10.11), provides screening requirements for on-site parking areas (Policy 2.10.12) and requires compliance with the Municipal Code for landscaping in parking areas (Policy 2.10.13).

Approval of the Project Will Further the General Plan's Goal of Maintaining a Water System Capable of Meeting Daily and Peak Demands of Moreno Valley Residents and Businesses Including the Provision of Adequate Fire Flows (Objective 2.11). The Project will be designed to minimize water consumption to the greatest degree possible. In addition to incorporating water-saving design features in all buildings, the Project will feature a landscape design that will minimize the use of mechanical irrigation to the greatest degree possible. The Project is required to confirm the availability of infrastructure to provide adequate water service (including fire flows) to serve development prior to the occupancy of each building in the WLC. Improvement plans will be reviewed and approved by the City and by Eastern Municipal Water District for all development within the WLC.

Approval of the Project Will Further the General Plan's Goal of Maintaining a Wastewater Collection, Treatment and Disposal System Capable of Meeting the Daily and Peak Demands of Moreno Valley Residents and Businesses (Objective 2.12). The Project's commitment to reducing water consumption throughout the project will significantly reduce the amount of wastewater that will be generated. The Project is required to confirm the availability of infrastructure to provide adequate wastewater services to serve development prior to the occupancy of each building in the WLC. Improvement plans will be reviewed and approved by the City and by Eastern Municipal Water District for all development within the Project.

Approval of the Project Will Further the General Plan's Goal of Coordinating Development Activity With the Provision of Public Infrastructure and Services (Objective 2.13). The Project is subject to state-mandated subdivision procedures as well as discretionary project review procedures both carried out by the City prior to the development of any property within the Project area. These procedures establish the nature and extent of infrastructure improvements needed to serve any proposed development project. All development plans will be reviewed and approved by the service provider and such development will be limited to that which can be adequately served (Policy 2.13.1). Backbone facilities shall be constructed with the initial phases of the development served (Policy 2.13.2). Such improvements are required to be operational prior to the occupancy of any new buildings (Policy 2.13.3). The Project will include advanced technology infrastructure, including high-speed internet access and solar energy. (Policy 2.13.4).

Approval of the Project Will Further the General Plan's Goal of Developing a System of Trails Which Contribute to Environmental Quality and Energy Conservation by Providing Alternatives to Motorized Vehicular Travel and Opportunities for Recreational Equestrian Riding, Bicycle Riding and Hiking and that Connects With Major Regional Trail Systems (Objective 4.3). The Project includes the extension of the City's multi-use trail system with five miles of trails to be constructed within the WLC. These trails will provide linkages between the residential area west of the Project to the Lake Perris Recreation Area and the San Jacinto Wildlife Area to the south of the Project and to the Badlands area east of the Project. The trails will extend along Eucalyptus Ave. providing a nearby linkage to the future trails on the north side of SR60 (Policy 4.3.1). In addition, a public Trail Head will be constructed along Alessandro Boulevard (Policy 4.3.5). All such multi-use trails will be constructed along with adjacent development (Policy 4.3.3).

Approval of the Project Will Further the General Plan's Goal of a Safe, Efficient, Environmentally and Fiscally Sound Integrated Vehicular Circulation System which Provides Access to Development and Supports Mobility Requirements of the System's Users (Goal 5.1) The Project incorporates a circulation systems that fully meets the needs of the WLC project through the provision of enhanced freeway interchanges, new and expanded arterial highways, and collector streets within the WLC (Objective 5.1). The design of this system of roadways will be evaluated with each proposed building to ensure that adequate access and circulation is provided for planned vehicles (autos and trucks) as well as emergency vehicles, trash trucks, pedestrians and bicycles (Policy 5.1.1). Class II bikeways will be constructed on all streets in the WLC to reduce conflicts between vehicular, pedestrian and bicycle traffic (Policy 5.1.2). Off-street parking is required to meet Municipal Code requirements (Policy 5.1.3) and additional truck pull-out parking bays along collector streets will be installed to offer

additional truck parking without obstructing traffic flow. The circulation system is designed to preclude project truck traffic from traveling through residential areas by interrupting through traffic on Alessandro Blvd. and by not designating Redlands Blvd. south of Eucalyptus Ave. and Cactus Avenue west of the WLC project as Truck Routes.

Approval of the Project Will Further the General Plan's Goal of Maintaining Level Of Service (LOS) "D" in the Vicinity of SR60 and High Employment Centers (Objective 5.3). The Project has been designed to meet the LOS "D" standard throughout the Project and each building project will be required to prepare and process a focused traffic impact analysis to confirm that this standard is met. Road improvements to maintain this standard will be constructed prior to occupancy of each building (Policy 5.3.1). Other traffic improvements will be funded through the collection of DIF and TUMF fees in connection with the construction of each building (Policy 5.3.5). Mitigation Measures imposed on the development of the Project will ensure that surrounding streets will not be exposed to additional traffic or traffic delays.

Approval of the Project Will Further the General Plan's Goal of Maximizing the Efficiency of the Local Circulation System (Objective 5.5). The Project's circulation system includes a system of roadways to provide safe and efficient access to all development parcels within the WLC. Each individual project will be reviewed and approved by the City to ensure that roadway spacing is appropriate (Policy 5.5.1), turn lanes are provided where necessary (Policy 5.5.2) and points of access are coordinated to ensure adequate capacity, efficiency and safety (Policy 5.5.3 and 5.5.4).

Approval of the Project Will Further the General Plan's Goal of Encouraging Development of an Efficient Public Transportation System for the Entire Community (Objective 5.8). The Project has been designed to accommodate public transit vehicles on all Project streets, including future bus turnouts and bus shelters at such time as bus routes are established to serve the WLC (Policy 5.8.4).

Approval of the Project Will Further the General Plan's Goal of Encouraging Development of Safe, Efficient and Aesthetic Pedestrian Facilities (Objective 5.9). The Project includes a system of pedestrian walkways that will link all Project sites to one another as well as to transit facilities, trails, bikeways, and off-Project locations (Policies 5.9.1 and .2). Such pedestrian walks will be designed into adjacent Project plans to enhance the aesthetics of the pedestrian experience while encouraging non-vehicular transportation. (Policies 5.9.3 and .4).

Approval of the Project Will Further the General Plan's Goal of Encouraging Bicycling as an Alternative to Single Occupant Vehicle Travel for the Purpose of Reducing Fuel Consumption,

Traffic Congestion and Air Pollution (Objective 5.10). The Project provides a comprehensive network of bikeways along all Project streets to link all project sites as well as links to off-Project bicycle facilities and circulation facilities (Policy 5.10.1). Plot Plans for each building will ensure that facilities are incorporated (storage lockers, showers, etc.) to encourage the use of bicycles.

Approval of the Project Will Make Major Progress Toward Fulfilling Goals of the Moreno Valley Economic Development Action Plan. The Moreno Valley Economic Development Action Plan, approved by the City Council, first as a two-year plan in April, 2011, and again as a three-year plan in April, 2013, specifically identified logistics development in eastern Moreno Valley as a primary economic opportunity for the City. The logistics industry has been a leader in job creation in the Inland Empire and is expected to remain a strong business sector for the region (Inland Empire Quarterly Economic Report, January, 2014). Accordingly, the Project will create jobs well-suited for the local population in a community with an unemployment rate of 9.7% (April, 2014), which is well above the State average of 7.3% (April, 2014). (City Manager's Report, pages 13-14 (June, 2014).

Approval of the Project Will Provide Quality Jobs. As set forth in Appendix O, Section 4.I.A.2, development of the Project is projected to create over 20,000 jobs with an estimated average annual income of $40,926 (David Taussig & Associates, Fiscal and Economic Impact Study, 2014). This average income, taken from the U.S. Census Bureau for Riverside County and the Inland Empire, is slightly higher than the $40,124 average income of current Moreno Valley residents according to the U.S. Bureau of Labor Statistics. These numbers represent average incomes in 2012, the latest date on which the information is available.

Approval of the Project Will Create Jobs in the Industry Where Demand Exists. For twenty years, the Moreno Highlands Specific Plan allowed for the development of a mix of residential, commercial, and small business park uses. However, due to a lack of demand, the uses allowed by the Specific Plan were never realized. Throughout Moreno Valley, there remains undeveloped residentially and commercially zoned property that sits underutilized due to a lack of demand resulting in a lack of job creation. Recognition of the lack of job creation was one of the driving elements of the City's Economic Development Action Plan (April, 2011 and April, 2013), which sought to increase investment in the City and create job opportunities within the City. The Economic Development Action Plan identified healthcare and the logistics industries as the two major areas of economic opportunity for the City, where job creation is directly linked to market demand. The City has lost job creation opportunities due to the mismatch between zoning and market demand for those land uses. By selectively

DRAFT

aligning some of the City's land uses with market demands, the City will create job opportunities within the City that would not be achievable based on current zoning and market demand.

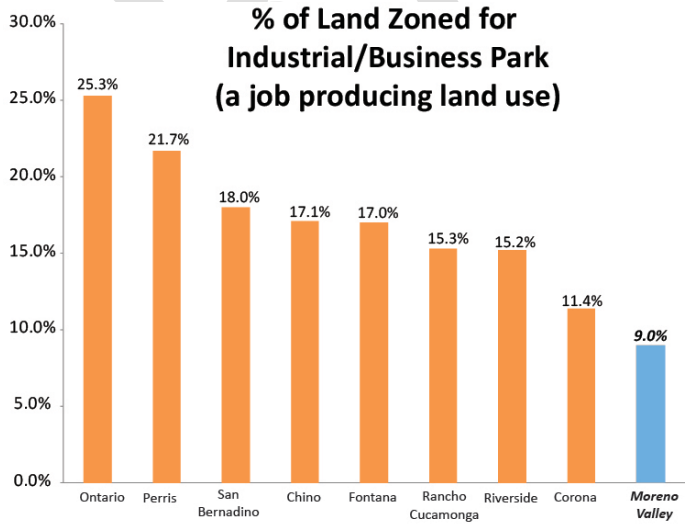
Approval of the Project Will Increase Employment, Furthering the City's Goal of Improving Quality of Life and Creating a Healthy Economic Climate by Reducing Poverty and Its Impacts. The Project will create jobs improving the economic vitality of the City and help reduce its 10.7% unemployment rate as of August 2014, according to the City Manager's October, 2014, Update. Increased employment in the City is one of many actions that will raise the quality of life and help improve the economic environment for the 1 in 6 residents , including 1 in 4 children, that live below the poverty line. By approving the Project, thereby creating an estimated 20,000 jobs, the City will help reduce poverty and its resulting impacts, which will result in an improved quality of life and economic climate (Ultimate General Plan Goals II and IV).

Approval of the Project Will Improve Public Health. One method of improving public health in Moreno Valley is to improve economic opportunities in the City because poverty is strongly correlated with many negative outcomes, particularly health. Public health research groups like the Robert Woods Johnson Foundation find that socioeconomic difficulties, not environmental issues, are the principal causes of public health risks (http://www.dailynews.com/opinion/20131025/californias-poor-kept-in-poverty-by-job-killing-elite-john-husing). And according to "IS POVERTY A DEATH SENTENCE? The Human Cost of Socioeconomic Disparities" by Senator Bernie Sanders (http://www.sanders.senate.gov/), almost as many people die from poverty as from lung cancer. Therefore, one of the best ways to improve public health in Moreno Valley is to increase the number of employment opportunities in the City. By approving the Project, thereby creating an estimated 20,000 direct jobs, the City will help reduce poverty and its resulting public health impacts.

Approval of the Project Will Allow for the Economic Use of Currently Underused Land. As set forth in Appendices C-1 and C-4 of the Final EIR, the Project site is currently suitable only for dry farming as the high cost and uncertain availability of irrigation water make irrigated farming economically infeasible. Further, as stated in section 3.3.1 of the Final EIR, there are numerous uses permitted by the current zoning on the site (the Moreno Highlands Specific Plan), but, because there has been no market for the planned and permitted uses, the Project site has remained undeveloped for over 20 years. As set forth in the Project Objectives in Section 3.6 of the Final EIR and in the Fiscal and Economic Impact Study dated May 21, 2014 (Appendix O to the Final EIR), the approval of the Project will allow the conversion of vacant, marginally productive agricultural land into a jobs- and revenue-producing facility.

Approval of the Project Will Ensure the Availability of Industrially-Zoned Land in Moreno Valley to Meet Demand. With the exception of the project site, the City of Moreno Valley has less than 150 acres, remaining for industrial development that does not already have an application for development pending. Over 14 million square feet of industrial development has been constructed in Moreno Valley with only one building currently vacant (City of Moreno Valley Economic Development Summary, July 10, 2014). As noted, inclusive of the 14 million square feet of industrial buildings already developed in the city, the City will still suffer from a substantial deficit of jobs compared to housing and the remaining 150 acres of industrial land in the City is insufficient to create the jobs needed to reduce poverty in the City and to meet the City's employment goals set forth in the Economic Development Action Plan. Land for logistics development is in high demand and is one of the fastest growing sectors in the Inland Empire (Inland Empire Quarterly Economic Report, January, 2014). Without additional industrially zoned land, the City will not be able to meet the regional demand for logistics facilities which the city has identified as a prime area of economic opportunity in the City. Approval of the Project will provide more than 2,400 acres of land for logistics use, responding to the demand for those uses.

Approval of the Project Will Allow Moreno Valley to be More Competitive for Industrial Projects. Moreno Valley substantially lags other cities in the Inland Empire in the percentage of land zoned for industrial/business park uses (see chart below):



City of Moreno Valley's Economic Development Action Plan, Survey of Inland Region - Industrial/Business Park Zoning (April, 2011)

With hardly any other available land remaining in the City for industrial development, the City cannot effectively compete and gain its fair share of industry in the region. With an insufficient amount of industrially zoned land, Moreno Valley is unable to attract the jobs necessary to provide economic opportunities for its residents.

Approval of the Project Will Make Major Progress Toward Fulfilling the Regional Need for Logistics Development. The Southern California Association of Governments, of which the City is a member, came to the following conclusions in its June, 2010, report, Industrial Space in Southern California: Future Supply and Demand for Warehousing and Intermodal Facilities, at pages ES-1-2:

"According to assumed growth rates, the region will run out of suitably zoned vacant land in about the year 2028. At that time, forecasts show that the demand for warehousing space will be approximately 1,023 million square feet.

"During the year 2035, there will be a projected shortfall of space of about 228 million square feet, unless other land not currently zoned for warehousing becomes available."

The Project will be developed over the time period that the region needs additional appropriately zoned land for warehousing and intermodal facilities. As a result, the Project will help meet the forecasted demand for such facilities and will allow the City to be well placed to reap the benefits from serving the demand for logistics services.

Approval of the Project Will Implement Aggressive Air Quality Strategies. The Project will implement the most stringent air quality requirements. All trucks serving the facility will be required to meet U.S. Environmental Protection Agency's (USEPA) and California Air Resources Board's (CARB) most stringent engine emissions standards (2010 standards) that apply to new heavy-duty vehicles (Mitigation Measure 4.3.6.2A). By prohibiting trucks that do not meet 2010 emissions standards, the Project will exceed the operational requirements of USEPA and CARB and other agencies. In addition, the Project will 1) construct an alternative fueling station to encourage the use of alternatively-fueled vehicles (Mitigation Measure 4.3.6.3C), 2) prohibit the use of diesel in onsite facility equipment (Mitigation Measure 4.3.6.3B), 3) restrict idling (Mitigation Measure 4.3.6.3B), and 4) prohibit the use of diesel backup generators (Mitigation Measure 4.3.6.3B).

Approval of the Project Will Ensure that the Health of Residents, School Children and Workers, both Within and Outside of the Project Area, Will Not Be Adversely Affected by the Construction and Operation of the Project. The development of a logistics facility necessarily involves

the use of large numbers of diesel trucks. Numerous studies have found that the exhaust from the older diesel trucks can cause cancer and other adverse health effects. As set forth in EIR Section 4.3, the recent study conducted by the Health Effects Institute demonstrates that diesel trucks which comply with stringent USEPA and CARB 2010 standards do not cause cancer or adverse health effects. Project conditions of approval prohibit diesel trucks which do not comply with the 2010 standards from accessing the Project. As a result, the city will enjoy the numerous benefits which will flow from the construction and operation of the project without subjecting anyone to the risk of cancer and other adverse health effects which result from the use of older diesel trucks.

Approval of the Project Will Reduce Commuting Time and Decrease Traffic on the County's Highways during Peak Hours. As shown in Section 4.15.3.2 of the Final EIR, the jobs created by the Project will result in shorter commutes for the City's residents, shorter commutes for those who do not reside in the City but who have been forced to seek jobs closer to Los Angeles and will allow workers from outside of the City to travel to and from the Project on the County's freeways in the off peak directions which will reduce commute times. (Appendix L, section 4.D.)

Approval of the Project Will Result in Substantially Fewer Vehicle Trips Compared to Current Zoning. The traffic study for the Moreno Highlands Specific Plan (current zoning) forecasted a total of 178,608 average vehicle trips per day (ADT) resulting from the development of the Moreno Highlands plan. Deducting the land in the Moreno Highlands plan purchased by the California Department of Fish and Wildlife, San Diego Gas and Electric Company and Southern California Gas Company, none of which will be developed further, reduces the Average Daily Trips to 119,668. (FEIR, Volume 3, Table 6.G.) The development of the Moreno Highlands plan (current zoning) would result in more than a 70% increase in Average Daily Trips as compared to the development of the World Logistics Center project (69,542 ADT). (FEIR, Volume 3, Table 6.G.) It is important to note that the approved Moreno Highlands traffic studies did not provide separate counts for car and truck traffic and did not provide a forecast in terms of passenger care equivalents (PCEs) therefore the Average Daily Trips for the Moreno Highlands plan may understate total traffic as compared to the World Logistics Center Average Daily Trips. However, even if the Moreno Highlands plan were to generate no truck trips at all (only passenger car trips), it would still generate substantially more PCE trips than the proposed Project.

Approval of the Project Will Result in the Consumption of Substantially Less Water Compared to Current Zoning. When compared to the currently approved Moreno Highland Specific Plan, there will be a 64% decrease in projected water demand, 1,761,260 gallons per day, compared to 4,888,456 gallons per day after accounting for the land within the Specific Plan area which will never be

developed. (Final EIR, Table 6.I.) As a result, the Project's water usage consumption will be substantially below that anticipated in the City's General Plan and the 2010 Eastern Municipal Water District's Urban Water Management Plan. (FEIR, Volume 3, pg. 4.16-20.).

Approval of the Project Will Create a Master-Planned, Sustainable Development. The development of the Project will be governed by the World Logistics Center Specific Plan which will result in a master-planned industrial development that will create a jobs center in eastern Moreno Valley that is separated from residential communities. By governing the development of the Project through the use of the Specific Plan, the City has ensured that all development at the Project site will meet the highest environmental standards while limiting impacts on the community. The Project achieves these standards through requirements such as LEED certification for buildings, minimal irrigation landscaping, solar power which ensures sustainable design and the smallest environmental footprint. In addition, the use of a master-planned development ensures that the Project will meet the highest aesthetic standards, creating a world-class facility, subject to rigorous design standards.

VII. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council declares that it has reviewed and considered the FEIR in evaluating the Project and that the FEIR reflects the independent judgment of the City Council and finds that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines. The City Council further finds that no new significant information as defined by CEQA Guidelines Section 15088.5, has been received by the City Council after the circulation of both the DEIR and the FEIR that would require recirculation. All of the information added to the FEIR merely clarifies, amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. FINDINGS

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Project as detailed in the Statement of Overriding Considerations.

DRAFT

The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council has complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(C) of these Findings:

- Aesthetics - Scenic Vistas
- Aesthetics - Scenic Resources and Scenic Highways
- Aesthetics - Substantial degradation of the existing visual character or quality of the site and its surroundings
- Aesthetics - Cumulative Aesthetic Impacts
- Air Quality - Construction Air Pollutant Emissions
- Air Quality - Operational Air Pollutant Emissions
- Air Quality - Consistency with Air Quality Management Plan (AQMP)
- Air Quality - Cumulative Air Pollutant Emissions
- Air Quality - Sensitive Receptors
- Land Use and Planning - Physically divide an established neighborhood (impacts on existing residences)
- Noise - Short-Term Construction Noise
- Noise - Long-Term Traffic Noise
- Noise - Cumulative Noise Levels
- Transportation - Off-Site Impacts to TUMF Facilities
- Transportation - Off-Site Improvements to Roads Outside the Jurisdiction of the City and Not Part of the TUMF Program

The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining

unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the Project have been identified in the EIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section VII.A.2 above.

b. Other reasonable alternatives to the Project that could feasibly achieve the basic objectives of the Project have been considered and rejected in favor of the Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the Project override and make infeasible any alternatives to the Project or further mitigation measures beyond those incorporated into the Project.

VIII. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the Mitigation Monitoring and Reporting Plan (MMRP) set forth in the FEIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

DRAFT