CITY OF MORENO VALLEY
Community & Economic Development Department
Planning Division

MEMORANDUM

To: Distribution List

From: John C. Terell, Planning Official

Date: March 13, 2012

Subject: Summary of issue areas identified at March 12, 2012, Notice of Preparation Meeting – World Logistics Center

At last night's meeting, there were thirty-one speakers providing comments on the project. Written notes are in the file, which provide a wide range of comments on the project. This memo only lists issues suggested for inclusion in the environmental impact report for the project. Some relate to suggested changes to the project description or proposed mitigation measures.

1. Number of jobs anticipated by the project – provide an independent analysis.
2. Identify impacts on local unemployment, including skill levels required.
3. Seismic safety related to the Casa Loma and San Jacinto fault lines.
4. Impacts of current land use plan versus the proposal.
5. Potential impact of railroad and Panama Canal expansions on local demand for logistics.
6. Clear explanation of "high cube warehouse".
7. Identify potential for rail spur to serve project.
8. Provide an economic assessment of the project (fiscal/cost benefit analysis)
9. Identify flooding impacts before and after project.
10. Provide buffers to adjacent housing and wildlife areas.
11. Do not use existing permanent open space as buffer.
12. Identify impact on viability of adjacent residential areas with logistics adjacency.
13. Include list of other uses allowed in addition to logistics, and their impacts.
14. Include manufacturing and high tech as permitted uses.
15. Impacts on views from Moreno neighborhood.
16. Include description of "net zero storm water treatment" and implementation.
17. Potential for trucks to exit onto Redlands and need to turn around to access project.
18. Provide alternatives for waiting trucks rather than parking on off ramps and local streets.
19. Provide "solid" alternatives analysis to provide viable options.
20. Include requirement for solar panels on building roofs.
21. Include assessment on regional air quality including criteria pollutants.
22. Work with SCAQMD on implementation of new truck technologies to reduce emissions.
23. Identify air quality impacts and specifically on children, elderly residents, and wildlife.
24. Identify diesel emission impacts on workers in project area.
25. Provide impact on wildlife by species.
26. Identify light and noise impacts on wildlife area.
27. Identify impact on groundwater.
28. Identify noise impacts.

29. Identify specific green technologies to be included in project.
30. Include potential for use of CNG, hydrogen fuel cell, solar electricity to supply trucks.
31. Identify amount of traffic on local roads, specifically truck traffic.
32. Identify impacts on Alessandro pavement quality.
33. Include potential diversion of truck traffic from Alessandro.
34. Identify impacts on wildlife, including owls and other raptors.
35. Identify globally significant raptor habitat & impacts on grazing areas within project area.
36. Identify impact on public services and funding.
37. Provide a comprehensive plan for review prior to completing environmental.
38. Identify all public improvements, including parks, to be provided by project.
39. Identify all impacts on current residents within project area.
40. Identify any use of roadways through the adjacent wildlife area.
41. Identify where 7700 housing units currently planned for project area will be replaced.
42. Identify traffic impact of relocated planned housing units.
43. Impacts on route and historic views from Juan Bautista de Anza 1775 exploration.
44. Contact National Park Service related to Juan Bautista de Anza trail impacts.
45. Identify impact on crime rates.

CC: Wayne Peterson, Highland Fairview (applicant)
Danette Fenstermacher, Highland Fairview
Kent Norton, LSA Associates (environmental consultant)
Timothy Krantz, TKEC (city consultant)
Barry Foster, CEDD Director
Case file

Ann L. Turner McKibben
23296 Sonnet Drive
Moreno Valley, CA 92557-5403

26 March 2012

Via e-mail: johnt@moval.org

John C. Terrell, Planning Official
City of Moreno Valley
Community & Economic Development Department
P.O. Box 88005
Moreno Valley, CA 92552

Dear Mr. Terrell:

Re: Notice of Preparation of a DEIR for World Logistics Center Specific Plan

The following are my comments regarding the NOP for the DEIR for the World Logistics Center Specific Plan.

Someone (project proponent and the city) must have forgotten to read Jane Jacobs' book The Death and Life of Great American Cities while planning this project.

The comment period is not adequate. For a project of this size (41.6 million square feet of warehousing/distribution buildings) more time must be allowed for the public/tax payers to comment on this project.

Aesthetics: How will the project enhance the open space & scenic vistas of the northern San Jacinto Valley & the San Jacinto Wildlife Area? Will the project conform to the International Dark Sky Association recommendations? Many cities, such as Palm Desert, are able to include such standards within their cities.

Agricultural: Will Prime Agricultural Lands be lost? How will the loss be mitigated?

Air Quality: Will fine particulates increase due to this project? How will our air quality improve under this project? What type of trucks will be used to haul goods? Will they meet current laws regulating the amount of diesel produced particulate matter?

Biological Resources: What biological resources will be destroyed if this project is built? Will biological surveys be done at appropriate times throughout the year to quantify migrating species plus cover all the seasons? How will the project improve the biological resources at the San

Jacinto Wildlife Area, a major Riverside County Multi-Species Habitat Conservation Plan reserve?

Energy Use & Conservation: How will the project conserve energy? What methods will be used to save energy? Will solar panels be installed on all buildings?

Greenhouse Gas Emissions: How will the project improve/lessen the amount Greenhouse Gas Emissions? How will it meet state standards?

Hydrology/Water Quality: How will the project improve the water quality? How will the project affect the water quality at the San Jacinto Wildlife Area, Mystic Lake, San Jacinto River and points beyond? What are the cumulative impacts to the watershed? Where is the source of water for the project? How will the water consumption affect conservation efforts due to the state's current drought? Will the project use drought tolerant and drought tolerant native plants? Will it use greenscape (turf)?

Land Use/Planning: How does the project meet good land use planning standards? Is 41.6 million square feet of warehousing/distribution centers located on 3,820 acres in eastern Moreno Valley good land use planning? Does it bring about diverse land uses, improve the residents quality of life, does it provide open space (not including the deceptive impression by the project maps that California Department of Fish & Game lands are part of the project)? How does it produce a diverse economic base for the city? How will the project impact adjacent residences, the Old Moreno section of Moreno Valley?

Noise: How will the project improve the level of noise in this rural area? How will noise levels be mitigated?

Recreation: How will this project improve the recreation opportunities for the city's residents? How will the city's trail system & bikeways be affected by the project?

Transportation/Traffic: How will the project improve the level of truck traffic on Highway 60? Who will pay for the highway improvements needed for the increased truck traffic? How will the increase in truck traffic on Highway 60 and local streets be mitigated?

Cumulative Impacts: The DEIR needs to address the cumulative impacts of this project including all of the projects included within the South I-215 economic corridor (from Riverside to Temecula), the Beaumont distribution project on Jack Rabbit Trail/H60, the regional impacts of projects in Mira Loma and Ontario and all projects within the city of Riverside.

Alternatives: The DEIR needs to provide legitimate, well-researched alternatives to this project. It needs to provide quality information, not a cursory effort.

Once again the comment period for this project needs to be extended. I'm sure the project proponent has had plenty of time to interact with city staff & elected officials. The public needs to be provided more time to comment on a potential project which will have significant, long-term impacts to its residents.

Please keep me informed of all meetings, documents, & information regarding this project. My contact information is included in this letter.

Thank you for the opportunity to comment on this project.

Sincerely,

Ann Turner McKibben
23296 Sonnet Drive
Moreno Valley, CA 92557-5403
e-mail: atmckibben@roadrunner.com

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

EDMUND G. BROWN JR, Governor
Charlton H. Bonham, Director

RECEIVED
MAR 26 2012
CITY OF MORENO VALLEY
Planning Division

March 22, 2012

John C. Terell
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re: Notice of Preparation of Environmental Impact Report for the World Logistics Center Project SCH# 2012021045

Dear Mr. Terell:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) for the World Logistics Center Specific Plan (Project). The Department is responding as a Trustee Agency for fish and wildlife resources (Fish and Game Code Sections 711.7 and 1802 and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as a Lake or Streambed Alteration Agreement (Fish and Game Code Sections 1600 *et seq.*) and/or a Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (Fish and Game Code Sections 2080 and 2080.1).

Project Description

The 3,820-acre Project is located in the City of Moreno Valley and is bounded by State Route 60 (SR-60) to the north, Redlands Boulevard to the west, Gilman Springs Road to the east and the San Jacinto Wildlife Area to the south. The Project involves a General Plan Amendment, a Zone Change, and an annexation. The Project consists of the construction of 41.6 million square feet of warehouse distribution facilities.

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including rare, threatened, and endangered plant and animal species, pursuant to the CESA, and administers the Natural Community Conservation Planning Program (NCCP Program). On June 22, 2004, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section 2800 et seq. of the Fish and Game Code. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit.

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. The Project is located in the Reche Canyon/Badlands Area Plan

of the MSHCP, subgroups D and X. The City of Moreno Valley is the Lead Agency and is signatory to the Implementing Agreement of the MSHCP. Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the DEIR discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements.

A small portion of the Project site is designated in the MSHCP as being located in the survey area for mammals. The entire Project site is located in the survey area for burrowing owl. Any surveys should be conducted prior to submittal of the DEIR and the results included in the DEIR, along with all biological studies.

The DEIR should include an analysis of the potential indirect effects of the Project on the fish and wildlife resources and functions of the SJWA and Lake Perris Recreation Area relative to MSHCP Section 6.1.4 Guidelines Pertaining to the Urban/Wildlands Interface.

San Jacinto Wildlife Area (SJWA)

The map provided in the NOP Figure 3 (Land Use Map) shows that 1,136 acres in the southern part of the site will be designated as open space as part of the General Plan and Specific Plan amendments. Much of the property that the Project designates as open space is owned by the State of California as part of the SJWA. The Department agrees that the lands within the SJWA should be designated as Open Space. These lands can not be used by the Project towards any mitigation requirements. The Department recommends that the Project increase the internal Project area designated Open Space to include a buffer from the boundary of the SJWA. The Department also recommends the DEIR include mitigation measures to protect the SJWA and requests the DEIR include studies to identify the appropriate buffer to protect the SJWA and hunting opportunities from the development. The applicant should consult with the manager of the SJWA for information about the wildlife area and the species.

The SJWA represent a substantial investment (in excess of $96 million) by the State in acquiring habitat for native plants, animals, and migratory waterfowl. The SJWA was originally established as mitigation for the direct loss of fish and wildlife habitat and public recreational opportunities resulting from construction of the State Water Project and is designated as a core reserve for the Stephen's Kangaroo Rat Habitat Conservation Plan (SKRHCP) and the MSHCP. The SJWA is one of two Type A wildlife areas in Southern California and is a historic migratory stopover for migratory waterfowl and non-game birds. The SJWA is also a regional destination point for bird watching. A key component of the SJWA is hunting for waterfowl and upland game. The Department is very concerned about the potential impacts of this Project on conserved lands, hunting opportunities, foraging habitat for raptors and waterfowl, and Stephens' kangaroo rat (SKR) (a State and Federal listed species).

To the south and west of the Project site is the Lake Perris State Recreation Area. This property is at a higher elevation than the adjacent SJWA and the resources there may be adversely impacted by noise, lighting and traffic. Both of these State conserved lands keep records of attendance and these figures should be incorporated into the traffic analysis.

The DEIR should include a comprehensive cumulative impacts analysis of the potential direct and indirect effects of the Project on the fish and wildlife resources, the adjacent SJWA, and Lake Perris Recreation Area. The effects that should be analyzed include: potential increased traffic on Davis Road and effects on species; lighting effects on the species and the SJWA; noise impacts from the facility and vehicles using the facility; the windblown trash from the facility and its affect on species and the resulting increased management needs at the wildlife area; vehicular emissions and their effects on species and vegetation communities; new or modified roads and potential effects on connectivity between SJWA and the surrounding landscape; the potential for fuel modification and the need for increased fire protection; any increases in vectors and the need for their control; and runoff from the warehouse site and its effects on the species and the SJWA. The DEIR should include a comprehensive mitigation proposal to address potential effects and impacts to fish and wildlife resources, the adjacent SJWA, and Lake Perris Recreation Area.

Davis Road bisects the SJWA and is closed at the boundary of the SJWA. The City of Moreno Valley and the County of Riverside vacated the road and right of way. The land was provided to the Department for inclusion in the SJWA, and the closure of the road underwent environmental review. The DEIR should include a comprehensive cumulative impacts analysis of the increased traffic on the SJWA, and ensure Davis Road is not proposed as an access across the SJWA to mitigate the growth inducing effects of this development.

There may be potential additional impacts from truck emissions and dust. The Department recommends that the air quality analysis include a map indicating where truck emissions are likely to be deposited because native vegetation is very susceptible to the adverse impacts of nitrogen deposition. The University of Californian Riverside is a leader in this field and faculty have published papers on the topic of nitrogen deposition and its effect on native vegetation.

The Project has the potential to impact biological resources that utilize the Project site. The site has been used for agriculture and provides foraging habitat for raptors and other birds, and habitat for small mammals and reptiles. Animals in the Project area could include raptors and grassland species, including but not limited to Bell's sage sparrow, loggerhead shrike, burrowing owl, southern California rufous crowned sparrow, Los Angeles pocket mouse, SKR, mountain lion, and coyote. The applicants should consult with the Department to obtain the locations of SKR populations and include an analysis of potential impacts on this species. The loss of 2,000+ acres of potential foraging habitat has the potential to cause increased predation by raptors in the wildlife area or a decrease in the local raptor population. Conversion of foraging habitat may also reduce the amount of food available for migratory waterfowl. During adverse weather, migratory birds have fatally mistaken large parking lots for open bodies of water. This Project proposes large parking lots adjacent to the SJWA, an historic migratory route and destination. The Department recommends the DEIR include studies to identify and mitigate potential impacts to migratory birds. The Department also recommends the DEIR include mitigation measures to protect the SJWA and requests the DEIR include studies to identify the appropriate buffer to protect the SJWA and hunting opportunities from the development. The applicant should consult with the manager of the SJWA for information about the wildlife area and the species.

State Jurisdictional Waters

The Department is concerned about the continuing loss of jurisdictional waters of the State and the encroachment of development into areas with native habitat values. According to

the MSHCP Guidelines Pertaining to the Urban Wildlands Interface, projects are required to ensure that the quality and quantity of runoff discharged to the MSHCP Conservation Area is not altered in an adverse way when compared with existing conditions. It is our understanding that the proposed project site drains toward the SJWA . The Department is concerned the Project may affect water quality, fish and wildlife resources, and jurisdictional habitats in this area. The CEQA document should contain sufficient, specific, and current biological information on the existing habitat and species at the Project site; measures to minimize and avoid sensitive biological resources; and mitigation measures to offset the loss of native flora and fauna and State waters. If the Project site contains Federally or State-listed species, the CEQA document should include measures to avoid and minimize impacts to these species as well as mitigation measures to compensate for the loss of biological resources. The CEQA document should not defer impact analysis and mitigation measures to future regulatory discretionary actions, such as a Lake or Streambed Alteration Agreement, CESA Permit, or Federal Endangered Species Act (FESA) Permit.

Greenhouse Gas Emissions

The Department is committed to reducing the effects of climate change on the state's natural resources and in implementing legislative requirements addressing greenhouse gas emissions. The Natural Resources Agency adopted new guidelines on December 31, 2009, requiring lead agencies to analyze greenhouse gas (GHG) emissions under section 15064.4 during CEQA review. Assembly Bill 32, the California Global Warming Solutions Act, established a state goal of reducing GHG emissions to 1990 levels by the year 2020 (a reduction of approximately 25 percent from forecast emission levels). Senate Bill 97, a "companion" bill directed amendments to CEQA statutes to specifically establish that GHG emissions and their impacts are appropriate subjects for CEQA analysis. Senate Bill 375 calls on California's urban regions to develop coordinated plans for reducing greenhouse gas emissions through more efficient transportation and development patterns. Regional transportation agencies, in coordination with local governments, must now design "Sustainable Communities Strategies" (SCSs) to achieve mandated greenhouse gas emissions reduction targets from automobiles and light trucks.

The Project appears to be counter to legislative and executive efforts to reduce greenhouse gases as the Project is located far from ports, railroads, airports, or major freeways. The Project may emit greenhouse gases from sources both pre and post construction such as vehicle mileage trips to site, energy to run the facility, water supply, and landscape maintenance equipment. Land use conversion from agriculture to a warehouse facility can reduce the ability of existing ecosystems to sequester carbon. Please provide a quantitative analysis that includes, but is not limited to, the primary sources of GHG emissions associated with the project pre and post construction including: vehicular traffic, generation of electricity, natural gas consumption/combustion, solid waste generation and water usage. Please assess the potential direct and indirect effects of Project associated GHGs including the loss of open space for sequestering carbon, the extent of change in GHGs compared to the existing environmental setting, and the potential conflicts with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. The potential direct and indirect impacts should be analyzed in the DEIR and appropriate mitigation provided for impacts

Analyses of the Potential Project-Related Impacts on Biological Resources

This particular Project has the potential to have significant environmental impacts on sensitive flora and fauna resources. Therefore, the CEQA document should include a

cumulative impact analysis and an alternatives analysis which focuses on environmental resources and ways to avoid or minimize impacts to those resources.

To enable Department staff to adequately review and comment on the proposed Project, we suggest that updated biological studies be conducted prior to any environmental or discretionary approvals. The following information should be included in any focused biological report or supplemental environmental report:

1. A summary of the structure, purpose and obligations of the Lead Agency under the MSHCP and an analysis of the Project in relation to the Area Plan and Criteria Cell biological goals and objectives.

    a. Reserve Assembly. The Project is located within the MSHCP Criteria Area and is subject to the conservation requirements for reserve assembly. A discussion of the applicable Area Plan and whether the Project includes Criteria Cells should be addressed. Documents processed through the Resource Conservation Agency (RCA) of the MSHCP should be included in the CEQA document.

    b. Goals and Objectives. A discussion of the Area Plan biological goals and objectives for species and habitats and an analysis of the Project's species and habitats in relation to those goals and objectives.

    c. MSHCP Policies. A discussion of the applicability of MSHCP policies and procedures, including: the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools policy (MSHCP Section 6.1.2); Protection of Narrow Endemic Plan Species (MSHCP Section 6.1.3); Additional Survey Needs and Procedures (MSHCP Section 6.3.2); Fuels Management (MSHCP Section 6.4), and the Guidelines Pertaining to the Urban Wildlands Interface (MSHCP Section 6.1.4).

    d. Special Survey Areas. A discussion of what the survey requirements are of the Project site and the results of general and focused surveys. Surveys should be conducted within one year of submittal of the CEQA document. Survey requirements and results should be included in the CEQA document.

    e. Biological Resources. A list of the biological resources found on the site and an analysis of how the Project implementation would impact those resources.

    f. Mitigation Measures. A list of proposed mitigation measures required by the MSHCP to offset impacts to site species and habitats, including payment of fees or other measures.

2. Please provide a complete assessment of the flora and fauna within and adjacent to the Project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.

    a. Please provide a thorough assessment of rare plants and rare natural communities, following the Department's November 2009 guidance for

Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. The guidance document can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols_for_Surveying_and_Evaluating_Impacts.pdf

b. A thorough assessment of sensitive fish, wildlife, reptile, and amphibian species should be completed and analyzed in the DEIR. Seasonal variations in use of the Project area should also be considered. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.

c. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 327-5960 to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the California Fish and Game Code.

3. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts.

a. CEQA Guidelines, 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.

b. Project impacts should be analyzed relative to their effects on off-site habitats. Specifically, this should encompass adjacent public lands, open space, adjacent natural habitats, and riparian ecosystems. In addition, impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be fully evaluated and provided.

c. The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.

d. A cumulative effects analysis should be developed as described under CEQA Guidelines, 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

e. The document should include an analysis of the effect that the Project may have on the Western Riverside Multiple Species Habitat Conservation Plan or on other regional and/or subregional conservation programs in San

Diego or Orange Counties. Under Sections 2800-2835 of the California Fish and Game Code, the Department, through the Natural Communities Conservation Planning (NCCP) program is coordinating with local jurisdictions, landowners, and the Federal Government to preserve local and regional biological diversity.

4. A range of alternatives should be analyzed to ensure that alternatives to the proposed Project are fully considered and evaluated (CEQA Guidelines 15126.6). A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.

   a. Mitigation measures for Project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid and/or otherwise minimize Project impacts. Off-site compensation for unavoidable impacts through acquisition and protection of high-quality habitat should be addressed.

   b. The Department considers Rare Natural Communities as threatened habitats having both local and regional significance. Thus, these communities should be fully avoided and otherwise protected from Project-related impacts.

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

5. Although the proposed Project is within the MSHCP and could be subject to Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, a Lake and Streambed Alteration Agreement Notification is still required by the Department should the site contain jurisdictional waters. The Department's criteria for determining the presence of jurisdictional waters are generally more comprehensive than the MSHCP criteria in Section 6.1.2. The CEQA document should include a jurisdictional delineation if there are impacts to riparian vegetation or State waters.

   The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent or perennial, must be retained or mitigated for and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations.

   a. Under Section 1600 *et seq.* of the California Fish and Game Code, the Department requires the Project applicant to notify the Department of any activity that will divert, obstruct or change the natural flow or the bed, channel or bank (which includes associated riparian resources) of a river, stream or lake, or use material from a streambed prior to the applicant's commencement of the activity. Streams include, but are not limited to, intermittent and ephemeral streams, rivers, creeks, dry washes, sloughs, blue-line streams, and watercourses with subsurface flow. The Department's issuance of a Lake and Streambed Alteration Agreement for

a project this is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. The Department, as a responsible agency under CEQA, may consider the local jurisdiction's (lead agency) Negative Declaration or Environmental Impact Report for the Project. However, if the CEQA document does not fully identify potential impacts to lakes, streams, and associated resources (including, but not limited to riparian and alluvial fan sage scrub habitat) and provide adequate avoidance, mitigation, monitoring, and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Streambed Alteration Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a lake or stream, as well as avoidance and mitigation measures need to be discussed within this CEQA document. The Department recommends the following measures to avoid subsequent CEQA documentation and Project delays:

(i) Incorporate all information regarding impacts to lakes, streams and associated habitat within the DEIR. Information that should be included within this document includes: (a) a delineation of lakes, streams, and associated habitat that will be directly or indirectly impacted by the proposed Project; (b) details on the biological resources (flora and fauna) associated with the lakes and/or streams; (c) identification of the presence or absence of sensitive plants, animals, or natural communities; (d) a discussion of environmental alternatives; (e) a discussion of avoidance measures to reduce Project impacts, (f) a discussion of potential mitigation measures required to reduce the Project impacts to a level of insignificance; and (g) an analysis of impacts to habitat caused by a change in the flow of water across the site. The applicant and lead agency should keep in mind that the State also has a policy of no net loss of wetlands.

(ii) The Department recommends that the Project applicant and/or lead agency consult with the Department to discuss potential Project impacts and avoidance and mitigation measures. Early consultation with the Department is recommended since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement Notification package, please visit our website at: http://www.dfg.ca.gov/habcon/1600.html.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: State Clearinghouse, Sacramento
cc. Karin Cleary-Rose, USFWS

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

RECEIVED
FEB 27 2012
CITY OF MORENO VALLEY
Planning Division

Notice of Preparation

February 22, 2012

To: Reviewing Agencies

Re: World Logistics Center (General Plan Amendment, Change of Zone, new Specific Plan, Tentative Parcel Map (Finance Map), Development Agreement, and annexation of
SCH# 2012021045

Attached for your review and comment is the Notice of Preparation (NOP) for the World Logistics Center (General Plan Amendment, Change of Zone, new Specific Plan, Tentative Parcel Map (Finance Map), Development Agreement, and annexation of draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

John C. Terell
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2012021045
Project Title World Logistics Center (General Plan Amendment, Change of Zone, new Specific Plan, Tentative Parcel Map (Finance Map), Development Agreement, and annexation of
Lead Agency Moreno Valley, City of

Type NOP Notice of Preparation

Description The World Logistics Center Specific Plan would include the future development of 41.6 million square feet of building areas providing for modern high-cube logistics warehouse distribution facilities on ~2,665 acres.

Lead Agency Contact

Name John C. Terell
Agency City of Moreno Valley
Phone (951) 413-3206 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Cross Streets State Highway 60 and Gilman Springs Road
Lat / Long 33° 55' N / 117° 8' W
Parcel No. Various
Township 3S **Range** 3W **Section** 1,12, **Base** SBB&M

Proximity to:

Highways Hwy 60
Airports
Railways
Waterways
Schools
Land Use LU: Residential Community; Planned Business Center

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

---

Reviewing Agencies Resources Agency; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 6; Native American Heritage Commission; State Lands Commission; California Highway Patrol; Caltrans, District 8; Regional Water Quality Control Board, Region 8

Date Received 02/22/2012 **Start of Review** 02/22/2012 **End of Review** 03/22/2012

Note: Blanks in data fields result from insufficient information provided by lead agency.

NOP Distribution List

County: Riverside

SCH# 2012021043

Resources Agency

- [x] Resources Agency
  Nadell Gayou
- [ ] Dept. of Boating & Waterways
  Nicole Wong
- [ ] California Coastal Commission
  Elizabeth A. Fuchs
- [ ] Colorado River Board
  Gerald R. Zimmerman
- [x] Dept. of Conservation
  Elizabeth Carpenter
- [ ] California Energy Commission
  Eric Knight
- [ ] Cal Fire
  Allen Robertson
- [ ] Central Valley Flood Protection Board
  James Herota
- [x] Office of Historic Preservation
  Ron Parsons
- [x] Dept of Parks & Recreation
  Environmental Stewardship Section
- [ ] California Department of Resources, Recycling & Recovery
  Sue O'Leary
- [ ] S.F. Bay Conservation & Dev't. Comm.
  Steve McAdam
- [x] Dept. of Water Resources Resources Agency
  Nadell Gayou

Fish and Game

- [ ] Depart. of Fish & Game
  Scott Flint
  Environmental Services Division
- [ ] Fish & Game Region 1
  Donald Koch
- [ ] Fish & Game Region 1E
  Laurie Harnsberger
- [ ] Fish & Game Region 2
  Jeff Drongesen
- [ ] Fish & Game Region 3
  Charles Armor
- [ ] Fish & Game Region 4
  Julie Vance
- [ ] Fish & Game Region 5
  Leslie Newton-Reed
  Habitat Conservation Program
- [x] Fish & Game Region 6
  Gabrina Gatchel
  Habitat Conservation Program
- [ ] Fish & Game Region 6 I/M
  Brad Henderson
  Inyo/Mono, Habitat Conservation Program
- [ ] Dept. of Fish & Game M
  George Isaac
  Marine Region

Other Departments

- [ ] Food & Agriculture
  Sandra Schubert
  Dept. of Food and Agriculture
- [ ] Depart. of General Services
  Public School Construction
- [ ] Dept. of General Services
  Anna Garbeff
  Environmental Services Section
- [ ] Dept. of Public Health
  Bridgette Binning
  Dept. of Health/Drinking Water
- [ ] Delta Stewardship Council
  Kevan Samsam

Independent Commissions, Boards

- [ ] Delta Protection Commission
  Linda Flack
- [ ] Cal EMA (Emergency Management Agency)
  Dennis Castrillo
- [x] Native American Heritage Comm.
  Debbie Treadway
- [ ] Public Utilities Commission
  Leo Wong
- [ ] Santa Monica Bay Restoration
  Guangyu Wang
- [x] State Lands Commission
  Jennifer Deleong
- [ ] Tahoe Regional Planning Agency (TRPA)
  Cherry Jacques

Business, Trans & Housing

- [ ] Caltrans - Division of Aeronautics
  Philip Crimmins
- [ ] Caltrans - Planning
  Terri Pencovic
- [x] California Highway Patrol
  Suzann Ikeuchi
  Office of Special Projects
- [ ] Housing & Community Development
  CEQA Coordinator
  Housing Policy Division

Dept. of Transportation

- [ ] Caltrans, District 1
  Rex Jackman
- [ ] Caltrans, District 2
  Marcelino Gonzalez
- [ ] Caltrans, District 3
  Bruce de Terra
- [ ] Caltrans, District 4
  Lisa Carboni
- [ ] Caltrans, District 5
  David Murray
- [ ] Caltrans, District 6
  Michael Navarro
- [ ] Caltrans, District 7
  Dianna Watson
- [x] Caltrans, District 8
  Dan Kopulsky
- [ ] Caltrans, District 9
  Gayle Rosander
- [ ] Caltrans, District 10
  Tom Dumas
- [ ] Caltrans, District 11
  Jacob Armstrong
- [ ] Caltrans, District 12
  Marlon Regisford

Cal EPA

Air Resources Board

- [ ] Airport/Energy Projects
  Jim Lerner
- [ ] Transportation Projects
  Douglas Ito
- [ ] Industrial Projects
  Mike Tollstrup
- [ ] State Water Resources Control Board
  Regional Programs Unit
  Division of Financial Assistance
- [ ] State Water Resources Control Board
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] State Water Resouces Control Board
  Phil Crader
  Division of Water Rights
- [ ] Dept. of Toxic Substances Control
  CEQA Tracking Center
- [ ] Department of Pesticide Regulation
  CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- [ ] RWQCB 1
  Cathleen Hudson
  North Coast Region (1)
- [ ] RWQCB 2
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] RWQCB 3
  Central Coast Region (3)
- [ ] RWQCB 4
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] RWQCB 5S
  Central Valley Region (5)
- [ ] RWQCB 5F
  Central Valley Region (5)
  Fresno Branch Office
- [ ] RWQCB 5R
  Central Valley Region (5)
  Redding Branch Office
- [ ] RWQCB 6
  Lahontan Region (6)
- [ ] RWQCB 6V
  Lahontan Region (6)
  Victorville Branch Office
- [ ] RWQCB 7
  Colorado River Basin Region (7)
- [x] RWQCB 8
  Santa Ana Region (8)
- [ ] RWQCB 9
  San Diego Region (9)

- [ ] Other _____

- [ ] _____
  Conservancy

Last Updated 1/27/2012

State of California • Natural Resources Agency
Edmund G. Brown Jr., *Governor*

DEPARTMENT OF PARKS AND RECREATION
Ruth Coleman, *Director*
Inland Empire District ▪ 17801 Lake Perris Drive ▪ Perris, CA 92571
(951) 443-2423 ▪ FAX (951) 657-2736

March 21, 2012

John C. Terell
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92552

Re: World Logistics Center Specific Plan, SCH #2012021045

Dear Mr. Terell:

We appreciate the opportunity to comment on the aforementioned project. We are committed to working with you to successfully implement your project.

State Parks is a Trustee Agency as defined by the California Environmental Quality Act (CEQA). State Parks' mission in part is to provide for the health, inspiration, and education of the people of California by preserving the state's extraordinary biodiversity and creating opportunities for high quality outdoor recreation. As the office responsible for the stewardship of Lake Perris State Recreation Area (Lake Perris), we have an interest and concern about contemplated alterations of land use in the regional vicinity of the park. State Parks is a signatory to the Western Riverside County MSHCP and our interest continues to be in its successful implementation. It is important to State Parks that should this project be implemented that it is implemented in consistency with this important regional conservation plan.

We encourage the city to explore a circulation system that would connect the project site with the city's trail system, thereby discouraging the potential for volunteer trails into the park along the northern boundary.

We are concerned of the possible use of Davis Road by project site traffic. We support maintaining Davis Road as a closed road to avoid impacts to regional wildlife movement.

Thank you again for coordinating this project with us. For further discussion, please contact me or Enrique Arroyo at (951) 453-6848.

Sincerely,

For Ron Krueper

Ron Krueper
District Superintendent

cc:

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-5936
TTY (909) 383-6300

Flex your power!
Be energy efficient!

RECEIVED
OCT 11 2012
CITY OF MORENO VALLEY
Planning Division

October 9, 2012

John Terrell
City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92553

Mr. John Terrell;

During a meeting on July 31st we requested a memo from Parson Brinckerhoff that would outline traffic forecasting methodology for the World Logistic Center. On September 4th we received a Tech Memo on Traffic Forecasting Methodology and after further review it is determined that the outlined methodology used for the WLC is satisfactory; and therefore, we do not have any comments at this time.

In addition you requested information if there was a targeted LOS for SR-60 in Moreno Valley which is stated as LOS "D" and for other portions of SR-60 or SR-91. The LOS for the two segment areas in question is "D", however, please keep in mind that the LOS is a proposed target and is subject to change.

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Talvin Dennis at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/LD-IGR

cc: Don Hubbard

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

RECEIVED
MAR - 1 2012
CITY OF MORENO VALLEY
Planning Division

Flex your power!
Be energy efficient!

February 29, 2012

John Terell
City of Moreno Valley
14177 Frederick Street
Moreno Vallye, CA 92553

NOP for DEIR for the World Logistics Center Specific Plan. Riv-60-PM 21.38

Dear Mr. Terell,

We have completed our review for the noted project which is located south of State Route 60 (SR-60) between Redlands Boulevard and Gilman Springs Road extending to the southerly City boundary of Moreno Valley. The project is a proposed Master Plan for the future development of up to 41.6 million square feet of building area providing for modern high-cube logistics warehouse distribution facilities.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Moreno Valley due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS.

We anticipate total project development will significantly impact existing highway facilities, particularly with regard to increased traffic and drainage. For this reason, we ask that traffic and drainage studies be prepared to address specific project impacts to identify pertinent mitigation measures.

Traffic Study

A Traffic Impact Study (TIS) is necessary to determine this proposed project's near-term and long-term impacts to the State facilities and to propose appropriate mitigation measures. The study should be based on Caltrans' *Guide for the Preparation of Traffic Impact Studies (TIS)* which is located at the following website:

http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf

Minimum contents of the traffic impact study are listed in Appendix "A" of the TIS guide.

Drainage Study

1. All existing tributary areas, area drainage patterns and runoff volumes having an impact to adjacent State drainage facilities must be identified and analyzed in a project hydrology study.
2. Existing capacity of affected State drainage systems cannot be exceeded. Should 100-year project runoff volumes be determined to exceed the maximum capacity of the existing State drainage facilities, construction of on-site detention basins, new drainage systems or other impact mitigation will be required.

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

Kent Norton

From: DANL. MORENO <moreno45@verizon.net>
Sent: Wednesday, March 21, 2012 4:44 PM
To: John Terell
Subject: World Logistics Center Specific Plan

Dear Mr. Terell,

This is to inform you that neither my husband or myself are in favor of the World Logistics Center being planned for the east end of Moreno Valley. We are aware that MV is in a great need of jobs for those in the community, but it is rather hard to approve of a project of this size when the Sketchers warehouse was suppose to bring in 2,500 jobs, and in reality it ended up being a transfer of 600 positions from the Ontario warehouse. There is plenty of open space between Alessandro, Cactus, Old Hwy. 215 and Indian Ave. to build warehouses. There are warehouses already in that area, why not continue to build there? It's much closer to the 215 fwy. for easy access and the streets are in a better condition as well. What sense does it make to fill the fields on the east end with warehouses only to find it may be another failed project. Fill up the current vacant lands first, where warehouses already exist, and then see if its profitable to expand on the east end.
Other reasons we are against this project are:
1. Construction truck traffic on Redlands and Alessandro. These roads are already a patchwork of covered up potholes. When will we be able to anticipate these roads ever being fixed properly even after construction is done? With $75 million being spent on Nason widening and other involved roadways, chances are not good.
2. Home values - What will happen to the value of our homes? How many people will be willing to buy a home in a warehouse neighborhood that looks like another Mira Loma?
3. Noise pollution - We have friends that live north of the 60 Fwy. on Redlands Blvd. They say they can hear the constant beeping of trucks backing into the Sketchers warehouse and this is above the freeway noise.
4. Air pollution - We don't need the poor air quality Mira Loma has to deal with.

Does it have to be warehouses to bring in the jobs? Why can't MV attract the businesses that Temecula and Murrieta do? Our mall hasn't been full in years. We have a population of 190,000 plus which is greater than the cities mentioned, yet we can't attract the retail stores and restaurants, and other busniesses that these cities have.

May we suggest that the city allow the residents of MV vote on whether they approve of this new Logistics Center.

Daniel and Martha Moreno
28900 Williams Ave.
Moreno Valley, CA 92555
(951) 247-2951
moreno45@verizon.net

John Terell

From: Grace Espino-Salcedo
Sent: Tuesday, March 13, 2012 2:36 PM
To: John Terell
Subject: FW: Warehouse Development Project Proposal

John,
We're not even there yet, but it's addressed to PC...forward?

Grace

From: Dave Simpson [mailto:simpsondavida@yahoo.com]
Sent: Tuesday, March 13, 2012 12:49 PM
To: Planning Email
Subject: Warehouse Development Project Proposal

Dear Commisioners:

It seems to me that there are some very elementary questions that should be addressed before we charge off & erect 41.6 million Sq. Ft. of warehouse space.

From what I've read, shipments into the L.A./Long Beach Harbors are at their saturation point. Physical space,truck & rail access are also operating at maximum capacity. so, one would assume that there would be no appreciable growth in the future. This leads one to believe that, just like the Skecher's facility, these new warehouses will be replacing existing ones currently in use in SoCal. What are the chances of that happening? What would the selling points be to entice people to transfer these capabilities to MoVal? Cost? Accessibility? There's an awful lot of warehouses close to the I-15 & the I-10 that don't have to traverse the 60 thru the Badlands. There really needs to be a solid business plan that addresses these issues.

In addition, there is ANOTHER very important development that needs to be looked at. That is the fact that the Panama Canal is in the process of adding another, much larger "lane" that will accomodate the new "super tankers" Many knowledgeable people believe that when this new canal project is completed in approximately two years, a lot of shipments from the Far East will deliver their goods directly to the east coast of the U.S. These people estimate shipments coming into the L.A./Long Beach harbors will be reduced by as much as 25%.Certainly, a reduction of this magnitude will have a MAJOR impact on the utilization of the proposed warehouses.

I believe that it would be prudent for the Planning Commision to take a hard look at all of these factors before proceeding with a project of this scope. Perhaps 41.6 million sq. ft. is not the right number.

I look forward to seeing your reaction to my comments.

Thank you for your consideration,

David A. Simpson
11095 Los Olivos Dr.,
Moreno Valley, CA, 92557
951-242-6133

Devlin Engineering

1120 Pepper Drive, #32 · El Cajon, California 92021 · Tel (619) 966-9589

March 15, 2012

Mr. John Terell, Planning Official
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Subject: Comments to be considered during the preparation of a EIR for the World Logistics Center.

Dear John,

After attending the meeting on Monday, March 12 in Council Chambers held be the Planning Department and Mr. Benzeevi of Highland Fairview, I would like to add the following comments to be discussed in the preparation of an EIR for the project.

My client, Multivac Inc., owns several residential zoned parcels fronting on Merwin Street, between Brodiaea Ave and Cactus Ave.

We are concerned about the enormous size of the project which is projected to be 41.5 million square feet of warehousing and industrial buildings. This project will dominate the area and have significant impacts that may not be mitigable. While we are worried about the size of the development and its proximity to the Multivac property, we could be supportive of the project if it contains appropriate measures to mitigate the impacts on the neighborhood.

The present land use designation for the World Logistics Center is residential. The change from residential to industrial uses along the east side of Merwin and Redlands Aves will have significant adverse impacts that must be mitigated before this project should be allowed to proceed. We suggest the following mitigation measures be included in the project as minimum requirements.

Minimum Mitigation Measures to be required:

1. **Truck traffic**. Heavy truck traffic should be banned from Merwin Ave, Redlands Ave and Cactus Ave. Theodore Ave should be designed as the primary ingress and egress to the project with its own on and off ramps from Highway 60. We feel that using Theodore Ave and banning truck traffic from residential streets would mitigate most of the traffic impacts on the adjacent residential properties.

Image.jpg

2. Noise. Keeping truck traffic off Redlands Ave, Merwin Ave and Cactus Ave will mitigate the noise impacts on adjacent residential areas. Use of block walls surrounding the warehouse district will mitigate any noise emanating from the development.

3. Landscape Buffer. Along Redlands Ave and Merwin Ave, the project should have significant landscape buffers, of 20 feet or more beyond street right of way, that shield the walls and buildings from adjacent streets and neighboring residential uses.

4. Architecture. Varied architectural treatments such as varied color treatments, architectural pop-outs and indents and planting schemes as has been used along Cactus Avenue near the City Administration building should be used throughout the development to vary the visual impact of the buildings and create a more appealing finished development and a sense that the development is part of the community.

5. Residential land uses. Because of the daunting size of the proposed industrial/business park, and because it abuts existing low to medium density residential land uses along Redlands Ave, Merwin Ave, and Cactus Ave, it is justifiable to discuss adding residential uses to the western edge of the proposed business center development. Mixed use of commercial and industrial zoned properties by themselves may not be enough to buffer the existing residential properties. Adding some mixed commercial/residential or medium to high residential uses to the south and western edges of the industrial development would adequately buffer the existing residential properties along Merwin and Redlands Aves.

We were disappointed that there were no concept plans available for review at the March 12 meeting. We would like to be notified as plans and preliminary reports are available to be reviewed. Additionally, We would like to be kept informed of all progress information regarding this project as it becomes available.

Sincerely,

Devlin Engineering

James R. Devlin

James R. Devlin, RCE 24655

Contact information:
James Devlin
Devlin Engineering
1120 Pepper Drive, #32
El Cajon, CA 92021
Tel. (619) 966-9589
Cell (858) 442-9549

cc: C. Moothart, Multivac

Image (3).jpg

EASTERN MUNICIPAL
WATER DISTRICT
SINCE 1950

Board of Directors

President and Treasurer
Joseph J. Kuebler, CPA

Vice President
Philip E. Paule

Ronald W. Sullivan
Randy A. Record
David J. Slawson

General Manager
Paul D. Jones II, P.E.

Director of The Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

March 22, 2012

John C. Terrell, Planning Official
City of Moreno Valley
Community & Economic Development Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

SUBJECT: World Logistics Center Specific Plan Notice of Preparation

Dear Mr. Terrell:

Thank you for the opportunity to review the Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the World Logistics Center Specific Plan. The proposed project encompasses 3,820 acres of land within the City of Moreno Valley, located south of SR-60, between Redlands Boulevard and Gilman Springs Road extending to the southerly City boundary. The proposed project is a master plan for the future development of up to 41.6 million square feet of building area providing for modern high-curve logistics warehouse distribution facilities.

Eastern Municipal Water District (EMWD) has no formal comments at this time. EMWD is working collaboratively with Highland Fairview on identifying Master Planned water, sewer, and recycled water facilities, to meet the proposed project's needs. Further comments will be provided at the time when the DEIR is released for review.

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462 or myself at Ext. 4455.

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:kah

cc: Maroun El-Hage
Brian Powell
Rafael Resendiz

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P. O. Box 4266
Idyllwild, CA. 92549
www.northfriends.org

March 22, 2012

City of Moreno Valley
Community & Economic Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552
Contact: John C. Terell, Planning Official

Re: February 21, 2012 - Notice of Preparation of a Draft Environmental Impact Report – World Logistics Center Specific Plan.

Mr. Terrell,

The Friends of the Northern San Jacinto Valley are requesting the attached March 11, 2012, Press Enterprise newspaper article "Developer Sees Warehouse in Eastern Moreno Valley's Future" be included in the CEQA administrative record for the World Logistics Center Specific Plan. The March 11, 2012, newspaper article reports the February 21, 2012, Notice of Preparation of the Draft EIR is deceptive in that the World Logistics Center Specific Plan wrongly includes 1,000 acres of public lands acquired by the State of California. The lands were acquired by the State Wildlife Conservation Board for inclusion into the San Jacinto Wildlife Area in May of 2001. The City should know that an accurate, stable and finite project description is an indispensable condition of an informative and legally sufficient Environmental Impact Report. For that reason, we are requesting the City prepare an accurate project description for public review in a new Notice of Preparation for review by Responsible and Trustee Agencies and the

RECEIVED
MAR 26 2012
CITY OF MORENO VALLEY
Planning Division

public. The City's deceptive project description must be corrected prior to further CEQA review of this project.

In addition, the City is a signatory to both the Stephens' kangaroo rat Habitat Conservation Plan (SKRHCP) and the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). These HCP's are respectively administered by the Riverside County Habitat Conservation Agency (RCHCA) and the Regional Conservation Authority (RCA). The City should recognize that these state Natural Communities Conservation Planning (NCCP) Act Plans are not exempt from the provisions of the California Environmental Quality Act (Fish and Game Code section 2826). In addition, the California Endangered Species Act (CESA) specifies incidental take of endangered species shall be minimized and fully mitigated and the mitigation required for the incidental take shall be roughly proportional in extent to the authorized take.

The current project site is largely open space and agricultural lands of great value to wildlife, particularly the diversity of birds of prey know to use the northern San Jacinto Valley-Mystic Lake area. The Draft EIR mitigation measures and alternative analysis should therefore examine the impact of the proposed warehouse distribution facilities on this regionally significant open space and agricultural resource. Impacts to Air Quality, the Water Quality of Mystic Lake, and conflicts with the SKRHCP and the MSHCP also require careful consideration in the Draft EIR.

We look forward to the City's revised NOP and appreciate the opportunity to participate in the CEQA review of this important project.

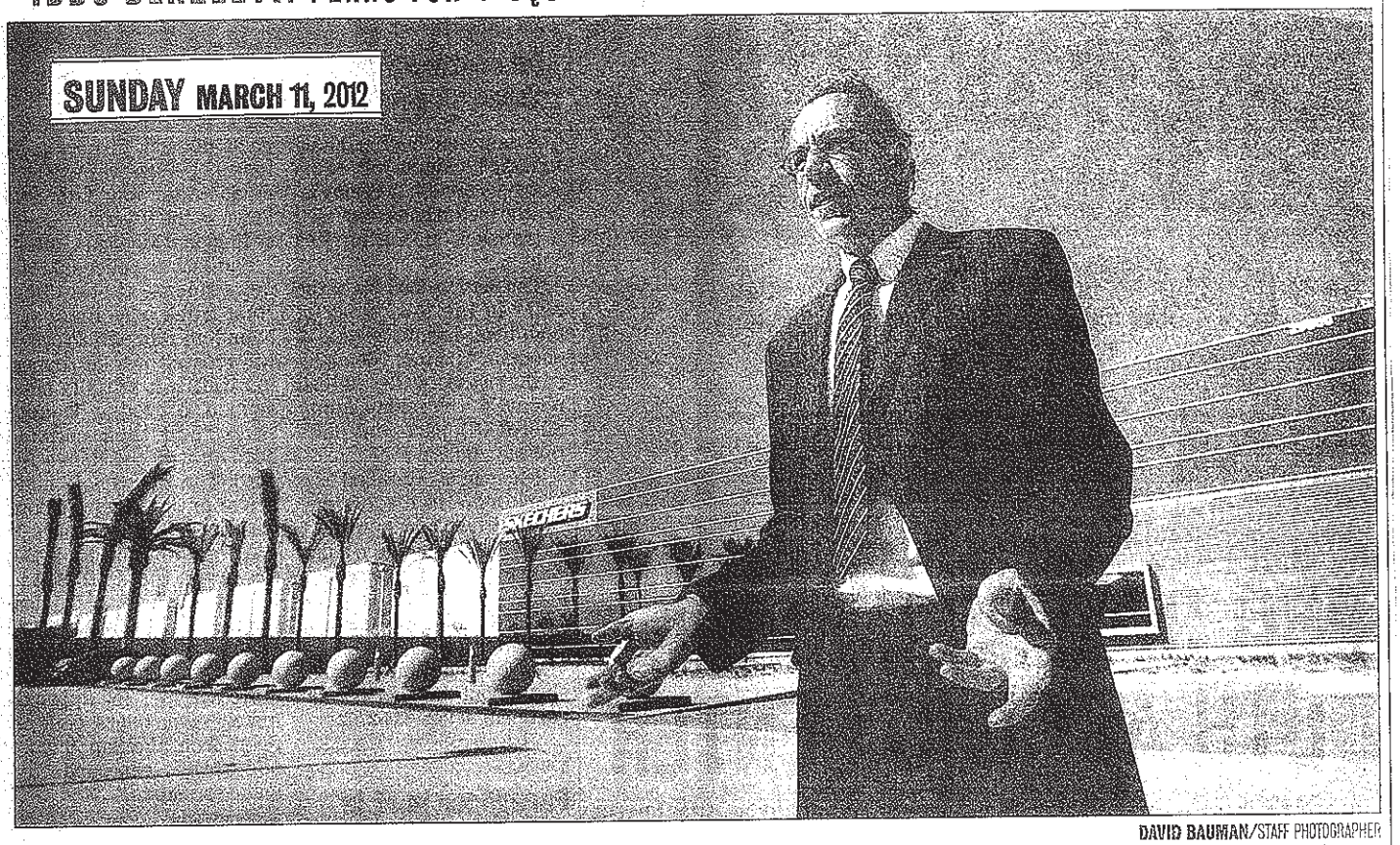
Tom Paulek

Tom Paulek
Conservation Chair
atpaul44@earthlink.net
951-368-4525

#1

IDDO BENZEEVI: PLANS FOR 4-SQUARE-MILE COMPLEX COULD TRANSLATE TO 20,000 JOBS

SUNDAY MARCH 11, 2012



DAVID BAUMAN/STAFF PHOTOGRAPHER

Iddo Benzeevi, standing by the Skechers warehouse in Moreno Valley, was the driving force behind getting the facility built. Benzeevi wants to add more than 4 square miles of warehouses in the city. A local economist says the project would create $4.2 billion in economic benefits for the Inland area.

Developer sees warehouse mecca in eastern Moreno Valley's future

BY DAVID DANELSKI
STAFF WRITER
ddanelski@pe.com

The developer who built a 1.8 million-square-foot Skechers distribution center on the east side of Moreno Valley now has plans to make the city the warehousing capital of Riverside County.

Iddo Benzeevi, president and CEO of Moreno Valley-based Highland Fairview, wants to build what city officials say would be the nation's largest master-planned warehouse complex.

The World Logistics Center would provide 41.6 million square feet of warehouse space to accommodate the growing volumes of cargo arriving at the ports of Los Angeles and Long Beach. That's equivalent to more than 700 regulation football fields.

Benzeevi and Moreno Valley city officials say the mega cargo center will bring mega benefits: an estimated 20,000 permanent jobs and some $2.6 billion in annual payroll and contracts, according to an analysis by Inland economist John Husing. With the increased demand for goods and services, the project would create $4.2 billion in economic benefits for the Inland area, Husing projects.

Benzeevi said he hopes to win city approval and break ground in about a year.

Moreno Valley would finally have the jobs it has always lacked, he said. "Moreno Valley suffers from one of the lowest jobs-to-housing ratios in our region, bringing

SEE WAREHOUSE/A10

FILE PHOTO

The San Jacinto Wildlife Area is just south of property where a developer wants to build more than 40 million square feet of warehouses.

#2

WAREHOUSE

CONTINUED FROM A1

tremendous hardships to many of our residents, forcing them to long and arduous commutes."

The city of 193,000 has an unemployment rate of 14.5 percent, well ahead of the Riverside County average of 12.5 percent and the state's 10.9 percent.

But the sheer size of the project raises questions about whether the lowlands east of Moreno Valley — an area that is now mostly farm fields — is the right place for it.

Among the questions: Could Highway 60 support the truck traffic? How would the trucks serving the warehouses affect air quality? And what would it mean for the neighboring San Jacinto Wildlife Area, a state preserve where waterfowl and game hunting is allowed?

City officials and Benzeevi said all such questions will be answered in upcoming environmental studies. The scope of those studies will be the subject of a public meeting Monday evening at Moreno Valley City Hall.

HIGHWAY 60

As executive director of the Southern California Association of Governments, Hasan Ikhrata is one of the region's top land-use planners.

In an interview, he said the growing volume of cargo from the ports creates a demand for warehouse space on the scale sought by Benzeevi. But it remains to be seen whether Moreno Valley is the best location.

Efforts also are under way to establish mega-warehouse complexes off Interstate 15 in the Adelanto and Barstow areas in San Bernardino County.

Another challenge would be getting the cargo from the ports to the 4-square-mile warehouse complex.

"You are talking about a huge amount of warehousing, and you don't have the infrastructure there to support that," Ikhrata said.

No railroads serve the site, and Highway 60, the only freeway in the area, narrows to four lanes — two in each direction — near the property and faces a steep and winding climb before intersecting with Interstate 10 in Beaumont to the east.

THE PRESS-ENTERPRISE

Traffic studies still need to be done, but Ikhrata said he expects major improvements would be required.

For instance, a new railroad spur might have to be built, or Highway 60 could need a new lane in each direction on the 17-mile stretch between Interstate 215 in Riverside and I-10 in Beaumont, Ikhrata said.

Ikhrata added that the region's planners have anticipated warehouse development along I-215 between Riverside and Perris. In recent years, truck lanes were added at the Highway 60/I-215 interchange to handle the extra diesel traffic.

For now, the Riverside County Transportation Commission, which plans and funds local transportation improvements, has not made widening Highway 60 a priority or identified funding for such a project, said John Standiford, the commission's deputy director.

Adding lanes to Highway 60 would be particularly costly because several shopping centers and other businesses have been built along the freeway, and the Badlands stretch east of Moreno Valley is difficult, hilly terrain. Highway lanes cost about $15 million to $55 million per mile — depending on land costs and the geography, Ikhrata said.

The project could change the regional transportation plan, because any freeway widening is partially paid for with federal funds and must be in the plan. The current plan envisions dedicated truck lanes from the Los Angeles area along Interstate 710 to the eastbound Highway 60 near Montebello and then north on I-15 from Ontario to the High Desert.

Ikhrata said the lanes on Highway 60 would have to extend to Moreno Valley if Benzeevi's complex becomes a reality.

Barry Foster, Moreno Valley's economic development director, and Benzeevi said it is premature to speculate on Highway 60 improvements because traffic studies for the warehouse complex haven't been done.

When such studies are completed, then Ikhrata can make "an informed evaluation," Benzeevi said.

Foster said he doubts that lanes would have to be added to Highway 60.

Ikhrata is not swayed.

"This is about half the size of all the warehouses in the city of Ontario," he said.

"It will require the infrastructure, and anyone who thinks differently will have to check their math."

WAREHOUSE MEETING

WHAT: Public meeting on proposed 4-square-mile warehouse complex east of Moreno Valley
WHEN: 6 to 8 p.m. Monday
WHERE: Moreno Valley City Hall, 14177 Frederick St.

MORE IS LESS

Benzeevi and Foster both contend the project would generate less traffic than other kinds of development that might have happened.

They base their calculation on current zoning for eastern Moreno Valley, established two decades ago.

"If you let it build out as planned, the traffic impacts will be substantially more than what we are proposing," Benzeevi said. "We are creating a substantial reduction on the demand for infrastructure."

The existing zoning stems mostly from a master-planned community called Moreno Highlands that the city had approved in 1992, said John Terell, Moreno Valley's planning official.

Moreno Highlands was a plan for 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would have added as many as 30,000 residents and 21,000 jobs, according to city estimates at the time.

STAFF ARTIST

But the Chicago-based developers scrapped their plans in 1993, citing a downturn in the economy.

With the exception of the new Skechers warehouse, most of the land has remained as it was then: farm fields planted in wheat and other dry crops. In spring, sprouting wheat tints the sprawling fields with green. A few rural homes dot the land, and there is a San Diego Gas & Electric compressor station.

Benzeevi, 51, said his company, Highland Fairview, owns or controls nearly all the land in the area that would be developed into the logistics center of warehouses, roads, parking lots and landscaping.

The zoning plan the city is considering for the project covers nearly 6 square miles. It includes more than 1,000 acres of the Moreno Highlands property that was purchased by the state in 2001 to expand the neighboring San Jacinto Wildlife Area.

Tom Paulek, former manager of the wildlife area, was in charge when the expansion land was purchased. He said the development map released by the city is deceptive.

The map makes it appear that the developer is providing about 1,000 acres of open space, but that land already is protected open space as part of the wildlife area, he said. The developer should not get credit for land that is owned by the state's taxpayers, Paulek said.

Benzeevi said he isn't seeking credit for the state land, and Terell said the city did not intend to mislead anyone. The proposed master plan for the logistics center includes the public land as a housekeeping measure to change the zoning to open space. The land now is zoned for housing and other uses, he said.

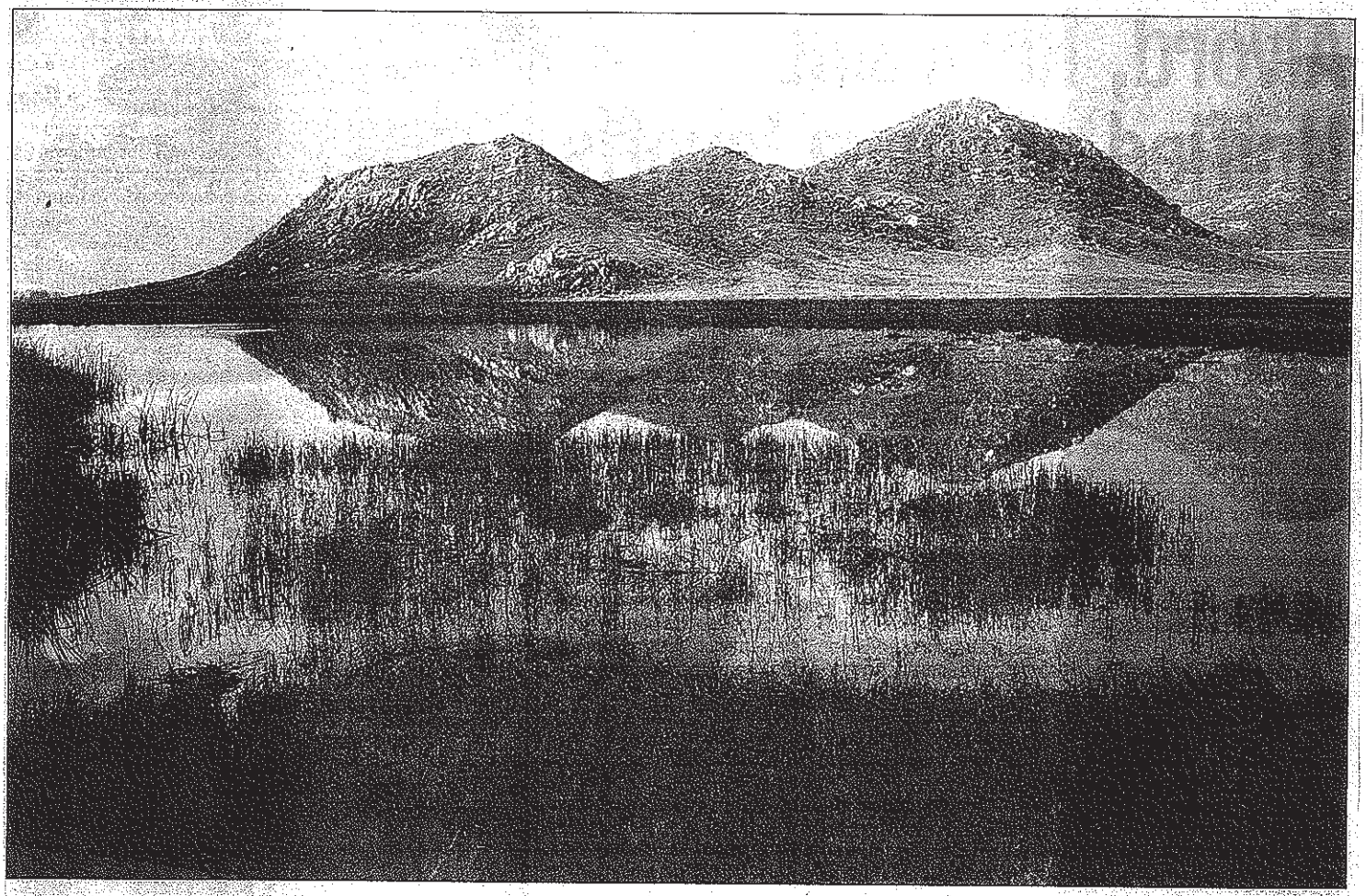
Terell said buffer zones between the warehouses and wildlife area will be the subject of negotiations with the developer.

Paulek said he also is concerned the development could make the wildlife area less attractive to migrating waterfowl and other wildlife. The farming now buffers the wildlife area from homes and other urban uses. The grain crops also attract birds.

The wildlife area also could be under pressure from the Villages of Lakeview, an 11,000-home project approved just south of the wildlife area.

Benzeevi said his project would not encroach on the wildlife area and that warehouses would be a better neighbor than homes, because no pets or kids would be straying into the habitat area.

#3



FILE PHOTO/2001

A city official says buffer zones between the proposed warehouses and the San Jacinto Wildlife Area, above, would be negotiated with the developer.

Benzeevi said he was reluctant to grant an interview with The Press-Enterprise, saying the newspaper has given credence to misinformed people who painted negative and inaccurate pictures of his projects.

As the Skechers project was discussed in public meetings, opponents predicted a "black cloud" of air pollution and gridlock on Highway 60, among other maladies, Benzeevi said.

"All these things were said and none of them came true," he said.

Mayor Richard Stewart concurred that Skechers-related traffic jams never materialized. "You go out there and I can hardly notice that anything is going on," he said.

Stewart said he supports Benzeevi's plan because the city has too few industries. "We need the jobs," he said.

The Skechers project hasn't lived up to its promised 1,000 jobs — including 500 new hires — touted by officials at a March 2010 groundbreaking. The company has brought about 600 workers to the warehouse while closing other operations in Ontario that employed 900 to 1,000 people.

Moreno Valley still gained 600 jobs, Benzeevi said, adding that he expects that number to grow as the economy improves.

The developer has a Spanish-style house with vineyards and a Formula 3 racetrack on the hills northeast of Skechers. The home has a view of the valley where he envisions the distribution mecca.

He has prospective tenants for the warehouses, he said, although he did not name them.

He said he builds high-quality, environmentally friendly projects. The Skechers warehouse is lit with skylights and low-energy LED bulbs. It has a sophisticated ventilation system that captures breezes to cool the building. And crews are now installing photovoltaic solar units on the roof to power the building.

If he builds more warehouses, they will meet the same environmental standards, Benzeevi said.

Also contributing to this report: Staff writer Dug Begley, dbegley@pe.com.

Follow David Danelski on Twitter: @DavidDanelski

Gerald M. Budlong
24821 Metric Drive
Moreno Valley, CA 92557

March 22, 2012

RECEIVED
MAR 2 2 2012
CITY OF MORENO VALLEY
Planning Division

Mr. John C. Terell, Planning Official
CITY OF MORENO VALLEY
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

Dear Mr. Terell

Re: Notice of Preparation for the Draft Environmental Impact Report for the World Logistics Center Specific Plan

This letter is written to the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the World Logistics Center Specific Plan. The World Logistics Center Specific Plan is a proposed master plan for the future development of up to 41.6 million square feet of building area providing for modern high-cube logistics warehouse distribution facilities.

I have the following comments/concerns that should be addressed in the DEIR.

ENVIRONMENTAL CHECK LIST ISSUES:

1. AESTHETICS: Aesthetics should consider the viewpoints of the San Jacinto Valley. Viewpoints should include the San Jacinto Valley, including the San Jacinto Wild Life Area; the badlands and mountains bounding the east side of the San Jacinto Valley: and the Mountains to the west of the San Jacinto Valley containing the Lake Perris State Park.

   The viewpoints along State Route 60 should include the land south of the highway and viewpoints of the proposed suspension bridge crossing the state highway.

2. GEOLOGY AND SOILS: The project site is located within a down-faulted graben, bounded on the east by the San Jacinto Fault, forming an uplifted horst and the Casa Loma Fault bounding the graben on its west, with the uplifted horst masked by alluvial deposits. The potential impacts of fault activity to structures, roads, and infrastructure must be addressed in this DEIR. Structures of human occupancy must be setback from all fault zones. Fault zones may be occupied by parking lots, landscaping and open space.

3. LAND USE/PLANNING: The World Logistics Center is planned to receive traffic generated by the Port of Long Beach/San Pedro and the associated Alameda Corridor (railroad and truck traffic). Currently the port receives shipping from China and other markets of the far east. The port competes with Pacific ports in Northern California, Oregon, Washington, British Columbia and Mexico. The Alameda Corridor forms the western segment of a vast transcontinental inter modal transportation system that serves the United States and Canada to the east of the port. The Panama Canal widening project is proposed to be completed in 2014 and is designed to accommodate larger ships than currently navigate the existing Panama Canal. The ports along the Atlantic and Gulf of Mexico are currently undergoing planning to expand and improve port facilities designed to accommodate the Chinese and far east shipping which would bypass the Western Pacific sea

ports of the United States, Canada and Mexico, including the port of Long Beach/San Pedro and associated Alameda Corridor.

The DEIR should address the market impacts of an expanded Panama Canal upon the Port of Long Beach/San Pedro and associated Alameda Corridor with reduced market impacts upon the World Logistics Center.

4. POPULATION/HOUSING: The DEIR should address the impacts the World Logistics Center and associated truck and rail traffic upon the impacted housing.

5. PUBLIC SERVICES: The impacts of the World Logistics Center and associated truck traffic upon first response emergency agencies, including police, fire,and ambulance services,should be addressed in the DEIR.

   The California Department of Fish and Game's San Jacinto Wildlife Area is located south of the project site. The DEIR needs to address all adverse environmental impacts the proposed Worlds Logistics Center would have on this important state wildlife refuge.

6. TRANSPORTATION/TRAFFIC: Traffic in and out of the Alameda Corridor and Port of Long Beach/San Pedro consists of both truck and rail service. The DEIR should evaluate the truck traffic impacts upon State Route 60 and other impacted roads and highways.

   If the World Logistics Center proposes to be served by rail service, then proposed rail spur alignments and environmental impacts need to be addressed in the DEIR. Speculative rail spur alternative routes could possibly be as follows:

   A rail spur from the Perris Line from the I-215/SR 60, east along the SR 60 rights-of-way to the project site property.

   Two similar alternative rail spur routes may be the Perris Line at I-215 and Allessandro Boulevard or Cactus Avenue then proceeding east to the project site property.

   Another alternative rail spur alternative route may also start along the Perris Line near the I-215 south of City of Perris in vicinity of the San Jacinto River Channel and proceed northeastward, south of Lake Perris State Park and north of Nuevo and Lake View, then proceed north parallel along Davis Road between Lake Perris State Park and the San Jacinto Wildlife Area, then further north along Davis Road to the project site property.

   Another alignment may start at the main rail line in San Timoteo Canyon and south through the Badlands and parallel of Redlands Boulevard, crossing SR 60 and enter the project site property.

   The last speculative rail spur alignment alternative could also start along the mainline further east in San Timoteo Canyon and proceed west parallel to SR 60, crossing Gilman Springs Road into the project site property.

7. Utilities/Service Systems: The Metropolitan Water District of Southern California (MWD) has a large water transmission line with an approximate 8 foot diameter pipeline, that enters an adit south of SR 60 and Gilman Springs Road and proceeds south along Gilman Springs

Road. The water comes from the California Water Project to San Bernardino/Redlands and southeast to Moreno Valley. The DEIR needs to address any impacts to this important pipeline which serves Southern California from Ventura County south to San Diego County and Mexican border.

The San Diego Gas & Electric's Moreno Compressor Station and associated natural gas pipeline which is aligned parallel to Virginia Street and Alessandro Boulevard must be addressed in the DEIR. This gas pipeline serves most of San Diego County including U.S. Naval facilities.

A petroleum pipeline aligned parallel to Alessandro Boulevard is also present.

Sincerely,

Gerald M. Budlong

Gerald M. Budlong

Darisa Vargas

From: website@moreno-valley.ca.us
Sent: Tuesday, March 27, 2012 7:24 PM
To: Planning Email; rshimko@twrite.com
Subject: MV Forum-East End with Captcha

==========
Message:
==========

Is this truly the right path for Moreno Valley? Logistics does not lead to upward mobility. The fact of the matter is that warehouses typically do not like to hire full time employees. It makes sense. Why pay full benefits when turnover rate is high? What then occurs is a higher percentage of warehouse employees are actually temporary workers. Thus, Moreno Valley then does not have a solid middle class, but rather a weakened tax base and a lower quality of life. This is not the way to go. Moreno Valley does not want, nor need, another Mira Loma scandal.

http://mohrrjoones.com/mojo/2012/03/lawsuit-walmart-contractor-paid-3-dollars-hour

Are tee thee mmiddle income jobs that the city is pursuing? Does the city really want to sell out for short term gains? How exactly will the city make sure that workers are full time employees that are given a livable wage? Could the city provide incentives for business cooperatives since wages are more evenly distributed and thus more likely to foster a middle class? I would sincerely like to know.

Wa the cityy sshould focus on is how to raise the education levels of the population. Yes blue collar jobs are needed. However, the city should try to train those people in specialized skills in high school and make partnerships with the community college as well as other colleges in order to have an educated blue collar workforce.

I s interesstiing that the city is not trying to act as a biotech incubator which would fit perfectly with the healthcare campuses that are being proposed. There are better paying lab options than logistic options (many decent paying lab jobs do nor require a four year degree, but rather an AA). Wouldn't a partnership with UCR, Moreno Valley Community, the City of Moreno Valley, and Highland Fairview to create below market space for research and development in the sciences create better paying jobs? What about pursuing to create a satellite campus of various colleges? Wouldn't that also bolster more people in the sciences and health to come to the city?

It shouldfccuss on how to retain people from nearby universities and thereby serve as an incubation center. The city should make a comprehensive plan as to how Moreno Valley Community College can be linked in with high schools (Passport to college was a step in the right direction, but it did not adequately mentor and aid first time students going to college). Also many people with higher degrees, myself included, left the Inland Region (Moreno Valley in particular) for better employment options elsewhere and because of the state of schools. The vast majority of my friends with college degrees that grew up in Moreno Valley or lived there during college left. My parents considered moving several times because of the school system, but they liked the natural beauty of the city. Going through with this project, the way it is proposed, will simply reduce the quality of life in the city and thus create more of a brain drain.

I oreno Vallleey addresses the lackluster school system, makes an attempt to try to retain UCR and RCC students after graduation (again schools, but also reach out to the universities and improve town/gown relationships...a lot of UCR students live in Moreno Valley due to proximity and price, in fact many "fraternity" houses are in the city) then the city will have a shot at stabilizing its lue collar jobs are needed, but blue collar training is needed in order to not make the same mistakes as other cities. Providing more education in order to have an educated blue collar workforce is key. middle class.

The city did relatively poor job capitalizing in on the 1980s boom. Permits were issued regardless of the affect. Now the city is devoid of culture, has a lack of quality jobs, and has a crumbling school system. The city did little to address some fundamental issues that plaque it. Thus McMansions sit across the street from schools which score below the state average. The juxtaposition (of upper middle class housing stock with inner city schools) is sobering to say the least. Moreno Valley's agrestic nature is long gone. However, its beauty still survives. Do not tarnish the city by turning it into America's corporate closet. Rather, respect the majestic hills that rise above and try to create a city that serves as a beacon towards the future. Sorry for the florid speech at the end, but the sentiment rings true. Do right by your citeeen.

==========

Contact: Joshua H Freeman
Address: 24593 Sunny Ridge
City: Moreno Valley
ZIP: 92557
Phone: (xxx) xxx-xxxx
Email: holanwofreeman@gmail.com

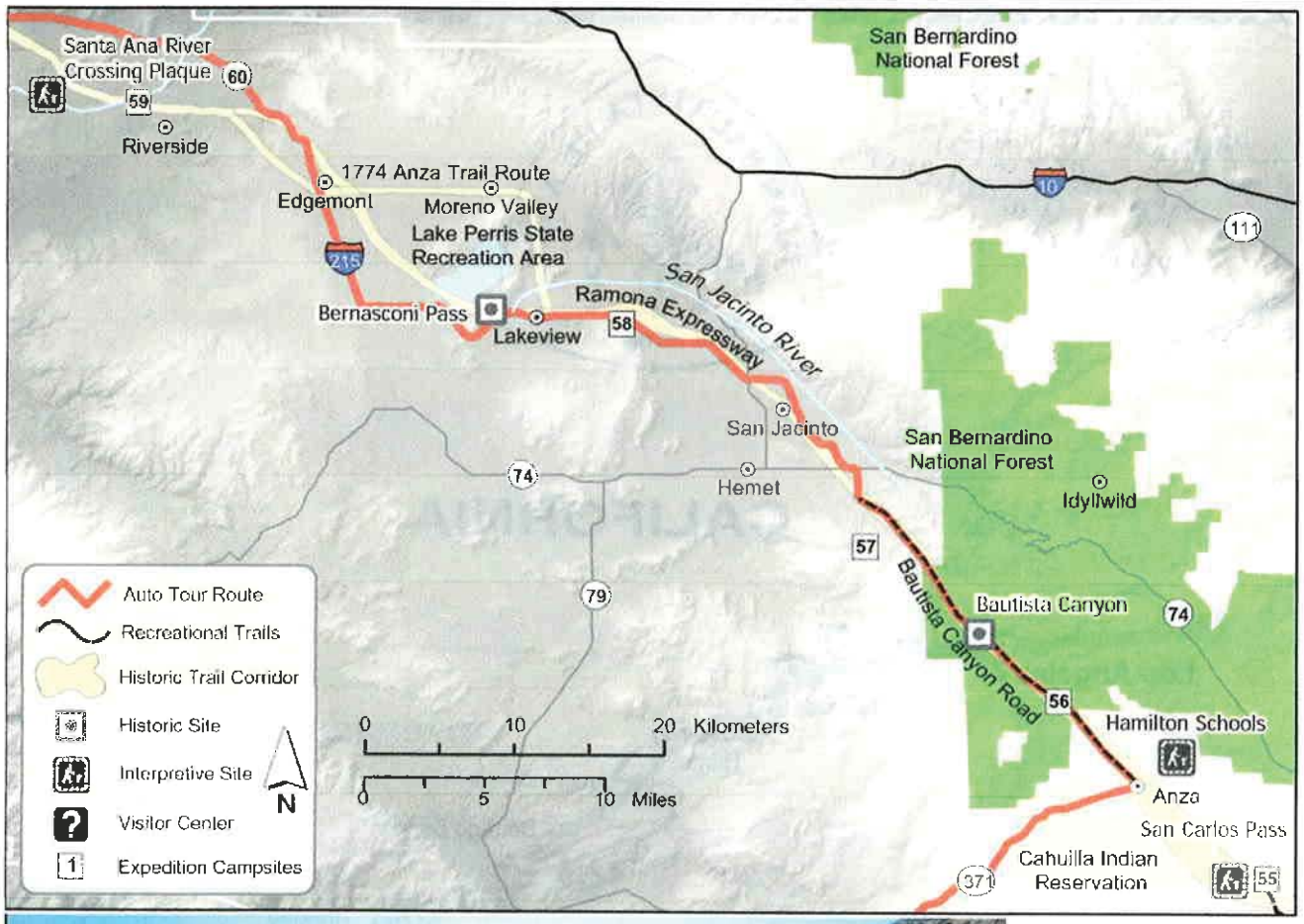
==========

*** End of Form ***

Riverside County – Christmas Eve's Camp to the Santa Ana

Lori Nickel
951-485-2951
lonick9@aol.com

Riverside County – Christmas Eve's Camp to the Santa Ana River



The view north at San Carlos Pass not far from the Pacific Crest Trail and Coyote Canyon.

Photo: Phil Valdez

Driving Directions for Auto Route

Follow CA 79 north to its intersection with CA 371. Turn northeast on CA 371 and stop in the town of Anza. Continuing on, turn left (north) on Bautista Canyon Rd. to the San Bernardino National Forest, where the road is unpaved for several miles. Continue to Fairview Ave. in Hemet, and turn right (north). At its intersection with Florida Ave./CA 74, turn west (left) onto CA 74. Turn north (right) on Mountain Ave., which becomes the Ramona Expressway. Follow this expressway west to Lake Perris and then I-215. Go north on I-215 to CA-60, and go west on I-60. In Riverside or Rubidoux, visit the Santa Ana River. Continue on CA-60 to I-15, and go north on I-15 and take I-10 west.

Hiking/Biking Ideas

From the town of Anza, or from the Pacific Crest Trail, one can hike back to the Upper Willows in the Anza-Borrego Desert State Park. Alternatively, you can start at the southern end of the park and hike up Coyote Canyon. You can also stretch your legs in the San Bernardino National Forest, or at the San Jacinto Wildlife Area and walk around the Lake Perris area. The Santa Ana River area contains trails as well.

A portion (above) of Font's map showing the camp at San Carlos Pass. It was from there on December 28, 1775 that Anza writes, to the governor of California, *Fernando de Rivera y Moncada*, and says of the colonists "...since they have been in the service for eight months, the clothing they were given has been destroyed and worn out. Because of that, and because the season is so raw, they are in need of reparation. Therefore, I have taken this opportunity to give Your Honor this notice that, if you do not feel it is inconvenient, you might send someone to find a provision of underclothing. That is truly what is needed by all the men, women and children. Of course, they will be able to make do with their exterior clothing and the use of some blankets until they have such [underclothing]." *The letter was sent ahead to San Gabriel.*

About Your Visit to Riverside County

The expedition continued up Coyote Canyon and camped at the top of Upper Willows on Christmas Eve. Here, they met the natives of the *Cahuilla* tribe whom they called the Danzantes (Dancers), and the colonists later held a fandango. Traveling on via Bautista Canyon, they followed the San Jacinto River and reached the Santa Ana River, where they camped on New Year's Eve. They then proceeded westerly toward Mission San Gabriel.

Sites of Interest

A. Anza–Borrego Desert State Park and Expedition Camp #54
The expedition's Christmas Eve stop was at the "Fig Tree Spring" in the Anza–*Borrego* Desert State Park. A marker commemorates the birth of Salvador Ygnacio Linares on that night. Motorized vehicles are prohibited in this area of the park, but hikers can reach the area from the town of Anza, or from the south (San Diego County). Maps are available at the visitor center.

B. *Puerto de San Carlos* (San Carlos Pass) and Expedition Camp #55
On December 26, 1776, Font writes "...at once I noted the change in the landscape, for now we saw some scrub live oaks and other small trees...This place has a spring of water and a small arroyo nearby, with plentiful and good grass." The pass is in Terwilliger Valley at the upper end of Coyote Canyon about seven miles southeast of the town of Anza. The area of the camp is now on a privately owned ranch, but can be accessed by hikers from the Pacific Crest Trail. In the nearby town of Anza, interpretive exhibits are found at the Hamilton Schools and Library complex (57550 Mitchell Road).

C. San Bernardino National Forest and Expedition Camp #56 and #57
A broad, bowl–shaped valley between Cahuilla Mountain and Bautista Canyon, the area of Camp #56 at Tripp Flats can be viewed from the road. Take Cary Rd. north off Highway 371 outside of Anza. This joins Tripp Flats Rd. which then ends at Bautista Canyon Road. Most of the latter road is within the San Bernardino National Forest. Eight miles of it are unpaved and allow one to experience rare well-preserved chaparral and riparian landscapes on the historic route.

D. San Jacinto Wildlife Area, Lake Perris and Expedition Camp #58
With the San Jacinto mountains at their right, the expedition traveled north and camped near a lake that Anza had named in 1774 after his supporter, *Viceroy Bucareli*. On December 30, 1776, Father Font noted "large white flocks" of geese. Today's Bernasconi Pass (along the Ramona Expressway) was used by the expedition to travel from their camp to the Alessandro Valley south of Riverside. Today, one can visit the Lake Perris State Recreation Area and the nearby San Jacinto Wildlife Area. An Anza trail marker is found at the southern end of the lake.

E. Santa Ana River Crossing and Expedition Camp #59
Both Anza expeditions crossed the river here, and it was the New Year's Eve campsite for the 1775–76 expedition. Riverside County Regional Parks offers two Anza-related sites. The Camp #59 and river crossing sites are both within the Martha McLean–Anza Narrows Park (5759 Jurupa Ave.) in Riverside. At their Jensen-Alvarado Historic Ranch and Museum (4307 Briggs St. off Rubidoux Blvd.), living history programs describe how Anza expedition descendants lived.

Learning On The Trail in Riverside County

Questions on the Trail

On the trek from Tubac to San Francisco, one woman died and three babies were born. Anza brought approximately 197 settlers, 87 of whom were under the age of 12.

Drawing by: Sara Dick

On Christmas Eve, writes Anza, "At ten forty-five at night she [the mother] happily gave birth to a boy, which makes three who have been born between the presidio of Tubac and this place, not counting two others who were given time for their deliveries. These and three others who were born before reaching San Miguel de Horcasitas make a total of eight, all while on the march, without having lost but one woman."

Question: How are traveling families now similar to those that Anza brought to California? How are they different?

Graphic: Bill Singleton

On the CD: Fandango and Nativity

Coyote Creek; Music for Fandango: *La Xameico; Pedida de la Posada*. Christmas Eve's camp and merriment was in Coyote Canyon where the fourth fandango took place. Anza passed out a pint of liquor to each colonist, but with Font's protest, and they ate beef. That night, a little before midnight, on the Holy Eve of the Nativity, a baby boy, Salvador Ygnacio Linares, was born. Dating from the 16th century, la Posada is traditionally sung at Christmas. It tells of Joseph and Mary, who is with child, traveling to Bethlehem where they have difficulty finding lodging (*posada*). The Anza Trail travelers might well have made comparisons to their own difficult journey.

Additional Resources

Anza–Borrego Desert State Park – 200 Palm Canyon Drive, Borrego Springs CA 92004; tel.: 760-767-5311, web: parks.ca.gov

Pacific Crest National Scenic Trail Association – 5325 Elkhorn Blvd., PMB #256 Sacramento, CA 95842; tel.: 916-349-2109, web: pcta.org

Hamilton Schools – 57550 Mitchell Road Town of Anza, CA 92539; tel.: 909-763-1840

San Bernardino National Forest, Santa Rosa and San Jacinto National Monument – 51-500 Highway 74, Palm Desert, CA 92260; tel.: 760-862-9984, web:fs.fed.us/r5/sanbernardino

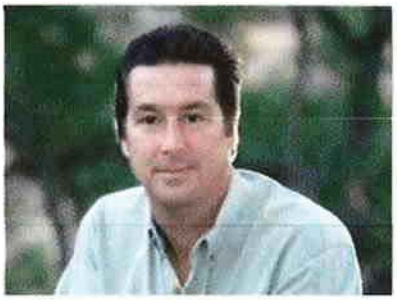
Lake Perris State Recreation Area – 17801 Lake Perris Drive Perris, CA 92571; tel.: 951-940-5603, web: parks.ca.gov

San Jacinto Wildlife Area California Dept. of Fish and Game – 1812 9th Street, Sacramento, CA 95814; tel.: 909-597-9823, web: dfg.ca.gov/lands

Martha McLean-Anza Narrows Park, Riverside County Regional Parks – 5759 Jurupa Ave., Riverside CA 92506; tel.: 951-683-1653, web: riversidecountyparks.org

From: Lori Nickel <lonick9@aol.com> 951-485-2951
Subject:
Date: March 12, 2012 3:16:30 PM PDT

1 Attachment, 6.0 KB



Photograph courtesy Rich Reid

Rich Reid got his start in photography as full-time photo editor for both the college yearbook and the daily newspaper while pursuing his business economics degree from the University of California, Santa Barbara.

For the past 20 years, he has specialized in travel, environmental, and adventure photography while working with numerous nonprofit organizations preserving lands and cultural sites. His continually working to advocate the preservation of the Gaviota Coast in Southern California was highlighted in *National Geographic* magazine in "New Park for California Coast?" (July 2001).

Reid is also a frequent contributor to *National Geographic Adventure* and covered two bicycle-supported assignments: "California's Secret Coast" (September/October 2001), about a weeklong biking, hiking, and kayaking adventure along the Gaviota Coast, and "Floating into the Country" (May 2004), about the ultimate mountain bike tour of Alaska's Inside Passage via the ferry system.

Reid traveled the length of the Juan Bautista De Anza National Historic Trail from the Mexico-Arizona border to San Francisco, documenting De Anza's adventure and history for the National Geographic book *America's Historic Trails* (2001).

Early in his career, Reid decided to pursue guiding as a way to supplement his photography habit. "This was the best mistake of my life," he says, referring to his initiation to the guiding world. "Before I knew it, I was guiding tourists throughout the Yukon and Alaska." This started his profound passion for the Arctic, which has led to operating a photo-tour business for the past decade in Alaska.

Most recently, Reid has delved into high-definition cinematography and time-lapse photography. He completed his first documentary, *Watershed Revolution*, which focuses on water conservation, education, and activism. The film blends still and time-lapse photography with cinematography and music to create a complete visual package covering the California water crisis.

Reid can be found hiking the Ojai trails with his wife and daughter near their California home. They often travel the West Coast seeking adventure and operate photo tours in Alaska. His photography is represented by National Geographic Stock and his cinematography is represented by National Geographic Digital

Motion.

www.richreidphotography.com
timelapsecollection.com

Like 1 +1 0 More »

March 21, 2012

Attn: John Terrell, Planning Division
Community & Economic Development Dept
City of Moreno Valley
johnt@moval.org

From:
Michael McCoy
Phone 951-242-6032
Resident of Moreno Valley
e-mail: ccc4maps@earthlink.net or mikeandnan@mac.com

SUBJECT: COMMENTS REGARDING THE NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT for planning actions relative to the World Logistics Center (WLC), especially the scoping of environmental topics.

Dear Mr Terrell,

I would like to request the environmental report include the following concerns regarding this project:

Conceptual Site Plan
The EIR must include an adequate conceptual site plan with building footprints and street layout that depicts the 41-million sq ft of building placements, enabling their impacts on environmental issues to be discussed in the document.

Employment Predictions
The EIR should demonstrate how the developer arrived at the calculation of possible 20,000 jobs that would be generated at the WLC.

Seismic Safety
The applicant shall provide maps indicating the location of the San Jacinto, Casa Loma and other faults upon or adjacent (within 2 miles) to the property. These faults must be shown on a map in relation to anticipated building footprints.

Traffic & Transportation
Include a thorough traffic analysis, especially for full build-out of the project. The analysis should include both employee and goods movement traffic categories.

Engage Caltrans, RCTC, WRCOG, City of Moreno Valley, the developer and others on how interchange, overpass and auxiliary lane widening improvements along Highway 60 would be financed and phased in to serve the WLC.

Air Quality Impacts
An AQMD official warned of “unprecedented truck emissions from this project”. Request the AQMD to elaborate on this assertion, especially with technical data.

Discuss vehicle emissions from truck (semi or tractor-trailer rigs of high cube configuration) and other traffic that would be generated by the built-out development in its operational phase.

Include mention of and assessment of air quality impacts specifically caused by the project’s fleet of eastbound trucks on Highway 60 that are accelerating as they travel uphill towards the summit of The Badlands, i.e. about 2 miles east of Gilman Hot Springs Rd. Those vehicles could significantly increase emissions.

Include air quality impacts, positive or negative, of including a natural gas or other alternative clean-burning fuels refueling station within or near the World Logistics Center property and analysis of air quality improvements resulting from use of said clean fuels by percentages of the WLC-visiting truck fleet, such as 5%, 10%, 25% or more of those trucks arriving and departing the WLC.

Rail Service to WLC
Investigate and analyze the feasibility of installing a rail spur to serve a portion of the WLC project. The spur could connect to operational lines in Perris, San Jacinto or in San Timoteo Canyon.

Trees and Woodlands
Some of the existing trees on this site may be significant. I’m not referring to scraggly eucalyptus but to ornamental, specimen or wildlife habitat trees near former ranches, existing streets or property lines that could be retained and incorporated into the project site plan or street layout. The EIR needs to include an inventory and evaluation of existing trees or woodlands and show said trees on suitable maps.

Drainage
Describe impacts of rooftops, parking areas and other pavement on drainage and groundwater patterns. Calculations demonstrating the impacts must be included.

Other
Include explanation of and environmental consequences of employing “High Cube” trucks in comparison with conventionally sized trucks.

Explore particular impacts on the community of Old Moreno such as but not limited to noise, glare, traffic, vibration, drainage, air quality, views, litter and graffiti.

That's all I have now, John. Other parties will deal more with wildlife issues, I am sure. Thanks in advance for seeing that my concerns are addressed in the EIR. Please contact me if there are any questions.

Lastly, please keep me on the mailing list for future reports and meetings regarding this project. E-mail is Ok, it needn't be snail mail.

Sincerely,
Michael McCoy

John C. Terell, Planning Official
City of Moreno Valley
Community and Economic Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552
Email: johnt@moval.org

March. 25, 2012

Re: Notice of Preparation of a Draft Environmental Impact Report – World Logistics Center Specific Plan

Dear Mr. John C. Terell:

I have been a resident of Moreno Valley since 1985 and a Geology professor at U.C. Riverside since 1984, concerned with geologic and seismic hazards in the Inland Empire. The following are my comments on the NOP for the World Logistics Center Specific Plan.

CEQA Requirements

Considering the regional size and scope of the proposed project, and the major impacts that it will have on the western part of the Inland Empire, a short 30-day notification and comment period on the Notice of Preparation for this project is insufficient to allow informed public review and input.

Geological and Seismic Hazards

Seismic, liquefaction, subsidence and flood hazards in the project area will have significant impacts and must be evaluated and mitigated in the project EIR. These evaluations must go beyond simple compilations of state Alquist-Priolo zone maps for seismic hazards and simple compilations of the FEMA flood zone maps, many of which are more than a decade out of date. More recent literature data must be incorporated.

Public health and safety, especially with regard to the planned construction of infrastructure, cannot be achieved (mitigated to a reasonable level) by hazard maps that are incomplete, inaccurate and seriously out of date. Scientific advances in our knowledge of geotechnical hazards occur quickly, and the information in the EIR must be kept up to date with such advances.

Alquist-Priolo guidelines and legislation require that plans by lead agencies include sufficient analysis based not only on the existing hazard map zones, but also on all other relevant published information on faults and hazards inside and *outside* of those map zones. This is because many recent deadly seismic events have occurred on faults that were not yet officially zoned by the state, or were not recognized to be active (Hart, 1992). The recent Landers, Northridge, Hector Mine and Napa Valley earthquakes are good examples.

Specific geologic hazards that should be evaluated and mitigated are:

1) seismic shaking and liquefaction/collapse potential in relation to uniform building codes.
2) seismic slumping and ground rupture potential caused by proximity to the active San Andreas, Casa Loma, San Jacinto, and Farm Road faults.
3) landslides and slow-motion creep related to active faulting along the project's boundary.

4) rupture-induced explosion and fire potential for two major regional natural gas pipelines that cross active faults within or adjacent to the project (see attachment from Toppozada et al., 1993).
5) any other hazards identified by the state's existing emergency response plan for a major earthquake on the San Jacinto fault in the inland empire.
6) flooding, inundation, and hydrocompaction resulting from the increase in the area of Mystic Lake since 1938 and the projection of its areal extent to 2023 (see attachment from Morton et al., 2006).

The following publications address these hazards, and must be evaluated with sufficient analysis and mitigation in the project DEIR:

FEMA, 2007, HAZUS: Guide to Using HAZUS for Mitigation.
http://www.fema.gov/plan/prevent/hazus/dl_hazmit.shtm

FEMA, 2007, HAZUS: Flood Information Tool (FIT).
http://www.fema.gov/plan/prevent/hazus/hz_fit.shtm

Hart, E.W., 1992, Fault-rupture hazard zones in California; Calif. Div. Mines and Geol., Special Publ. 42, 32 pp.

Morton, D.M., 1977, Surface deformation in part of the San Jacinto Valley, southern California; Jour. Research U. S. Geological Survey, Vol. 5, No. 1, p. 117-124.

Morton , D.M., Matti, J.C., 1993, Extension and contraction within an evolving divergent strike-slip fault complex: the San Andreas and San Jacinto fault zones at their convergence in southern California; Memoir Geol Soc. America, 178, p. 217-230.

Morton, D.M., and Miller, F. K., 2006, Geologic map of the San Bernardino and Santa Ana 30' x 60' quadrangles, California; USGS Open File Report 1271, 2006,
http://pubs.usgs.gov/of/2006/1217/

Morton, D.M. et al., 2006, Historic lake levels of Mystic Lake and a projection of where the lake level (closed depression) is predicted to be in 2023 http://pubs.usgs.gov/of/2006/1217/of2006-1217_map/of2006-1217_fig5.pdf

Morton, D.M., and Sadler, P.M., 1989; Landslides flanking the northeastern Penninsular Ranges and in the San Gorgonio Pass area of southern California; in Sadler, P.M., and Morton, D.M. (Eds.) Landslides in a Semi-Arid Environment; Inland Geological Society Publ., Vol. 2, p 338-355.

Park, S.K. et al. 1995, Delineation of intrabasin structure in a dilational jog of the San Jacinto fault zone, southern California; Jour. Geophysical Research, Vol. 100, No. BA, p. 691-702.

Toppozada, T.R., et al., 1993, Planning scenario for a major earthquake on the San Jacinto fault in the San Bernardino area; Calif. Dept. of Conservation, Div. of Mines and Geology, Special Publ. 102, 250 pp.

U. S. Geological Survey, 2007, USGS/CGS Probabilistic Seismic Hazards Assessment (PSHA) Model online at: http://www.conservation.ca.gov/cgs/rghm/pshamap/pshamain.html

Working Group on California Earthquake Probabilities (WGCEP), 2007, Uniform California Earthquake Rupture Forecasts (UCERFs); http://www.wgcep.org/

Thank you for considering my comments on the NOP for the World Logistics Canter Specific Plan.

I ask that these comments be incorporated into the public record for review of this NOP and EIR, and hereby incorporate all references cited (and their contained references) into the review process for this EIR.

I also ask that I be kept informed in writing of all notices, documents, meetings and actions regarding this NOP, EIR and Project, at the address listed below.

Sincerely,

Michael A. McKibben, Ph.D.
23296 Sonnet Drive
Moreno Valley, CA 92557

(951) 924-8150
mamckibben@roadrunner.com

M. A. McAUBEN

SPECIAL PUBLICATION 102

PLANNING SCENARIO FOR A MAJOR EARTHQUAKE ON THE SAN JACINTO FAULT IN THE SAN BERNARDINO AREA

By

CALIFORNIA DEPARTMENT OF CONSERVATION

DIVISION OF MINES AND GEOLOGY

Tousson R. Toppozada, Glenn Borchardt, and Claudia L. Hallstrom

CONSULTANTS

Carl B. Johnson, Per Ron, and Henry J. Lagorio

1993

California Department of Conservation
Division of Mines and Geology
801 K Street, MS 12-30
Sacramento, California 95814-3531

Seismic Considerations

The primary impact on natural gas facilities will be the widespread damage to transmission and distribution system pipelines resulting from surface rupture along the fault zone. Displacements averaging 3 feet across the fault zone will cause numerous breaks in mains, valves, and service connections. Secondary ground failures resulting from liquefaction will result in many additional breaks in the system. Fires will occur due to broken gas mains and service connections.

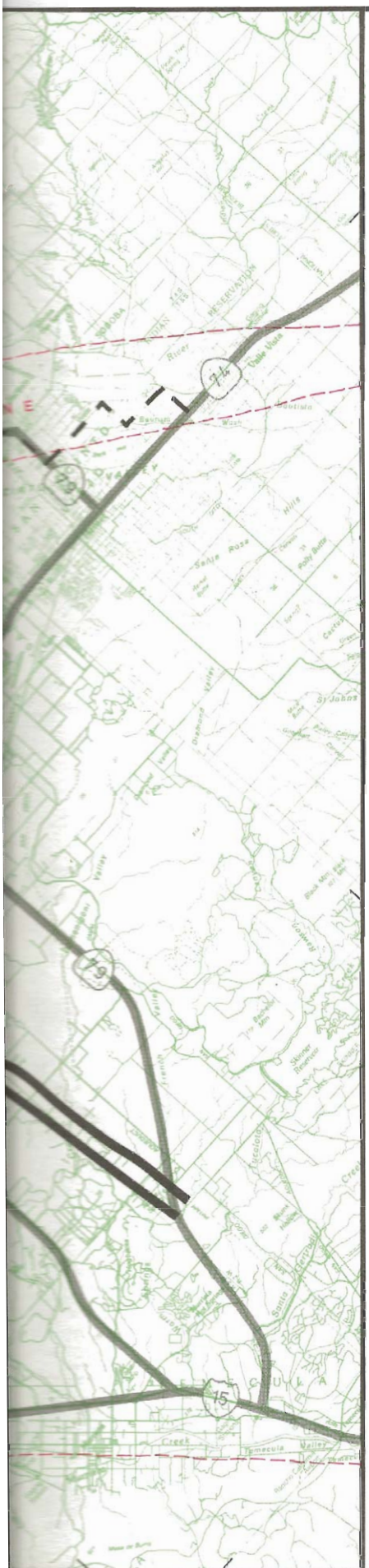
The gas supply west of the fault zone will be interrupted wherever large diameter transmission pipelines are damaged by fault offset. Elsewhere, the gas transmission and distribution system is vulnerable to damage from landslides and liquefaction.

Major gas transmission lines (diameter > 16 inches) cross the fault zone at four locations, as shown on Map G:

1. Lytle Canyon (G4)
2. Lytle Canyon (G5)
3. Allesandro Boulevard (G14)
4. San Jacinto Valley (G16)

Breaks and leaks will occur in the distribution system throughout the planning area, particularly in the zone of fault rupture and in areas of liquefaction. The areas of potential liquefaction are in Cajon Canyon, along the Santa Ana River, and in San Bernardino on the northeast side of the fault.

According to SoCal Gas Company, vulnerability to damage from ground shaking has been reduced within the distribution system since the 1971 San Fernando earthquake (M6.4). This improvement is largely due to replacement of steel pipe (and, in some instances, cast iron pipe) with medium density polyethylene plastic pipe having ductile properties that resist damage from earth movements. About 90 percent of all pipe replacements of 4-inch diameter and less are made with



SPECIAL PUBLICATION 104

EARTHQUAKE PLANNING SCENARIO

DEPARTMENT OF CONSERVATION

Division of Mines and Geology

FOR A MAJOR EARTHQUAKE ON THE SAN JACINTO FAULT ZONE IN SOUTHERN CALIFORNIA

N E W S

NATURAL GAS FACILITIES

1993

EXPLANATION

G — Location of assessment (see text for details)

16" to 36" — Major Transmission Pipeline

8" to 12" — Major Distribution Trunk Line

Power Plant (capacity in megawatts, Mw)

SCALE 1:200000

1 0 1 2 3 4 5 10 KILOMETERS

1 0 1 2 3 4 5 MILES

5000 0 10000 25000 FEET

Scenario Fault Segment

SCENARIO MAPS AND DAMAGE ASSESSMENTS ARE INTENDED FOR EMERGENCY PLANNING PURPOSES ONLY

- THEY ARE BASED UPON THE FOLLOWING HYPOTHETICAL CHAIN OF EVENTS:
  1. A PARTICULAR EARTHQUAKE OCCURS
  2. VARIOUS LOCALITIES IN THE PLANNING AREA EXPERIENCE A SPECIFIC TYPE OF SHAKING OR GROUND FAILURE
  3. CERTAIN CRITICAL FACILITIES UNDERGO DAMAGE AND OTHERS DO NOT
- THE CONCLUSIONS REGARDING THE PERFORMANCE OF FACILITIES ARE HYPOTHETICAL AND NOT TO BE CONSTRUED AS SITE-SPECIFIC ENGINEERING EVALUATIONS. FOR THE MOST PART, DAMAGE ASSESSMENTS ARE STRONGLY INFLUENCED BY THE SEISMIC INTENSITY DISTRIBUTION MAP DEVELOPED FOR THIS PARTICULAR SCENARIO EARTHQUAKE. THERE IS DISAGREEMENT AMONG INVESTIGATORS AS TO THE MOST REALISTIC MODEL FOR PREDICTING SEISMIC INTENSITY DISTRIBUTION. NONE HAVE BEEN FULLY TESTED AND EACH WOULD YIELD A DIFFERENT EARTHQUAKE PLANNING SCENARIO. FACILITIES THAT ARE PARTICULARLY SENSITIVE TO EMERGENCY RESPONSE WILL REQUIRE A DETAILED GEOTECHNICAL STUDY.
- THE DAMAGE ASSESSMENTS ARE BASED UPON THIS SPECIFIC SCENARIO. AN EARTHQUAKE OF SIGNIFICANTLY DIFFERENT MAGNITUDE ON THIS OR ANY ONE OF MANY OTHER FAULTS IN THE PLANNING AREA WILL RESULT IN A MARKEDLY DIFFERENT PATTERN OF DAMAGE.

117°15' 33°30'

G

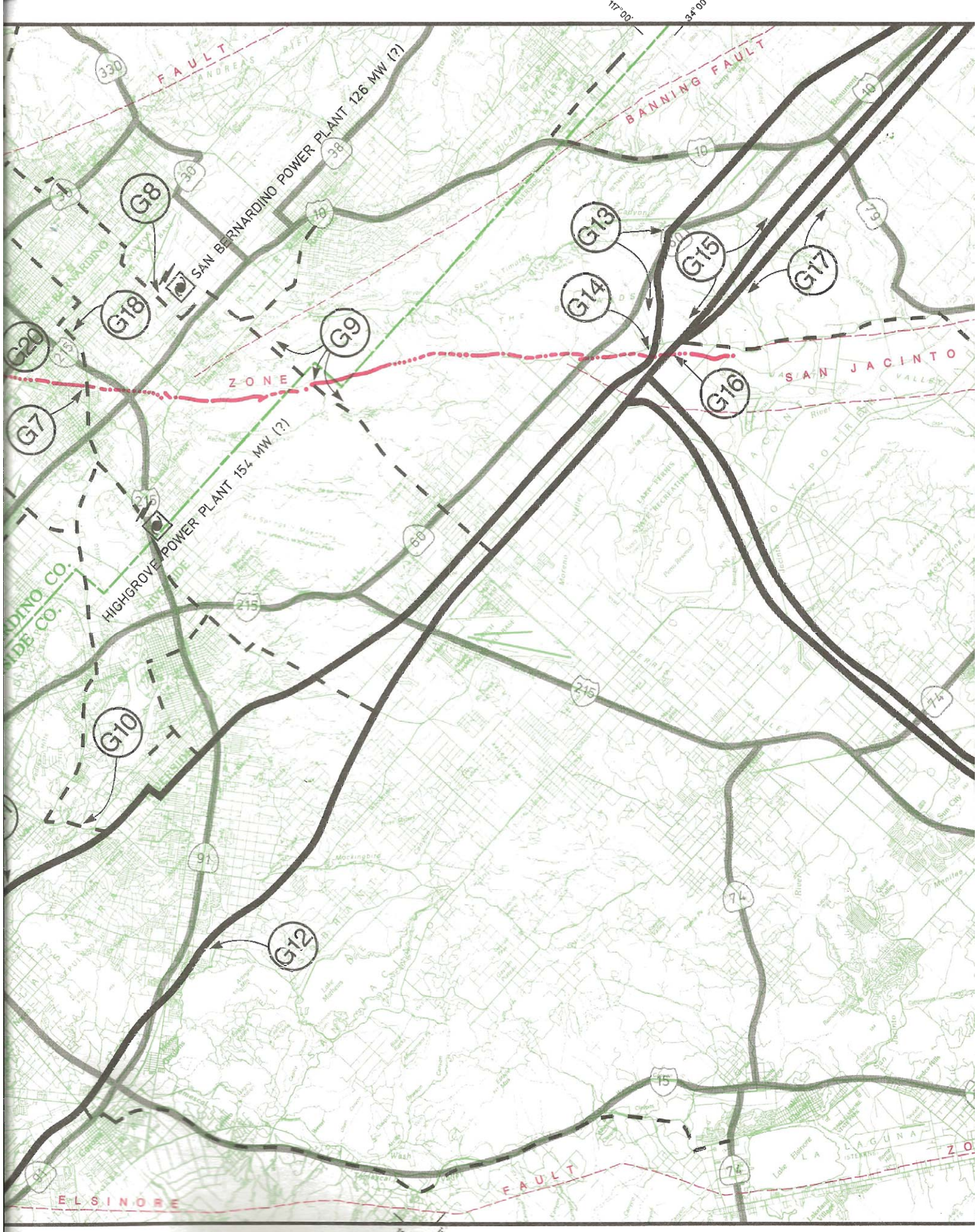
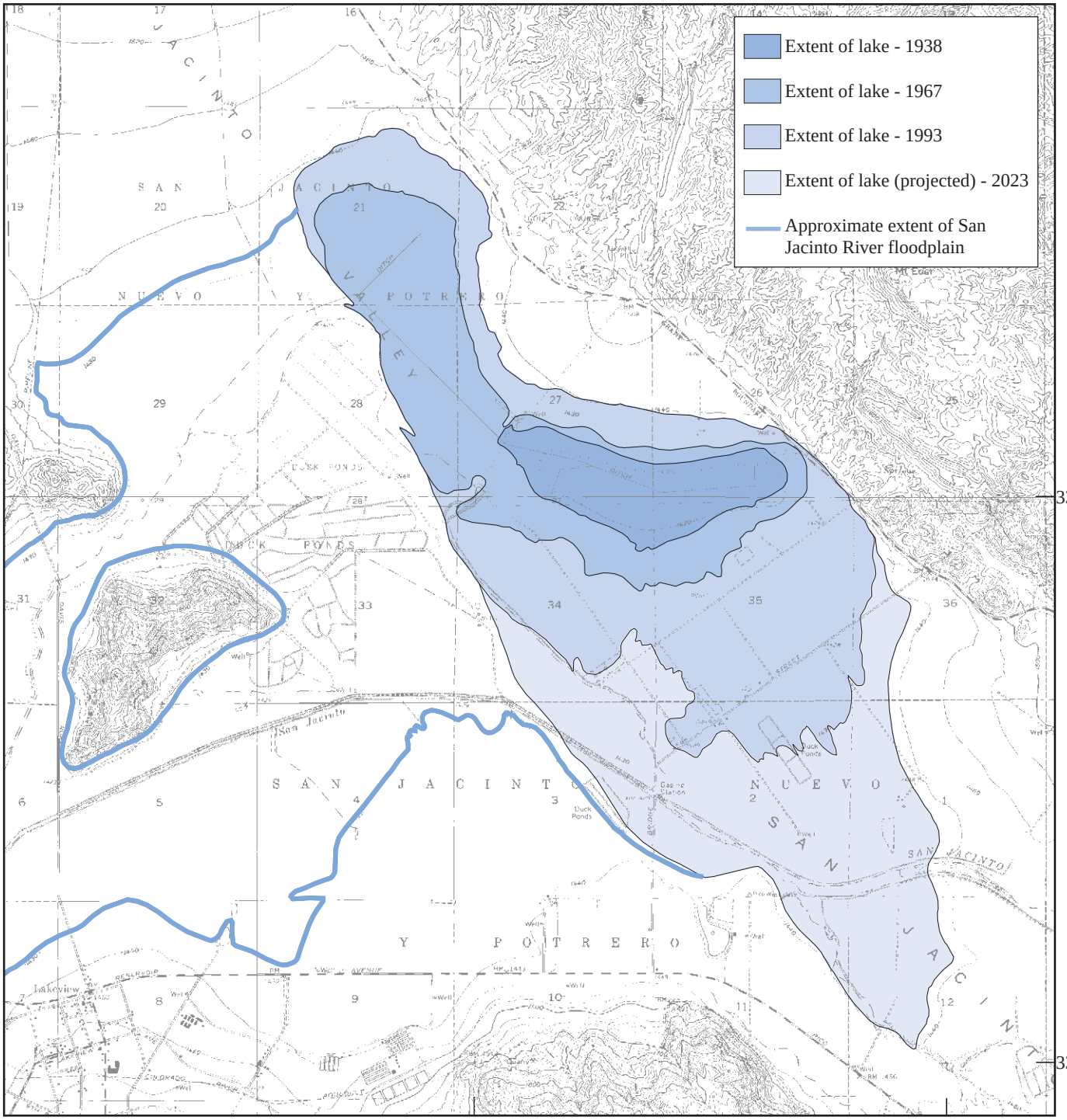

117°00'
34°00'
FAULT
BANNING FAULT
SAN BERNARDINO POWER PLANT 126 MW (?)
HIGHGROVE POWER PLANT 154 MW (?)
G7
G8
G9
G10
G12
G13
G14
G15
G16
G17
G18
G20
ZONE
SAN JACINTO
ELSINORE
FAULT
117°30'
33°45'

Figure 5



Base from U.S. Geological Survey
7.5' Lakeview and El Casco quadrangles
UTM projection, Zone 11

Historic Lake Levels of Mystic Lake, Riverside County, California

SCALE 1:48,000

1 0 1 MILE

1 0 1 KILOMETER

CONTOUR INTERVAL 20 FEET

GN MN 15°

RECEIVED
FEB 2 7 2012
CITY OF MORENO VALLEY
Planning Division

MORONGO
BAND OF
MISSION
INDIANS

A SOVEREIGN NATION

February 22, 2012

John C. Terell, AICP, Planning Official
City of Moreno Valley
Community & Economic Development Department
P.O. Box 88005
Moreno Valley, CA 92552

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report
Project Title: World Logistics Center Specific Plan
Project Applicant: Highland Fairview

Dear Mr.Terell:

Thank you for contacting the Morongo Band of Mission Indians regarding the above referenced project. The Tribe greatly appreciates the opportunity to review the project and, respectfully, offer the following comments.

The project is outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area or one in which the Tribe has cultural ties (e.g. Cahuilla/Serrano territory). Because the project involves a proposed master plan for the future development of up to 41.6 million square feet of building area providing for modern high-cube logistics warehouse distribution facilities the Morongo Band of Mission Indians asks that you impose specific conditions regarding cultural and/or archaeological resources and buried cultural materials on any development plans or entitlement applications as follows:

- If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5.

- In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.

  If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians

("Tribe")[1]. If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

If I may be of further assistance with regard to this matter, please do not hesitate to contact me at your convenience.

Very truly yours,

MORONGO BAND OF MISSION INDIANS

Franklin A. Dancy,
Director of Planning

[1] The Morongo Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, Morongo can only speak for itself. The Tribe has no objection if the archaeologist wishes to consult with other tribes and if the city wishes to revise the condition to recognize other tribes.

Kent Norton

From: ned newkirk <ned_newkirk@verizon.net>
Sent: Thursday, March 22, 2012 6:21 AM
To: John Terell
Subject: Concerns and Questions Regarding Proposed World Logistics Center

Attn: John Terell
March 21st 2012

Concerns and questions regarding the proposed World Logistics Center

In 1978 we built a home at 29080 Dracaea Ave and have lived there for thirty three years. Since we live within the boundaries of the proposed World Logistics Center, we are very concerned as to the impact this project will have on our home. Listed below are our questions/concerns at this time.

What is going to happen to the existing homes within the boundaries of the world logistics center?

How will the logistics center affect traffic on Redlands Blvd?

What changes will be made to the existing streets south of Highway 60 to Alessandro Blvd. and from Redlands Blvd. to Gilman Springs Rd.?

Essentially how many trucks will this logistics center put on Highway 60 each day?

When the amount of traffic this project will generate is known, how long will it take to receive an emissions report from air quality control (increase in diesel particulates)?

When will a map be available for public review designating location of warehouses in relation to existing streets and residences within the affected area?

We were in attendance at the public meeting on March 12th regarding the proposed World Logistics Center and you asked that we contact you. We would like to schedule an appointment with you regarding these questions. Please call us and arrange for an appointment at
951-242-3055.
Thank You

Ned and Dawn Newkirk

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

RECEIVED
MAR 12 2012
CITY OF MORENO VALLEY
Planning Division

March 7, 2012

Mr. John C. Terell, Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re: SCH#2012021045 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **"World Logistics Center (General Plan Amendment, TPM & Finance Map, Development Agreement and Annexation);"** located in the City of Moeno Valley; Riverside County, California

Dear Mr. Terell:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified. Also, the absence of archaeological resources does not preclude their existence. . California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to. California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California

Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties pursuant to CA Public Resources Code §5097.95. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, if the project is under federal jurisdiction, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be

followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
Riverside County
March 7, 2012

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.gov
(951) 506-9491 Fax

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

Serrano Nation of Indians
Goldie Walker
P.O. Box 343 Serrano
Patton , CA 92369
(909) 862-9883

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.gov
(951) 922-0105 Fax

Cahuilla Band of Indians
Luther Salgado, Sr., , Chairperson
PO Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
915-763-5549

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012021045; CEQA Notice of Preparation (NOP); draft Environmental Impact Report and General Plan Amendment for the World Logistics Center; City of Moreno Valley; Riverside County, California.

Native American Contacts
Riverside County
March 7, 2012

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ahoover@pechanga-nsn.gov
951-770-8104
(951) 694-0446 - FAX

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
siva@dishmail.net
(951) 849-4676

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012021045; CEQA Notice of Preparation (NOP); draft Environmental Impact Report and General Plan Amendment for the World Logistics Center; City of Moreno Valley; Riverside County, California.

CITY OF MORENO VALLEY
Community & Economic Development Department
Planning Division

MEMORANDUM

To: Distribution List

From: John C. Terell, Planning Official

Date: March 13, 2012

Subject: Summary of issue areas identified at March 12, 2012, Notice of Preparation Meeting – World Logistics Center

At last night's meeting, there were thirty-one speakers providing comments on the project. Written notes are in the file, which provide a wide range of comments on the project. This memo only lists issues suggested for inclusion in the environmental impact report for the project. Some relate to suggested changes to the project description or proposed mitigation measures.

1. Number of jobs anticipated by the project – provide an independent analysis.
2. Identify impacts on local unemployment, including skill levels required.
3. Seismic safety related to the Casa Loma and San Jacinto fault lines.
4. Impacts of current land use plan versus the proposal.
5. Potential impact of railroad and Panama Canal expansions on local demand for logistics.
6. Clear explanation of "high cube warehouse".
7. Identify potential for rail spur to serve project.
8. Provide an economic assessment of the project (fiscal/cost benefit analysis)
9. Identify flooding impacts before and after project.
10. Provide buffers to adjacent housing and wildlife areas.
11. Do not use existing permanent open space as buffer.
12. Identify impact on viability of adjacent residential areas with logistics adjacency.
13. Include list of other uses allowed in addition to logistics, and their impacts.
14. Include manufacturing and high tech as permitted uses.
15. Impacts on views from Moreno neighborhood.
16. Include description of "net zero storm water treatment" and implementation.
17. Potential for trucks to exit onto Redlands and need to turn around to access project.
18. Provide alternatives for waiting trucks rather than parking on off ramps and local streets.
19. Provide "solid" alternatives analysis to provide viable options.
20. Include requirement for solar panels on building roofs.
21. Include assessment on regional air quality including criteria pollutants.
22. Work with SCAQMD on implementation of new truck technologies to reduce emissions.
23. Identify air quality impacts and specifically on children, elderly residents, and wildlife.
24. Identify diesel emission impacts on workers in project area.
25. Provide impact on wildlife by species.
26. Identify light and noise impacts on wildlife area.
27. Identify impact on groundwater.
28. Identify noise impacts.

29. Identify specific green technologies to be included in project.
30. Include potential for use of CNG, hydrogen fuel cell, solar electricity to supply trucks.
31. Identify amount of traffic on local roads, specifically truck traffic.
32. Identify impacts on Alessandro pavement quality.
33. Include potential diversion of truck traffic from Alessandro.
34. Identify impacts on wildlife, including owls and other raptors.
35. Identify globally significant raptor habitat & impacts on grazing areas within project area.
36. Identify impact on public services and funding.
37. Provide a comprehensive plan for review prior to completing environmental.
38. Identify all public improvements, including parks, to be provided by project.
39. Identify all impacts on current residents within project area.
40. Identify any use of roadways through the adjacent wildlife area.
41. Identify where 7700 housing units currently planned for project area will be replaced.
42. Identify traffic impact of relocated planned housing units.
43. Impacts on route and historic views from Juan Bautista de Anza 1775 exploration.
44. Contact National Park Service related to Juan Bautista de Anza trail impacts.
45. Identify impact on crime rates.

CC: Wayne Peterson, Highland Fairview (applicant)
Danette Fenstermacher, Highland Fairview
Kent Norton, LSA Associates (environmental consultant)
Timothy Krantz, TKEC (city consultant)
Barry Foster, CEDD Director
Case file

Ann L. Turner McKibben
23296 Sonnet Drive
Moreno Valley, CA 92557-5403

26 March 2012

Via e-mail: johnt@moval.org

John C. Terrell, Planning Official
City of Moreno Valley
Community & Economic Development Department
P.O. Box 88005
Moreno Valley, CA 92552

Dear Mr. Terrell:

Re: Notice of Preparation of a DEIR for World Logistics Center Specific Plan

The following are my comments regarding the NOP for the DEIR for the World Logistics Center Specific Plan.

Someone (project proponent and the city) must have forgotten to read Jane Jacobs' book The Death and Life of Great American Cities while planning this project.

The comment period is not adequate. For a project of this size (41.6 million square feet of warehousing/distribution buildings) more time must be allowed for the public/tax payers to comment on this project.

Aesthetics: How will the project enhance the open space & scenic vistas of the northern San Jacinto Valley & the San Jacinto Wildlife Area? Will the project conform to the International Dark Sky Association recommendations? Many cities, such as Palm Desert, are able to include such standards within their cities.

Agricultural: Will Prime Agricultural Lands be lost? How will the loss be mitigated?

Air Quality: Will fine particulates increase due to this project? How will our air quality improve under this project? What type of trucks will be used to haul goods? Will they meet current laws regulating the amount of diesel produced particulate matter?

Biological Resources: What biological resources will be destroyed if this project is built? Will biological surveys be done at appropriate times throughout the year to quantify migrating species plus cover all the seasons? How will the project improve the biological resources at the San

Jacinto Wildlife Area, a major Riverside County Multi-Species Habitat Conservation Plan reserve?

Energy Use & Conservation: How will the project conserve energy? What methods will be used to save energy? Will solar panels be installed on all buildings?

Greenhouse Gas Emissions: How will the project improve/lessen the amount Greenhouse Gas Emissions? How will it meet state standards?

Hydrology/Water Quality: How will the project improve the water quality? How will the project affect the water quality at the San Jacinto Wildlife Area, Mystic Lake, San Jacinto River and points beyond? What are the cumulative impacts to the watershed? Where is the source of water for the project? How will the water consumption affect conservation efforts due to the state's current drought? Will the project use drought tolerant and drought tolerant native plants? Will it use greenscape (turf)?

Land Use/Planning: How does the project meet good land use planning standards? Is 41.6 million square feet of warehousing/distribution centers located on 3,820 acres in eastern Moreno Valley good land use planning? Does it bring about diverse land uses, improve the residents quality of life, does it provide open space (not including the deceptive impression by the project maps that California Department of Fish & Game lands are part of the project)? How does it produce a diverse economic base for the city? How will the project impact adjacent residences, the Old Moreno section of Moreno Valley?

Noise: How will the project improve the level of noise in this rural area? How will noise levels be mitigated?

Recreation: How will this project improve the recreation opportunities for the city's residents? How will the city's trail system & bikeways be affected by the project?

Transportation/Traffic: How will the project improve the level of truck traffic on Highway 60? Who will pay for the highway improvements needed for the increased truck traffic? How will the increase in truck traffic on Highway 60 and local streets be mitigated?

Cumulative Impacts: The DEIR needs to address the cumulative impacts of this project including all of the projects included within the South I-215 economic corridor (from Riverside to Temecula), the Beaumont distribution project on Jack Rabbit Trail/H60, the regional impacts of projects in Mira Loma and Ontario and all projects within the city of Riverside.

Alternatives: The DEIR needs to provide legitimate, well-researched alternatives to this project. It needs to provide quality information, not a cursory effort.

Once again the comment period for this project needs to be extended. I'm sure the project proponent has had plenty of time to interact with city staff & elected officials. The public needs to be provided more time to comment on a potential project which will have significant, long-term impacts to its residents.

Please keep me informed of all meetings, documents, & information regarding this project. My contact information is included in this letter.

Thank you for the opportunity to comment on this project.

Sincerely,

Ann Turner McKibben
23296 Sonnet Drive
Moreno Valley, CA 92557-5403
e-mail: atmckibben@roadrunner.com

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

EDMUND G. BROWN JR, Governor
Charlton H. Bonham, Director

RECEIVED
MAR 26 2012
CITY OF MORENO VALLEY
Planning Division

March 22, 2012

John C. Terell
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re: Notice of Preparation of Environmental Impact Report for the World Logistics Center Project SCH# 2012021045

Dear Mr. Terell:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) for the World Logistics Center Specific Plan (Project). The Department is responding as a Trustee Agency for fish and wildlife resources (Fish and Game Code Sections 711.7 and 1802 and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as a Lake or Streambed Alteration Agreement (Fish and Game Code Sections 1600 *et seq.*) and/or a Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (Fish and Game Code Sections 2080 and 2080.1).

Project Description

The 3,820-acre Project is located in the City of Moreno Valley and is bounded by State Route 60 (SR-60) to the north, Redlands Boulevard to the west, Gilman Springs Road to the east and the San Jacinto Wildlife Area to the south. The Project involves a General Plan Amendment, a Zone Change, and an annexation. The Project consists of the construction of 41.6 million square feet of warehouse distribution facilities.

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including rare, threatened, and endangered plant and animal species, pursuant to the CESA, and administers the Natural Community Conservation Planning Program (NCCP Program). On June 22, 2004, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section 2800 et seq. of the Fish and Game Code. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit.

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. The Project is located in the Reche Canyon/Badlands Area Plan

of the MSHCP, subgroups D and X. The City of Moreno Valley is the Lead Agency and is signatory to the Implementing Agreement of the MSHCP. Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the DEIR discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements.

A small portion of the Project site is designated in the MSHCP as being located in the survey area for mammals. The entire Project site is located in the survey area for burrowing owl. Any surveys should be conducted prior to submittal of the DEIR and the results included in the DEIR, along with all biological studies.

The DEIR should include an analysis of the potential indirect effects of the Project on the fish and wildlife resources and functions of the SJWA and Lake Perris Recreation Area relative to MSHCP Section 6.1.4 Guidelines Pertaining to the Urban/Wildlands Interface.

San Jacinto Wildlife Area (SJWA)

The map provided in the NOP Figure 3 (Land Use Map) shows that 1,136 acres in the southern part of the site will be designated as open space as part of the General Plan and Specific Plan amendments. Much of the property that the Project designates as open space is owned by the State of California as part of the SJWA. The Department agrees that the lands within the SJWA should be designated as Open Space. These lands can not be used by the Project towards any mitigation requirements. The Department recommends that the Project increase the internal Project area designated Open Space to include a buffer from the boundary of the SJWA. The Department also recommends the DEIR include mitigation measures to protect the SJWA and requests the DEIR include studies to identify the appropriate buffer to protect the SJWA and hunting opportunities from the development. The applicant should consult with the manager of the SJWA for information about the wildlife area and the species.

The SJWA represent a substantial investment (in excess of $96 million) by the State in acquiring habitat for native plants, animals, and migratory waterfowl. The SJWA was originally established as mitigation for the direct loss of fish and wildlife habitat and public recreational opportunities resulting from construction of the State Water Project and is designated as a core reserve for the Stephen's Kangaroo Rat Habitat Conservation Plan (SKRHCP) and the MSHCP. The SJWA is one of two Type A wildlife areas in Southern California and is a historic migratory stopover for migratory waterfowl and non-game birds. The SJWA is also a regional destination point for bird watching. A key component of the SJWA is hunting for waterfowl and upland game. The Department is very concerned about the potential impacts of this Project on conserved lands, hunting opportunities, foraging habitat for raptors and waterfowl, and Stephens' kangaroo rat (SKR) (a State and Federal listed species).

To the south and west of the Project site is the Lake Perris State Recreation Area. This property is at a higher elevation than the adjacent SJWA and the resources there may be adversely impacted by noise, lighting and traffic. Both of these State conserved lands keep records of attendance and these figures should be incorporated into the traffic analysis.

The DEIR should include a comprehensive cumulative impacts analysis of the potential direct and indirect effects of the Project on the fish and wildlife resources, the adjacent SJWA, and Lake Perris Recreation Area. The effects that should be analyzed include: potential increased traffic on Davis Road and effects on species; lighting effects on the species and the SJWA; noise impacts from the facility and vehicles using the facility; the windblown trash from the facility and its affect on species and the resulting increased management needs at the wildlife area; vehicular emissions and their effects on species and vegetation communities; new or modified roads and potential effects on connectivity between SJWA and the surrounding landscape; the potential for fuel modification and the need for increased fire protection; any increases in vectors and the need for their control; and runoff from the warehouse site and its effects on the species and the SJWA. The DEIR should include a comprehensive mitigation proposal to address potential effects and impacts to fish and wildlife resources, the adjacent SJWA, and Lake Perris Recreation Area.

Davis Road bisects the SJWA and is closed at the boundary of the SJWA. The City of Moreno Valley and the County of Riverside vacated the road and right of way. The land was provided to the Department for inclusion in the SJWA, and the closure of the road underwent environmental review. The DEIR should include a comprehensive cumulative impacts analysis of the increased traffic on the SJWA, and ensure Davis Road is not proposed as an access across the SJWA to mitigate the growth inducing effects of this development.

There may be potential additional impacts from truck emissions and dust. The Department recommends that the air quality analysis include a map indicating where truck emissions are likely to be deposited because native vegetation is very susceptible to the adverse impacts of nitrogen deposition. The University of Californian Riverside is a leader in this field and faculty have published papers on the topic of nitrogen deposition and its effect on native vegetation.

The Project has the potential to impact biological resources that utilize the Project site. The site has been used for agriculture and provides foraging habitat for raptors and other birds, and habitat for small mammals and reptiles. Animals in the Project area could include raptors and grassland species, including but not limited to Bell's sage sparrow, loggerhead shrike, burrowing owl, southern California rufous crowned sparrow, Los Angeles pocket mouse, SKR, mountain lion, and coyote. The applicants should consult with the Department to obtain the locations of SKR populations and include an analysis of potential impacts on this species. The loss of 2,000+ acres of potential foraging habitat has the potential to cause increased predation by raptors in the wildlife area or a decrease in the local raptor population. Conversion of foraging habitat may also reduce the amount of food available for migratory waterfowl. During adverse weather, migratory birds have fatally mistaken large parking lots for open bodies of water. This Project proposes large parking lots adjacent to the SJWA, an historic migratory route and destination. The Department recommends the DEIR include studies to identify and mitigate potential impacts to migratory birds. The Department also recommends the DEIR include mitigation measures to protect the SJWA and requests the DEIR include studies to identify the appropriate buffer to protect the SJWA and hunting opportunities from the development. The applicant should consult with the manager of the SJWA for information about the wildlife area and the species.

State Jurisdictional Waters

The Department is concerned about the continuing loss of jurisdictional waters of the State and the encroachment of development into areas with native habitat values. According to

the MSHCP Guidelines Pertaining to the Urban Wildlands Interface, projects are required to ensure that the quality and quantity of runoff discharged to the MSHCP Conservation Area is not altered in an adverse way when compared with existing conditions. It is our understanding that the proposed project site drains toward the SJWA . The Department is concerned the Project may affect water quality, fish and wildlife resources, and jurisdictional habitats in this area. The CEQA document should contain sufficient, specific, and current biological information on the existing habitat and species at the Project site; measures to minimize and avoid sensitive biological resources; and mitigation measures to offset the loss of native flora and fauna and State waters. If the Project site contains Federally or State-listed species, the CEQA document should include measures to avoid and minimize impacts to these species as well as mitigation measures to compensate for the loss of biological resources. The CEQA document should not defer impact analysis and mitigation measures to future regulatory discretionary actions, such as a Lake or Streambed Alteration Agreement, CESA Permit, or Federal Endangered Species Act (FESA) Permit.

Greenhouse Gas Emissions

The Department is committed to reducing the effects of climate change on the state's natural resources and in implementing legislative requirements addressing greenhouse gas emissions. The Natural Resources Agency adopted new guidelines on December 31, 2009, requiring lead agencies to analyze greenhouse gas (GHG) emissions under section 15064.4 during CEQA review. Assembly Bill 32, the California Global Warming Solutions Act, established a state goal of reducing GHG emissions to 1990 levels by the year 2020 (a reduction of approximately 25 percent from forecast emission levels). Senate Bill 97, a "companion" bill directed amendments to CEQA statutes to specifically establish that GHG emissions and their impacts are appropriate subjects for CEQA analysis. Senate Bill 375 calls on California's urban regions to develop coordinated plans for reducing greenhouse gas emissions through more efficient transportation and development patterns. Regional transportation agencies, in coordination with local governments, must now design "Sustainable Communities Strategies" (SCSs) to achieve mandated greenhouse gas emissions reduction targets from automobiles and light trucks.

The Project appears to be counter to legislative and executive efforts to reduce greenhouse gases as the Project is located far from ports, railroads, airports, or major freeways. The Project may emit greenhouse gases from sources both pre and post construction such as vehicle mileage trips to site, energy to run the facility, water supply, and landscape maintenance equipment. Land use conversion from agriculture to a warehouse facility can reduce the ability of existing ecosystems to sequester carbon. Please provide a quantitative analysis that includes, but is not limited to, the primary sources of GHG emissions associated with the project pre and post construction including: vehicular traffic, generation of electricity, natural gas consumption/combustion, solid waste generation and water usage. Please assess the potential direct and indirect effects of Project associated GHGs including the loss of open space for sequestering carbon, the extent of change in GHGs compared to the existing environmental setting, and the potential conflicts with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. The potential direct and indirect impacts should be analyzed in the DEIR and appropriate mitigation provided for impacts

Analyses of the Potential Project-Related Impacts on Biological Resources

This particular Project has the potential to have significant environmental impacts on sensitive flora and fauna resources. Therefore, the CEQA document should include a

cumulative impact analysis and an alternatives analysis which focuses on environmental resources and ways to avoid or minimize impacts to those resources.

To enable Department staff to adequately review and comment on the proposed Project, we suggest that updated biological studies be conducted prior to any environmental or discretionary approvals. The following information should be included in any focused biological report or supplemental environmental report:

1. A summary of the structure, purpose and obligations of the Lead Agency under the MSHCP and an analysis of the Project in relation to the Area Plan and Criteria Cell biological goals and objectives.

    a. Reserve Assembly. The Project is located within the MSHCP Criteria Area and is subject to the conservation requirements for reserve assembly. A discussion of the applicable Area Plan and whether the Project includes Criteria Cells should be addressed. Documents processed through the Resource Conservation Agency (RCA) of the MSHCP should be included in the CEQA document.

    b. Goals and Objectives. A discussion of the Area Plan biological goals and objectives for species and habitats and an analysis of the Project's species and habitats in relation to those goals and objectives.

    c. MSHCP Policies. A discussion of the applicability of MSHCP policies and procedures, including: the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools policy (MSHCP Section 6.1.2); Protection of Narrow Endemic Plan Species (MSHCP Section 6.1.3); Additional Survey Needs and Procedures (MSHCP Section 6.3.2); Fuels Management (MSHCP Section 6.4), and the Guidelines Pertaining to the Urban Wildlands Interface (MSHCP Section 6.1.4).

    d. Special Survey Areas. A discussion of what the survey requirements are of the Project site and the results of general and focused surveys. Surveys should be conducted within one year of submittal of the CEQA document. Survey requirements and results should be included in the CEQA document.

    e. Biological Resources. A list of the biological resources found on the site and an analysis of how the Project implementation would impact those resources.

    f. Mitigation Measures. A list of proposed mitigation measures required by the MSHCP to offset impacts to site species and habitats, including payment of fees or other measures.

2. Please provide a complete assessment of the flora and fauna within and adjacent to the Project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.

    a. Please provide a thorough assessment of rare plants and rare natural communities, following the Department's November 2009 guidance for

Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. The guidance document can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols_for_Surveying_and_Evaluating_Impacts.pdf

b. A thorough assessment of sensitive fish, wildlife, reptile, and amphibian species should be completed and analyzed in the DEIR. Seasonal variations in use of the Project area should also be considered. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.

c. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 327-5960 to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the California Fish and Game Code.

3. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts.

a. CEQA Guidelines, 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.

b. Project impacts should be analyzed relative to their effects on off-site habitats. Specifically, this should encompass adjacent public lands, open space, adjacent natural habitats, and riparian ecosystems. In addition, impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be fully evaluated and provided.

c. The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.

d. A cumulative effects analysis should be developed as described under CEQA Guidelines, 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

e. The document should include an analysis of the effect that the Project may have on the Western Riverside Multiple Species Habitat Conservation Plan or on other regional and/or subregional conservation programs in San

Diego or Orange Counties. Under Sections 2800-2835 of the California Fish and Game Code, the Department, through the Natural Communities Conservation Planning (NCCP) program is coordinating with local jurisdictions, landowners, and the Federal Government to preserve local and regional biological diversity.

4. A range of alternatives should be analyzed to ensure that alternatives to the proposed Project are fully considered and evaluated (CEQA Guidelines 15126.6). A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.

   a. Mitigation measures for Project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid and/or otherwise minimize Project impacts. Off-site compensation for unavoidable impacts through acquisition and protection of high-quality habitat should be addressed.

   b. The Department considers Rare Natural Communities as threatened habitats having both local and regional significance. Thus, these communities should be fully avoided and otherwise protected from Project-related impacts.

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

5. Although the proposed Project is within the MSHCP and could be subject to Section 6.1.2, Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, a Lake and Streambed Alteration Agreement Notification is still required by the Department should the site contain jurisdictional waters. The Department's criteria for determining the presence of jurisdictional waters are generally more comprehensive than the MSHCP criteria in Section 6.1.2. The CEQA document should include a jurisdictional delineation if there are impacts to riparian vegetation or State waters.

   The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent or perennial, must be retained or mitigated for and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations.

   a. Under Section 1600 *et seq.* of the California Fish and Game Code, the Department requires the Project applicant to notify the Department of any activity that will divert, obstruct or change the natural flow or the bed, channel or bank (which includes associated riparian resources) of a river, stream or lake, or use material from a streambed prior to the applicant's commencement of the activity. Streams include, but are not limited to, intermittent and ephemeral streams, rivers, creeks, dry washes, sloughs, blue-line streams, and watercourses with subsurface flow. The Department's issuance of a Lake and Streambed Alteration Agreement for

a project this is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. The Department, as a responsible agency under CEQA, may consider the local jurisdiction's (lead agency) Negative Declaration or Environmental Impact Report for the Project. However, if the CEQA document does not fully identify potential impacts to lakes, streams, and associated resources (including, but not limited to riparian and alluvial fan sage scrub habitat) and provide adequate avoidance, mitigation, monitoring, and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Streambed Alteration Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a lake or stream, as well as avoidance and mitigation measures need to be discussed within this CEQA document. The Department recommends the following measures to avoid subsequent CEQA documentation and Project delays:

(i) Incorporate all information regarding impacts to lakes, streams and associated habitat within the DEIR. Information that should be included within this document includes: (a) a delineation of lakes, streams, and associated habitat that will be directly or indirectly impacted by the proposed Project; (b) details on the biological resources (flora and fauna) associated with the lakes and/or streams; (c) identification of the presence or absence of sensitive plants, animals, or natural communities; (d) a discussion of environmental alternatives; (e) a discussion of avoidance measures to reduce Project impacts, (f) a discussion of potential mitigation measures required to reduce the Project impacts to a level of insignificance; and (g) an analysis of impacts to habitat caused by a change in the flow of water across the site. The applicant and lead agency should keep in mind that the State also has a policy of no net loss of wetlands.

(ii) The Department recommends that the Project applicant and/or lead agency consult with the Department to discuss potential Project impacts and avoidance and mitigation measures. Early consultation with the Department is recommended since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement Notification package, please visit our website at: http://www.dfg.ca.gov/habcon/1600.html.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: State Clearinghouse, Sacramento
cc. Karin Cleary-Rose, USFWS

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

RECEIVED
FEB 27 2012
CITY OF MORENO VALLEY
Planning Division

Notice of Preparation

February 22, 2012

To: Reviewing Agencies

Re: World Logistics Center (General Plan Amendment, Change of Zone, new Specific Plan, Tentative Parcel Map (Finance Map), Development Agreement, and annexation of
SCH# 2012021045

Attached for your review and comment is the Notice of Preparation (NOP) for the World Logistics Center (General Plan Amendment, Change of Zone, new Specific Plan, Tentative Parcel Map (Finance Map), Development Agreement, and annexation of draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

John C. Terell
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2012021045
Project Title World Logistics Center (General Plan Amendment, Change of Zone, new Specific Plan, Tentative Parcel Map (Finance Map), Development Agreement, and annexation of
Lead Agency Moreno Valley, City of

Type NOP Notice of Preparation

Description The World Logistics Center Specific Plan would include the future development of 41.6 million square feet of building areas providing for modern high-cube logistics warehouse distribution facilities on ~2,665 acres.

Lead Agency Contact

Name John C. Terell
Agency City of Moreno Valley
Phone (951) 413-3206 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Cross Streets State Highway 60 and Gilman Springs Road
Lat / Long 33° 55' N / 117° 8' W
Parcel No. Various
Township 3S **Range** 3W **Section** 1,12, **Base** SBB&M

Proximity to:

Highways Hwy 60
Airports
Railways
Waterways
Schools
Land Use LU: Residential Community; Planned Business Center

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

---

Reviewing Agencies Resources Agency; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 6; Native American Heritage Commission; State Lands Commission; California Highway Patrol; Caltrans, District 8; Regional Water Quality Control Board, Region 8

Date Received 02/22/2012 **Start of Review** 02/22/2012 **End of Review** 03/22/2012

Note: Blanks in data fields result from insufficient information provided by lead agency.

NOP Distribution List

County: Riverside

SCH# 2012021043

Resources Agency

- [x] Resources Agency
  Nadell Gayou
- [ ] Dept. of Boating & Waterways
  Nicole Wong
- [ ] California Coastal Commission
  Elizabeth A. Fuchs
- [ ] Colorado River Board
  Gerald R. Zimmerman
- [x] Dept. of Conservation
  Elizabeth Carpenter
- [ ] California Energy Commission
  Eric Knight
- [ ] Cal Fire
  Allen Robertson
- [ ] Central Valley Flood Protection Board
  James Herota
- [x] Office of Historic Preservation
  Ron Parsons
- [x] Dept of Parks & Recreation
  Environmental Stewardship Section
- [ ] California Department of Resources, Recycling & Recovery
  Sue O'Leary
- [ ] S.F. Bay Conservation & Dev't. Comm.
  Steve McAdam
- [x] Dept. of Water Resources Resources Agency
  Nadell Gayou

Fish and Game

- [ ] Depart. of Fish & Game
  Scott Flint
  Environmental Services Division
- [ ] Fish & Game Region 1
  Donald Koch
- [ ] Fish & Game Region 1E
  Laurie Harnsberger
- [ ] Fish & Game Region 2
  Jeff Drongesen
- [ ] Fish & Game Region 3
  Charles Armor
- [ ] Fish & Game Region 4
  Julie Vance
- [ ] Fish & Game Region 5
  Leslie Newton-Reed
  Habitat Conservation Program
- [x] Fish & Game Region 6
  Gabrina Gatchel
  Habitat Conservation Program
- [ ] Fish & Game Region 6 I/M
  Brad Henderson
  Inyo/Mono, Habitat Conservation Program
- [ ] Dept. of Fish & Game M
  George Isaac
  Marine Region

Other Departments

- [ ] Food & Agriculture
  Sandra Schubert
  Dept. of Food and Agriculture
- [ ] Depart. of General Services
  Public School Construction
- [ ] Dept. of General Services
  Anna Garbeff
  Environmental Services Section
- [ ] Dept. of Public Health
  Bridgette Binning
  Dept. of Health/Drinking Water
- [ ] Delta Stewardship Council
  Kevan Samsam

Independent Commissions, Boards

- [ ] Delta Protection Commission
  Linda Flack
- [ ] Cal EMA (Emergency Management Agency)
  Dennis Castrillo
- [x] Native American Heritage Comm.
  Debbie Treadway
- [ ] Public Utilities Commission
  Leo Wong
- [ ] Santa Monica Bay Restoration
  Guangyu Wang
- [x] State Lands Commission
  Jennifer Deleong
- [ ] Tahoe Regional Planning Agency (TRPA)
  Cherry Jacques

Business, Trans & Housing

- [ ] Caltrans - Division of Aeronautics
  Philip Crimmins
- [ ] Caltrans - Planning
  Terri Pencovic
- [x] California Highway Patrol
  Suzann Ikeuchi
  Office of Special Projects
- [ ] Housing & Community Development
  CEQA Coordinator
  Housing Policy Division

Dept. of Transportation

- [ ] Caltrans, District 1
  Rex Jackman
- [ ] Caltrans, District 2
  Marcelino Gonzalez
- [ ] Caltrans, District 3
  Bruce de Terra
- [ ] Caltrans, District 4
  Lisa Carboni
- [ ] Caltrans, District 5
  David Murray
- [ ] Caltrans, District 6
  Michael Navarro
- [ ] Caltrans, District 7
  Dianna Watson
- [x] Caltrans, District 8
  Dan Kopulsky
- [ ] Caltrans, District 9
  Gayle Rosander
- [ ] Caltrans, District 10
  Tom Dumas
- [ ] Caltrans, District 11
  Jacob Armstrong
- [ ] Caltrans, District 12
  Marlon Regisford

Cal EPA

Air Resources Board

- [ ] Airport/Energy Projects
  Jim Lerner
- [ ] Transportation Projects
  Douglas Ito
- [ ] Industrial Projects
  Mike Tollstrup
- [ ] State Water Resources Control Board
  Regional Programs Unit
  Division of Financial Assistance
- [ ] State Water Resources Control Board
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] State Water Resouces Control Board
  Phil Crader
  Division of Water Rights
- [ ] Dept. of Toxic Substances Control
  CEQA Tracking Center
- [ ] Department of Pesticide Regulation
  CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- [ ] RWQCB 1
  Cathleen Hudson
  North Coast Region (1)
- [ ] RWQCB 2
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] RWQCB 3
  Central Coast Region (3)
- [ ] RWQCB 4
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] RWQCB 5S
  Central Valley Region (5)
- [ ] RWQCB 5F
  Central Valley Region (5)
  Fresno Branch Office
- [ ] RWQCB 5R
  Central Valley Region (5)
  Redding Branch Office
- [ ] RWQCB 6
  Lahontan Region (6)
- [ ] RWQCB 6V
  Lahontan Region (6)
  Victorville Branch Office
- [ ] RWQCB 7
  Colorado River Basin Region (7)
- [x] RWQCB 8
  Santa Ana Region (8)
- [ ] RWQCB 9
  San Diego Region (9)

- [ ] Other _____

- [ ] _____
  Conservancy

Last Updated 1/27/2012

State of California • Natural Resources Agency
Edmund G. Brown Jr., *Governor*

DEPARTMENT OF PARKS AND RECREATION
Ruth Coleman, *Director*
Inland Empire District ▪ 17801 Lake Perris Drive ▪ Perris, CA 92571
(951) 443-2423 ▪ FAX (951) 657-2736

March 21, 2012

John C. Terell
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92552

Re: World Logistics Center Specific Plan, SCH #2012021045

Dear Mr. Terell:

We appreciate the opportunity to comment on the aforementioned project. We are committed to working with you to successfully implement your project.

State Parks is a Trustee Agency as defined by the California Environmental Quality Act (CEQA). State Parks' mission in part is to provide for the health, inspiration, and education of the people of California by preserving the state's extraordinary biodiversity and creating opportunities for high quality outdoor recreation. As the office responsible for the stewardship of Lake Perris State Recreation Area (Lake Perris), we have an interest and concern about contemplated alterations of land use in the regional vicinity of the park. State Parks is a signatory to the Western Riverside County MSHCP and our interest continues to be in its successful implementation. It is important to State Parks that should this project be implemented that it is implemented in consistency with this important regional conservation plan.

We encourage the city to explore a circulation system that would connect the project site with the city's trail system, thereby discouraging the potential for volunteer trails into the park along the northern boundary.

We are concerned of the possible use of Davis Road by project site traffic. We support maintaining Davis Road as a closed road to avoid impacts to regional wildlife movement.

Thank you again for coordinating this project with us. For further discussion, please contact me or Enrique Arroyo at (951) 453-6848.

Sincerely,

For Ron Krueper

Ron Krueper
District Superintendent

cc:

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-5936
TTY (909) 383-6300

Flex your power!
Be energy efficient!

RECEIVED
OCT 11 2012
CITY OF MORENO VALLEY
Planning Division

October 9, 2012

John Terrell
City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92553

Mr. John Terrell;

During a meeting on July 31st we requested a memo from Parson Brinckerhoff that would outline traffic forecasting methodology for the World Logistic Center. On September 4th we received a Tech Memo on Traffic Forecasting Methodology and after further review it is determined that the outlined methodology used for the WLC is satisfactory; and therefore, we do not have any comments at this time.

In addition you requested information if there was a targeted LOS for SR-60 in Moreno Valley which is stated as LOS "D" and for other portions of SR-60 or SR-91. The LOS for the two segment areas in question is "D", however, please keep in mind that the LOS is a proposed target and is subject to change.

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Talvin Dennis at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/LD-IGR

cc: Don Hubbard

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

RECEIVED
MAR - 1 2012
CITY OF MORENO VALLEY
Planning Division

Flex your power!
Be energy efficient!

February 29, 2012

John Terell
City of Moreno Valley
14177 Frederick Street
Moreno Vallye, CA 92553

NOP for DEIR for the World Logistics Center Specific Plan. Riv-60-PM 21.38

Dear Mr. Terell,

We have completed our review for the noted project which is located south of State Route 60 (SR-60) between Redlands Boulevard and Gilman Springs Road extending to the southerly City boundary of Moreno Valley. The project is a proposed Master Plan for the future development of up to 41.6 million square feet of building area providing for modern high-cube logistics warehouse distribution facilities.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Moreno Valley due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS.

We anticipate total project development will significantly impact existing highway facilities, particularly with regard to increased traffic and drainage. For this reason, we ask that traffic and drainage studies be prepared to address specific project impacts to identify pertinent mitigation measures.

Traffic Study

A Traffic Impact Study (TIS) is necessary to determine this proposed project's near-term and long-term impacts to the State facilities and to propose appropriate mitigation measures. The study should be based on Caltrans' *Guide for the Preparation of Traffic Impact Studies (TIS)* which is located at the following website:

http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf

Minimum contents of the traffic impact study are listed in Appendix "A" of the TIS guide.

Drainage Study

1. All existing tributary areas, area drainage patterns and runoff volumes having an impact to adjacent State drainage facilities must be identified and analyzed in a project hydrology study.
2. Existing capacity of affected State drainage systems cannot be exceeded. Should 100-year project runoff volumes be determined to exceed the maximum capacity of the existing State drainage facilities, construction of on-site detention basins, new drainage systems or other impact mitigation will be required.

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

Kent Norton

From: DANL. MORENO <moreno45@verizon.net>
Sent: Wednesday, March 21, 2012 4:44 PM
To: John Terell
Subject: World Logistics Center Specific Plan

Dear Mr. Terell,

This is to inform you that neither my husband or myself are in favor of the World Logistics Center being planned for the east end of Moreno Valley. We are aware that MV is in a great need of jobs for those in the community, but it is rather hard to approve of a project of this size when the Sketchers warehouse was suppose to bring in 2,500 jobs, and in reality it ended up being a transfer of 600 positions from the Ontario warehouse. There is plenty of open space between Alessandro, Cactus, Old Hwy. 215 and Indian Ave. to build warehouses. There are warehouses already in that area, why not continue to build there? It's much closer to the 215 fwy. for easy access and the streets are in a better condition as well. What sense does it make to fill the fields on the east end with warehouses only to find it may be another failed project. Fill up the current vacant lands first, where warehouses already exist, and then see if its profitable to expand on the east end.
Other reasons we are against this project are:
1. Construction truck traffic on Redlands and Alessandro. These roads are already a patchwork of covered up potholes. When will we be able to anticipate these roads ever being fixed properly even after construction is done? With $75 million being spent on Nason widening and other involved roadways, chances are not good.
2. Home values - What will happen to the value of our homes? How many people will be willing to buy a home in a warehouse neighborhood that looks like another Mira Loma?
3. Noise pollution - We have friends that live north of the 60 Fwy. on Redlands Blvd. They say they can hear the constant beeping of trucks backing into the Sketchers warehouse and this is above the freeway noise.
4. Air pollution - We don't need the poor air quality Mira Loma has to deal with.

Does it have to be warehouses to bring in the jobs? Why can't MV attract the businesses that Temecula and Murrieta do? Our mall hasn't been full in years. We have a population of 190,000 plus which is greater than the cities mentioned, yet we can't attract the retail stores and restaurants, and other busniesses that these cities have.

May we suggest that the city allow the residents of MV vote on whether they approve of this new Logistics Center.

Daniel and Martha Moreno
28900 Williams Ave.
Moreno Valley, CA 92555
(951) 247-2951
moreno45@verizon.net

John Terell

From: Grace Espino-Salcedo
Sent: Tuesday, March 13, 2012 2:36 PM
To: John Terell
Subject: FW: Warehouse Development Project Proposal

John,
We're not even there yet, but it's addressed to PC...forward?

Grace

From: Dave Simpson [mailto:simpsondavida@yahoo.com]
Sent: Tuesday, March 13, 2012 12:49 PM
To: Planning Email
Subject: Warehouse Development Project Proposal

Dear Commisioners:

It seems to me that there are some very elementary questions that should be addressed before we charge off & erect 41.6 million Sq. Ft. of warehouse space.

From what I've read, shipments into the L.A./Long Beach Harbors are at their saturation point. Physical space,truck & rail access are also operating at maximum capacity. so, one would assume that there would be no appreciable growth in the future. This leads one to believe that, just like the Skecher's facility, these new warehouses will be replacing existing ones currently in use in SoCal. What are the chances of that happening? What would the selling points be to entice people to transfer these capabilities to MoVal? Cost? Accessibility? There's an awful lot of warehouses close to the I-15 & the I-10 that don't have to traverse the 60 thru the Badlands. There really needs to be a solid business plan that addresses these issues.

In addition, there is ANOTHER very important development that needs to be looked at. That is the fact that the Panama Canal is in the process of adding another, much larger "lane" that will accomodate the new "super tankers" Many knowledgeable people believe that when this new canal project is completed in approximately two years, a lot of shipments from the Far East will deliver their goods directly to the east coast of the U.S. These people estimate shipments coming into the L.A./Long Beach harbors will be reduced by as much as 25%.Certainly, a reduction of this magnitude will have a MAJOR impact on the utilization of the proposed warehouses.

I believe that it would be prudent for the Planning Commision to take a hard look at all of these factors before proceeding with a project of this scope. Perhaps 41.6 million sq. ft. is not the right number.

I look forward to seeing your reaction to my comments.

Thank you for your consideration,

David A. Simpson
11095 Los Olivos Dr.,
Moreno Valley, CA, 92557
951-242-6133

Devlin Engineering

1120 Pepper Drive, #32 · El Cajon, California 92021 · Tel (619) 966-9589

March 15, 2012

Mr. John Terell, Planning Official
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Subject: Comments to be considered during the preparation of a EIR for the World Logistics Center.

Dear John,

After attending the meeting on Monday, March 12 in Council Chambers held be the Planning Department and Mr. Benzeevi of Highland Fairview, I would like to add the following comments to be discussed in the preparation of an EIR for the project.

My client, Multivac Inc., owns several residential zoned parcels fronting on Merwin Street, between Brodiaea Ave and Cactus Ave.

We are concerned about the enormous size of the project which is projected to be 41.5 million square feet of warehousing and industrial buildings. This project will dominate the area and have significant impacts that may not be mitigable. While we are worried about the size of the development and its proximity to the Multivac property, we could be supportive of the project if it contains appropriate measures to mitigate the impacts on the neighborhood.

The present land use designation for the World Logistics Center is residential. The change from residential to industrial uses along the east side of Merwin and Redlands Aves will have significant adverse impacts that must be mitigated before this project should be allowed to proceed. We suggest the following mitigation measures be included in the project as minimum requirements.

Minimum Mitigation Measures to be required:

1. **Truck traffic**. Heavy truck traffic should be banned from Merwin Ave, Redlands Ave and Cactus Ave. Theodore Ave should be designed as the primary ingress and egress to the project with its own on and off ramps from Highway 60. We feel that using Theodore Ave and banning truck traffic from residential streets would mitigate most of the traffic impacts on the adjacent residential properties.

Image.jpg

2. Noise. Keeping truck traffic off Redlands Ave, Merwin Ave and Cactus Ave will mitigate the noise impacts on adjacent residential areas. Use of block walls surrounding the warehouse district will mitigate any noise emanating from the development.

3. Landscape Buffer. Along Redlands Ave and Merwin Ave, the project should have significant landscape buffers, of 20 feet or more beyond street right of way, that shield the walls and buildings from adjacent streets and neighboring residential uses.

4. Architecture. Varied architectural treatments such as varied color treatments, architectural pop-outs and indents and planting schemes as has been used along Cactus Avenue near the City Administration building should be used throughout the development to vary the visual impact of the buildings and create a more appealing finished development and a sense that the development is part of the community.

5. Residential land uses. Because of the daunting size of the proposed industrial/business park, and because it abuts existing low to medium density residential land uses along Redlands Ave, Merwin Ave, and Cactus Ave, it is justifiable to discuss adding residential uses to the western edge of the proposed business center development. Mixed use of commercial and industrial zoned properties by themselves may not be enough to buffer the existing residential properties. Adding some mixed commercial/residential or medium to high residential uses to the south and western edges of the industrial development would adequately buffer the existing residential properties along Merwin and Redlands Aves.

We were disappointed that there were no concept plans available for review at the March 12 meeting. We would like to be notified as plans and preliminary reports are available to be reviewed. Additionally, We would like to be kept informed of all progress information regarding this project as it becomes available.

Sincerely,

Devlin Engineering

James R. Devlin

James R. Devlin, RCE 24655

Contact information:
James Devlin
Devlin Engineering
1120 Pepper Drive, #32
El Cajon, CA 92021
Tel. (619) 966-9589
Cell (858) 442-9549

cc: C. Moothart, Multivac

Image (3).jpg

EASTERN MUNICIPAL
WATER DISTRICT
SINCE 1950

Board of Directors

President and Treasurer
Joseph J. Kuebler, CPA

Vice President
Philip E. Paule

Ronald W. Sullivan
Randy A. Record
David J. Slawson

General Manager
Paul D. Jones II, P.E.

Director of The Metropolitan Water District of So. Calif.
Randy A. Record

Board Secretary and Assistant to the General Manager
Rosemarie V. Howard

Legal Counsel
Redwine and Sherrill

March 22, 2012

John C. Terrell, Planning Official
City of Moreno Valley
Community & Economic Development Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

SUBJECT: World Logistics Center Specific Plan Notice of Preparation

Dear Mr. Terrell:

Thank you for the opportunity to review the Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the World Logistics Center Specific Plan. The proposed project encompasses 3,820 acres of land within the City of Moreno Valley, located south of SR-60, between Redlands Boulevard and Gilman Springs Road extending to the southerly City boundary. The proposed project is a master plan for the future development of up to 41.6 million square feet of building area providing for modern high-curve logistics warehouse distribution facilities.

Eastern Municipal Water District (EMWD) has no formal comments at this time. EMWD is working collaboratively with Highland Fairview on identifying Master Planned water, sewer, and recycled water facilities, to meet the proposed project's needs. Further comments will be provided at the time when the DEIR is released for review.

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462 or myself at Ext. 4455.

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:kah

cc: Maroun El-Hage
Brian Powell
Rafael Resendiz

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P. O. Box 4266
Idyllwild, CA. 92549
www.northfriends.org

March 22, 2012

City of Moreno Valley
Community & Economic Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552
Contact: John C. Terell, Planning Official

Re: February 21, 2012 - Notice of Preparation of a Draft Environmental Impact Report – World Logistics Center Specific Plan.

Mr. Terrell,

The Friends of the Northern San Jacinto Valley are requesting the attached March 11, 2012, Press Enterprise newspaper article "Developer Sees Warehouse in Eastern Moreno Valley's Future" be included in the CEQA administrative record for the World Logistics Center Specific Plan. The March 11, 2012, newspaper article reports the February 21, 2012, Notice of Preparation of the Draft EIR is deceptive in that the World Logistics Center Specific Plan wrongly includes 1,000 acres of public lands acquired by the State of California. The lands were acquired by the State Wildlife Conservation Board for inclusion into the San Jacinto Wildlife Area in May of 2001. The City should know that an accurate, stable and finite project description is an indispensable condition of an informative and legally sufficient Environmental Impact Report. For that reason, we are requesting the City prepare an accurate project description for public review in a new Notice of Preparation for review by Responsible and Trustee Agencies and the

RECEIVED
MAR 26 2012
CITY OF MORENO VALLEY
Planning Division

public. The City's deceptive project description must be corrected prior to further CEQA review of this project.

In addition, the City is a signatory to both the Stephens' kangaroo rat Habitat Conservation Plan (SKRHCP) and the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). These HCP's are respectively administered by the Riverside County Habitat Conservation Agency (RCHCA) and the Regional Conservation Authority (RCA). The City should recognize that these state Natural Communities Conservation Planning (NCCP) Act Plans are not exempt from the provisions of the California Environmental Quality Act (Fish and Game Code section 2826). In addition, the California Endangered Species Act (CESA) specifies incidental take of endangered species shall be minimized and fully mitigated and the mitigation required for the incidental take shall be roughly proportional in extent to the authorized take.

The current project site is largely open space and agricultural lands of great value to wildlife, particularly the diversity of birds of prey know to use the northern San Jacinto Valley-Mystic Lake area. The Draft EIR mitigation measures and alternative analysis should therefore examine the impact of the proposed warehouse distribution facilities on this regionally significant open space and agricultural resource. Impacts to Air Quality, the Water Quality of Mystic Lake, and conflicts with the SKRHCP and the MSHCP also require careful consideration in the Draft EIR.

We look forward to the City's revised NOP and appreciate the opportunity to participate in the CEQA review of this important project.

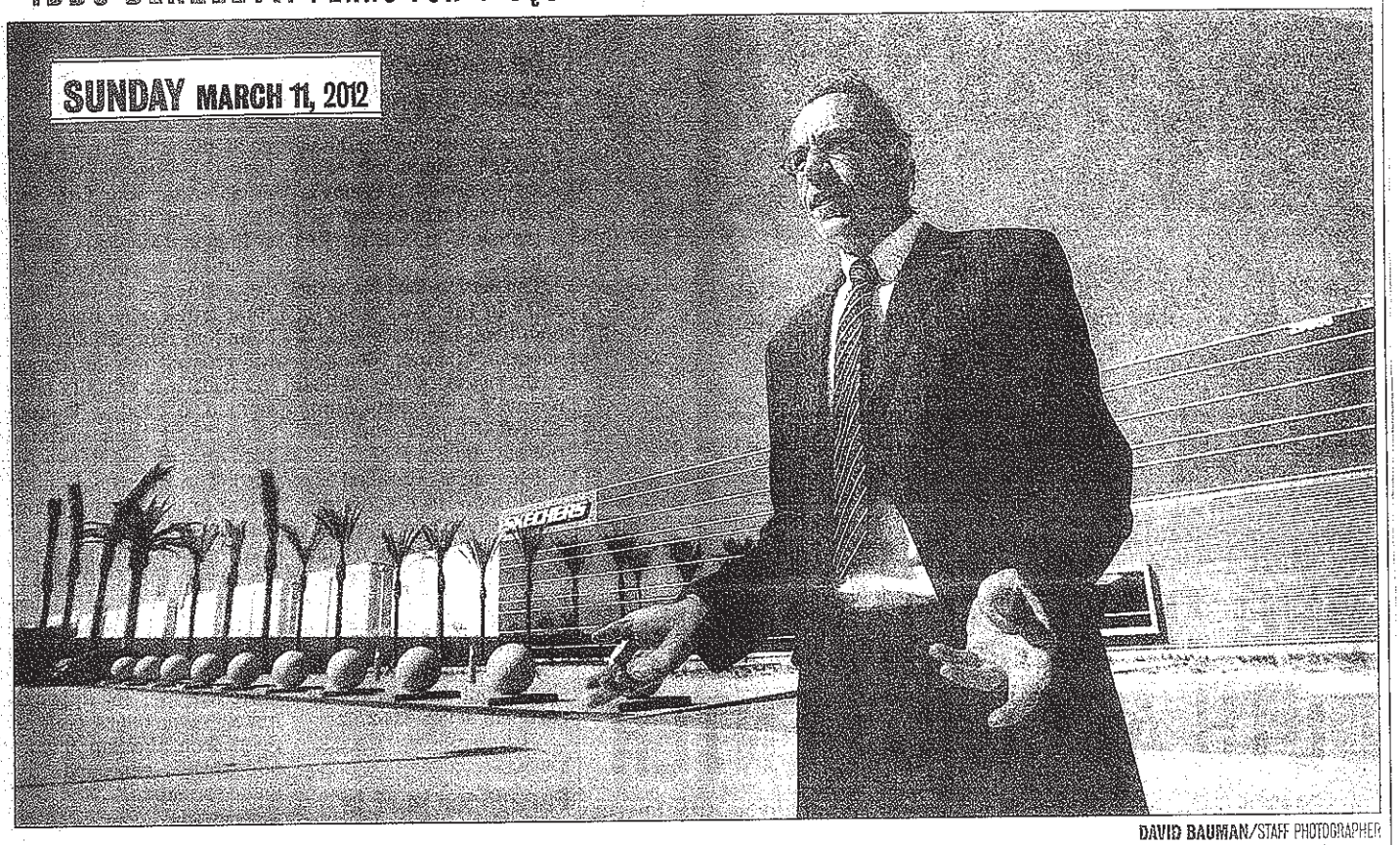
Tom Paulek

Tom Paulek
Conservation Chair
atpaul44@earthlink.net
951-368-4525

#1

IDDO BENZEEVI: PLANS FOR 4-SQUARE-MILE COMPLEX COULD TRANSLATE TO 20,000 JOBS

SUNDAY MARCH 11, 2012



DAVID BAUMAN/STAFF PHOTOGRAPHER

Iddo Benzeevi, standing by the Skechers warehouse in Moreno Valley, was the driving force behind getting the facility built. Benzeevi wants to add more than 4 square miles of warehouses in the city. A local economist says the project would create $4.2 billion in economic benefits for the Inland area.

Developer sees warehouse mecca in eastern Moreno Valley's future

BY DAVID DANELSKI
STAFF WRITER
ddanelski@pe.com

The developer who built a 1.8 million-square-foot Skechers distribution center on the east side of Moreno Valley now has plans to make the city the warehousing capital of Riverside County.

Iddo Benzeevi, president and CEO of Moreno Valley-based Highland Fairview, wants to build what city officials say would be the nation's largest master-planned warehouse complex.

The World Logistics Center would provide 41.6 million square feet of warehouse space to accommodate the growing volumes of cargo arriving at the ports of Los Angeles and Long Beach. That's equivalent to more than 700 regulation football fields.

Benzeevi and Moreno Valley city officials say the mega cargo center will bring mega benefits: an estimated 20,000 permanent jobs and some $2.6 billion in annual payroll and contracts, according to an analysis by Inland economist John Husing. With the increased demand for goods and services, the project would create $4.2 billion in economic benefits for the Inland area, Husing projects.

Benzeevi said he hopes to win city approval and break ground in about a year.

Moreno Valley would finally have the jobs it has always lacked, he said. "Moreno Valley suffers from one of the lowest jobs-to-housing ratios in our region, bringing

SEE WAREHOUSE/A10

FILE PHOTO

The San Jacinto Wildlife Area is just south of property where a developer wants to build more than 40 million square feet of warehouses.

#2

WAREHOUSE

CONTINUED FROM A1

tremendous hardships to many of our residents, forcing them to long and arduous commutes."

The city of 193,000 has an unemployment rate of 14.5 percent, well ahead of the Riverside County average of 12.5 percent and the state's 10.9 percent.

But the sheer size of the project raises questions about whether the lowlands east of Moreno Valley — an area that is now mostly farm fields — is the right place for it.

Among the questions: Could Highway 60 support the truck traffic? How would the trucks serving the warehouses affect air quality? And what would it mean for the neighboring San Jacinto Wildlife Area, a state preserve where waterfowl and game hunting is allowed?

City officials and Benzeevi said all such questions will be answered in upcoming environmental studies. The scope of those studies will be the subject of a public meeting Monday evening at Moreno Valley City Hall.

HIGHWAY 60

As executive director of the Southern California Association of Governments, Hasan Ikhrata is one of the region's top land-use planners.

In an interview, he said the growing volume of cargo from the ports creates a demand for warehouse space on the scale sought by Benzeevi. But it remains to be seen whether Moreno Valley is the best location.

Efforts also are under way to establish mega-warehouse complexes off Interstate 15 in the Adelanto and Barstow areas in San Bernardino County.

Another challenge would be getting the cargo from the ports to the 4-square-mile warehouse complex.

"You are talking about a huge amount of warehousing, and you don't have the infrastructure there to support that," Ikhrata said.

No railroads serve the site, and Highway 60, the only freeway in the area, narrows to four lanes — two in each direction — near the property and faces a steep and winding climb before intersecting with Interstate 10 in Beaumont to the east.

THE PRESS-ENTERPRISE

Traffic studies still need to be done, but Ikhrata said he expects major improvements would be required.

For instance, a new railroad spur might have to be built, or Highway 60 could need a new lane in each direction on the 17-mile stretch between Interstate 215 in Riverside and I-10 in Beaumont, Ikhrata said.

Ikhrata added that the region's planners have anticipated warehouse development along I-215 between Riverside and Perris. In recent years, truck lanes were added at the Highway 60/I-215 interchange to handle the extra diesel traffic.

For now, the Riverside County Transportation Commission, which plans and funds local transportation improvements, has not made widening Highway 60 a priority or identified funding for such a project, said John Standiford, the commission's deputy director.

Adding lanes to Highway 60 would be particularly costly because several shopping centers and other businesses have been built along the freeway, and the Badlands stretch east of Moreno Valley is difficult, hilly terrain. Highway lanes cost about $15 million to $55 million per mile — depending on land costs and the geography, Ikhrata said.

The project could change the regional transportation plan, because any freeway widening is partially paid for with federal funds and must be in the plan. The current plan envisions dedicated truck lanes from the Los Angeles area along Interstate 710 to the eastbound Highway 60 near Montebello and then north on I-15 from Ontario to the High Desert.

Ikhrata said the lanes on Highway 60 would have to extend to Moreno Valley if Benzeevi's complex becomes a reality.

Barry Foster, Moreno Valley's economic development director, and Benzeevi said it is premature to speculate on Highway 60 improvements because traffic studies for the warehouse complex haven't been done.

When such studies are completed, then Ikhrata can make "an informed evaluation," Benzeevi said.

Foster said he doubts that lanes would have to be added to Highway 60.

Ikhrata is not swayed.

"This is about half the size of all the warehouses in the city of Ontario," he said.

"It will require the infrastructure, and anyone who thinks differently will have to check their math."

WAREHOUSE MEETING

WHAT: Public meeting on proposed 4-square-mile warehouse complex east of Moreno Valley
WHEN: 6 to 8 p.m. Monday
WHERE: Moreno Valley City Hall, 14177 Frederick St.

MORE IS LESS

Benzeevi and Foster both contend the project would generate less traffic than other kinds of development that might have happened.

They base their calculation on current zoning for eastern Moreno Valley, established two decades ago.

"If you let it build out as planned, the traffic impacts will be substantially more than what we are proposing," Benzeevi said. "We are creating a substantial reduction on the demand for infrastructure."

The existing zoning stems mostly from a master-planned community called Moreno Highlands that the city had approved in 1992, said John Terell, Moreno Valley's planning official.

Moreno Highlands was a plan for 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would have added as many as 30,000 residents and 21,000 jobs, according to city estimates at the time.

STAFF ARTIST

But the Chicago-based developers scrapped their plans in 1993, citing a downturn in the economy.

With the exception of the new Skechers warehouse, most of the land has remained as it was then: farm fields planted in wheat and other dry crops. In spring, sprouting wheat tints the sprawling fields with green. A few rural homes dot the land, and there is a San Diego Gas & Electric compressor station.

Benzeevi, 51, said his company, Highland Fairview, owns or controls nearly all the land in the area that would be developed into the logistics center of warehouses, roads, parking lots and landscaping.

The zoning plan the city is considering for the project covers nearly 6 square miles. It includes more than 1,000 acres of the Moreno Highlands property that was purchased by the state in 2001 to expand the neighboring San Jacinto Wildlife Area.

Tom Paulek, former manager of the wildlife area, was in charge when the expansion land was purchased. He said the development map released by the city is deceptive.

The map makes it appear that the developer is providing about 1,000 acres of open space, but that land already is protected open space as part of the wildlife area, he said. The developer should not get credit for land that is owned by the state's taxpayers, Paulek said.

Benzeevi said he isn't seeking credit for the state land, and Terell said the city did not intend to mislead anyone. The proposed master plan for the logistics center includes the public land as a housekeeping measure to change the zoning to open space. The land now is zoned for housing and other uses, he said.

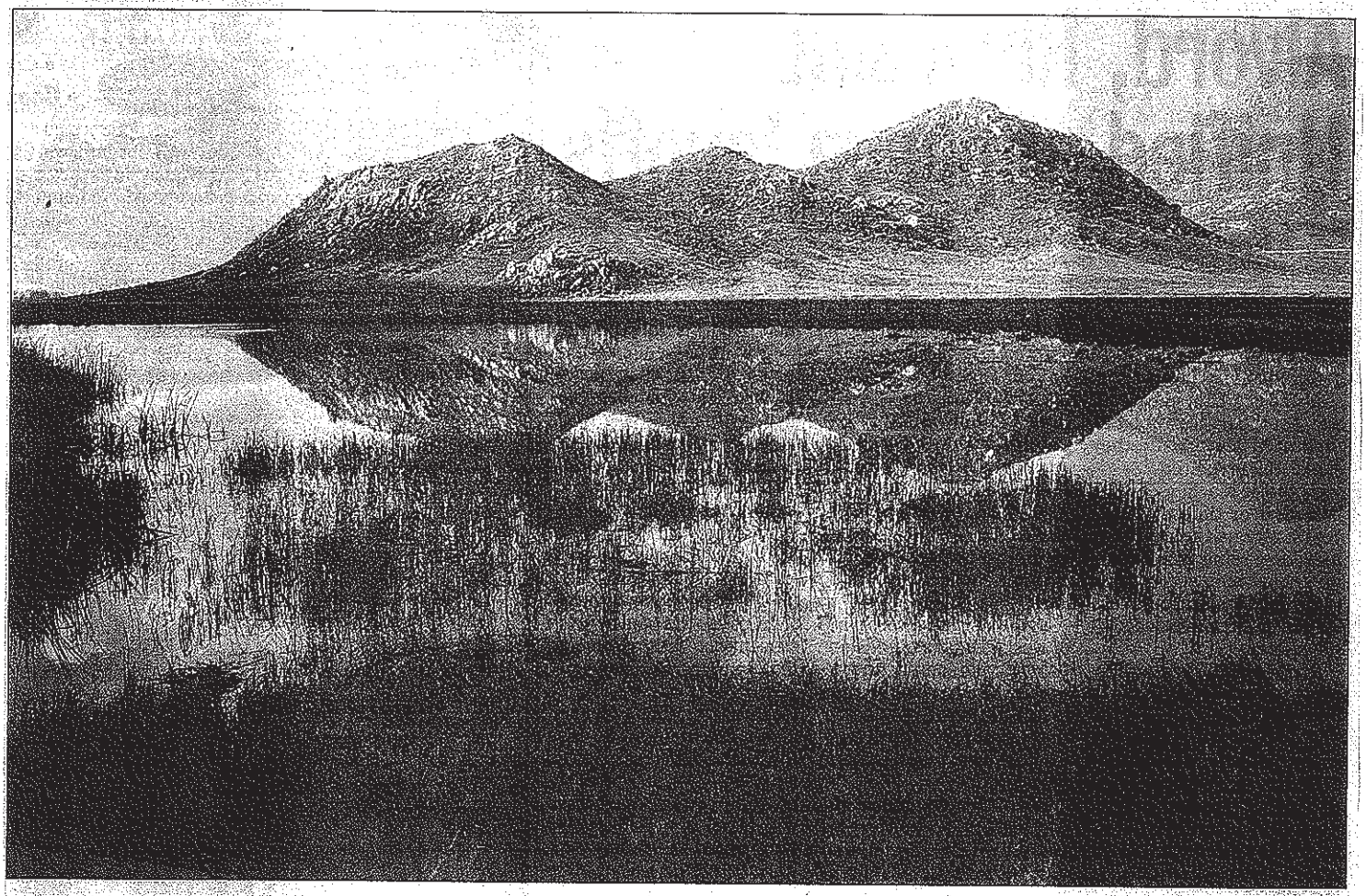
Terell said buffer zones between the warehouses and wildlife area will be the subject of negotiations with the developer.

Paulek said he also is concerned the development could make the wildlife area less attractive to migrating waterfowl and other wildlife. The farming now buffers the wildlife area from homes and other urban uses. The grain crops also attract birds.

The wildlife area also could be under pressure from the Villages of Lakeview, an 11,000-home project approved just south of the wildlife area.

Benzeevi said his project would not encroach on the wildlife area and that warehouses would be a better neighbor than homes, because no pets or kids would be straying into the habitat area.

#3



FILE PHOTO/2001

A city official says buffer zones between the proposed warehouses and the San Jacinto Wildlife Area, above, would be negotiated with the developer.

Benzeevi said he was reluctant to grant an interview with The Press-Enterprise, saying the newspaper has given credence to misinformed people who painted negative and inaccurate pictures of his projects.

As the Skechers project was discussed in public meetings, opponents predicted a "black cloud" of air pollution and gridlock on Highway 60, among other maladies, Benzeevi said.

"All these things were said and none of them came true," he said.

Mayor Richard Stewart concurred that Skechers-related traffic jams never materialized. "You go out there and I can hardly notice that anything is going on," he said.

Stewart said he supports Benzeevi's plan because the city has too few industries. "We need the jobs," he said.

The Skechers project hasn't lived up to its promised 1,000 jobs — including 500 new hires — touted by officials at a March 2010 groundbreaking. The company has brought about 600 workers to the warehouse while closing other operations in Ontario that employed 900 to 1,000 people.

Moreno Valley still gained 600 jobs, Benzeevi said, adding that he expects that number to grow as the economy improves.

The developer has a Spanish-style house with vineyards and a Formula 3 racetrack on the hills northeast of Skechers. The home has a view of the valley where he envisions the distribution mecca.

He has prospective tenants for the warehouses, he said, although he did not name them.

He said he builds high-quality, environmentally friendly projects. The Skechers warehouse is lit with skylights and low-energy LED bulbs. It has a sophisticated ventilation system that captures breezes to cool the building. And crews are now installing photovoltaic solar units on the roof to power the building.

If he builds more warehouses, they will meet the same environmental standards, Benzeevi said.

Also contributing to this report: Staff writer Dug Begley, dbegley@pe.com.

Follow David Danelski on Twitter: @DavidDanelski

Gerald M. Budlong
24821 Metric Drive
Moreno Valley, CA 92557

March 22, 2012

RECEIVED
MAR 2 2 2012
CITY OF MORENO VALLEY
Planning Division

Mr. John C. Terell, Planning Official
CITY OF MORENO VALLEY
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552

Dear Mr. Terell

Re: Notice of Preparation for the Draft Environmental Impact Report for the World Logistics Center Specific Plan

This letter is written to the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the World Logistics Center Specific Plan. The World Logistics Center Specific Plan is a proposed master plan for the future development of up to 41.6 million square feet of building area providing for modern high-cube logistics warehouse distribution facilities.

I have the following comments/concerns that should be addressed in the DEIR.

ENVIRONMENTAL CHECK LIST ISSUES:

1. AESTHETICS: Aesthetics should consider the viewpoints of the San Jacinto Valley. Viewpoints should include the San Jacinto Valley, including the San Jacinto Wild Life Area; the badlands and mountains bounding the east side of the San Jacinto Valley: and the Mountains to the west of the San Jacinto Valley containing the Lake Perris State Park.

   The viewpoints along State Route 60 should include the land south of the highway and viewpoints of the proposed suspension bridge crossing the state highway.

2. GEOLOGY AND SOILS: The project site is located within a down-faulted graben, bounded on the east by the San Jacinto Fault, forming an uplifted horst and the Casa Loma Fault bounding the graben on its west, with the uplifted horst masked by alluvial deposits. The potential impacts of fault activity to structures, roads, and infrastructure must be addressed in this DEIR. Structures of human occupancy must be setback from all fault zones. Fault zones may be occupied by parking lots, landscaping and open space.

3. LAND USE/PLANNING: The World Logistics Center is planned to receive traffic generated by the Port of Long Beach/San Pedro and the associated Alameda Corridor (railroad and truck traffic). Currently the port receives shipping from China and other markets of the far east. The port competes with Pacific ports in Northern California, Oregon, Washington, British Columbia and Mexico. The Alameda Corridor forms the western segment of a vast transcontinental inter modal transportation system that serves the United States and Canada to the east of the port. The Panama Canal widening project is proposed to be completed in 2014 and is designed to accommodate larger ships than currently navigate the existing Panama Canal. The ports along the Atlantic and Gulf of Mexico are currently undergoing planning to expand and improve port facilities designed to accommodate the Chinese and far east shipping which would bypass the Western Pacific sea

ports of the United States, Canada and Mexico, including the port of Long Beach/San Pedro and associated Alameda Corridor.

The DEIR should address the market impacts of an expanded Panama Canal upon the Port of Long Beach/San Pedro and associated Alameda Corridor with reduced market impacts upon the World Logistics Center.

4. POPULATION/HOUSING: The DEIR should address the impacts the World Logistics Center and associated truck and rail traffic upon the impacted housing.

5. PUBLIC SERVICES: The impacts of the World Logistics Center and associated truck traffic upon first response emergency agencies, including police, fire,and ambulance services,should be addressed in the DEIR.

   The California Department of Fish and Game's San Jacinto Wildlife Area is located south of the project site. The DEIR needs to address all adverse environmental impacts the proposed Worlds Logistics Center would have on this important state wildlife refuge.

6. TRANSPORTATION/TRAFFIC: Traffic in and out of the Alameda Corridor and Port of Long Beach/San Pedro consists of both truck and rail service. The DEIR should evaluate the truck traffic impacts upon State Route 60 and other impacted roads and highways.

   If the World Logistics Center proposes to be served by rail service, then proposed rail spur alignments and environmental impacts need to be addressed in the DEIR. Speculative rail spur alternative routes could possibly be as follows:

   A rail spur from the Perris Line from the I-215/SR 60, east along the SR 60 rights-of-way to the project site property.

   Two similar alternative rail spur routes may be the Perris Line at I-215 and Allessandro Boulevard or Cactus Avenue then proceeding east to the project site property.

   Another alternative rail spur alternative route may also start along the Perris Line near the I-215 south of City of Perris in vicinity of the San Jacinto River Channel and proceed northeastward, south of Lake Perris State Park and north of Nuevo and Lake View, then proceed north parallel along Davis Road between Lake Perris State Park and the San Jacinto Wildlife Area, then further north along Davis Road to the project site property.

   Another alignment may start at the main rail line in San Timoteo Canyon and south through the Badlands and parallel of Redlands Boulevard, crossing SR 60 and enter the project site property.

   The last speculative rail spur alignment alternative could also start along the mainline further east in San Timoteo Canyon and proceed west parallel to SR 60, crossing Gilman Springs Road into the project site property.

7. Utilities/Service Systems: The Metropolitan Water District of Southern California (MWD) has a large water transmission line with an approximate 8 foot diameter pipeline, that enters an adit south of SR 60 and Gilman Springs Road and proceeds south along Gilman Springs

Road. The water comes from the California Water Project to San Bernardino/Redlands and southeast to Moreno Valley. The DEIR needs to address any impacts to this important pipeline which serves Southern California from Ventura County south to San Diego County and Mexican border.

The San Diego Gas & Electric's Moreno Compressor Station and associated natural gas pipeline which is aligned parallel to Virginia Street and Alessandro Boulevard must be addressed in the DEIR. This gas pipeline serves most of San Diego County including U.S. Naval facilities.

A petroleum pipeline aligned parallel to Alessandro Boulevard is also present.

Sincerely,

Gerald M. Budlong

Gerald M. Budlong

Darisa Vargas

From: website@moreno-valley.ca.us
Sent: Tuesday, March 27, 2012 7:24 PM
To: Planning Email; rshimko@twrite.com
Subject: MV Forum-East End with Captcha

==========
Message:
==========

Is this truly the right path for Moreno Valley? Logistics does not lead to upward mobility. The fact of the matter is that warehouses typically do not like to hire full time employees. It makes sense. Why pay full benefits when turnover rate is high? What then occurs is a higher percentage of warehouse employees are actually temporary workers. Thus, Moreno Valley then does not have a solid middle class, but rather a weakened tax base and a lower quality of life. This is not the way to go. Moreno Valley does not want, nor need, another Mira Loma scandal.

http://mohrrjoones.com/mojo/2012/03/lawsuit-walmart-contractor-paid-3-dollars-hour

Are tee thee mmiddle income jobs that the city is pursuing? Does the city really want to sell out for short term gains? How exactly will the city make sure that workers are full time employees that are given a livable wage? Could the city provide incentives for business cooperatives since wages are more evenly distributed and thus more likely to foster a middle class? I would sincerely like to know.

Wa the cityy sshould focus on is how to raise the education levels of the population. Yes blue collar jobs are needed. However, the city should try to train those people in specialized skills in high school and make partnerships with the community college as well as other colleges in order to have an educated blue collar workforce.

I s interesstiing that the city is not trying to act as a biotech incubator which would fit perfectly with the healthcare campuses that are being proposed. There are better paying lab options than logistic options (many decent paying lab jobs do nor require a four year degree, but rather an AA). Wouldn't a partnership with UCR, Moreno Valley Community, the City of Moreno Valley, and Highland Fairview to create below market space for research and development in the sciences create better paying jobs? What about pursuing to create a satellite campus of various colleges? Wouldn't that also bolster more people in the sciences and health to come to the city?

It shouldfccuss on how to retain people from nearby universities and thereby serve as an incubation center. The city should make a comprehensive plan as to how Moreno Valley Community College can be linked in with high schools (Passport to college was a step in the right direction, but it did not adequately mentor and aid first time students going to college). Also many people with higher degrees, myself included, left the Inland Region (Moreno Valley in particular) for better employment options elsewhere and because of the state of schools. The vast majority of my friends with college degrees that grew up in Moreno Valley or lived there during college left. My parents considered moving several times because of the school system, but they liked the natural beauty of the city. Going through with this project, the way it is proposed, will simply reduce the quality of life in the city and thus create more of a brain drain.

I oreno Vallleey addresses the lackluster school system, makes an attempt to try to retain UCR and RCC students after graduation (again schools, but also reach out to the universities and improve town/gown relationships...a lot of UCR students live in Moreno Valley due to proximity and price, in fact many "fraternity" houses are in the city) then the city will have a shot at stabilizing its lue collar jobs are needed, but blue collar training is needed in order to not make the same mistakes as other cities. Providing more education in order to have an educated blue collar workforce is key. middle class.

The city did relatively poor job capitalizing in on the 1980s boom. Permits were issued regardless of the affect. Now the city is devoid of culture, has a lack of quality jobs, and has a crumbling school system. The city did little to address some fundamental issues that plaque it. Thus McMansions sit across the street from schools which score below the state average. The juxtaposition (of upper middle class housing stock with inner city schools) is sobering to say the least. Moreno Valley's agrestic nature is long gone. However, its beauty still survives. Do not tarnish the city by turning it into America's corporate closet. Rather, respect the majestic hills that rise above and try to create a city that serves as a beacon towards the future. Sorry for the florid speech at the end, but the sentiment rings true. Do right by your citeeen.

==========

Contact: Joshua H Freeman
Address: 24593 Sunny Ridge
City: Moreno Valley
ZIP: 92557
Phone: (xxx) xxx-xxxx
Email: holanwofreeman@gmail.com

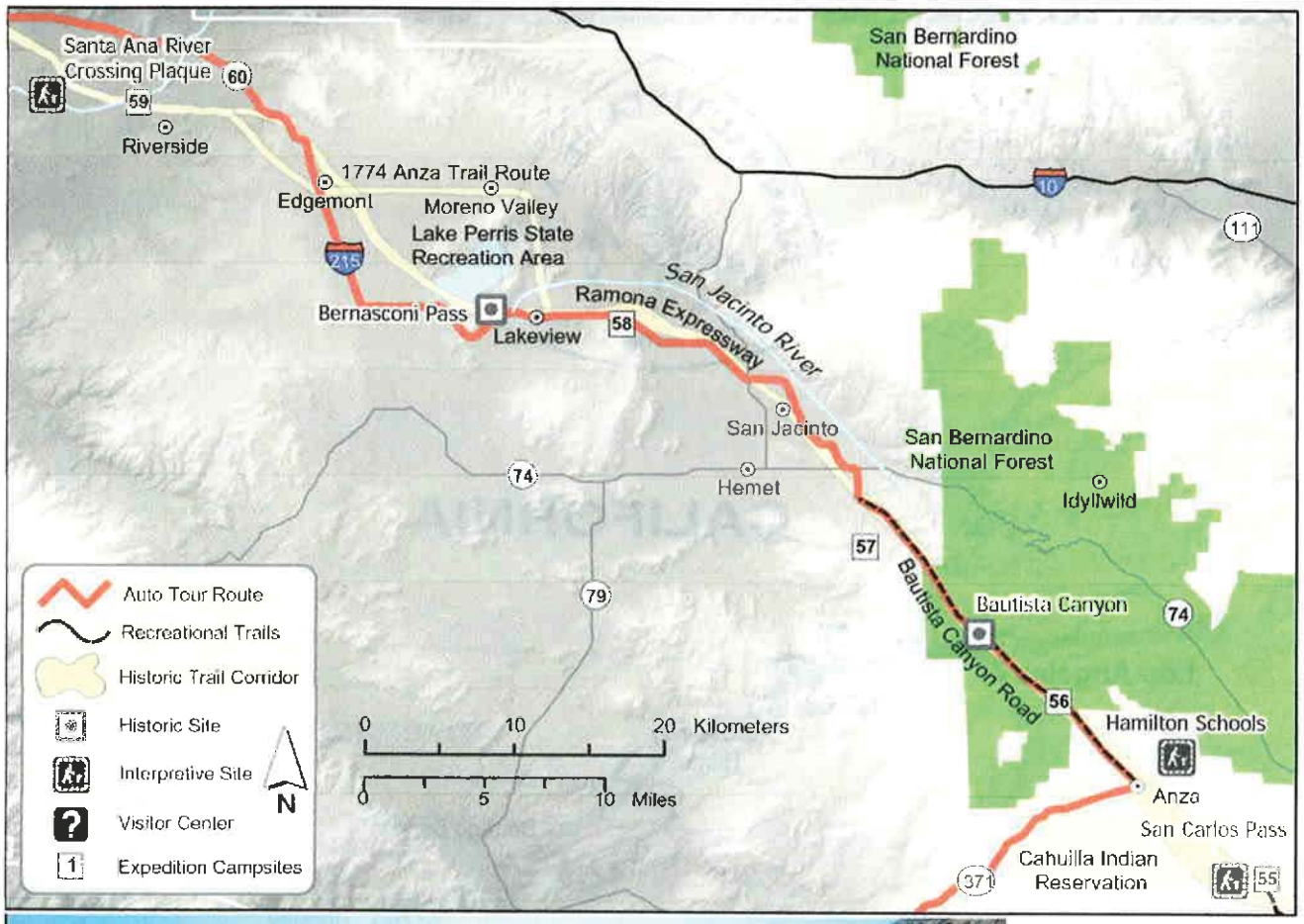
==========

*** End of Form ***

Riverside County – Christmas Eve's Camp to the Santa Ana

Lori Nickel
951-485-2951
lonick9@aol.com

Riverside County – Christmas Eve's Camp to the Santa Ana River



The view north at San Carlos Pass not far from the Pacific Crest Trail and Coyote Canyon.

Photo: Phil Valdez

Driving Directions for Auto Route

Follow CA 79 north to its intersection with CA 371. Turn northeast on CA 371 and stop in the town of Anza. Continuing on, turn left (north) on Bautista Canyon Rd. to the San Bernardino National Forest, where the road is unpaved for several miles. Continue to Fairview Ave. in Hemet, and turn right (north). At its intersection with Florida Ave./CA 74, turn west (left) onto CA 74. Turn north (right) on Mountain Ave., which becomes the Ramona Expressway. Follow this expressway west to Lake Perris and then I-215. Go north on I-215 to CA-60, and go west on I-60. In Riverside or Rubidoux, visit the Santa Ana River. Continue on CA-60 to I-15, and go north on I-15 and take I-10 west.

Hiking/Biking Ideas

From the town of Anza, or from the Pacific Crest Trail, one can hike back to the Upper Willows in the Anza-Borrego Desert State Park. Alternatively, you can start at the southern end of the park and hike up Coyote Canyon. You can also stretch your legs in the San Bernardino National Forest, or at the San Jacinto Wildlife Area and walk around the Lake Perris area. The Santa Ana River area contains trails as well.

A portion (above) of Font's map showing the camp at San Carlos Pass. It was from there on December 28, 1775 that Anza writes, to the governor of California, *Fernando de Rivera y Moncada*, and says of the colonists "...since they have been in the service for eight months, the clothing they were given has been destroyed and worn out. Because of that, and because the season is so raw, they are in need of reparation. Therefore, I have taken this opportunity to give Your Honor this notice that, if you do not feel it is inconvenient, you might send someone to find a provision of underclothing. That is truly what is needed by all the men, women and children. Of course, they will be able to make do with their exterior clothing and the use of some blankets until they have such [underclothing]." *The letter was sent ahead to San Gabriel.*

About Your Visit to Riverside County

The expedition continued up Coyote Canyon and camped at the top of Upper Willows on Christmas Eve. Here, they met the natives of the *Cahuilla* tribe whom they called the Danzantes (Dancers), and the colonists later held a fandango. Traveling on via Bautista Canyon, they followed the San Jacinto River and reached the Santa Ana River, where they camped on New Year's Eve. They then proceeded westerly toward Mission San Gabriel.

Sites of Interest

A. Anza–Borrego Desert State Park and Expedition Camp #54
The expedition's Christmas Eve stop was at the "Fig Tree Spring" in the Anza–*Borrego* Desert State Park. A marker commemorates the birth of Salvador Ygnacio Linares on that night. Motorized vehicles are prohibited in this area of the park, but hikers can reach the area from the town of Anza, or from the south (San Diego County). Maps are available at the visitor center.

B. *Puerto de San Carlos* (San Carlos Pass) and Expedition Camp #55
On December 26, 1776, Font writes "...at once I noted the change in the landscape, for now we saw some scrub live oaks and other small trees...This place has a spring of water and a small arroyo nearby, with plentiful and good grass." The pass is in Terwilliger Valley at the upper end of Coyote Canyon about seven miles southeast of the town of Anza. The area of the camp is now on a privately owned ranch, but can be accessed by hikers from the Pacific Crest Trail. In the nearby town of Anza, interpretive exhibits are found at the Hamilton Schools and Library complex (57550 Mitchell Road).

C. San Bernardino National Forest and Expedition Camp #56 and #57
A broad, bowl–shaped valley between Cahuilla Mountain and Bautista Canyon, the area of Camp #56 at Tripp Flats can be viewed from the road. Take Cary Rd. north off Highway 371 outside of Anza. This joins Tripp Flats Rd. which then ends at Bautista Canyon Road. Most of the latter road is within the San Bernardino National Forest. Eight miles of it are unpaved and allow one to experience rare well-preserved chaparral and riparian landscapes on the historic route.

D. San Jacinto Wildlife Area, Lake Perris and Expedition Camp #58
With the San Jacinto mountains at their right, the expedition traveled north and camped near a lake that Anza had named in 1774 after his supporter, *Viceroy Bucareli*. On December 30, 1776, Father Font noted "large white flocks" of geese. Today's Bernasconi Pass (along the Ramona Expressway) was used by the expedition to travel from their camp to the Alessandro Valley south of Riverside. Today, one can visit the Lake Perris State Recreation Area and the nearby San Jacinto Wildlife Area. An Anza trail marker is found at the southern end of the lake.

E. Santa Ana River Crossing and Expedition Camp #59
Both Anza expeditions crossed the river here, and it was the New Year's Eve campsite for the 1775–76 expedition. Riverside County Regional Parks offers two Anza-related sites. The Camp #59 and river crossing sites are both within the Martha McLean–Anza Narrows Park (5759 Jurupa Ave.) in Riverside. At their Jensen-Alvarado Historic Ranch and Museum (4307 Briggs St. off Rubidoux Blvd.), living history programs describe how Anza expedition descendants lived.

Learning On The Trail in Riverside County

Questions on the Trail

On the trek from Tubac to San Francisco, one woman died and three babies were born. Anza brought approximately 197 settlers, 87 of whom were under the age of 12.

Drawing by: Sara Dick

On Christmas Eve, writes Anza, "At ten forty-five at night she [the mother] happily gave birth to a boy, which makes three who have been born between the presidio of Tubac and this place, not counting two others who were given time for their deliveries. These and three others who were born before reaching San Miguel de Horcasitas make a total of eight, all while on the march, without having lost but one woman."

Question: How are traveling families now similar to those that Anza brought to California? How are they different?

Graphic: Bill Singleton

On the CD: Fandango and Nativity

Coyote Creek; Music for Fandango: *La Xameico; Pedida de la Posada*. Christmas Eve's camp and merriment was in Coyote Canyon where the fourth fandango took place. Anza passed out a pint of liquor to each colonist, but with Font's protest, and they ate beef. That night, a little before midnight, on the Holy Eve of the Nativity, a baby boy, Salvador Ygnacio Linares, was born. Dating from the 16th century, la Posada is traditionally sung at Christmas. It tells of Joseph and Mary, who is with child, traveling to Bethlehem where they have difficulty finding lodging (*posada*). The Anza Trail travelers might well have made comparisons to their own difficult journey.

Additional Resources

Anza–Borrego Desert State Park – 200 Palm Canyon Drive, Borrego Springs CA 92004; tel.: 760-767-5311, web: parks.ca.gov

Pacific Crest National Scenic Trail Association – 5325 Elkhorn Blvd., PMB #256 Sacramento, CA 95842; tel.: 916-349-2109, web: pcta.org

Hamilton Schools – 57550 Mitchell Road Town of Anza, CA 92539; tel.: 909-763-1840

San Bernardino National Forest, Santa Rosa and San Jacinto National Monument – 51-500 Highway 74, Palm Desert, CA 92260; tel.: 760-862-9984, web:fs.fed.us/r5/sanbernardino

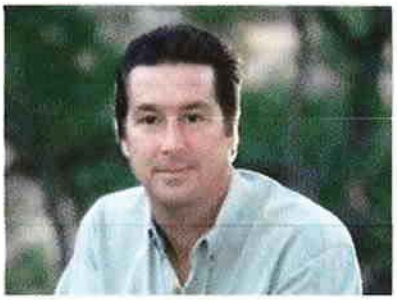
Lake Perris State Recreation Area – 17801 Lake Perris Drive Perris, CA 92571; tel.: 951-940-5603, web: parks.ca.gov

San Jacinto Wildlife Area California Dept. of Fish and Game – 1812 9th Street, Sacramento, CA 95814; tel.: 909-597-9823, web: dfg.ca.gov/lands

Martha McLean-Anza Narrows Park, Riverside County Regional Parks – 5759 Jurupa Ave., Riverside CA 92506; tel.: 951-683-1653, web: riversidecountyparks.org

From: Lori Nickel <lonick9@aol.com> 951-485-2951
Subject:
Date: March 12, 2012 3:16:30 PM PDT

1 Attachment, 6.0 KB



Photograph courtesy Rich Reid

Rich Reid got his start in photography as full-time photo editor for both the college yearbook and the daily newspaper while pursuing his business economics degree from the University of California, Santa Barbara.

For the past 20 years, he has specialized in travel, environmental, and adventure photography while working with numerous nonprofit organizations preserving lands and cultural sites. His continually working to advocate the preservation of the Gaviota Coast in Southern California was highlighted in *National Geographic* magazine in "New Park for California Coast?" (July 2001).

Reid is also a frequent contributor to *National Geographic Adventure* and covered two bicycle-supported assignments: "California's Secret Coast" (September/October 2001), about a weeklong biking, hiking, and kayaking adventure along the Gaviota Coast, and "Floating into the Country" (May 2004), about the ultimate mountain bike tour of Alaska's Inside Passage via the ferry system.

Reid traveled the length of the Juan Bautista De Anza National Historic Trail from the Mexico-Arizona border to San Francisco, documenting De Anza's adventure and history for the National Geographic book *America's Historic Trails* (2001).

Early in his career, Reid decided to pursue guiding as a way to supplement his photography habit. "This was the best mistake of my life," he says, referring to his initiation to the guiding world. "Before I knew it, I was guiding tourists throughout the Yukon and Alaska." This started his profound passion for the Arctic, which has led to operating a photo-tour business for the past decade in Alaska.

Most recently, Reid has delved into high-definition cinematography and time-lapse photography. He completed his first documentary, *Watershed Revolution*, which focuses on water conservation, education, and activism. The film blends still and time-lapse photography with cinematography and music to create a complete visual package covering the California water crisis.

Reid can be found hiking the Ojai trails with his wife and daughter near their California home. They often travel the West Coast seeking adventure and operate photo tours in Alaska. His photography is represented by National Geographic Stock and his cinematography is represented by National Geographic Digital

Motion.

www.richreidphotography.com
timelapsecollection.com

Like 1 +1 0 More »

March 21, 2012

Attn: John Terrell, Planning Division
Community & Economic Development Dept
City of Moreno Valley
johnt@moval.org

From:
Michael McCoy
Phone 951-242-6032
Resident of Moreno Valley
e-mail: ccc4maps@earthlink.net or mikeandnan@mac.com

SUBJECT: COMMENTS REGARDING THE NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT for planning actions relative to the World Logistics Center (WLC), especially the scoping of environmental topics.

Dear Mr Terrell,

I would like to request the environmental report include the following concerns regarding this project:

Conceptual Site Plan
The EIR must include an adequate conceptual site plan with building footprints and street layout that depicts the 41-million sq ft of building placements, enabling their impacts on environmental issues to be discussed in the document.

Employment Predictions
The EIR should demonstrate how the developer arrived at the calculation of possible 20,000 jobs that would be generated at the WLC.

Seismic Safety
The applicant shall provide maps indicating the location of the San Jacinto, Casa Loma and other faults upon or adjacent (within 2 miles) to the property. These faults must be shown on a map in relation to anticipated building footprints.

Traffic & Transportation
Include a thorough traffic analysis, especially for full build-out of the project. The analysis should include both employee and goods movement traffic categories.

Engage Caltrans, RCTC, WRCOG, City of Moreno Valley, the developer and others on how interchange, overpass and auxiliary lane widening improvements along Highway 60 would be financed and phased in to serve the WLC.

Air Quality Impacts
An AQMD official warned of “unprecedented truck emissions from this project”. Request the AQMD to elaborate on this assertion, especially with technical data.

Discuss vehicle emissions from truck (semi or tractor-trailer rigs of high cube configuration) and other traffic that would be generated by the built-out development in its operational phase.

Include mention of and assessment of air quality impacts specifically caused by the project’s fleet of eastbound trucks on Highway 60 that are accelerating as they travel uphill towards the summit of The Badlands, i.e. about 2 miles east of Gilman Hot Springs Rd. Those vehicles could significantly increase emissions.

Include air quality impacts, positive or negative, of including a natural gas or other alternative clean-burning fuels refueling station within or near the World Logistics Center property and analysis of air quality improvements resulting from use of said clean fuels by percentages of the WLC-visiting truck fleet, such as 5%, 10%, 25% or more of those trucks arriving and departing the WLC.

Rail Service to WLC
Investigate and analyze the feasibility of installing a rail spur to serve a portion of the WLC project. The spur could connect to operational lines in Perris, San Jacinto or in San Timoteo Canyon.

Trees and Woodlands
Some of the existing trees on this site may be significant. I’m not referring to scraggly eucalyptus but to ornamental, specimen or wildlife habitat trees near former ranches, existing streets or property lines that could be retained and incorporated into the project site plan or street layout. The EIR needs to include an inventory and evaluation of existing trees or woodlands and show said trees on suitable maps.

Drainage
Describe impacts of rooftops, parking areas and other pavement on drainage and groundwater patterns. Calculations demonstrating the impacts must be included.

Other
Include explanation of and environmental consequences of employing “High Cube” trucks in comparison with conventionally sized trucks.

Explore particular impacts on the community of Old Moreno such as but not limited to noise, glare, traffic, vibration, drainage, air quality, views, litter and graffiti.

That's all I have now, John. Other parties will deal more with wildlife issues, I am sure. Thanks in advance for seeing that my concerns are addressed in the EIR. Please contact me if there are any questions.

Lastly, please keep me on the mailing list for future reports and meetings regarding this project. E-mail is Ok, it needn't be snail mail.

Sincerely,
Michael McCoy

John C. Terell, Planning Official
City of Moreno Valley
Community and Economic Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552
Email: johnt@moval.org

March. 25, 2012

Re: Notice of Preparation of a Draft Environmental Impact Report – World Logistics Center Specific Plan

Dear Mr. John C. Terell:

I have been a resident of Moreno Valley since 1985 and a Geology professor at U.C. Riverside since 1984, concerned with geologic and seismic hazards in the Inland Empire. The following are my comments on the NOP for the World Logistics Center Specific Plan.

CEQA Requirements

Considering the regional size and scope of the proposed project, and the major impacts that it will have on the western part of the Inland Empire, a short 30-day notification and comment period on the Notice of Preparation for this project is insufficient to allow informed public review and input.

Geological and Seismic Hazards

Seismic, liquefaction, subsidence and flood hazards in the project area will have significant impacts and must be evaluated and mitigated in the project EIR. These evaluations must go beyond simple compilations of state Alquist-Priolo zone maps for seismic hazards and simple compilations of the FEMA flood zone maps, many of which are more than a decade out of date. More recent literature data must be incorporated.

Public health and safety, especially with regard to the planned construction of infrastructure, cannot be achieved (mitigated to a reasonable level) by hazard maps that are incomplete, inaccurate and seriously out of date. Scientific advances in our knowledge of geotechnical hazards occur quickly, and the information in the EIR must be kept up to date with such advances.

Alquist-Priolo guidelines and legislation require that plans by lead agencies include sufficient analysis based not only on the existing hazard map zones, but also on all other relevant published information on faults and hazards inside and *outside* of those map zones. This is because many recent deadly seismic events have occurred on faults that were not yet officially zoned by the state, or were not recognized to be active (Hart, 1992). The recent Landers, Northridge, Hector Mine and Napa Valley earthquakes are good examples.

Specific geologic hazards that should be evaluated and mitigated are:

1) seismic shaking and liquefaction/collapse potential in relation to uniform building codes.
2) seismic slumping and ground rupture potential caused by proximity to the active San Andreas, Casa Loma, San Jacinto, and Farm Road faults.
3) landslides and slow-motion creep related to active faulting along the project's boundary.

4) rupture-induced explosion and fire potential for two major regional natural gas pipelines that cross active faults within or adjacent to the project (see attachment from Toppozada et al., 1993).
5) any other hazards identified by the state's existing emergency response plan for a major earthquake on the San Jacinto fault in the inland empire.
6) flooding, inundation, and hydrocompaction resulting from the increase in the area of Mystic Lake since 1938 and the projection of its areal extent to 2023 (see attachment from Morton et al., 2006).

The following publications address these hazards, and must be evaluated with sufficient analysis and mitigation in the project DEIR:

FEMA, 2007, HAZUS: Guide to Using HAZUS for Mitigation.
http://www.fema.gov/plan/prevent/hazus/dl_hazmit.shtm

FEMA, 2007, HAZUS: Flood Information Tool (FIT).
http://www.fema.gov/plan/prevent/hazus/hz_fit.shtm

Hart, E.W., 1992, Fault-rupture hazard zones in California; Calif. Div. Mines and Geol., Special Publ. 42, 32 pp.

Morton, D.M., 1977, Surface deformation in part of the San Jacinto Valley, southern California; Jour. Research U. S. Geological Survey, Vol. 5, No. 1, p. 117-124.

Morton , D.M., Matti, J.C., 1993, Extension and contraction within an evolving divergent strike-slip fault complex: the San Andreas and San Jacinto fault zones at their convergence in southern California; Memoir Geol Soc. America, 178, p. 217-230.

Morton, D.M., and Miller, F. K., 2006, Geologic map of the San Bernardino and Santa Ana 30' x 60' quadrangles, California; USGS Open File Report 1271, 2006,
http://pubs.usgs.gov/of/2006/1217/

Morton, D.M. et al., 2006, Historic lake levels of Mystic Lake and a projection of where the lake level (closed depression) is predicted to be in 2023 http://pubs.usgs.gov/of/2006/1217/of2006-1217_map/of2006-1217_fig5.pdf

Morton, D.M., and Sadler, P.M., 1989; Landslides flanking the northeastern Penninsular Ranges and in the San Gorgonio Pass area of southern California; in Sadler, P.M., and Morton, D.M. (Eds.) Landslides in a Semi-Arid Environment; Inland Geological Society Publ., Vol. 2, p 338-355.

Park, S.K. et al. 1995, Delineation of intrabasin structure in a dilational jog of the San Jacinto fault zone, southern California; Jour. Geophysical Research, Vol. 100, No. BA, p. 691-702.

Toppozada, T.R., et al., 1993, Planning scenario for a major earthquake on the San Jacinto fault in the San Bernardino area; Calif. Dept. of Conservation, Div. of Mines and Geology, Special Publ. 102, 250 pp.

U. S. Geological Survey, 2007, USGS/CGS Probabilistic Seismic Hazards Assessment (PSHA) Model online at: http://www.conservation.ca.gov/cgs/rghm/pshamap/pshamain.html

Working Group on California Earthquake Probabilities (WGCEP), 2007, Uniform California Earthquake Rupture Forecasts (UCERFs); http://www.wgcep.org/

Thank you for considering my comments on the NOP for the World Logistics Canter Specific Plan.

I ask that these comments be incorporated into the public record for review of this NOP and EIR, and hereby incorporate all references cited (and their contained references) into the review process for this EIR.

I also ask that I be kept informed in writing of all notices, documents, meetings and actions regarding this NOP, EIR and Project, at the address listed below.

Sincerely,

Michael A. McKibben, Ph.D.
23296 Sonnet Drive
Moreno Valley, CA 92557

(951) 924-8150
mamckibben@roadrunner.com

M. A. McAUBEN

SPECIAL PUBLICATION 102

PLANNING SCENARIO FOR A MAJOR EARTHQUAKE ON THE SAN JACINTO FAULT IN THE SAN BERNARDINO AREA

By

CALIFORNIA DEPARTMENT OF CONSERVATION

DIVISION OF MINES AND GEOLOGY

Tousson R. Toppozada, Glenn Borchardt, and Claudia L. Hallstrom

CONSULTANTS

Carl B. Johnson, Per Ron, and Henry J. Lagorio

1993

California Department of Conservation
Division of Mines and Geology
801 K Street, MS 12-30
Sacramento, California 95814-3531

Seismic Considerations

The primary impact on natural gas facilities will be the widespread damage to transmission and distribution system pipelines resulting from surface rupture along the fault zone. Displacements averaging 3 feet across the fault zone will cause numerous breaks in mains, valves, and service connections. Secondary ground failures resulting from liquefaction will result in many additional breaks in the system. Fires will occur due to broken gas mains and service connections.

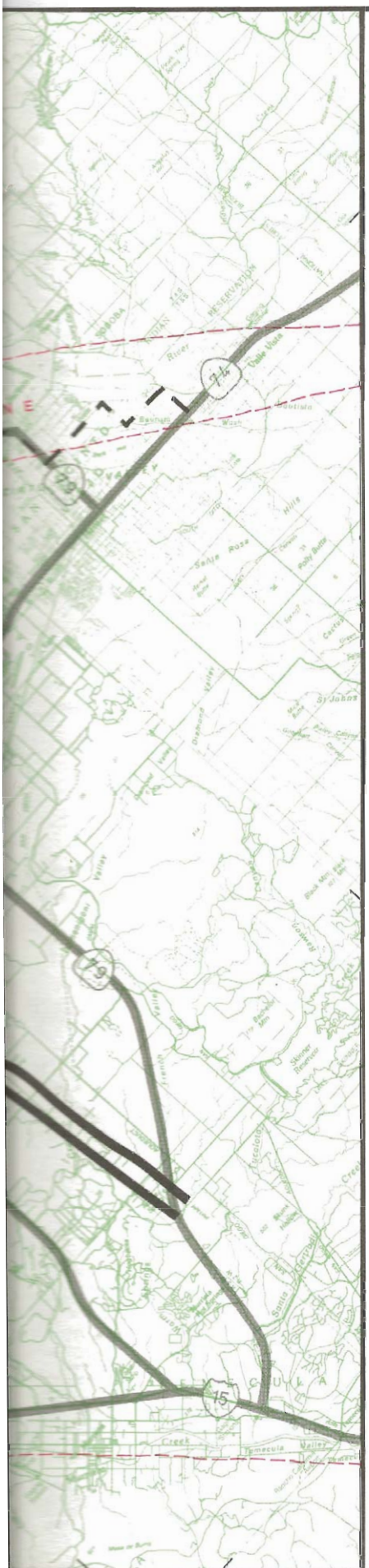
The gas supply west of the fault zone will be interrupted wherever large diameter transmission pipelines are damaged by fault offset. Elsewhere, the gas transmission and distribution system is vulnerable to damage from landslides and liquefaction.

Major gas transmission lines (diameter > 16 inches) cross the fault zone at four locations, as shown on Map G:

1. Lytle Canyon (G4)
2. Lytle Canyon (G5)
3. Allesandro Boulevard (G14)
4. San Jacinto Valley (G16)

Breaks and leaks will occur in the distribution system throughout the planning area, particularly in the zone of fault rupture and in areas of liquefaction. The areas of potential liquefaction are in Cajon Canyon, along the Santa Ana River, and in San Bernardino on the northeast side of the fault.

According to SoCal Gas Company, vulnerability to damage from ground shaking has been reduced within the distribution system since the 1971 San Fernando earthquake (M6.4). This improvement is largely due to replacement of steel pipe (and, in some instances, cast iron pipe) with medium density polyethylene plastic pipe having ductile properties that resist damage from earth movements. About 90 percent of all pipe replacements of 4-inch diameter and less are made with



SPECIAL PUBLICATION 104

EARTHQUAKE PLANNING SCENARIO

DEPARTMENT OF CONSERVATION

Division of Mines and Geology

FOR A MAJOR EARTHQUAKE ON THE SAN JACINTO FAULT ZONE IN SOUTHERN CALIFORNIA

N E W S

NATURAL GAS FACILITIES

1993

EXPLANATION

G — Location of assessment (see text for details)

16" to 36" — Major Transmission Pipeline

8" to 12" — Major Distribution Trunk Line

Power Plant (capacity in megawatts, Mw)

SCALE 1:200000

1 0 1 2 3 4 5 10 KILOMETERS

1 0 1 2 3 4 5 MILES

5000 0 10000 25000 FEET

Scenario Fault Segment

SCENARIO MAPS AND DAMAGE ASSESSMENTS ARE INTENDED FOR EMERGENCY PLANNING PURPOSES ONLY

- THEY ARE BASED UPON THE FOLLOWING HYPOTHETICAL CHAIN OF EVENTS:
  1. A PARTICULAR EARTHQUAKE OCCURS
  2. VARIOUS LOCALITIES IN THE PLANNING AREA EXPERIENCE A SPECIFIC TYPE OF SHAKING OR GROUND FAILURE
  3. CERTAIN CRITICAL FACILITIES UNDERGO DAMAGE AND OTHERS DO NOT
- THE CONCLUSIONS REGARDING THE PERFORMANCE OF FACILITIES ARE HYPOTHETICAL AND NOT TO BE CONSTRUED AS SITE-SPECIFIC ENGINEERING EVALUATIONS. FOR THE MOST PART, DAMAGE ASSESSMENTS ARE STRONGLY INFLUENCED BY THE SEISMIC INTENSITY DISTRIBUTION MAP DEVELOPED FOR THIS PARTICULAR SCENARIO EARTHQUAKE. THERE IS DISAGREEMENT AMONG INVESTIGATORS AS TO THE MOST REALISTIC MODEL FOR PREDICTING SEISMIC INTENSITY DISTRIBUTION. NONE HAVE BEEN FULLY TESTED AND EACH WOULD YIELD A DIFFERENT EARTHQUAKE PLANNING SCENARIO. FACILITIES THAT ARE PARTICULARLY SENSITIVE TO EMERGENCY RESPONSE WILL REQUIRE A DETAILED GEOTECHNICAL STUDY.
- THE DAMAGE ASSESSMENTS ARE BASED UPON THIS SPECIFIC SCENARIO. AN EARTHQUAKE OF SIGNIFICANTLY DIFFERENT MAGNITUDE ON THIS OR ANY ONE OF MANY OTHER FAULTS IN THE PLANNING AREA WILL RESULT IN A MARKEDLY DIFFERENT PATTERN OF DAMAGE.

117°15' 33°30'

G

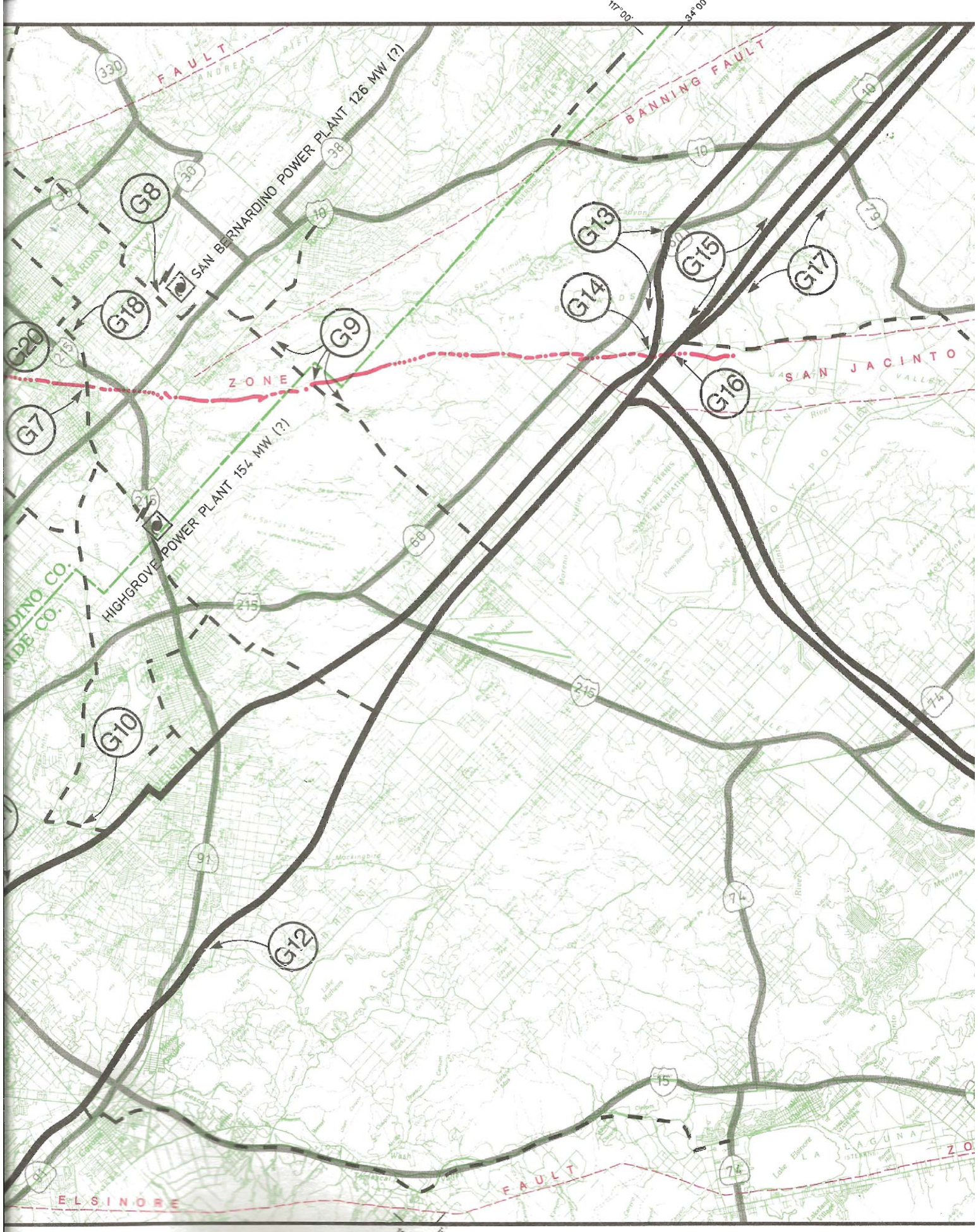
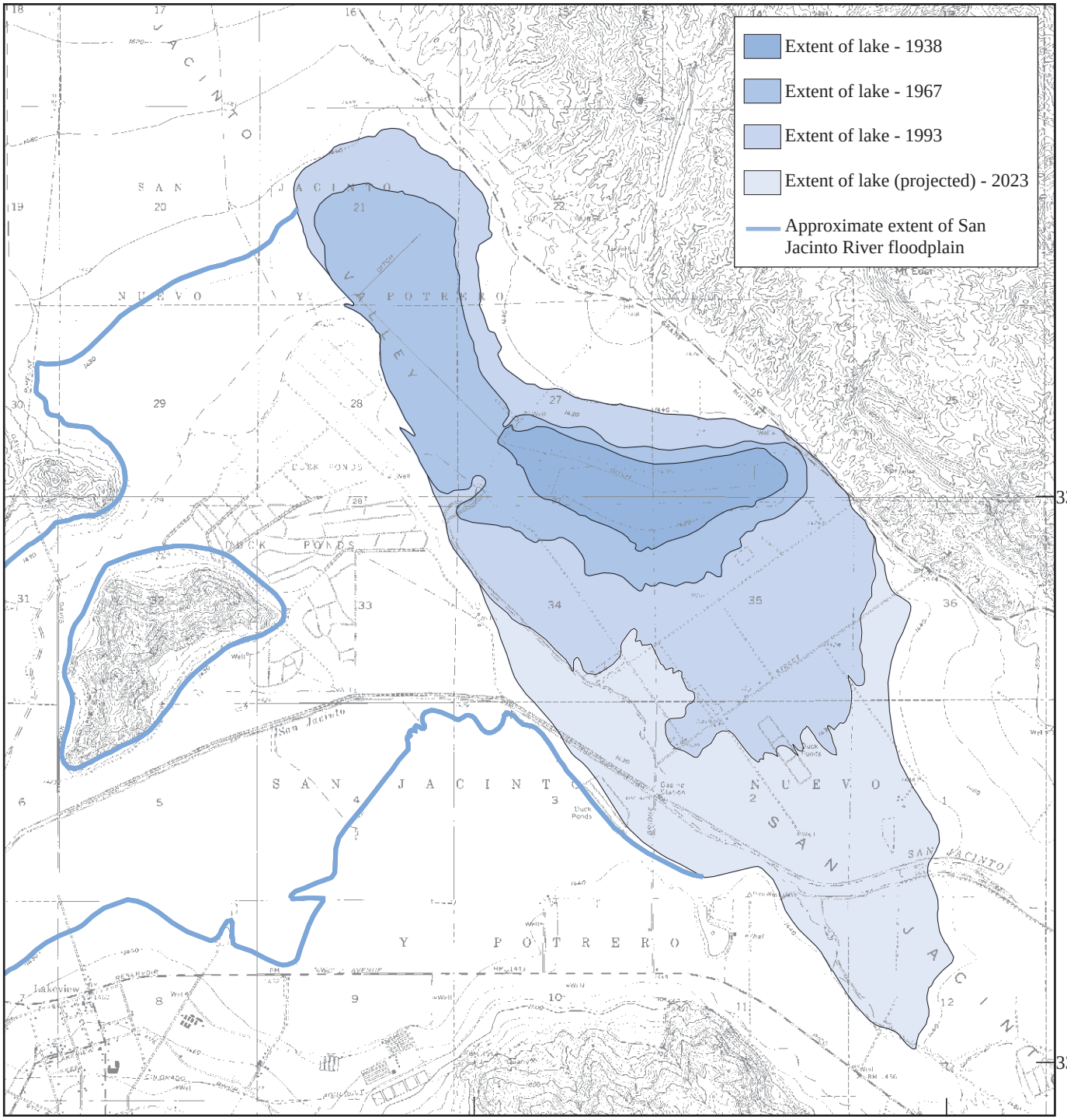

117°00'
34°00'
FAULT
BANNING FAULT
SAN BERNARDINO POWER PLANT 126 MW (?)
HIGHGROVE POWER PLANT 154 MW (?)
G7
G8
G9
G10
G12
G13
G14
G15
G16
G17
G18
G20
ZONE
SAN JACINTO
ELSINORE
FAULT
117°30'
33°45'

Figure 5



Base from U.S. Geological Survey
7.5' Lakeview and El Casco quadrangles
UTM projection, Zone 11

Historic Lake Levels of Mystic Lake, Riverside County, California

SCALE 1:48,000

1 0 1 MILE

1 0 1 KILOMETER

CONTOUR INTERVAL 20 FEET

GN MN 15°

RECEIVED
FEB 2 7 2012
CITY OF MORENO VALLEY
Planning Division

MORONGO
BAND OF
MISSION
INDIANS

A SOVEREIGN NATION

February 22, 2012

John C. Terell, AICP, Planning Official
City of Moreno Valley
Community & Economic Development Department
P.O. Box 88005
Moreno Valley, CA 92552

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report
Project Title: World Logistics Center Specific Plan
Project Applicant: Highland Fairview

Dear Mr.Terell:

Thank you for contacting the Morongo Band of Mission Indians regarding the above referenced project. The Tribe greatly appreciates the opportunity to review the project and, respectfully, offer the following comments.

The project is outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area or one in which the Tribe has cultural ties (e.g. Cahuilla/Serrano territory). Because the project involves a proposed master plan for the future development of up to 41.6 million square feet of building area providing for modern high-cube logistics warehouse distribution facilities the Morongo Band of Mission Indians asks that you impose specific conditions regarding cultural and/or archaeological resources and buried cultural materials on any development plans or entitlement applications as follows:

- If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5.

- In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.

  If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians

("Tribe")[1]. If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

If I may be of further assistance with regard to this matter, please do not hesitate to contact me at your convenience.

Very truly yours,

MORONGO BAND OF MISSION INDIANS

Franklin A. Dancy,
Director of Planning

[1] The Morongo Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, Morongo can only speak for itself. The Tribe has no objection if the archaeologist wishes to consult with other tribes and if the city wishes to revise the condition to recognize other tribes.

Kent Norton

From: ned newkirk <ned_newkirk@verizon.net>
Sent: Thursday, March 22, 2012 6:21 AM
To: John Terell
Subject: Concerns and Questions Regarding Proposed World Logistics Center

Attn: John Terell
March 21st 2012

Concerns and questions regarding the proposed World Logistics Center

In 1978 we built a home at 29080 Dracaea Ave and have lived there for thirty three years. Since we live within the boundaries of the proposed World Logistics Center, we are very concerned as to the impact this project will have on our home. Listed below are our questions/concerns at this time.

What is going to happen to the existing homes within the boundaries of the world logistics center?

How will the logistics center affect traffic on Redlands Blvd?

What changes will be made to the existing streets south of Highway 60 to Alessandro Blvd. and from Redlands Blvd. to Gilman Springs Rd.?

Essentially how many trucks will this logistics center put on Highway 60 each day?

When the amount of traffic this project will generate is known, how long will it take to receive an emissions report from air quality control (increase in diesel particulates)?

When will a map be available for public review designating location of warehouses in relation to existing streets and residences within the affected area?

We were in attendance at the public meeting on March 12th regarding the proposed World Logistics Center and you asked that we contact you. We would like to schedule an appointment with you regarding these questions. Please call us and arrange for an appointment at
951-242-3055.
Thank You

Ned and Dawn Newkirk

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

RECEIVED
MAR 12 2012
CITY OF MORENO VALLEY
Planning Division

March 7, 2012

Mr. John C. Terell, Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re: SCH#2012021045 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **"World Logistics Center (General Plan Amendment, TPM & Finance Map, Development Agreement and Annexation);"** located in the City of Moeno Valley; Riverside County, California

Dear Mr. Terell:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified. Also, the absence of archaeological resources does not preclude their existence. . California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to. California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California

Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties pursuant to CA Public Resources Code §5097.95. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, if the project is under federal jurisdiction, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be

followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
Riverside County
March 7, 2012

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.gov
(951) 506-9491 Fax

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

Serrano Nation of Indians
Goldie Walker
P.O. Box 343 Serrano
Patton , CA 92369
(909) 862-9883

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.gov
(951) 922-0105 Fax

Cahuilla Band of Indians
Luther Salgado, Sr., , Chairperson
PO Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
915-763-5549

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012021045; CEQA Notice of Preparation (NOP); draft Environmental Impact Report and General Plan Amendment for the World Logistics Center; City of Moreno Valley; Riverside County, California.

Native American Contacts
Riverside County
March 7, 2012

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ahoover@pechanga-nsn.gov
951-770-8104
(951) 694-0446 - FAX

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
siva@dishmail.net
(951) 849-4676

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012021045; CEQA Notice of Preparation (NOP); draft Environmental Impact Report and General Plan Amendment for the World Logistics Center; City of Moreno Valley; Riverside County, California.

PALA TRIBAL HISTORIC PRESERVATION OFFICE

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
760-891-3510 Office | 760-742-3189 Fax

PALA THPO

RECEIVED
MAR 12 2012
CITY OF MORENO VALLEY
Planning Division

March 8, 2012

John C. Terell
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: World Logistics Center Specific Plan

Dear Mr. Terrel,

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Therefore, we have no objection to the continuation of project activities as currently planned and we defer to the wishes of Tribes in closer proximity to the project area.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-891-3515 or by e-mail at sgaughen@palatribe.com.

Sincerely,

Shasta C. Gaughen, PhD
Tribal Historic Preservation Officer
Pala Band of Mission Indians

ATTENTION: THE PALA TRIBAL HISTORIC PRESERVATION OFFICE IS RESPONSIBLE FOR ALL REQUESTS FOR CONSULTATION. PLEASE ADDRESS CORRESPONDENCE TO **SHASTA C. GAUGHEN** AT THE ABOVE ADDRESS. IT IS NOT NECESSARY TO ALSO SEND NOTICES TO PALA TRIBAL CHAIRMAN ROBERT SMITH.

To: John Terrell

From: Ron Roy

Why (small world of Moreno Valley) “World” Logistics Center Specific Plan (warehouses) is a bad idea:

1. Creating “more jobs” and “Curing Moreno Valley unemployment problem” are fallacies:

Now that Skechers has moved into its giant Moreno Valley hub, it’s actually employing fewer Inland-area workers than before

a. Rather than creating more jobs for Sketchers employees, the opening of the Sketchers warehouse in Moreno Valley has created net job loss for Sketchers employees in IE: A consequence of Sketchers moving to its Moreno Valley hub was the closing of Skechers five distribution centers in Ontario when the shoe manufacturer consolidated its distribution operations meaning a net JOB LOSS of many as 400 jobs in Inland Southern California. If Sketchers (and other tenants) has vacated a warehouse once, it can do it again.
b. If a tenant finds itself with unfavorable lease terms (for whatever the reason; often bad financial condition) with landlord, it can break lease and/or ask city to subsidize warehouse lease and other costs at great expense to the city. Look to Sketchers for a case study.
c. Warehouse logistics is moving towards automation/robotics. This means that within a few years logistics workers will be replaced by automation, putting them in the same predicament they are in now. Contrast this with high paying, high skilled manufacturing jobs.
d. There is no guarantee that the people who are hired at Moreno Valley warehouses will be residents of Moreno Valley. With a population of 1.5 million people within a 30 minute drive of Moreno Valley. MoVal warehouse tenants have a massive employment pool to draw from decreasing chances for Moreno Valley residents to be hired.
e. Sketchers financial picture is shaky. It recently lost 67 million dollars in its last fiscal year on declining sales. If Sketchers goes Bankrupt, the City of Moreno Valley will be stuck with paying off the enormous infrastructure costs associated with putting in the warehouse; or even worse, directly subsidizing Sketchers (at great expense to the city) to help get Sketchers out of bankruptcy. . This example, is obviously, repeatable for other tenants in the projected 40 million square feet proposed project.

2. Warehouse workers are notoriously among the worst treated workers in the U.S. labor force.
    a. Example: Wal-Mart Warehouse Contractor in Mira Loma (Schneider Logistics) filed a notice to terminate 100 workers in retaliation after the workers complained of poor working conditions (working in scorching heat with no breaks for hours on end) and after workers noticed that their wages were being stolen from their paychecks due to a problematic piece rate system that was at the core of the workers' wage theft complaints.
    b. Exploitation like in 2a is rampant in warehouse logistics industry.

3. Moreno Valley is ill suited for Warehouse and Distribution. Warehouse and Distribution Centers are much better suited in cities that are traditionally and predominantly industrial/commercial such as Commerce, Industry, and Ontario. Moreno Valley has been traditionally and predominantly a bedroom community.
    a. Historically cities planned from the beginning to be industrial/commercial cities are more efficient in supply chain as they already are near commercial rail hubs, and ports allowing for lower cost of the supply chain.
    b. Moreno Valley has no rail lines near proposed warehouse project WHATSOEVER. This is critical to keep distribution costs low (and competitiveness high) for warehouse tenants.
    c. Moreno Valley is predominantly a bedroom community where residents need highway 60 to commute to their jobs. Truck traffic will disrupt residents commute to their existing jobs (especially Riverside and San Bernardino Areas) and could lead to further job loss for these commuters.

    d. Rising diesel fuel Prices: When it comes to logistics, increases in diesel prices cause transportation costs to rise, especially for trucking, and disrupt supply chains. With the dramatic (and permanent) rise in truck fuel prices, previously optimized models of Moreno Valley as an "efficient" supply hub may no longer be applicable, as transportation costs account for half of total logistics costs. Add to this the fact that there is no rail access to help offset fuel prices further jeopardizes Moreno Valley's viability as Distribution Hub.

    e. Highway 60 does not have the capacity (especially Westbound at 215/60 interchange: only one lane to get into Riverside) to support projects warehouse truck traffic.

4. Moreno Valley elected officials lack the political will to forge a high quality job base for its residents.
    a. MoVal elected officials should be doing the hard work of locating high quality manufacturing jobs in Moreno Valley. Recruit sectors such as renewable energy, pharmaceuticals, engineering, and technology.
    b. Manufacturing jobs generate far more workers per square foot than warehouse and logistics, causing a much more efficient use of Moreno Valley's remaining land.
    c. Moreno Valley elected officials should be looking at the heart of Moreno Valley's employment problem: Failure to competively educate its residents, especially its youth into promising, higher paying, more rewarding and fulfilling, and longer lasting careers. Rather MoVal elected officials are acquiescing to accepting the future fate of its residents as "Logistics and Warehouse" people, creating a permanent employment ghetto for all future generations of its residents.
    d. In John Husing's presentation he pointed out that because of the lower average education level of the Inland Empire in general and Moreno Valley in particular, this was the kind of project that was needed. One basic reason the SF Bay Area is so prosperous is that the average percentage of people with bachelor or higher degrees for all 9 counties is 42% (Go SF!). For the IE, it's 21% and for MoVal, it's 19%. Husing's solution, forget about creating high-end jobs and concentrate on blue collar jobs, such as logistics: In other words, relegate Moreno Valley's future generations to the warehouse ghetto. Moreno Valley officials should be fighting for a "World" education center, not a "World" logistics center.
5. Large Scale Warehouse Development creates permanent visual blight.
6. Inefficient use of last remaining open space in Moreno Valley
    a. Too much land is being used up for too little jobs.
    b. High quality manufacturing creates up to 10 times more jobs per square foot requiring less land for more jobs.
    c. Moreno Valley loses flexibility in planning for alternative land uses in the future
7. Specter of Corruption
    a. There has been much rumor that warehouse developer Iddo Benzeevi, President and Chief Executive Officer of HF Logistics-SKX T1, LLC c/o Highland Fairview Properties, who partnered with Skechers to build Skechers warehouse has made campaign contributions to Moreno Valley Council Members to support warehouse development in East Moreno Valley. Moreno Valley Council Members who have received these types

of contributions should disclose the contributions and recues themselves from voting on the "World" Logistics Center Specific Plan". Let's not have another corrupt city council such as in San Jacinto or Bell.

b. People are questioning who the city council is employed by, its residents, or the developers.

8. Moreno Valley is losing its identity
    a. East end has been named Rancho Bellagio. People will think it's a different community. Could secede from Moreno Valley and form it's own: industrial based community like Industry/Commerce leaving Moreno Valley in the cold.
    b. Moreno Valley has not found anything unique or exceptional about itself Warehousing will only make matters worse. Moreno Valley is not, nor will it continue to be, the only area with "mega" warehouses. Other parts of the I.E. will compete and create even larger warehouses causing Moreno Valley warehouses to be eventually obsolete-and with it-blight which the city will have to pay for curing.
    c. Moreno Valley should use remaining lands to fight for something exceptional and unique. Once warehouses are in, that choice will be gone.
    d. Moreno Valley should also concentrate on its existing development, such as its malls to find uniqueness and cure blight.
9. Motive of developer will always be only profit, not community betterment.
    a. The high paying jobs, so often discussed, have already been paid through the development and construction of the warehouses, via the construction loans. Once the "tilt-ups" are in, the construction force is gone, on to the next vacant parcel, leaving the remaining warehouse-worker jobs which pay less and are less skilled. Consequently there is no sustainable high quality workforce.
    b. Iddo Benzeevi, is essentially a landlord. He will make tens of millions of dollars from ground/warehouse rents. NONE of his profits go back to the warehouse labor force. In contrast, if a manufacturing company locates in Moreno Valley, profits are shared by, not only management, but also by the labor force.
10. Moreno Valley has always underestimated the value of its land.
    a. Since the first housing tracts in the late 1970's, housing and other developers came to Moreno Valley for one reason: the land was cheap. That mindset holds true today. The single most important reason Iddo Benzeevi has located in Moreno Valley is that his big-box concept can be built most profitably because it's on the cheapest land in the area. He's not locating to the west towards the ports because the land is too

expensive for a big-box warehouse. Trust me if the land westerly was comparably priced, Benzeevi would jump at it and not locate in MoVal. So let's not forget his motives.

b. Moreno Valley elected officials should be jealously guarding its remaining open-space for the most exceptional, longest lasting use. Moreno Valley officials are stewards for the community. They have to thinking of what the city will look like-be like, for their grandchildren. There is only so much land left. Its priceless.

Sincerely
Ron Roy

Concerned Citizen.

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

Transportation Department

Juan C. Perez, P.E., T.E.
Director of Transportation

May 1, 2012

Mr. John C. Terell, AICP
City of Moreno Valley
Community & Economic Development Department
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805

RE: World Logistics Center Specific Plan

Dear Mr. Terell:

Thank you for providing the County of Riverside the opportunity to review and comment on the World Logistics Center Specific Plan in the City of Moreno Valley (Project).

The proposed industrial land uses will lead to significant increases in traffic volumes in the area. The Riverside County Transportation Department (RCTD) requests that the traffic study for the proposed development address potential impacts and mitigation measures on any County roadways in the area included in the County General Plan on which 50 or more project peak hour trips are added. Necessary improvements to mitigate project impacts should be identified, and responsibility for the needed improvements should be designated. The traffic study should include a truck study and identify impacts from heavy vehicles as well on Gilman Springs Road, Bridge Street, and Ramona Expressway at a minimum. We request that the Riverside County Traffic Study Guidelines be followed for analysis of facilities within Riverside County. If a modeling process is to be used for the traffic analysis, model inputs and assumptions shall be thoroughly documented.

RCTD would like to meet with the City and project proponent to coordinate and address any potential issues of concern.

RCTD requests to be included on the public distribution list for any material related to the project. Please send the material to Farah Khorashadi at 4080 Lemon Street, 8th Floor, Riverside, CA 92501.

3525 14TH Street · Riverside, CA 92501 · (951) 955-6800
P.O. Box 1090 · Riverside, CA 92502-1090 · FAX (951) 955-3164

Thank you again for the opportunity to review the project. We look forward to receiving the EIR and the traffic analysis for the development. The County contact person is Farah Khorashadi and can be reached at (951) 955-2091.

Sincerely,

Juan C. Perez
Director

FK:JCP:rg

cc: Patricia Romo, Deputy Director of Transportation
Farah Khorashadi, Engineering Division Manager

Susan C Gilchrist
29163 Highland Boulevard
Moreno Valley, CA 92555
March 26, 2012

City of Moreno Valley
Community and Economic Development Departnebt
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552
John C. Terell, Planning Official

RE: Notice of Preparation of a Draft Environmental Impact Report-World Logistics Center Specific Plan

John C. Terell,

As a member of the citizen organization, Residents for a Livable Moreno Valley, I would like to express my dismay at the development of a logistics center in the eastern portion of Moreno Valley. This is in direct conflict with the General Plan and will impact the City both in future employment opportunities as well as lowering the projected income level of the City. Low paying jobs will not bring prosperity to our City and will result in more traffic than the original General Plan. Moreno Highlands with the 7700 homes proposed was not a satisfactory land use and certainly should not be compared with warehousing. The statement that warehousing will bring reduced traffic is based on the Moreno Highlands Specific Plan and that plan was unsatisfactory. There needs to be a variety of housing (rural and urban) and a variety of employment opportunities in the City. Just a quick glance at the City of Mira Loma and the City of Jurupa Valley will indicate the future of Moreno Valley and raises the question “Is this what the residents want?”.
The warehouse center is adjacent to both Lake Perris SRA and the San Jacinto Wildlife Area. Both are unique in their concern for open space and wildlife conservation. Warehousing is not compatible with rural development and wildlife.

1. Will the EIR provide a true environmental baseline or will the land be scraped and degraded before the study is done?
2. Will both plant and animal surveys be done by the Fish and Game as well as by the State at Lake Perris?
3. Will run off from the warehousing go into the San Jacinto Wildlife Area and will underground pollution reach the SJWA?
4. Will lighting from the project interfere with migratory patterns of waterfowl?
5. Will substantial buffering be provided by the project with sufficient distance between the project and the boundaries of both the Lake Perris SRA and the SJWA?
6. Will the noise of truck traffic during non peak commuting hours (night) have a positive effect the behavior of animals in the open space areas?
7. Will the odor of diesel and the particulate matter produced have a positive effect on the nesting behavior and breeding behaviors of native animals?

8. What effect will the possibility of excessive runoff have on the Villages of Lakeview to the south?
9. Will the warehousing displace proposed housing and if so, where will the increased density be planned?
10. Will the project improve the view of Moreno Valley as seen by residents of Moreno Valley Ranch?
11. Will the warehousing and the additional traffic improve the air quality of the Moreno Valley/Hemet/Lakeview valley?
12. How does the warehouse project meet the long range Riverside County Transportation plans?
13. What is the projected date for Caltrans adding additional lanes to SR 60 through the Badlands?
14. Why is a request for a land use designation change being proposed when Beaumont has a better warehouse project plan east of the Badlands and along the I-10 freeway?
15. Why is a request for a land use designation change being proposed when current warehouse sites have access to I-215 which is designed to handle the traffic?
16. Will Caltrans propose a westbound truck lane on SR 60 and when will it be built?
17. Why is Redlands north of SR 60 a truck route when it passes through State park land and is a 2 lane route? Will truck traffic from the warehouse complex be restricted from using this route?
18. Will the warehousing be serviced by Edison or by the Moreno Valley Utility?
19. Will solar panels be installed on all facilities and excess power be put into the MVU grid?
20. How will Moreno Valley escape the reputation of being a “one business” City if we have a total of 50 million (or more) square feet of warehousing….and nothing else?
21. How will the City of Moreno Valley refute the reputation of a place where we make folks sick (warehousing) and then treat them (hospitals)? You must admit the hypocrisy here…
22. What is the projected ratio of employees per square foot of warehouse? Skechers is 1860000 sq ft with 600 employees. One worker for 3,100 sq feet of building. This is an unsatisfactory ratio especially when considering alternative job opportunities that will be lost.
23. Will a truck stop with overnight and refueling capabilities be added to this project?
24. Will there be open space paseos and trails throughout the project?
25. Will the building setbacks be sufficient to provide a business park atmosphere?

Sincerely,

Susan C. Gilchrist
Residents for a Livable Moreno Valley, member

RECEIVED
MAR 26 2012
CITY OF MORENO VALLEY
Planning Division

City of Moreno Valley
Community & Economic Development Department

14177 Frederick St.

Moreno Valley, CA 92552

Attn: John Terell

RE: World Logistics Center Specific Plan

Dear Mr. Terell

My name is Scott Thompson. I live at 13258 Canterbury Downs Way in Moreno Valley. I am writing in response to the notice that was sent to our home regarding this project.

I wanted to provide you with my view of the environmental impact this project may create.

Here is a list of the issues I see.

Water Consumption – Where will the water come from?

Aesthetics – I live directly across from the proposed development and it will total destroy the scenic views that I enjoy. I bought this house in this location because of it.

Culture – This community I live in is "horse property". Our developer spent money to put in trails for horses. I pay taxes and HOA fees to maintain them. This project would eliminate that culture.

Noise – We will have increased noise. Already I can hear the Trucks at Sketchers. How much more when we add 41M sq ft of logistics/warehouse space.

Air quality – The air quality in the east side of Moreno Valley will decline. Currently, the eastside of town has the best air quality. That will change from the trucks idling and passing through the World Logistic Center.

Lighting – Wow! Sketcher's already lights up the neighborhood. We will be glowing on the east end. The illumination from all the buildings and parking lots will definitely have a negative impact on the environment.

Recreation – This area is currently horse property or Ranch property. Many of the homes have large lots to accommodate horses and other animals. The projected development will removes this type of activity.

Bird/Animal Sanctuary – Currently, I know of a hawk family that lives and feeds in the area. There are many other types of birds and small animals that live and reside in these fields. Where will they go if the project is approved?

Economic – Obviously, property values for homes in the area will drop when these monstrous buildings are erected.

This is small list and basically the tip of the iceberg. I am sure there are other significant things that will come up as more environmental studies are done.

I want to add that this project is a detriment to those living in the surrounding area. I oppose this project. The thought of this type of development near my home makes me sick. This area was never planned for this type of project. I bought here because of the openness of the land. I reviewed the current plan and land use of the undeveloped areas and I was excited to see that it would be a great area for my daughter to grow up.

Thank you for your time and I hope that my letter and the letters of others will provide enough information to deny the project.

Best regards,

Scott Thompson

13258 Canterbury Downs Way

Moreno Valley, CA 92555

951-742-8075

Scott0282003@yahoo.com

RECEIVED
MAR 26 2012
CITY OF MORENO VALLEY
Planning Division

San Jacinto Valley Wetlands Foundation

Dedicated to preserving, restoring and maintaining the San Jacinto Valley

March 19, 2012

Re: Preparation of Draft Environmental Impact Report for the World Logistics Center Specific Plan

John Terell, Planning Official
City of Moreno Valley
Community and Economic Development Department
14177 Fredrick Street
PO Box 88005
Moreno Valley, CA 92552

Dear Mr. Terell:

The San Jacinto Valley Wetlands Foundation is a private, philanthropic organization involved in creation, management and maintenance of wetlands in the San Jacinto Valley. The majority of our contributors own land adjacent to the San Jacinto Wildlife Area.

I would like to request that the Environmental Impact Report for the World Logistics Center include the following items:

An analysis of the amount of increase in ambient nocturnal light and its potential effects on the San Jacinto Wildlife Area.

The effect of the increase in diesel emissions on the San Jacinto Wildlife Area.

The effect of increased noise and disturbance on the San Jacinto Wildlife Area.

An independent, detailed assessment of traffic impact on highway 60, highway 215 and Gilman Springs Road.

An analysis of how waste water runoff will be handled.

San Jacinto Valley Wetlands Foundation
6841 Livingston Drive, Huntington Beach, CA 92648 714-421-3476 fax 714-596-5669

What affect this project might have on the ground water and underlying aquifer.

An assessment of overall water use for the project.

What impact will the project have on the Riverside County Multi-Species Habitat Conservation Plan.

Please put me on your mailing and e-mailing list for any notices, meetings or information regarding this project. My e-mail is drmarshall@hbomfs.com.

Yours truly,

Michael W. Marshall, D.D.S.
President and founder, San Jacinto Valley Wetlands Foundation

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

March 23, 2012

John C. Terell, AICP
City of Moreno Valley
Community & Economic Development Department
Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Notice of Preparation of a CEQA Document for the
World Logistics Center Specific Plan

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft CEQA document. Please send the SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. The lead agency may wish to consider using land use emissions estimating software such as the recently released CalEEMod. This model is available on the SCAQMD Website at: http://www.aqmd.gov/ceqa/models.html.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has developed a methodology for calculating PM2.5 emissions from construction and operational activities and processes. In connection with developing PM2.5 calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM2.5 emissions and compare the results to the recommended PM2.5 significance thresholds. Guidance for calculating PM2.5 emissions and PM2.5 significance thresholds can be found at the following internet address: http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at http://www.aqmd.gov/ceqa/handbook/LST/LST.html.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: http://www.aqmd.gov/prdas/aqguide/aqguide.html. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: http://www.arb.ca.gov/ch/handbook.pdf. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Project Specific Comments

The proposed project could attract a substantial number of new heavy duty trucks into the city of Moreno Valley based on the amount of new warehousing described in the NOP. As heavy duty trucks are traditionally powered by diesel technologies, the potential regional and local air quality impacts must be addressed at this early planning stage. This planning document provides a unique opportunity to provide project-specific design features or mitigation that will help the region achieve its attainment goals, and will minimize potential impacts on local residents. AQMD staff encourages the lead agency to minimize the exposure of sensitive receptors from diesel trucking activity associated with this proposed project, including loading docks and truck routes. Further, if this project is built out, the lead agency should ensure that new sensitive land uses (such as residences, schools, etc.) maintain this reduced exposure.

AQMD staff encourages the lead agency to consider the measures listed in the Western Riverside Council of Government's Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities to reduce potential impacts on local residents. Examples of these measures include ensuring adequate buffers are provided between trucking activity (at dock, and on road) and sensitive receptors, and providing nearby services for truckers to eliminate their need to drive through local neighborhoods. In addition, the lead agency should consider how cleaner trucking technologies can be feasibly implemented in the shortest timeframe possible. For example, the Draft 2012 Regional Transportation Plan includes a zero or near zero emission freight corridor located along the SR-60 freeway with an eastern terminus at the I-15 interchange. As many of the trucks serving this project are likely to travel along this corridor, the Draft EIR should include a description of how the project will facilitate the use of zero/near-zero emission technologies between the I-15/SR-60 interchange and the warehouses located within the project site. Lastly, given the large amount of square footage this project dedicates to new warehouse buildings, the lead agency should consider requiring that a substantial proportion of the roof space be dedicated to solar panels to reduce the emissions

impact of fossil fuel based electricity generation technologies. AQMD staff is available to work with the lead agency and the project proponent to identify project specific measures that will minimize potential air quality impacts.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (http://www.aqmd.gov).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. If you have any questions regarding this letter, please call Ian MacMillan, Program Supervisor, CEQA Section, at (909) 396-3244.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

IM
SBC120223-01
Control Number

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 1, 2012 May 1, 2012
johnt@moval.org

Mr. John Terell
Planning Department
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Review of the Draft Specific Plan for the Proposed World Logistics Center Project

The South Coast Air Quality Management District (AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are intended to provide guidance to the lead agency and should be considered prior to approving the Final Specific Plan.

The Draft Specific Plan includes various design and infrastructure guidelines for the proposed 2,684 acre World Logistics Center project. This development will include up to 41.6 million square feet of new high cube warehousing. There are a number of references to sustainable design in the Draft Specific Plan; however there is no mention of how the project would impact air quality. Because this goods movement project will utilize a substantial number of trucks, there is the potential for significant regional and local air quality impacts from truck emissions.

While the project-specific air quality analysis has not been provided to our agency with the Draft Specific Plan (SP), there are a number of features in the Draft SP that may affect air quality that warrant comments at this early planning stage. For example, the Draft SP already has specified buffer zones between trucking activities and homes before presenting an air quality analysis demonstrating that the setback appropriately protects public health. Further, the Draft SP contains no discussion of alternative fueling infrastructure for trucks (such as natural gas or electricity), or onsite renewable power generation. Lastly, specific requirements could be added to the Draft SP that will help minimize any potential air quality impacts such as support services for truckers and limits on trucking activity that coincide with the EIR analysis. Details regarding these comments are attached below. AQMD staff recommends that the lead agency consider the attached comments and incorporate them as appropriate into the Specific Plan and the Environmental Impact Report.

Please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final Specific Plan. Further, staff is available to work with the lead agency to

address these issues and any other questions that may arise. Should you have any questions regarding these comments, please contact me at (909) 396-3244.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

RVC120413-10
Control Number

1) Buffer Zones Between Trucking Areas and Homes

Based on a review of the Draft Specific Plan (e.g., Street Sections B, C, and E), it appears that areas with heavy duty diesel trucking activity (such as roadways and loading dock areas) may be planned as close as approximately 250 feet from homes. In addition, Sections 8 and 9 of the Draft Specific Plan describe setback distances between buildings and residences or streets, but do not include specific setbacks from areas of diesel trucking activity. According to the California Air Resources Board guidance[1], without more project-specific information, sensitive land uses such as homes should maintain a buffer zone of up to 1,000 feet from distribution centers with more than 100 trucks per day or 40 trucks per day with operating diesel transportation refrigeration units. AQMD staff recommends that an air quality Health Risk Assessment (HRA) be prepared that analyzes the cumulative impact of all approved and proposed warehouses in the vicinity before determining the appropriate buffer zone distances. Further, setback distances should be specified between areas of diesel trucking activity and sensitive land uses.

2) Alternative Fueling/Energy Infrastructure

The Draft Specific Plan contains some details regarding utility infrastructure such as natural gas lines and electrical infrastructure. Because this logistics center is proposed to be a major new destination and/or origin of goods movement in the region, AQMD staff encourages the lead agency to begin planning now for alternative fueling infrastructure for the trucks serving this development. This could include natural gas fueling infrastructure and/or electrical charging infrastructure. As an example, the 2012 Regional Transportation Plan includes a proposal for a zero or near zero emissions freight corridor parallel to State Route 60 between I-710 and I-15. As many of the trucks serving the proposed project will likely use this route, there should be infrastructure in place onsite that will help facilitate these alternatively fueled trucks. AQMD staff recommends that the Specific Plan include requirements that infrastructure for alternative fueling be provided at project start up.

Further, the Draft Specific Plan estimates that the development may need up to 147 MW of electrical demand. In order to reduce the demand on local power generating stations (that have emissions of air pollution), the project should require that the abundant roof space of these high cube warehouses be used for solar energy generation such as photovoltaic panels. Lastly, the Draft Specific Plan should require that any facilities served by trucks with transportation refrigeration units (TRUs) include electrical infrastructure so that the TRUs can plug in and run off of electrical power instead of diesel while at the facility. The estimated electrical usage value of 147 MW should also be reviewed to determine if more is needed to serve electric TRU's and electric trucks.

3) Truck Trip Rates

In order to ensure that the Environmental Impact Report (EIR) prepared for this project does not underestimate air quality impacts, the lead agency should put a requirement in the Specific Plan that places a limit on the number of trucks that serve the project site at a plan level to not exceed what is analyzed in the EIR.

---

[1] *Air Quality and Land Use Handbook: A Community Health Perspective*, available here: http://www.arb.ca.gov/ch/handbook.pdf

4) Trucking Industry Support Services

The proposed project includes only two land use designations for the logistics portion of the project including a Logistics Development category and a Light Logistics category. Neither of these land use categories permits any support services for the trucking industry such as food, fueling, lodging, truck repair, etc. Consistent with the Western Riverside Council of Governments guidance[2], AQMD staff recommends that the lead agency provide these kinds of services onsite in order to reduce the amount of trucking activity (with its associated emissions) outside of the project site.

[2] *Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities*
Available here: http://www.wrcog.cog.ca.us/downloads/Good+Neighbor+Policies+Final-091205.pdf

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): JAEGER P. JONES Phone: 951-634-8252

Address (Required): 23941 LEMON AV. PERRIS. E-Mail: JJONES@MILLER-JONES.COM

***Note: Your name and contact information will become part of the public record for this project.**

[X] Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date:

HIGHLAND FAIRVIEW - HAS PROVEN WITH SKETCHERS THEY HAVE THE BEST IN MIND FOR OUR COMMUNITY - THE BUILDING IS VERY GREEN & HAS ADDED HIGH PAYING JOBS FOR US.

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): Sandra Williams Phone: 951-485-2285

Address (Required): 27756 Lafayette Way E-Mail: sanw.williams@ph.la.county.gov

Moreno Valley, CA. 92555

*Note: Your name and contact information will become part of the public record for this project.

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Date: 3-12-12

Please provide your comments below:

Having heard the comments at tonights meeting I am shocked and concerned about the proposed project.

Have other, less polluting projects been considered to bring jobs into the city. If so, what were the alternatives and outcomes for job creation and environmental impact.

I do not think the city should only utilize building warehouses as the only option to create jobs. What is, or has been done to research "other" options to create jobs in the city? Please update me on "all" ways, notice publications, etc. related to this project.

Thank you

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): Amber* Reilly Phone: (951) 452-9107

Address (Required): 29105 Arcoburnaro BLVD. E-Mail: deegunlk@live.com

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Date: 3/12/12

Please provide your comments below:

I, Amber Reilly am concerned with the environmental impact this project will have on the surrounding environment. I am a homeowner with two small children, and am concerned with the pollution that will accumulate around and in the developed mountains. The way that they are actually erect, will collect emissions from the factory & trucks. I have two owls living in my tree with nest, and will cause harm to them & my kids. Along with that the traffic coming & going will have hazardous concern on myself and overall children. I moved out that way for the scenery and clean air, and less population and congestion. Thank you.

Amber Reilly

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project. A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): Peggy Hadaway Phone: (951) 601-2093

Address (Required): 12255 Cocopah Court Moreno Valley 92557 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12 Mar 2012

(1) I am especially concerned about adding more pollution, especially to the air quality (2) I am also concerned about the true number of permanent jobs this project will bring to this town and (3) whether such as massive building is justified considering items 1 and 2 above.

(4) Due consideration is needed to bringing in alternative businesses to Moreno Valley in stead of this one project.

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): George B. Hague Sierra Club Phone:

Address (Required): 26711 Ironwood Ave 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below: Page 1

Date: 3-12-2012

DEIR must include viable alternatives which lessen the impacts to SR 60

What are going to be the transitional uses within the projects' boundry to avoid impacts to adjoining land owners.

Project ~~alternatives~~ objectives need to be

What is the definition of High-cube that is going

This Scoping Plan is premature without a specific Plan therefore ~~the Sierra Club believes this process needs to start again with the specific in the hands of the Public.~~

Does the developer control all the lands within the boundary the DEIR needs to show which lands are not controled.

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): George B. Hague Sierra Club Phone: _____

Address (Required): 26711 Ironwood Ave 92555 E-Mail: _____

***Note: Your name and contact information will become part of the public record for this project.**

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below: Page 2

Date: 3-12-2012

Will there be full blown truck stop. If there is what will be the social & environment impact.

What Level of LEED will the building qualify

The project will displace (not replace) 7,700 units. the city must include these 7,700 units in the traffic analysis — or the DEIR must be included.

What will be the buffer with the San Jacinto Wildlife Area

The DEIR will be inadequate unless the diesel toxic particulant pollution as well as diesel vapors are thoroughly analyzed.

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): ARTURO R. BENITEZ Phone: (909) 732-5294

Address (Required): 26156 CORONADA DR E-Mail: NONE

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 03-13-12

I HAVE LIVED IN M.V. SINCE 1985 AND HAVE SEEN THE CHANGES AFFECTING OUR CITY. MANY CHANGES HAVE BEEN POSITIVE, BUT THERE ARE MANY CHANGES THAT HAVE CAUSED A LOT OF DAMAGES AND LOSSES TO US THE TAXPAYERS RESIDENTS OF M.V.

I ATTENDED THE MEETING YESTERDAY, BUT DID NOT WALK TO THE MICROPHONE TO PUT IN MY 5¢ BUT NEXT MEETING, WHEN HOPEFULLY WE ARE PROVIDED WITH DETAILED PROJECT INFO. AND THE BOUNDARIES THAT THE PROJECT WILL AFFECT I WILL PARTICIPATE WITH MY OPINION.

ONE THING YOU "MUST" DO IS TO BE VERY TRANSPARENT AND PUBLISH ("PRESS ENTERPRISE"?) EVERYTHING SO THAT ALL OF M.V. HAS KNOWLEDGE OF ALL FACETS ON THIS PROJECT.

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

RECEIVED
MAR 14 2012
CITY OF MORENO VALLEY
Planning Division

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): CHARLES ROBINSON Phone: 714-328-5134

Address (Required): 27773 Auburn Ln., MOVAL 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 3-15-2012

I DID ATTEND YOUR MEETING 3-12-12 AT MOVAL CITY HALL. AS A RELATIVELY NEW HOMEOWNER IN 92555 AREA, WE ARE LEARNING MORE ABOUT THE CITY & YOUR HOLDINGS (PROPERTY). IT IS VERY GOOD YOU ARE DEVELOPING BUSINESS INTEREST IN YOUR HOME & CITY OF MOVAL. HOWEVER, WITH THE CITY HAVING MINIMUM LEAVERAGE IN MAKING DECISIONS WITH THE PROJECT, A PERSON LIKE YOU SHOULD NOT ONLY CONSIDER YOUR PERSONAL INTEREST, BUT SHOULD CONSIDER CITY INTEREST TOO. IT WOULD BE VERY CONSIDERATE OF YOU WHILE NEGOTIATING THESE CONTRACTS BETWEEN YOU (AS DEVELOPER) AND COMPANIES OF NEW LOGISTICS CENTER TO INCLUDE PROVISIONS TO HIRE LOCAL CITY MEMBERS IN THE DEVELOPMENT PROCESS & FULL TIME WORKING WITH COMPANIES COMING IN. THIS EFFORT ON YOUR PART WOULD DEFINETELY BOOST YOUR CREDIBILITY & RESPECT WITH COMMUNITY & CITY GOVERNMENT OF MOVAL.

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

RECEIVED
MAR 19 2012
CITY OF MORENO VALLEY
Planning Division

MAR 15 2012

March 13, 2012

City of Moreno Valley

Community & Economic Development Department

14177 Fredrick Street

PO Box 88005

Moreno Valley, CA 92552

RECEIVED
MAR 1 5 2012
CITY OF MORENO VALLEY
Planning Division

Ref: World Logistics Center Specific Plan (Notice of Preparation of a Draft Environmental Impact Report)

I own the residence at 14670 Gilman Springs Road in the unincorporated portion of Riverside County. The project proposes to annex 85 acres between Alessandro Blvd and Gilman Springs Road which is directly in front of my property. I believe there is an error on your proposal as the parcel may only encompass 75 acres. I have several concerns with the proposal as outlined below.

1. Gilman Springs Road is already impacted way beyond its design and Moreno Valley does not adequately maintain the roadway surface of Gilman Springs Road and Alessandro within its city boundaries. With the proposed annexation out to Alessandro then I fear additional and continued neglect to both of these roadways.
2. Gilman Springs Road and Alessandro Boulevards intersect at a 45 degree angle that is currently both dangerous and hard to maneuver. The continuation of this intersection as it now stands would be even worse with heavy truck traffic due to the proposed change in the Specific Plan.
    a. Suggestion: If this project does go forward the intersection of Alessandro and Gilman Springs should be at a 90 degree angle. This should be done west of the 16 inch high pressure gas line owned by Quest Star Pipeline. This intersection should be signalized and not controlled with just stop signs as this will prohibit me from entering or exiting my property due to a steady stream of traffic with no breaks. This new intersection could align with the unimproved dirt road used by Quest star, Southern Cal Gas and County Fire.
    b. Gilman Springs and Alessandro should both be 6 lanes at this intersection plus additional right and left turn lanes with adequate stacking space for trucks so that they don't block traffic.
    c. There should be a turn median in front of my property so that I can enter and exit safely with my truck and trailer.
3. I have a serious concern about the truck traffic impacts on Gilman Springs Road State Route 60 and the inadequate freeway interchanges and overpasses. My guess is that at least 70% of the residences of Moreno Valley use Route 60 and the rest use either I-215 or local streets to leave and enter Moreno Valley. Given that this is a State Route and not an Interstate Freeway; federal funds are not as readily available for both expansion and maintenance. The reason the City of

Moreno Valley designated the southern portion for Industrial development was because of the large freeway intersections and on ramps along I-215. To continue to expand with large industrial logistic warehouses along State Route 60 is foolish. Theodore Street overpass is already at a crawl going north due to the trucks accessing the County Dump. They travel at about 5 miles per hours over the bridge while fully loaded. Again this bridge roadway is not maintained and his heavily rutted and poorly maintained.

4. Lack of adequate bridges and interchanges from north to south over State Route 60. There is not one overpass along State Route 60 that is more than a signal lane in either direction. Most don't have adequate sidewalks for pedestrians or bicyclists and the lanes are also very narrow. This is exasperated by the fact that there are no public schools north of the freeway east of Lassalle nor are there any emergency services such as fire stations or hospitals. There are also no proposed non interchange bridges connecting the north and south side of the freeway. Direct north south bridges would not be impacted the way interchange bridges would be. School buses would also be impacted by this proposed scope change.
5. This is an issue of "Environmental Justice" when the residences of the northeast end of the city are effectively blocked off from access to schools, medical attention, police services and grocery stores if the bridges are so impacted that it would take 20 minutes to just cross over the freeway to get basic services. This is already becoming a problem without the proposed increase in truck traffic. Note: Tractor Trailer rigs acceleration times from dead stops restrict the smooth flow of traffic much more than automobiles.
6. If you don't believe this bridge overpass congestion is possible just take a look at Fontana along I-10 where they have dealt with this for years and years before now replacing every bridge (again I-10 is an interstate not a State Route so it gets priority when it comes to Federal funding). RCTC, Caltrans and SCAG do not have the bridges or freeway widening anywhere on their list of future projects, thus there is no money for years and years to build these even if they were place on the list this year.
7. The study also needs to take into consideration the proposed industrial developments in Beaumont and Banning that will also impact Route 60. What about cumulative effects?
8. Any development changes in the proposed Specific Plan should reflect local streets that are adequate for handling heavy truck traffic such as have been done in Ontario and most recently in Redlands and San Bernardino's newer industrial parks where the roads are at least 3 lanes in each direction with open medians and lanes of at least 11 -12 feet wide. The roadway in front of the Skechers does not offer this and thus is not a good example model.

Respectfully submitted,

Duncan Bush 951-333-3540 cell

14670 Gilman Springs Road

Moreno Valley, CA 92555

MORENO VALLEY GROUP

PO BOX 1325, Moreno Valley, CA 92556-1325
Email address movalleygroup@yahoo.com Fax 951-924-4185

Regional Group of the San Gorgonio Chapter serving Moreno Valley

John Terell
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

March 26, 2012

Dear Mr. Terell:

Re: Notice of Preparation (NOP) for the Logistic Center (WLC)

The Sierra Club appreciates this opportunity to comment on this NOP. We have several concerns and questions we want addressed in the Draft Environmental Impact Report (DEIR), but probably most of our concerns are about Global Warming, Climate Change, Greenhouse Gas Pollution and Air Pollutant emissions. These concerns can be read below and we expect this project to do everything possible to eliminate and mitigate these problems in our non-attainment area.

During attendance at the NOP meeting, the Sierra Club realized that more needed to be done. The Skechers NOP meeting also had more than 30 in attendance, and this project is just as divisive. You had less than a dozen NOP handouts. When you were notified that significantly more were needed, they were not forthcoming. Therefore, at least 80% of those in attendance did not have what little information you provided during the meeting. Arriving early, I was able to obtain one of the few documents, and on the backside of the cover page, it reads "at this meeting, agencies, organizations, and members of the public will be provided a brief presentation on the project and will be able to review the proposed project …" Most people were not able to review the project, and I would be surprised if all had access to a computer or even know the NOP document was available somewhere online.

Environmental justice requires informed "public participation." What is described above does not qualify. Moreno Valley's population is more than 54% persons of Latino/Hispanic origin, according to the 2010 census. How can you truly have public participation without all documents related to the World Logistic Center (WLC) available in both English and Spanish? The same is true for all meetings. There must be enough headsets and interpreters for everyone to know what is said by everyone else at all meetings related to the WLC. In the Kettleman City case, the California Superior Court ruled that "meaningful involvement in the CEQA process was effectively precluded by the absence of Spanish translations."

The Sierra Club strongly recommends that you begin the NOP process anew because the City's failure to translate crucial documents and meetings has effectively excluded many residents from exercising their statutory right to participate in the decision-making process. The Sierra Club also expects all documents related to the WLC to avoid highly technical language and to make them comprehensible to the average Moreno Valley resident.

The Sierra Club also believes the NOP document provided to the public did not provide enough information and was misleading. The information does not "provide sufficient information describing the project and the potential environmental effects to enable responsible agencies to make a meaningful response. At a minimum, the information shall include: (c) Probable environmental effects of the project." (CA Code of Regulation EIR Process Section 15082)

The NOP the City provided does not address potential environmental impacts or even an easily understood location and number of homes that will be impacted. Your map of open space is misleading. The maps on Pages 5 and 6, as well as Page 7, give the impression that existing Department of Fish and Game (DFG) lands, as well as those of San Diego Gas & Electric, are part of the project and, therefore, the project description is not accurate for NOP commenters. Those DFG lands are part of the San Jacinto Wildlife Area (SJWA), which is a cornerstone of the Riverside County Multi-Species Plan, and the NOP fails to mention any potential environmental impacts to these significant lands for the NOP commenters. Potential impacts to our two-lane SR 60 should have been mentioned, similar to the concerns expressed by the executive director of the Southern California Association of Governments: " 'You are talking about a huge amount of warehousing, and you don't have the infrastructure to support that,' Ikhrata said." (Press-Enterprise, 3-10-2012)

For all of the above reasons, the Sierra Club strongly believes that the WLC NOP process needs to be improved, then recirculated to all agencies and organizations, as well as to members of the public. We also believe that for such a large and regionally significant project that all interested parties need more than 30 days.

The WLC is displacing – not replacing – 7,300 to 7,800 housing units that were part of the 20-year-old un-built Moreno Highlands project and are still shown on the Moreno Valley General Plan as part of our fair share of the region's housing stock. The DEIR and any General Plan amendments for the project must show the alternative placement for these houses in Moreno Valley. The DEIR must include these displaced units in the air quality and traffic analyses as well as all other impacts analyzed, or the document will be inadequate.

The analysis of the WLC's impacts to SR 60 must go well beyond the city limits of Moreno Valley. They must include the interchanges with the I-10, I-215, and SR 91, as well as all of SR 60 between those locations. The DEIR must show where all bottlenecks exist along SR 60, such as that at the I-215 interchange and west of the SR 60/SR 91/I-215 interchange to the Santa Ana River, as well as the SR 60 east of Redlands Blvd. to the city of Banning. The DEIR must list all of the physical impediments to the widening of SR 60 to its ultimate width between the Santa Ana River and the city of Banning, as well as indicating which ones will not be eliminated as impediments within 5, 10 and 15 years, or the traffic analysis will be inadequate. The Level of Service needs to be shown at each of the impediments during the years listed above, as well as at the WLC's build-out. What will be the background traffic during each of the above calculations?

The DEIR must have a traffic analysis of Moreno Valley's city streets and, probably, those of neighboring cities where there is a blockage on SR 60 at any point between the Santa Ana River and the city of Banning. The traffic analysis needs to show what happens at each off-ramp/city streets between these two points where a semi-truck caused a freeway-closing accident, or the DEIR will be inadequate. Gilman Springs Road is a two-lane death trap. What improvements will be made to this road to make it safer? Redlands Blvd and the San Timoteo Canyon roads are no better. Since these dangerous roadways are the alternative routes when SR 60 is closed in the Badlands, what will be done to more safely allow the many thousands of trucks the WLC will

attract to use these winding two-lane roads that are popular with commuters. Since the majority of warehouses have peak times during the year—such as getting ready for the opening of schools and the holiday season—the traffic analysis as well as all others such Air Quality/ Greenhouse Gas must show the worst case scenario possible.

The DEIR must include those projects that will add to the cumulative impacts of the WLC. This must include not only the projects approved but not yet built, but also those that are in the pipeline but not yet approved. These projects cannot be limited to ones within Moreno Valley but must include all those in neighboring communities/lands that will impact the same road systems and air quality that the WLC will impact, or the DEIR will be inadequate.

The WLC will have significant impacts to the San Jacinto Wildlife Area (SJWA) and all of its wonderful resources. The DEIR must show what type of buffer the WLC will provide to protect the SJWA's resources. There are several threatened/endangered species at the SJWA, as well as others that fall under the protection of Western Riverside County's Multi-Species Habitat Conservation Plan (MSHCP) – both plants and animals. The toxic diesel emissions will float above the SJWA and settle on the habitat, plants, animals and ponds. The DEIR will be inadequate if it does not explain the impacts of these toxic emissions on the habitat, plants, animals and water resources of the SJWA, private hunting clubs, and the Lake Perris SRA over at least a ten-year period. Because environmental stresses impact each species in a different way, the DEIR must explain how toxic diesel emissions and other environmental stressors such as light and noise impact each of the species covered by the MSHCP as well as the Stephens Kangaroo Rat, on the SJWA, private hunting club lands, and the Lake Perris SRA over at least a ten-year period. How will public and private hunting resources be impacted by the toxic diesel emissions, run-off, lights and noise?

The DEIR must show all county and city trails within five miles of the WLC and how the project will facilitate their interconnection as well as where it will cause a breakage in the trail system. How will the project accommodate public transit and make sure the proper decision makers provide it for this area of the city? This is a major requirement to gain points under LEED certification, and the WLC must make sure that the workers have easy access to this form of transportation. Bike trails also need to be totally integrated into the WLC's Specific Plan. They should be Class 1 bike paths to protect the riders from the 18-wheelers. They should also be integrated into any regional plans as well as a slowly improving City plan.

Since building near sensitive receptors is considered unacceptable because of the toxic diesel emissions, the DEIR must analyze the health impacts on the well-being of warehouse workers within the WLC Specific Plan.

The DEIR needs to show how building all warehouses to each level of LEED certification (certified through Platinum) reduces both the short-term and long-term environmental impacts of the project. The DEIR also needs to give a definition of "modern high-cube logistics facilities" to be used throughout the Specific Plan. When you explain or show the number of acres set aside for jobs on behalf of Moreno Valley residents, you must include our fair share of the March Inland Port acres or your data will not be valid. Any economic analysis must include the efforts which "are underway to establish mega-warehouse complexes off Interstate 15 in the Adelanto and Barstow areas in San Bernardino County." (Press-Enterprise 3-10-12) The cost of improving the infrastructure to an acceptable Level of Service for the public needs to be factored into the same economic analysis. " A new railroad spur might have to be built, or Highway 60 could need a new lane in each direction on the 17-mile stretch between Interstate 215 in Riverside and the I-10 in Beaumont, Ikhrata said" (Press-Enterprise 3-10-12) The viability of the

WLC being built needs to analyzed in light of the Panama Canal being widened to allow the shipping of goods directly to the eastern portions of the United States. To combat this, most West Coast ports have banded together with Western railroads to eliminate thousands of trucks from the local goods movement. The Jobs 1st Alliance fears that the ports of Los Angeles and Long Beach could lose as many as 100,000 jobs when the Panama Canal overhaul allows much larger ships to bypass California. " 'Worst case, there could be a 25% diversion from the Los Angeles-Long Beach,' said Paul Bingham, the group's chief economist. 'That's upwards of 3 million cargo containers. That's a lot of dockworkers who don't get work, truckers with less to haul and trains that don't run.' " (Los Angeles Times 12-28-2011) The economic analysis must address the above concerns and how they could easily impact the short-term as well as long-term viability of this project. The Sierra Club will also expect to hear these real concerns addressed during presentations on the WLC.

What are your plans for the homes the WLC has decided to include within their Specific Plan? The Sierra Club believes transitional uses need to be near these and other nearby homes. If the your plan does not show these transitional uses, are we to assume that the City will use eminent domain to acquire lands from unwilling sellers? Will the City use eminent domain in connection with the WLC? Many of these same homes have great views, and their owners need to be able to tell from the DEIR if those views will remain after the build out of the WLC.

With 45-50 million square feet of warehousing in the immediate area, will there be a truck stop planned within the WLC Specific Plan? The social and environmental impacts of a potential truck stop must be analyzed in this DEIR and not later as some planned after-thought.

The DEIR must show how toxic runoff from the project will be handled. The document must first identify what toxic runoff will be expected from 41,600,000 square feet of warehouses and quantify it. The project's lands divide the flow of water with some heading eastward and some within the Specific Plan heading westward. The DEIR needs to explain the problems presented by this as well as the solution. The project needs to show how it plans to deal with the significant flooding in the area and what will happen to those waters. There are places where the ground water is quite shallow and the DEIR needs to show how these large buildings will deal with this problem. The reliance of our area on ground water is becoming more and more evident. What will the project do to avoid decreasing the amount of ground water these acres within the Specific Plan area presently provide? The DEIR needs to explain the net decrease of ground water as a result of the WLC. The Sierra Club expects you to have proof that there will be at least a 20-year supply of water -- after build-out -- without impacting the San Jacinto Wildlife Area.

Your NOP should have mentioned that the consumption of electricity by all these warehouses "would generate air pollutant emissions." During the "Forum" the word "green" was used again and again to describe the WLC. The Sierra Club expects all buildings WLC buildings to match or exceed the Gold LEED certification recently agreed to by the Alessandro Business Center warehouse in the City of Riverside. Through the installation of solar panels and other LEED ideas, you could avoid generating air pollutants with the electricity you consume. The DEIR must also explain what other aspects of the project will be "green" and if they are going to be required or just included to the "greatest extend possible," which mean very little. Agreeing to require that at least 90% of your off-road construction equipment meet Tier III standards would also significantly help our non-attainment city and county. Continuing to pave over prime agricultural lands as well as those of local and state importance must be mitigated. Having locally grown products also cuts down on the climate change problems mentioned above and below. As you know, a developer recently donated $100,000 to the Riverside Land Conservancy

to help mitigate for the loss of agricultural lands. Please consider how your project will seriously mitigate your impacts to agriculture and to raptor foraging. This valley is world renowned for having more than 20 species of raptors.

You should also make sure your parking provides ample reserved spaces for several form of cars using alternative fuels. The parking areas also need to be made of porous material to help with ground water recharge and to lessen run off.

Since some of Moreno Valley's designated truck routes pass by schools and their playgrounds, the Sierra Club expects the NOP to explain what requirements will be placed on the tenants as well as the truckers who will deliver/pickup products for your warehouse to avoid this very toxic situation. How will the WLC increase the toxic level of any school within 1,500 feet of designated truck routes within our City? The project's distance from homes needs to be easily understood as well as all the paths trucks could take to the warehouse. How will you protect the workers from breathing toxic diesel emissions throughout their workday? What equipment, including gardening equipment, will you make sure is electric instead of diesel or gasoline in order to lessen pollution and better protect the workers? The DEIR needs to explain how noise barriers used during the construction and use of the warehouse could lessen impacts identified in the Initial Study. Impacts to our local streets as well as our very crowded freeways need to be explained so the average citizen will understand. The DEIR -- not just appendices -- needs to show the length of trips and the routes the diesel trucks will be taking when driving to and from the warehouse. We need to know the maximum number of trucks that will use these warehouses each workday and not just after the first year, but when the warehouse is being used to its maximum capacity.

The land should not be disked for at least six months prior to doing the Burrowing Owl survey. Otherwise many will believe you are just making it difficult on this special animal as well as making it more likely that it will be listed as endangered. The Sierra Club believes the DEIR will be inadequate unless our concerns and issues found throughout this letter are thoroughly addressed within the DEIR document.

I. THE DEIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

As a potential significant impact, the Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed.

A. THE DEIR MUST ADEQUATELY SET FORTH THE THREAT OF GREENHOUSE GAS POLLUTION AND GLOBAL WARMING

The DEIR should discuss the grave threats posed by global warming to California and the world. Current scientific consensus on climate change has now determined that the link between greenhouse gas emissions and global warming is highly certain. In California, elected leaders, through Executive Order S-03-05 and the California Global Warming Solutions Act of 2006 (AB 32), have also squarely linked greenhouse gases with global warming.

In order to conform to CEQA's informational mandates and properly inform the public and decision makers of the significance of the Project's contribution to greenhouse gases, the DEIR must first adequately discuss the threat posed by greenhouse gas emissions and avoid

minimizing or discounting the severity of global warming's impacts. *See* Guidelines § 15151. *See, e.g., Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* ("Laurel Heights I"), 47 Cal.3d 376, 392 (1988) (EIR is intended "to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action."); Guidelines § 15151 (requiring an EIR be detailed, complete, and reflect a good faith effort at full disclosure). A discussion of global warming impacts need not be lengthy, but should, at a minimum, convey the magnitude of the threat posed by global warming to humans and the environment. For the City's convenience, a scientific background on global warming and the specific threats posed to California is provided below.

i. Scientific Background on Climate Change

There is no longer credible scientific dispute that the climate is warming. In its most recent assessment, the Intergovernmental Panel on Climate Change ("IPCC") concluded that "[w]arming of the climate is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting snow and ice, and rising mean sea level." (IPCC 2007a). Expressed as a global average, surface temperatures have increased by about 0.74°C over the last hundred years, with 11 of the 12 warmest years on record having occurred in the past 12 years (IPCC 2007a). In September 2007, Arctic sea ice plummeted to a record-low level not anticipated by most climate models until 2050, leading scientists to predict that the Arctic could be ice-free in summer by 2030 (National Snow & Ice Data Center 2007).[1] Other observed consequences of the warming climate include sea level rise, increased frequency of droughts, floods, and heat waves and substantial increases in the duration and intensity of hurricanes (IPCC 2007a).

The IPCC now states with "very high confidence" that most of the warming observed over the past 50 years is the result of human generation of greenhouse gases, including carbon dioxide, methane, and nitrous oxide[2] (IPCC 2007a). The rapid warming observed since the 1970s has occurred in a period when the increase in greenhouse gases has dominated over all other factors (IPCC 2007a). The largest known contribution to global warming is from carbon dioxide (IPCC 2007a). Fossil fuel combustion is responsible for more than 75% of human caused carbon dioxide emissions with the remainder due to land-use change (primarily deforestation) (IPCC 2007a). The global atmospheric concentration of carbon dioxide has increased from a pre-industrial value of about 280 parts per million (ppm) to 379 ppm in 2005, a level that has not been exceeded during the past 650,000 years (during which carbon dioxide concentrations remained between 180 and 300 ppm). (IPCC 2007a; Canadell et al. 2007). In 2006, carbon dioxide concentrations reached a new high of 381.2 ppm (World Metrological Organization 2007). As greenhouse gas concentrations increase, more heat reflected from the earth's surface is absorbed by these greenhouse gases and radiated back into the atmosphere and to the earth's surface.[3] Consequently, the higher the level of greenhouse gas concentrations, the larger the degree of warming experienced.

At current growth rates and continued reliance on fossil fuels, atmospheric concentrations of carbon dioxide would likely exceed 1,000 ppm by the end of the century, resulting in an

---

[1] Based on the startling loss of sea ice in 2007, some scientists have predicted that "the Artic Ocean could be nearly ice-free at the end of the summer by 2012." Seth Borenstein, *Ominous Arctic Melt Worries Experts*, Associated Press, Dec. 11, 2007.

[2] *IPCC, 2007: Summary for Policymakers, in* CLIMATE CHANGE 2007: THE PHYSICAL SCIENCE BASIS, CONTRIBUTION OF WORKING GROUP I TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE at 4 (Susan Solomon et al. eds., Cambridge Univ. Press 2007) at 2-3. "Very high confidence" is defined at "at least a 9 out of 10 chance of being correct." *Id.* at 3 n.7.

[3] Greenhouse gases have a warming effect because, when solar radiation is reflected by the earth, greenhouse gases capture this thermal radiation and reradiate it back to earth, much like the effect of a common garden greenhouse resulting in the "greenhouse effect."

average global temperature increase of more than 5°C (United Nations Foundation & Sigma XI 2007). This is equivalent to the change in temperature since the last ice age – an era in which Europe and North America was under more than one kilometer of ice (United Nations Foundation & Sigma XI 2007). The growing consensus among climate scientists is that the threshold for dangerous climate change, whereupon a potential "tipping point" is reached and ecological changes become dramatically more rapid and out of control, is estimated at a temperature increase of around 2°C from pre-industrial levels, or an atmospheric concentration of carbon dioxide of approximately 450 ppm (United Nations Foundation & Sigma XI 2007; IPCC 2007c). In 2006, Dr. James E. Hansen, Director of the NASA Goddard Institute for Space Studies, and NASA's top climate scientist, stated: "In my opinion there is no significant doubt (probability > 99%) that . . . additional global warming of 2° C would push the earth beyond the tipping point and cause dramatic climate impacts including eventual sea level rise of at least several meters, extermination of a substantial fraction of the animal and plant species on the planet, and major regional climate disruptions" (Hansen et al. 2006). More recently however, given the recent unpredicted and extreme rate of loss of arctic ice observed in 2007, Dr. Hansen concluded that "the safe upper limit for atmospheric CO_2 is no more than 350 ppm" (McKibben 2007). Moreover, according to Hansen, just 10 more years of "business-as-usual" global emissions will make it difficult, if not impossible, to keep atmospheric concentrations of greenhouse gases at levels necessary to avoid a temperature increase above 2°C (Hansen et al. 2007).

Keeping the climate within the 2°C threshold requires significant reductions in the world's greenhouse gas emissions. To reach this objective, it is estimated that developed countries would have to target an emissions peak between 2012 and 2015, with 30 percent cuts by 2020 and 80 percent cuts from 1990 levels by 2050 (United Nations Foundation & Sigma XI 2007). In recognition of need for immediate action, California has committed itself though Executive Order S-3-05 and the California Global to reduce the state's emissions to 1990 levels by 2020 and by 80% reductions from 1990 levels by 2050. Ca. Health & Safety Code § 38550; Cal. Executive Order S-3-05 (2005).

The costs of taking no action to reduce greenhouse gas emissions far outweigh the costs of stabilizing emissions. The Stern Review of the Economics of Climate Change, a comprehensive report commissioned by the British government, recently concluded that allowing current emissions trajectories to continue unabated would eventually cost the global economy between 5 to 20 percent of GDP each year within a decade, or up to $7 trillion, and warned that these figures should be considered conservative estimates (Stern 2006). By contrast, measures to mitigate global warming by reducing emissions were estimated to cost about one percent of global GDP each year, and could save the world up to $2.5 trillion per year (Stern 2006). The Stern Report determined that if no action is taken to control greenhouse gas emissions, each ton of CO_2 emitted causes damage worth at least $85 (Stern 2006).

ii. Impacts to California from Global Warming

Climate change poses enormous risks to California. Scientific literature on the impact of greenhouse gas emissions on California is well developed.[4] The California Climate Change Center ("CCCC") has evaluated the present and future impacts of climate change to California and the project area in research sponsored by the California Energy Commission and the California Environmental Protection Agency (Cayan et al. 2007). The severity of the impacts facing California is directly tied to atmospheric concentrations of greenhouse gases (Cayan et al. 2007; Hayhoe et al. 2004). According to the CCCC aggressive action to cut greenhouse gas emissions today can limit impacts, such as loss of the Sierra snow pack to 30%, while a businessas-usual approach could result in as much as a 90% loss of the snowpack by the end of

[4] Additional reports issued by California agencies are available at http://www.climatechange.ca.gov, and IPCC

the century. As aptly noted in a report commissioned by the California EPA:

Because most global warming emissions remain in the atmosphere for decades or centuries, the choices we make today will greatly influence the climate our children and grandchildren inherit. The quality of life they experience will depend on if and how rapidly California and the rest of the world reduce greenhouse gas emissions (Cayan et al. 2007).

Some of the types of impacts to California and estimated ranges of severity – in large part dependent on the extent to which emissions are reduced – are summarized as follows:

• A 30 to 90 percent reduction of the Sierra snowpack during the next 100 years, including earlier melting and runoff.
• An increase in water temperatures at least commensurate with the increase in air temperatures.
• A 6 to 30 inch rise in sea level, before increased melt rates from the dynamical properties of ice-sheet melting are taken into account.
• An increase in the intensity of storms, the amount of precipitation and the proportion of precipitation as rain versus snow.
• Profound impacts to ecosystem and species, including changes in the timing of life events, shifts in range, and community abundance shifts. Depending on the timing and interaction of these impacts, they can be catastrophic.
• A 200 to 400 percent increase in the number of heat wave days in major urban centers.
• An increase in the number of days meteorologically conducive to ozone (O_3) formation.
• A 55 percent increase in the expected risk of wildfires (Cayan et al. 2007).

By providing details as to the ranges of proposed impacts, and indicating that the higher-range of impact estimates are projected if greenhouse gas emissions continue to increase under a "business as usual" scenario, decision-makers and the public will be better informed of the magnitude of the climate crisis and the urgency with which it must be addressed.

Finally, the DEIR should also include a brief discussion of other laws to address climate change, including California's mandate to reduce emissions to 1990 levels by 2020 and goal of further reducing emissions to 80% below 1990 levels by 2050. Achievement of state mandated emissions reductions will be severely impeded if agencies across the state continue to approve *new* projects without incorporating measures to reduce the added emissions created by these.

B. The EIR the Project Must Include an Inventory and Analysis of the Project's Projected Greenhouse Gas Emissions

The first step in determining a project's greenhouse gas pollution impact is to complete a full inventory of all emissions sources. In conducting such an inventory, all phases of the proposed project must be considered. *See* 14 Cal. Code Regs. § 15126. A basic requirement of CEQA is that "[a]n EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences." 14 Cal. Code Regs. § 15151. The greenhouse gas inventory for a project must include a complete analysis of all of a project's substantial sources of greenhouse gas emissions, from building materials and construction emissions to operational energy use, vehicle trips, water supply and waste disposal.

A greenhouse gas inventory for the project must include the project's direct and indirect greenhouse gas emissions. *See* 14 Cal. Code Regs § 15358(a)(1) (Indirect or secondary effects may include effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems.). Consequently, a complete inventory of a project's emissions should include, at minimum, an estimate of emissions from the following:

• Fugitive emissions of greenhouses gases, such as methane, from the proposed project;
• Emissions during construction from vehicles and machinery;
• Manufacturing and transport of building materials;
• Electricity generation and transmission for the heating, cooling, lighting, and other energy demands of the project;
• Water supply and transportation to the project;
• Vehicle trips and transportation emissions generated by the project;
• Wastewater and solid waste storage or disposal, including transport where applicable; and
• Outsourced activities and contracting.

Methodologies are readily available to inventory the emissions from the proposed project. In its recent white paper, CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (Jan. 2008), the California Air Pollution Control Officers Association (CAPCOA) set forth methodologies for analyzing greenhouse gas pollution (CAPCOA 2008) The California Office of Planning and Research ("OPR") has also released technical guidance on the preferred approach for analyzing greenhouse gas emissions and climate change entitled "Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review" (California OPR 2008). OPR also provides references to methodologies to quantify greenhouse gas emissions. In addition to the methodologies set forth by CAPCOA and OPR, ICLEI's Clean Air/Climate Protection (CACP) software allows cities to calculate emissions reductions, track and quantify emission outputs, and develop emissions scenarios to inform the planning process.[5] As noted in the ICLEI Climate Action Handbook, "Expertise in climate science is not necessary" to conduct an emissions inventory and compare this inventory against a forecast year (ICLEI). "A wide range of government staff members, from public works to environment and facilities departments, can conduct an inventory" (ICLEI). ICLEI also provides technical assistance and training to local government using the CACP software. It is incumbent on the City to "disclose all it can" about project impacts and educate itself on methodologies that are available to measure project emissions. *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm'rs ("Berkeley Jets")*, 91 Cal. App. 4th 1344, 1370 (2001).

As with any other project under CEQA, the baseline used for analyzing the impacts of a project is the existing on the ground environmental conditions at the time of the NOP. *See Environmental Planning & Information Council v. County of El Dorado (EPIC)*, 131 Cal.App.3d 350, 355 (1982) (effect of general plan amendment must be compared against actual environment, not assumptions in existing general plan). Accordingly, the DEIR should compare emissions from existing conditions with those that would result from the development of the project, as well as those that would occur under any proposed alternative scenarios. Because the Project envisions development over a long period, the EIR should also provide data on the trajectory for emissions in the planned community and under each proposed alternative in five-year increments.

Without a complete inventory, the DEIR cannot adequately inform the public and decision-makers about the Project's impacts. Similarly, without a complete inventory and analysis of greenhouse gas emissions that will result from the project, there is simply no way that The EIR can then adequately discuss alternatives, avoidance, and mitigation measures to reduce

---

[5] ICELI's Clean Air/Climate Protection software is available at http://www.cacpsoftware.org/ ICLEI-Local Governments for Sustainability is an international association of more than 650 local governments. Cities, counties, towns and villages around the world are members of ICLEI. ICLEI's mission is to improve the global environment through local action. On the issue of global warming, for example, ICLEI provides resources, tools, peer networking, best practices, and technical assistance to help local governments measure and reduce greenhouse gas emissions in their communities.

those impacts.

C. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced.

(Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008).

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005).

Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997).

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project would significantly understate Project impacts.

D. THE PROJECT'S GREENHOUSE GAS IMPACTS ARE CLEARLY SIGNIFICANT

The greenhouse gas emissions generated by a project of this size and scope will have a clearly significant cumulative impact. An impact is considered significant where its "effects are individually limited but cumulatively considerable." Guidelines § 15065(a)(3). Climate change is the classic example of a cumulative effects problem; emissions from numerous sources combine to create the most pressing environmental and societal problem of out time. *Ctr. for Biological Diversity*, 508 F.3d 508, 550 (9th Cir. 2007) ("the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct."); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 720 (1990) ("Perhaps the best example [of a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."). While a particular project's greenhouse gas emissions represent a fraction of California's total emissions, courts have flatly rejected the notion that the incremental impact of a project is not cumulatively considerable because it is so small that it would make only a de minimis contribution to the problem as a whole. *Communities for a Better Environment v. California Resources Agency*. 103 Cal.App.4th 98, 117 (2002); see also *Kings County Farm Bureau*, 221 Cal. App. 3d at 720 ("[p]erhaps the best example of [a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem.").

In addition. there is nothing speculative about the fact that higher levels of greenhouse gas pollution will lead to greater impacts, which is why the State of California has prioritized greenhouse gas pollution reductions under AB 32. Moreover, in the analogous context of the National Environmental Policy Act (NEPA), the Ninth Circuit has already rejected the argument that "global warming is too speculative to warrant NEPA analysis." *Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*, 508 F.3d at 554.

In addition, lack of established significance thresholds does not excuse an agency from its obligation under CEQA to determine the significance of a Project's impacts. CEQA routinely calls for an agency to evaluate impacts in the absence of thresholds or to exercise its individual discretion in determining the significance of an impact. *See, e.g., Protect the Historic Amador Waterways*, 116 Cal. App. 4th at 1111 (agency required to assess potential impact not listed in CEQA checklist). The development of significance thresholds is "encouraged" and not a prerequisite for an impact analysis. Guidelines § 15064.7. Indeed, as noted in the CAPCOA white paper on CEQA and Climate Change, "[t]he absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA" (CAPCOA 2008). In fact, CEQA may require additional analysis even if a project meets an adopted standard, if other evidence indicates the project may nonetheless have a significant impact. *See Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners*, 91 Cal.App.4th 1344, 1380-82 (2001).

As the lead agency, CEQA requires the City to determine the significance of the Project's emissions with or without established significance thresholds. Guidelines § 15064. CAPCOA provides various means by which a lead agency can determine the significance of project

emissions (CAPCOA 2008). Importantly, a universally adopted methodology is *not* necessary to analyze project impacts. *Berkeley Keep Jets*, 91 Cal.App.4th at 1370 ("the fact that a single methodology does not exist…requires the [respondent] to do the necessary work to educate itself about the different methodologies that *are* available.").

"The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data." Guidelines § 15064(b). Any determination of whether there is a fair argument that the project may have a significant impact must include the consideration of the California Global Warming Solutions Act of 2006 (AB 32), wherein the State of California recognized that "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California" and required that existing levels of greenhouse gases be reduced to 1990 levels by 2020. Health & Safety Code §§ 38501(a), 38550. Because AB 32 establishes that existing greenhouse gas levels are unacceptable and must be substantially reduced within a fixed timeframe, any additional emissions that contribute to existing levels frustrate California's ability to meet its ambitious and critical emissions reduction mandate. Ignoring emissions from smaller sources would be neglecting a major portion of the greenhouse gas inventory.

In accordance with the scientific and factual data, the City should adopt a zero significance threshold for the Project's greenhouse gas emissions. As noted by the Ninth Circuit in *Center for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*:

[W]e cannot afford to ignore even modest contributions to global warming. If global warming is the result of the cumulative contributions of myriad sources, any one modest in itself, is there not a danger of losing the forest by closing our eyes to the felling of the individual trees?

508 F.3d 508, 550 (9th Cir. 2007). Accordingly, the City must unequivocally consider Project emissions to be a potentially significant impact.

E. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

To the extent that the project moves forward as planned, there are many mitigation measures the City can consider, as described below. This is not an exhaustive list and the EIR should explore these and all other feasible mitigation measures that will reduce the project's greenhouse gas emissions (CAPCOA 2008; California Office of the Attorney General 2008).

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the

project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Additionally, the EIR should analyze ways of including pedestrian and bicycle only streets and plazas within the development and create routes that will allow residents to reach the commercial center, schools and parks by public transportation, bicycling and walking.

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the planned community will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008).

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals.

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

• Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy efficient building during pre-design, design, construction, operations and management.

• Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;

• Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
• Reducing the use of pavement and impermeable surfaces;
• Requiring water re-use systems;
• Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting
• Limiting the hours of operation of outdoor lighting
• Maximizing water conservation measures in buildings and landscaping, using droughttolerant plants in lieu of turf, planting shade trees;
• Ensure that the Project is fully served by full recycling and composting services;
• Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
• Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
• Installing solar water heating systems to generate all of the Project's hot water requirements;
• Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.

iii. Mitigation Related to Project Construction
• Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
• Minimize, reuse, and recycle construction-related waste;
• Minimize grading, earth-moving, and other energy-intensive construction practices;
• Landscape to preserve natural vegetation and maintain watershed integrity;
• Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.
iv. Transportation Mitigation Measures
• Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
• Create a car sharing program within the planned community;
• Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
• Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission
vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
• Provide a shuttle service to public transit within and beyond the planned community;• Incorporate bicycle lanes and routes into the planned community's street systems.

v. Carbon Offsets
After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General offsets are a feasible CEQA mitigation measures[6] once all feasible mitigation

[6] The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See

measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources.

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR must consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted). In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008).

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources-including water quality and water availability, as well as traffic resulting from each proposed alternative. Selecting an alternative site closer to rail availability would be ideal.

CONCLUSION

Thank you for your attention to these comments. The Sierra Club expects all growth inducing as well as cumulative direct and indirect impact to be fully addressed in the DEIR. We look forward to working with the City to assure that the EIR conforms to the requirements of CEQA to assure that all significant impacts to the environment are fully analyzed, mitigated or avoided. The Sierra Club wishes to be placed on the mailing list for all future notices and documents regarding this project. Please mail all notices to Sierra Club, San Gorgonio Chapter, Moreno Valley Group, 26711 Ironwood Ave, Moreno Valley, CA. 92555.

Thank you,

George Hague
Conservation Chair
Moreno Valley Group

---

http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

San Gorgonio Chapter
Sierra Club
951.924.0816

REFERENCES

Barnett et al., "Human-Induced Changes in the Hydrology of the Western United States," Science, Jan. 31, 2008.

Canadell, Joseph et al. 2007. Contributions to accelerating atmospheric CO_2 growth from economic activity, carbon intensity, and efficiency of natural sinks. 4 Proceedings of the National Academy of Science 18866 (Nov. 20, 2007).

California Office of Planning and Research, Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review, June 17, 2008.

California Office of the Attorney General, The California Environmental Quality Act: Addressing Global Warming at the Local Agency Level, Mitigation Measures. Available at http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf

CAPCOA. 2008. CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.

Cayan, et al. 2007. Our Changing Climate: Assessing the Risks to California. California Climate Change Center. Available at: http://www.climatechange.ca.gov/biennial_reports/2006report/index.html.

Commission for Environmental Cooperation, Greenbuilding in North America (2008). Available at http://www.cec.org/pubs_docs/documents/index.cfm?varlan=ENGLISH&ID=2242

Epstein, P.R. and E. Mills (eds.). 2005. "Climate change futures health, ecological, and economic dimensions." The Center for Health and the Global Environment, Harvard Medical School. Cambridge, Massachusets, USA.

Gleick, Peter H. et al., 2000. Water: "The Potential Consequences of Climate Variability and Change for the Water Resources of the United States." The report of the Water Sector Assessment Team of the National Assessment of the Potential Consequences of Climate Variability and Change," U.S. Global Change Research Program, Pacific Institute for Studies in Development, Environment, and Security.

Hansen, J., et al. 2006. Global temperature change. Proceedings of the National Academy of Sciences of the United States of America 103:14288-14293.

Hansen, J., et al. 2007. Climate change and trace gases. Phil. Trans. R. Soc. 365:1925-1954.

Hayhoe, K., et al. 2004. Emissions pathways, climate change, and impacts on California. Proceedings of the National Academy of Sciences of the United States of America 101 no. 34:12422-12427.

ICLEI. Local Governments for Sustainability, U.S. Mayor's Climate Protection Agreement Climate Action Handbook.

IPCC 2007a, Summary for Policymakers, in Climate Change 2007: The Physical Science Basis, Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (2007).

IPCC. 2007b. Technical Summary in CLIMATE CHANGE 2007: IMPACTS, ADAPTATION AND VULNERABILITY, CONTRIBUTIONS OF WORKING GROUP II TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE at 62 (M. Parry et al., eds. Cambridge Univ. Press 2007).

IPCC, G. Meehl et al. 2007c, *Global Climate Projections in* CLIMATE CHANGE 2007: THE PHYSICAL SCIENCE BASIS, CONTRIBUTION OF WORKING GROUP I TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE (Susan Soloman et al., eds., Cambridge Univ. Press 2007).

Kolbert, Elizabeth, *Testing the Climate*, The New Yorker, (Dec. 24, 2007

McKibben, Bill, *Remember This: 350 Parts Per Million*, Washington Post (Dec. 28, 2007).
National Snow & Ice Data Center, *Arctic Sea Ice Shatters All Previously Record Lows*, (Oct. 1, 2007). Available at:
http://www.nsidc.org/news/press/2007_seaiceminimum/20071001_pressrelease.html.

NRDC 2007, "In Hot Water: Water Management Strategies to Weather the Effects of Global Warming" Nelson et. al. available at http://www.nrdc.org/globalWarming/hotwater/contents.asp

Stern, Sir Nicholas, Stern Review: The Economics of Climate Change, Executive Summary, October 30, 2006.

United Nations Foundation & Sigma XI, Confronting Climate Change: Avoiding the Unmanageable and Managing the Unavoidable (Feb. 2007); United Nation Development Programme, *Human Development Report 2007/2008: Fighting climate change: Human solidarity in a divided world*.

World Meteorogical Organization, Greenhouse Gas Bulletin: The State of Greenhouse Gases in the Atmosphere Using Global Observations through 2006 (Nov. 23, 2007).

SOUTHERN CALIFORNIA

ASSOCIATION of GOVERNMENTS

Main Office

818 West Seventh Street
12th Floor
Los Angeles, California
90017-3435

t (213) 236-1800
f (213) 236-1825

www.scag.ca.gov

Officers

President
Pam O'Connor, Santa Monica

First Vice President
Glen Becerra, Simi Valley

Second Vice President
Greg Pettis, Cathedral City

Immediate Past President
Larry McCallon, Highland

Executive/Administration Committee Chair

Pam O'Connor, Santa Monica

Policy Committee Chairs

Community, Economic and Human Development
Bill Jahn, Big Bear Lake

Energy & Environment
Margaret Clark, Rosemead

Transportation
Paul Glaab, Laguna Niguel

March 19, 2012

Mr. John C. Terrell
Planning Official
City of Moreno Valley
Community & Economic Development Department
P.O. Box 88005
Moreno Valley, CA 92552
johnt@moval.org

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the World Logistics Center Specific Plan [I20120043]

Dear Mr. Terrell:

Thank you for submitting the **Notice of Preparation of a Draft Environmental Impact Report for the World Logistics Center Specific Plan [I20120043]** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impact Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) under California Government Code Section 65080 and 65082.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project identifies includes the development of up to 41.6 million square feet of building area for modern high-cube logistics warehouse distribution facilities in the City of Moreno Valley, California.

Policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Visioning (CGV) that may be applicable to your project are outlined in the attachment. The RTP, CGV, and table of policies can be found on the SCAG web site at: http://scag.ca.gov/igr. For ease of review, we would encourage you to use a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or non-applicability of the policy and supportive analysis in a table format (example attached).

The attached policies are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. **When available, please send environmental documentation ONLY to SCAG's main office in Los Angeles and provide a minimum of 45 days for SCAG to review.** If you have any questions regarding the attached comments, please contact Pamela Lee at (213) 236-1895 or leep@scag.ca.gov. Thank you.

Sincerely,

Jacob Lieb, Manager
Environmental and Assessment Services

COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE WORLD LOGISTICS CENTER SPECIFIC PLAN [I20120043]

PROJECT LOCATION

The World Logistics Center Specific Plan project area is located in the northwestern Riverside County, in Rancho Belago within the eastern portion of the City of Moreno Valley. The proposed project is situated south of State Route 6- (SR-60), between Redlands Boulevard and Gilman Springs Road (the easterly city limit), extending to the southerly City Limit.

PROJECT DESCRIPTION

The proposed World Logistics Center Specific Plan is a master plan for the development of modern high-cube logistics warehouse distribution facilities on approximately 3,820 acres of land in eastern Moreno Valley. The project proposes the development of approximately 41.6 million square feet of modern high-cube logistics facilities over approximately 2,665 acres, 1,136 acres of permanent open space and 19 acres of existing public utility facilities.

The entitlements necessary for the proposed project includes a General Plan Amendment, adoption of the World Logistics Center Specific Plan, a Zone Change, a Development Agreement, a Tentative Parcel Map (for financing purposes only), and annexation of an 85-acre parcel along Gilman Springs Road. The City of Moreno Valley is the Lead Agency for the proposed project. In addition, the proposed project will require other associated action and approvals by other public entities in order to construct and operate the proposed project.

- **General Plan Amendment.** The General Plan amendment proposes a revision to the City General Plan land use designations for the project area as set forth in the proposed Specific Plan. The General Plan Amendment also includes amendments to several other elements as applicable, including (but not limited to) the Community Development Element, the Parks, the Recreation and Open Space Element, the Circulation Element, the Environmental Safety Element, and the Conservation Element.

- **Specific Plan.** The Specific plan establishes the master plan of development for the project area, including development standards and use regulations, a master plan for circulation and infrastructure, architectural, landscape and design guidelines and sustainability goals, all of which will be applicable to all development within the

- **Change of Zone.** The Change of Zone will establish the World Logistics Center Specific Plan which will replace most of the Moreno Highlands Specific Plan and re-zone several other properties. The new Specific Plan will become the regulatory land use document for the entire project area.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The DEIR should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion and city are as follows:

Adopted SCAG Regionwide Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted Western Riverside Council of Governments Subregion Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	1,735,426	1,918,962	2,096,544	2,262,992	2,414,256	2,550,867
Households	546,047	609,219	671,933	727,622	780,743	828,547
Employment	588,523	691,260	797,626	901,163	1,005,923	1,098,233

Adopted City of Moreno Valley Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	189,700	206,657	220,390	234,410	246,804	258,350
Households	50,432	55,407	60,025	64,699	69,353	72,977
Employment	39,225	49,414	61,974	71,359	80,667	91,642

1. The 2008 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

The **2008 Regional Transportation Plan (RTP)** also has goals and policies that may be pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

RTP G1 *Maximize mobility and accessibility for all people and goods in the region.*
RTP G2 *Ensure travel safety and reliability for all people and goods in the region.*
RTP G3 *Preserve and ensure a sustainable regional transportation system.*
RTP G4 *Maximize the productivity of our transportation system.*
RTP G5 *Protect the environment, improve air quality and promote energy efficiency.*
RTP G6 *Encourage land use and growth patterns that complement our transportation investments.*
RTP G7 *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

GV P1.1 *Encourage transportation investments and land use decisions that are mutually supportive.*
GV P1.2 *Locate new housing near existing jobs and new jobs near existing housing.*

GV P1.3 *Encourage transit-oriented development.*
GV P1.4 *Promote a variety of travel choices*

Principle 2: Foster livability in all communities.
GV P2.1 *Promote infill development and redevelopment to revitalize existing communities.*
GV P2.2 *Promote developments, which provide a mix of uses.*
GV P2.3 *Promote "people scaled," walkable communities.*
GV P2.4 *Support the preservation of stable, single-family neighborhoods.*

Principle 3: Enable prosperity for all people.
GV P3.1 *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
GV P3.2 *Support educational opportunities that promote balanced growth.*
GV P3.3 *Ensure environmental justice regardless of race, ethnicity or income class.*
GV P3.4 *Support local and state fiscal policies that encourage balanced growth*
GV P3.5 *Encourage civic engagement.*

Principle 4: Promote sustainability for future generations.
GV P4.1 *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
GV P4.2 *Focus development in urban centers and existing cities.*
GV P4.3 *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
GV P4.4 *Utilize "green" development techniques*

CONCLUSION

As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. We recommend that you review the SCAG List of Mitigation Measures for additional guidance, and encourage you to follow them, where applicable to your project. The SCAG List of Mitigation Measures may be found here: http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

SUGGESTED SIDE BY SIDE FORMAT - COMPARISON TABLE OF SCAG POLICIES

For ease of review, we would encourage the use of a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or not applicable of the policy and supportive analysis in a table format. All policies and goals must be evaluated as to impacts. Suggested format is as follows:

The complete table can be found at: http://www.scag.ca.gov/igr/

- Click on ***"Demonstrating Your Project's Consistency With SCAG Policies"***
- Scroll down to ***"Table of SCAG Policies for IGR"***

SCAG Regional Transportation Plan Goals and Compass Growth Visioning Principles		
Regional Transportation Plan Goals		
Goal/ Principle Number	**Policy Text**	**Statement of Consistency, Non-Consistency, or Not Applicable**
RTP G1	Maximize mobility and accessibility for all people and goods in the region.	***Consistent:*** *Statement as to why* ***Not-Consistent:*** *Statement as to why* *or* ***Not Applicable:*** *Statement as to why*
RTP G2	Ensure travel safety and reliability for all people and goods in the region.	***Consistent:*** *Statement as to why* ***Not-Consistent:*** *Statement as to why* *or* ***Not Applicable:*** *Statement as to why*
RTP G3	Preserve and ensure a sustainable regional transportation system.	***Consistent:*** *Statement as to why* ***Not-Consistent:*** *Statement as to why* *or* ***Not Applicable:*** *Statement as to why*
Etc.	Etc.	Etc.

John Terell

From:	tom@mvcitylink.com
Sent:	Monday, March 12, 2012 4:28 PM
To:	John Terell
Cc:	ddanelski@pe.com; Jesse Molina; Robin Hastings; Richard Stewart; Marcelo Co; William Batey; lhines@pe.com; tom@mvcitylink.com; stopvotesforsale@gmail.com
Subject:	41.6 Million sqft Warehouse
Attachments:	March 12.pdf

March 12, 2012

To: John Terrell
City Of Moreno Valley
Planning Official

Re: 41.6 Million Sq-ft Warehouse

Dear Mr. John Terrell,
Attached are my comments as was requested by your notice on the City of Moreno Valley website. Should you have any further questions or concerns please feel free to contact me.

Sincerely,
Thomas C. Ketcham
MV City Link
O. 951.824.6900
F. 951.224.9228
E. tom@mvcitylink.com
W. www.mvcitylink.com

Moreno Valley City Link
Entertainment – Business – Community

Listen weekly to our Radio Shows!

by email

March 12, 2012

To: John Terrell
City of Moreno Valley
Planning Official

Re: Proposed Warehouse – 41.6 million sqft
Moreno Valley – East End.

Dear Mr. John Terrell,

In regards to the upcoming public meeting scheduled for March 12, 2012 at 6pm in City Hall Chambers I must share my concerns as a long time resident of our community for this pending action.

First and foremost I must state that as a resident, I believe in doing what is best for the City of Moreno Valley, and its resident's. Creation of jobs, especially in this economy is paramount, but there must be a method to the madness as well.

Skechers

Mr. Iddo Benzeevi and his company, Highland Fairview have already embarked on a project which failed to fruition, and that was AQUABELLA. His claims of "million dollar homes" and fancy golf courses all failed. All that sits out there currently is a vacant field with weeds growing everywhere.

The actual Skechers building itself has multiple law suits pending against it. The unions and companies who Highland Fairview contracted with to help build the warehouse have been burned by HF & Skechers for nonpayment of funds for work provided. Several of these companies have had to shut their doors and file for bankruptcy due to "promises" from HF's CEO.

The "promise" of 2500 jobs created was whittled down to 1500, and then settled at 600. Lets us be reminded that these "600 jobs" were not created as many would like you to believe, rather they were transfers from the Ontario facility. The fact is there was an actual "job loss" associated with the Skechers factory, with the closure of the Cabazon outlet store for Skechers, as well as their Ontario warehouses. Compile this with the downstream job loss of those who lost their jobs from companies who were contracted with HF and Skechers and the job loss is doubled, if not tripled!

Check the court records to see all the les pen dins affecting the Skechers building and HF, which is readily available online.

Aquabella

Highland Fairview had a previous "vision" and that was for high end homes circa the $1 million dollar range, along with a gated community, golf course and several other amenities. Nothing ever came about though, why? In my opinion Highland Fairview did not have the money at the time to build such a project, and coincidently, the economy began to tank, so it provided an easy out to not build.

The City of Moreno Valley has never shown a single document to clearly state if the City has a standing agreement with Highland Fairview for Aquabella or not. Mrs. Robin Hastings has posed this question to city staff several times, and each time she is given the "jive dance" about its status.

Nonetheless, the City of Moreno Valley is now paying for Highland Fairview's conditions of approval on that project by finishing the street improvements on Cactus and Lassalle at tax payer cost. If this is a condition of approval for Highland Fairview why are they not paying for it? Is Highland Fairview going to reimburse the city those costs? I highly doubt it. Would the City have done this for any other developer? I highly doubt it.

Now Mr. Benzeevi has "another vision" for that area, a medical corridor. Well how much is this going to cost us, the residents of Moreno Valley now? The council voted on approving $75 million, with I'm sure much more to come. All the while the rest of our city deteriorates around us.

Jobs

The whole basis of this warehouse by Highland Fairview is to create "jobs, jobs, jobs", yet the track record of Highland Fairview has not been one of creating jobs, rather eliminating them! If more self automated warehouses are to come over here what happens to those current jobs? If ASHLEY was to relocate here how many jobs would they lay off where they left? How about TOYOTA, SONY, or HONDA? How many jobs would be eliminated when they downsize from 2000 current jobs to 750 or less because of these "new" self automated warehouses of the future?

The creation of jobs is important for all of us who live in the City. I only wish that our executive city staff would share the same vision. Unfortunately they do not as they reside in cities other than where they work, so henceforth they might not be aware of my next point.

Our problem is not the "space of warehouses", we have plenty of "space" available, and as a city planner you should be keenly aware of this fact.... Warehouse space is available for lease literally a stones throw from City Hall! Voit Company shows close to 400,000 sqft of space available for immediate sale/lease in the City of Moreno Valley, and that is just one Real Estate Brokerage! Others show much more square footage available, in addition to West Ridge's newly approved warehouse.

Compile this fact along with all of the warehouse space being made readily available on March JPA property just west of the City, and currently planned warehouse space on Alessandro just west of the 215 freeway and there are potentially MILLIONS OF SQUARE FEET of warehouse currently available.

If you take a short drive along Sycamore Canyon drive, just west of the 215 freeway there are several warehouses available for lease. A quick 5 minute drive down Perris Blvd will yield even more warehouse space either already approved, or in some sort of process of approval / construction. Why do we need more when we have not even exhausted all that is readily available in our own city and surrounding cities?

Growth

Our great city of Moreno Valley must grow, in several ways, this is just a fact. We must take into account though, how do we want it to grow? Several years ago the residents and city staff etc devised a "plan" on how that growth was to play out, and seemingly we are now throwing that plan out with the bath water!

We need to focus on getting our city back on track, and that means our basic services. We need to hire back our city staff which have been laid off, our firefighters and police officers, repair our roads which have a CPI index of, well lets just say "very low", lets build our new library for our kids which has been mothballed because "we didn't have the money", yet we have the money to give Highland Fairview $75 million dollars to finish their conditions of approval?

Our landscaping is out of code, and are pending lawsuits, as our very Mayor stated at a city council meeting that the city is responsible for the way the roads are paved and engineered. Well we have slopes which cause water to run off and into the streets when they are irrigated, this in turn causes the pavement to buckle and in turn causes a hazardous roadway for drivers who might lose control if the road way is wet, and or their tires slip on broken pavement.

A quick drive down Cactus, Heacock, Frederick or just about any other street will reveal how landscaping is missing in several places, wood fences are falling down, trash litters our sidewalks, and election signs such as those from Marcelo Co still stand faded in the sun, along with signs posted on fences and telephone poles. Why? The answer I am given is there is not enough code enforcement personal available to handle these issues....well how about we direct our efforts there?

Approval

Approval of this monstrosity of a warehouse footprint would not only further place our city into debt, but eliminate a way of life for those of us who live here. Many of those who "support" this project do not even live in our city, or do so by claiming they are "renting" here. There is a big difference in "renting" and owning.

Strip malls are empty, businesses such as Fish Shack, Hallmark, Party Warehouse, Toys-R-Us, Staples, Circuit City, Baja Fresh, Gottchalks, PH Woods, Century 21, as well as many others have left our city! Nothing has replaced them, these are all businesses which drive the local economy more so than a mega-warehouse. Residents shop these type of businesses weekly, if not daily, how many can shop a warehouse? Let's fill our strip malls and current warehouse space first and foremost BEFORE any approval is granted for the 41.6 million sqft of warehouse which will do nothing other than ruin our vistas, and serve to provide more traffic and pollution to our city.

In closing....

As a final note, many people may write you with several reasons as to why this project should either be approved or not. The simple task should be this, given the circumstances of Highland Fairview's track record of failures, its inability to create jobs, and its apparent stranglehold on our current city council via questionable dealings this project needs to be vetted properly to the residents, and ultimately should be placed to a city wide vote, as we are not just talking about a small warehouse here, rather a decision which will affect the landscape of our valley forever!!

I ask that you John, please consider this letter as a "no" vote for the proposed warehouse creation of 41.6 million square feet east of Moreno Beach Boulevard.

Should you have any further questions I can be contacted at the numbers listed below.

Sincerely,
Thomas Ketcham
(951) 801-5354
tom@mvcitylink.com

cc: MV City Council
Mary Bono Mack
State Assemblyman Paul Cook
Press Enterprise
North County Times
Orange County Times
Los Angels Times
Governor Jerry Brown
Attorney General Kamala Harris
Riverside County District Attorney Paul Zellerbach
www.mvgordie.com – Gordon Tucker
www.pr.com – Press Release

Thomas Thornsley
29170 Stevens Avenue, Moreno Valley, CA 92555

March 25, 2012

City of Moreno Valley
Community & Economic Development Department
14177 Frederick Street
Moreno Valley, CA 92552
Email: johnt@moval.org

Subject: NOP of a DEIR for World Logistics Center Specific Plan

Dear John C. Terell, Planning Official

On March 12, 2012, I attended the public scoping meeting held by the Community and Economic Development Department in the hopes of learning a great deal more detail about the proposed General Plan Amendment and the proposed Specific Plan. However, none was forthcoming thus making a through assessment of what should be evaluated or commented on for inclusion in the Environment Impact Report (EIR) very difficult. It appears that the City is proceeding forward with a generic assessment of the speculative impacts that a project of this magnitude would likely bring. Based on what has been presented publicly, to date, it would be impossible to prepared all the appropriate mitigation measures necessary to limit a host of impacts that this project will bring to Moreno Valley. That said, I have prepared some comments and issues that should be addressed by the EIR.

Air Quality – Provide a comprehensive assessment of all likely future impacts for not only this project but for the proposed land used in the surrounding communities. San Jacinto is proposing similar uses along its northwestern reaches with Gilman Spring Road, Highway 79, and Ramona Expressway. The City of Beaumont is also changing its land uses on its western boundary near the Highway 60 and Interstate 10. A full assessment should include air quality and prevailing winds and likely inversion layer areas in our and the surrounding valleys.

Aesthetics – This item is completely arbitrary without known design standard for the proposed Specific Plan. However, of greatest concern is the massing of building (high-cube) abutting any residential property in the area. Size, proximity, appearance, lighting must all be fully documented and brought forth to the surrounding neighborhoods. There is no doubt that views will be lost but beyond that the rest is unknown and mitigation measures cannot be conceived.

Drainage – The natural watershed drainage of the project area flows into the San Jacinto Wildlife Area (SJWA). Since development of the project area could limit natural percolation to just ten percent of the land area there will a tremendous volume of run-off and a need for water drainage systems, clarification basins, and retention systems that can limit impacts from project run-off pollutants. These systems must also address ground water recharge and any alterations to the flow rates into Mystic Lake and the San Jacinto River so as not to deplete or damage either.

Energy Use and Conservation - Solar Capacity and Rooftop Skylight Design should be utilized to the greatest capacity possible. With 41 million square feet of rooftop space alone this project area could

likely sustain itself electrically with the proper design features. Additionally, there are great opportunities to include ground mounted Solar Collection Systems for covered parking and thus limited the heat build up from parking lots. There are numerous other possibilities in the realm of project design that must be addressed and included in any viable proposal, and until such are purposed further comments can not be made.

Land Use / Planning – This project proposal does not include any reference to the proposed land use designations currently listed in the City's General Plan that would be applied. It is therefore difficult to determine if one use or a mix of uses will be permitted throughout the Specific Plan area. Any development of this size with only one proposed use will limit its ability to provide itself with support services for future tenants and employees. A full list of uses should be disclosed that offer greater opportunities and diversity of employment within the community. Include analysis of the following:

- *Job mix* by land use assessing the jobs per square foot is critical to maximizing jobs for this community. Support, service, and manufacturing opportunities should not be overlooked.
- A *Land Use* mix should be offered that buffers the most intense uses from the existing residential neighborhoods and Redlands Boulevard.
- *Design Standards* must be forthcoming to evaluate building size, locations, aesthetics, and views.

Population / Housing – Please provide a full accounting with legal requirements of why the City would be required to replace housing lost to the demise of the Moreno Highlands Specific Plan. Clearly explain how housing counts are made and meet for this commitment. Should the City need to address such a large loss, fully explain how and where the City will be able to fulfill its obligation. If a replacement obligation is required then those areas subject to modification should be included in this project proposal to balance out the change and mitigate this projects impact all at the same time.

Recreation – The Moreno Highlands Specific Plan provided the community with a mix of uses one of which was a large amount of accessible Open Space and trails. In the past decade a large portion of the Specific Plan was purchased by California Department of Fish and Game for habitat conservation which has restricted access and should never be reflected in any land use area references in the proposed Specific Plan. For all intended purposes the 1,086 acres of CDFG Open Space should be listed as “not a part.” It's only involvement in this whole process to formally change it's land use designation. As the proposed Specific Plan moves forward it should allocate appropriate “usable” Open Space of its own and maintain trail system connections.

Transportation – This item alone should place severe limits on any developments that generates traffic traveling on Highway 60. A full assessment should include an analysis of future traffic from this project and what build-out would bring if the surrounding communities follow the same line of land use development (See comments in Air Quality.) At present California Department of Transportation has no plans for improvements/expansion to Highway 60 nor the interchanges affected by this project. Therefore, this section should also include the following:

- *Congestion Analysis* for this project need to go well beyond the City and include scenarios for the possible development of similar uses in San Jacinto and Beaumont and Banning. The study should not be limited to development and existing land uses considering the current political climate and changes being proposed and discussed.
- *Railroad linkage* feasibility should be fully assessed as a practical option to limit truck traffic and for more economical movement of goods. This would be a valid mitigation measure that should not be overridden. A project of this size and scope is ill conceived without it and was a

necessary element in the City's analysis presented by a regional economist.

- *Road Designations* have yet to be defined nor have road standards been put forth. Those items along with a full evaluation of infrastructure needs and timing of these improvements should be addressed with limits on development tied directly to their completion.
- *Funding sources* for these improvements must be outlined for their likely fiscal impact on the City of Moreno Valley. Further City funding of road improvements will likely impact other areas of service to this community.
- *Development Time Lines* for highway improvements should be realistically assessed and included in this report to facilitate development schedules.

Utilities / Service Systems – The project area lacks almost all levels of infrastructure necessary to serve future development. To date no master plans have been put forth to define the system(s) needs, cost, or funding source. For example, some areas of eastern Moreno Valley are not currently connected to sewer service. A full study of the waste water capacity needs to be analyzed to include not only those area but also the project area. Some portions of the project area are downhill from existing connection points and will likely require extensive improvements to meet future demand. Please provide a full accounting for installation of all relevant utilities.

Economic Impact Report – This may not be considered a typical environmental category but if the development of this area is not financially sustainable for the City then it may have impacts on community services and thus compromise the quality of life for those residing in all of Moreno Valley. Of great concern is the City's financial involvement in the Specific Plan area development. The City is financially tight and has recently committed over one third of it's Measure A highway funds to another project limiting the City's ability to efficiently maintain existing roadway for the next 20 years. Please be sure to address:

- The City's financial involvement and ability to do so.
- All Project alternatives and other best land uses beyond those envisioned by the City.
- Potential property valuation impacts to surrounding residential properties.

Alternatives – Since the City is undertaking a major land use revision to a substantial portion of the community it should also assess other potential uses for this area that could offer viable alternatives to the propose project. These alternatives should include things like Community Sustainability Uses such as Farmland, Greenbelt Buffers to surrounding communities, Rural Residential, and Residential/Work in Placed development. Building the most possible is not always the best alternative for creating a liveable community.

Thank you for the opportunity to comment on this upcoming project and please keep me informed of future progress. As more details about this project come to light I am sure I will have more questions and comments. Feel free to contact me should you have any questions regarding my comments and requests. I would like to be involve in future planning and scoping sessions related to this project.

Sincerely,

Thomas Thornsley

PALA TRIBAL HISTORIC PRESERVATION OFFICE

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
760-891-3510 Office | 760-742-3189 Fax

PALA THPO

RECEIVED
MAR 12 2012
CITY OF MORENO VALLEY
Planning Division

March 8, 2012

John C. Terell
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: World Logistics Center Specific Plan

Dear Mr. Terrel,

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Therefore, we have no objection to the continuation of project activities as currently planned and we defer to the wishes of Tribes in closer proximity to the project area.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-891-3515 or by e-mail at sgaughen@palatribe.com.

Sincerely,

Shasta C. Gaughen, PhD
Tribal Historic Preservation Officer
Pala Band of Mission Indians

ATTENTION: THE PALA TRIBAL HISTORIC PRESERVATION OFFICE IS RESPONSIBLE FOR ALL REQUESTS FOR CONSULTATION. PLEASE ADDRESS CORRESPONDENCE TO **SHASTA C. GAUGHEN** AT THE ABOVE ADDRESS. IT IS NOT NECESSARY TO ALSO SEND NOTICES TO PALA TRIBAL CHAIRMAN ROBERT SMITH.

To: John Terrell

From: Ron Roy

Why (small world of Moreno Valley) “World” Logistics Center Specific Plan (warehouses) is a bad idea:

1. Creating “more jobs” and “Curing Moreno Valley unemployment problem” are fallacies:

Now that Skechers has moved into its giant Moreno Valley hub, it’s actually employing fewer Inland-area workers than before

a. Rather than creating more jobs for Sketchers employees, the opening of the Sketchers warehouse in Moreno Valley has created net job loss for Sketchers employees in IE: A consequence of Sketchers moving to its Moreno Valley hub was the closing of Skechers five distribution centers in Ontario when the shoe manufacturer consolidated its distribution operations meaning a net JOB LOSS of many as 400 jobs in Inland Southern California. If Sketchers (and other tenants) has vacated a warehouse once, it can do it again.
b. If a tenant finds itself with unfavorable lease terms (for whatever the reason; often bad financial condition) with landlord, it can break lease and/or ask city to subsidize warehouse lease and other costs at great expense to the city. Look to Sketchers for a case study.
c. Warehouse logistics is moving towards automation/robotics. This means that within a few years logistics workers will be replaced by automation, putting them in the same predicament they are in now. Contrast this with high paying, high skilled manufacturing jobs.
d. There is no guarantee that the people who are hired at Moreno Valley warehouses will be residents of Moreno Valley. With a population of 1.5 million people within a 30 minute drive of Moreno Valley. MoVal warehouse tenants have a massive employment pool to draw from decreasing chances for Moreno Valley residents to be hired.
e. Sketchers financial picture is shaky. It recently lost 67 million dollars in its last fiscal year on declining sales. If Sketchers goes Bankrupt, the City of Moreno Valley will be stuck with paying off the enormous infrastructure costs associated with putting in the warehouse; or even worse, directly subsidizing Sketchers (at great expense to the city) to help get Sketchers out of bankruptcy. . This example, is obviously, repeatable for other tenants in the projected 40 million square feet proposed project.

2. Warehouse workers are notoriously among the worst treated workers in the U.S. labor force.
    a. Example: Wal-Mart Warehouse Contractor in Mira Loma (Schneider Logistics) filed a notice to terminate 100 workers in retaliation after the workers complained of poor working conditions (working in scorching heat with no breaks for hours on end) and after workers noticed that their wages were being stolen from their paychecks due to a problematic piece rate system that was at the core of the workers' wage theft complaints.
    b. Exploitation like in 2a is rampant in warehouse logistics industry.

3. Moreno Valley is ill suited for Warehouse and Distribution. Warehouse and Distribution Centers are much better suited in cities that are traditionally and predominantly industrial/commercial such as Commerce, Industry, and Ontario. Moreno Valley has been traditionally and predominantly a bedroom community.
    a. Historically cities planned from the beginning to be industrial/commercial cities are more efficient in supply chain as they already are near commercial rail hubs, and ports allowing for lower cost of the supply chain.
    b. Moreno Valley has no rail lines near proposed warehouse project WHATSOEVER. This is critical to keep distribution costs low (and competitiveness high) for warehouse tenants.
    c. Moreno Valley is predominantly a bedroom community where residents need highway 60 to commute to their jobs. Truck traffic will disrupt residents commute to their existing jobs (especially Riverside and San Bernardino Areas) and could lead to further job loss for these commuters.

    d. Rising diesel fuel Prices: When it comes to logistics, increases in diesel prices cause transportation costs to rise, especially for trucking, and disrupt supply chains. With the dramatic (and permanent) rise in truck fuel prices, previously optimized models of Moreno Valley as an "efficient" supply hub may no longer be applicable, as transportation costs account for half of total logistics costs. Add to this the fact that there is no rail access to help offset fuel prices further jeopardizes Moreno Valley's viability as Distribution Hub.

    e. Highway 60 does not have the capacity (especially Westbound at 215/60 interchange: only one lane to get into Riverside) to support projects warehouse truck traffic.

4. Moreno Valley elected officials lack the political will to forge a high quality job base for its residents.
    a. MoVal elected officials should be doing the hard work of locating high quality manufacturing jobs in Moreno Valley. Recruit sectors such as renewable energy, pharmaceuticals, engineering, and technology.
    b. Manufacturing jobs generate far more workers per square foot than warehouse and logistics, causing a much more efficient use of Moreno Valley's remaining land.
    c. Moreno Valley elected officials should be looking at the heart of Moreno Valley's employment problem: Failure to competively educate its residents, especially its youth into promising, higher paying, more rewarding and fulfilling, and longer lasting careers. Rather MoVal elected officials are acquiescing to accepting the future fate of its residents as "Logistics and Warehouse" people, creating a permanent employment ghetto for all future generations of its residents.
    d. In John Husing's presentation he pointed out that because of the lower average education level of the Inland Empire in general and Moreno Valley in particular, this was the kind of project that was needed. One basic reason the SF Bay Area is so prosperous is that the average percentage of people with bachelor or higher degrees for all 9 counties is 42% (Go SF!). For the IE, it's 21% and for MoVal, it's 19%. Husing's solution, forget about creating high-end jobs and concentrate on blue collar jobs, such as logistics: In other words, relegate Moreno Valley's future generations to the warehouse ghetto. Moreno Valley officials should be fighting for a "World" education center, not a "World" logistics center.
5. Large Scale Warehouse Development creates permanent visual blight.
6. Inefficient use of last remaining open space in Moreno Valley
    a. Too much land is being used up for too little jobs.
    b. High quality manufacturing creates up to 10 times more jobs per square foot requiring less land for more jobs.
    c. Moreno Valley loses flexibility in planning for alternative land uses in the future
7. Specter of Corruption
    a. There has been much rumor that warehouse developer Iddo Benzeevi, President and Chief Executive Officer of HF Logistics-SKX T1, LLC c/o Highland Fairview Properties, who partnered with Skechers to build Skechers warehouse has made campaign contributions to Moreno Valley Council Members to support warehouse development in East Moreno Valley. Moreno Valley Council Members who have received these types

of contributions should disclose the contributions and recues themselves from voting on the "World" Logistics Center Specific Plan". Let's not have another corrupt city council such as in San Jacinto or Bell.

b. People are questioning who the city council is employed by, its residents, or the developers.

8. Moreno Valley is losing its identity
    a. East end has been named Rancho Bellagio. People will think it's a different community. Could secede from Moreno Valley and form it's own: industrial based community like Industry/Commerce leaving Moreno Valley in the cold.
    b. Moreno Valley has not found anything unique or exceptional about itself Warehousing will only make matters worse. Moreno Valley is not, nor will it continue to be, the only area with "mega" warehouses. Other parts of the I.E. will compete and create even larger warehouses causing Moreno Valley warehouses to be eventually obsolete-and with it-blight which the city will have to pay for curing.
    c. Moreno Valley should use remaining lands to fight for something exceptional and unique. Once warehouses are in, that choice will be gone.
    d. Moreno Valley should also concentrate on its existing development, such as its malls to find uniqueness and cure blight.
9. Motive of developer will always be only profit, not community betterment.
    a. The high paying jobs, so often discussed, have already been paid through the development and construction of the warehouses, via the construction loans. Once the "tilt-ups" are in, the construction force is gone, on to the next vacant parcel, leaving the remaining warehouse-worker jobs which pay less and are less skilled. Consequently there is no sustainable high quality workforce.
    b. Iddo Benzeevi, is essentially a landlord. He will make tens of millions of dollars from ground/warehouse rents. NONE of his profits go back to the warehouse labor force. In contrast, if a manufacturing company locates in Moreno Valley, profits are shared by, not only management, but also by the labor force.
10. Moreno Valley has always underestimated the value of its land.
    a. Since the first housing tracts in the late 1970's, housing and other developers came to Moreno Valley for one reason: the land was cheap. That mindset holds true today. The single most important reason Iddo Benzeevi has located in Moreno Valley is that his big-box concept can be built most profitably because it's on the cheapest land in the area. He's not locating to the west towards the ports because the land is too

expensive for a big-box warehouse. Trust me if the land westerly was comparably priced, Benzeevi would jump at it and not locate in MoVal. So let's not forget his motives.

b. Moreno Valley elected officials should be jealously guarding its remaining open-space for the most exceptional, longest lasting use. Moreno Valley officials are stewards for the community. They have to thinking of what the city will look like-be like, for their grandchildren. There is only so much land left. Its priceless.

Sincerely
Ron Roy

Concerned Citizen.

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

Transportation Department

Juan C. Perez, P.E., T.E.
Director of Transportation

May 1, 2012

Mr. John C. Terell, AICP
City of Moreno Valley
Community & Economic Development Department
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805

RE: World Logistics Center Specific Plan

Dear Mr. Terell:

Thank you for providing the County of Riverside the opportunity to review and comment on the World Logistics Center Specific Plan in the City of Moreno Valley (Project).

The proposed industrial land uses will lead to significant increases in traffic volumes in the area. The Riverside County Transportation Department (RCTD) requests that the traffic study for the proposed development address potential impacts and mitigation measures on any County roadways in the area included in the County General Plan on which 50 or more project peak hour trips are added. Necessary improvements to mitigate project impacts should be identified, and responsibility for the needed improvements should be designated. The traffic study should include a truck study and identify impacts from heavy vehicles as well on Gilman Springs Road, Bridge Street, and Ramona Expressway at a minimum. We request that the Riverside County Traffic Study Guidelines be followed for analysis of facilities within Riverside County. If a modeling process is to be used for the traffic analysis, model inputs and assumptions shall be thoroughly documented.

RCTD would like to meet with the City and project proponent to coordinate and address any potential issues of concern.

RCTD requests to be included on the public distribution list for any material related to the project. Please send the material to Farah Khorashadi at 4080 Lemon Street, 8th Floor, Riverside, CA 92501.

3525 14TH Street · Riverside, CA 92501 · (951) 955-6800
P.O. Box 1090 · Riverside, CA 92502-1090 · FAX (951) 955-3164

Thank you again for the opportunity to review the project. We look forward to receiving the EIR and the traffic analysis for the development. The County contact person is Farah Khorashadi and can be reached at (951) 955-2091.

Sincerely,

Juan C. Perez
Director

FK:JCP:rg

cc: Patricia Romo, Deputy Director of Transportation
Farah Khorashadi, Engineering Division Manager

Susan C Gilchrist
29163 Highland Boulevard
Moreno Valley, CA 92555
March 26, 2012

City of Moreno Valley
Community and Economic Development Departnebt
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552
John C. Terell, Planning Official

RE: Notice of Preparation of a Draft Environmental Impact Report-World Logistics Center Specific Plan

John C. Terell,

As a member of the citizen organization, Residents for a Livable Moreno Valley, I would like to express my dismay at the development of a logistics center in the eastern portion of Moreno Valley. This is in direct conflict with the General Plan and will impact the City both in future employment opportunities as well as lowering the projected income level of the City. Low paying jobs will not bring prosperity to our City and will result in more traffic than the original General Plan. Moreno Highlands with the 7700 homes proposed was not a satisfactory land use and certainly should not be compared with warehousing. The statement that warehousing will bring reduced traffic is based on the Moreno Highlands Specific Plan and that plan was unsatisfactory. There needs to be a variety of housing (rural and urban) and a variety of employment opportunities in the City. Just a quick glance at the City of Mira Loma and the City of Jurupa Valley will indicate the future of Moreno Valley and raises the question “Is this what the residents want?”.
The warehouse center is adjacent to both Lake Perris SRA and the San Jacinto Wildlife Area. Both are unique in their concern for open space and wildlife conservation. Warehousing is not compatible with rural development and wildlife.

1. Will the EIR provide a true environmental baseline or will the land be scraped and degraded before the study is done?
2. Will both plant and animal surveys be done by the Fish and Game as well as by the State at Lake Perris?
3. Will run off from the warehousing go into the San Jacinto Wildlife Area and will underground pollution reach the SJWA?
4. Will lighting from the project interfere with migratory patterns of waterfowl?
5. Will substantial buffering be provided by the project with sufficient distance between the project and the boundaries of both the Lake Perris SRA and the SJWA?
6. Will the noise of truck traffic during non peak commuting hours (night) have a positive effect the behavior of animals in the open space areas?
7. Will the odor of diesel and the particulate matter produced have a positive effect on the nesting behavior and breeding behaviors of native animals?

8. What effect will the possibility of excessive runoff have on the Villages of Lakeview to the south?
9. Will the warehousing displace proposed housing and if so, where will the increased density be planned?
10. Will the project improve the view of Moreno Valley as seen by residents of Moreno Valley Ranch?
11. Will the warehousing and the additional traffic improve the air quality of the Moreno Valley/Hemet/Lakeview valley?
12. How does the warehouse project meet the long range Riverside County Transportation plans?
13. What is the projected date for Caltrans adding additional lanes to SR 60 through the Badlands?
14. Why is a request for a land use designation change being proposed when Beaumont has a better warehouse project plan east of the Badlands and along the I-10 freeway?
15. Why is a request for a land use designation change being proposed when current warehouse sites have access to I-215 which is designed to handle the traffic?
16. Will Caltrans propose a westbound truck lane on SR 60 and when will it be built?
17. Why is Redlands north of SR 60 a truck route when it passes through State park land and is a 2 lane route? Will truck traffic from the warehouse complex be restricted from using this route?
18. Will the warehousing be serviced by Edison or by the Moreno Valley Utility?
19. Will solar panels be installed on all facilities and excess power be put into the MVU grid?
20. How will Moreno Valley escape the reputation of being a “one business” City if we have a total of 50 million (or more) square feet of warehousing….and nothing else?
21. How will the City of Moreno Valley refute the reputation of a place where we make folks sick (warehousing) and then treat them (hospitals)? You must admit the hypocrisy here…
22. What is the projected ratio of employees per square foot of warehouse? Skechers is 1860000 sq ft with 600 employees. One worker for 3,100 sq feet of building. This is an unsatisfactory ratio especially when considering alternative job opportunities that will be lost.
23. Will a truck stop with overnight and refueling capabilities be added to this project?
24. Will there be open space paseos and trails throughout the project?
25. Will the building setbacks be sufficient to provide a business park atmosphere?

Sincerely,

Susan C. Gilchrist
Residents for a Livable Moreno Valley, member

RECEIVED
MAR 26 2012
CITY OF MORENO VALLEY
Planning Division

City of Moreno Valley
Community & Economic Development Department

14177 Frederick St.

Moreno Valley, CA 92552

Attn: John Terell

RE: World Logistics Center Specific Plan

Dear Mr. Terell

My name is Scott Thompson. I live at 13258 Canterbury Downs Way in Moreno Valley. I am writing in response to the notice that was sent to our home regarding this project.

I wanted to provide you with my view of the environmental impact this project may create.

Here is a list of the issues I see.

Water Consumption – Where will the water come from?

Aesthetics – I live directly across from the proposed development and it will total destroy the scenic views that I enjoy. I bought this house in this location because of it.

Culture – This community I live in is "horse property". Our developer spent money to put in trails for horses. I pay taxes and HOA fees to maintain them. This project would eliminate that culture.

Noise – We will have increased noise. Already I can hear the Trucks at Sketchers. How much more when we add 41M sq ft of logistics/warehouse space.

Air quality – The air quality in the east side of Moreno Valley will decline. Currently, the eastside of town has the best air quality. That will change from the trucks idling and passing through the World Logistic Center.

Lighting – Wow! Sketcher's already lights up the neighborhood. We will be glowing on the east end. The illumination from all the buildings and parking lots will definitely have a negative impact on the environment.

Recreation – This area is currently horse property or Ranch property. Many of the homes have large lots to accommodate horses and other animals. The projected development will removes this type of activity.

Bird/Animal Sanctuary – Currently, I know of a hawk family that lives and feeds in the area. There are many other types of birds and small animals that live and reside in these fields. Where will they go if the project is approved?

Economic – Obviously, property values for homes in the area will drop when these monstrous buildings are erected.

This is small list and basically the tip of the iceberg. I am sure there are other significant things that will come up as more environmental studies are done.

I want to add that this project is a detriment to those living in the surrounding area. I oppose this project. The thought of this type of development near my home makes me sick. This area was never planned for this type of project. I bought here because of the openness of the land. I reviewed the current plan and land use of the undeveloped areas and I was excited to see that it would be a great area for my daughter to grow up.

Thank you for your time and I hope that my letter and the letters of others will provide enough information to deny the project.

Best regards,

Scott Thompson

13258 Canterbury Downs Way

Moreno Valley, CA 92555

951-742-8075

Scott0282003@yahoo.com

RECEIVED
MAR 26 2012
CITY OF MORENO VALLEY
Planning Division

San Jacinto Valley Wetlands Foundation

Dedicated to preserving, restoring and maintaining the San Jacinto Valley

March 19, 2012

Re: Preparation of Draft Environmental Impact Report for the World Logistics Center Specific Plan

John Terell, Planning Official
City of Moreno Valley
Community and Economic Development Department
14177 Fredrick Street
PO Box 88005
Moreno Valley, CA 92552

Dear Mr. Terell:

The San Jacinto Valley Wetlands Foundation is a private, philanthropic organization involved in creation, management and maintenance of wetlands in the San Jacinto Valley. The majority of our contributors own land adjacent to the San Jacinto Wildlife Area.

I would like to request that the Environmental Impact Report for the World Logistics Center include the following items:

An analysis of the amount of increase in ambient nocturnal light and its potential effects on the San Jacinto Wildlife Area.

The effect of the increase in diesel emissions on the San Jacinto Wildlife Area.

The effect of increased noise and disturbance on the San Jacinto Wildlife Area.

An independent, detailed assessment of traffic impact on highway 60, highway 215 and Gilman Springs Road.

An analysis of how waste water runoff will be handled.

San Jacinto Valley Wetlands Foundation
6841 Livingston Drive, Huntington Beach, CA 92648 714-421-3476 fax 714-596-5669

What affect this project might have on the ground water and underlying aquifer.

An assessment of overall water use for the project.

What impact will the project have on the Riverside County Multi-Species Habitat Conservation Plan.

Please put me on your mailing and e-mailing list for any notices, meetings or information regarding this project. My e-mail is drmarshall@hbomfs.com.

Yours truly,

Michael W. Marshall, D.D.S.
President and founder, San Jacinto Valley Wetlands Foundation

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

March 23, 2012

John C. Terell, AICP
City of Moreno Valley
Community & Economic Development Department
Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Notice of Preparation of a CEQA Document for the
World Logistics Center Specific Plan

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft CEQA document. Please send the SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. The lead agency may wish to consider using land use emissions estimating software such as the recently released CalEEMod. This model is available on the SCAQMD Website at: http://www.aqmd.gov/ceqa/models.html.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has developed a methodology for calculating PM2.5 emissions from construction and operational activities and processes. In connection with developing PM2.5 calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM2.5 emissions and compare the results to the recommended PM2.5 significance thresholds. Guidance for calculating PM2.5 emissions and PM2.5 significance thresholds can be found at the following internet address: http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at http://www.aqmd.gov/ceqa/handbook/LST/LST.html.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: http://www.aqmd.gov/prdas/aqguide/aqguide.html. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: http://www.arb.ca.gov/ch/handbook.pdf. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Project Specific Comments

The proposed project could attract a substantial number of new heavy duty trucks into the city of Moreno Valley based on the amount of new warehousing described in the NOP. As heavy duty trucks are traditionally powered by diesel technologies, the potential regional and local air quality impacts must be addressed at this early planning stage. This planning document provides a unique opportunity to provide project-specific design features or mitigation that will help the region achieve its attainment goals, and will minimize potential impacts on local residents. AQMD staff encourages the lead agency to minimize the exposure of sensitive receptors from diesel trucking activity associated with this proposed project, including loading docks and truck routes. Further, if this project is built out, the lead agency should ensure that new sensitive land uses (such as residences, schools, etc.) maintain this reduced exposure.

AQMD staff encourages the lead agency to consider the measures listed in the Western Riverside Council of Government's Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities to reduce potential impacts on local residents. Examples of these measures include ensuring adequate buffers are provided between trucking activity (at dock, and on road) and sensitive receptors, and providing nearby services for truckers to eliminate their need to drive through local neighborhoods. In addition, the lead agency should consider how cleaner trucking technologies can be feasibly implemented in the shortest timeframe possible. For example, the Draft 2012 Regional Transportation Plan includes a zero or near zero emission freight corridor located along the SR-60 freeway with an eastern terminus at the I-15 interchange. As many of the trucks serving this project are likely to travel along this corridor, the Draft EIR should include a description of how the project will facilitate the use of zero/near-zero emission technologies between the I-15/SR-60 interchange and the warehouses located within the project site. Lastly, given the large amount of square footage this project dedicates to new warehouse buildings, the lead agency should consider requiring that a substantial proportion of the roof space be dedicated to solar panels to reduce the emissions

impact of fossil fuel based electricity generation technologies. AQMD staff is available to work with the lead agency and the project proponent to identify project specific measures that will minimize potential air quality impacts.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (http://www.aqmd.gov).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. If you have any questions regarding this letter, please call Ian MacMillan, Program Supervisor, CEQA Section, at (909) 396-3244.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

IM
SBC120223-01
Control Number

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: May 1, 2012 May 1, 2012
johnt@moval.org

Mr. John Terell
Planning Department
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Review of the Draft Specific Plan for the Proposed World Logistics Center Project

The South Coast Air Quality Management District (AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are intended to provide guidance to the lead agency and should be considered prior to approving the Final Specific Plan.

The Draft Specific Plan includes various design and infrastructure guidelines for the proposed 2,684 acre World Logistics Center project. This development will include up to 41.6 million square feet of new high cube warehousing. There are a number of references to sustainable design in the Draft Specific Plan; however there is no mention of how the project would impact air quality. Because this goods movement project will utilize a substantial number of trucks, there is the potential for significant regional and local air quality impacts from truck emissions.

While the project-specific air quality analysis has not been provided to our agency with the Draft Specific Plan (SP), there are a number of features in the Draft SP that may affect air quality that warrant comments at this early planning stage. For example, the Draft SP already has specified buffer zones between trucking activities and homes before presenting an air quality analysis demonstrating that the setback appropriately protects public health. Further, the Draft SP contains no discussion of alternative fueling infrastructure for trucks (such as natural gas or electricity), or onsite renewable power generation. Lastly, specific requirements could be added to the Draft SP that will help minimize any potential air quality impacts such as support services for truckers and limits on trucking activity that coincide with the EIR analysis. Details regarding these comments are attached below. AQMD staff recommends that the lead agency consider the attached comments and incorporate them as appropriate into the Specific Plan and the Environmental Impact Report.

Please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final Specific Plan. Further, staff is available to work with the lead agency to

address these issues and any other questions that may arise. Should you have any questions regarding these comments, please contact me at (909) 396-3244.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

RVC120413-10
Control Number

1) Buffer Zones Between Trucking Areas and Homes

Based on a review of the Draft Specific Plan (e.g., Street Sections B, C, and E), it appears that areas with heavy duty diesel trucking activity (such as roadways and loading dock areas) may be planned as close as approximately 250 feet from homes. In addition, Sections 8 and 9 of the Draft Specific Plan describe setback distances between buildings and residences or streets, but do not include specific setbacks from areas of diesel trucking activity. According to the California Air Resources Board guidance[1], without more project-specific information, sensitive land uses such as homes should maintain a buffer zone of up to 1,000 feet from distribution centers with more than 100 trucks per day or 40 trucks per day with operating diesel transportation refrigeration units. AQMD staff recommends that an air quality Health Risk Assessment (HRA) be prepared that analyzes the cumulative impact of all approved and proposed warehouses in the vicinity before determining the appropriate buffer zone distances. Further, setback distances should be specified between areas of diesel trucking activity and sensitive land uses.

2) Alternative Fueling/Energy Infrastructure

The Draft Specific Plan contains some details regarding utility infrastructure such as natural gas lines and electrical infrastructure. Because this logistics center is proposed to be a major new destination and/or origin of goods movement in the region, AQMD staff encourages the lead agency to begin planning now for alternative fueling infrastructure for the trucks serving this development. This could include natural gas fueling infrastructure and/or electrical charging infrastructure. As an example, the 2012 Regional Transportation Plan includes a proposal for a zero or near zero emissions freight corridor parallel to State Route 60 between I-710 and I-15. As many of the trucks serving the proposed project will likely use this route, there should be infrastructure in place onsite that will help facilitate these alternatively fueled trucks. AQMD staff recommends that the Specific Plan include requirements that infrastructure for alternative fueling be provided at project start up.

Further, the Draft Specific Plan estimates that the development may need up to 147 MW of electrical demand. In order to reduce the demand on local power generating stations (that have emissions of air pollution), the project should require that the abundant roof space of these high cube warehouses be used for solar energy generation such as photovoltaic panels. Lastly, the Draft Specific Plan should require that any facilities served by trucks with transportation refrigeration units (TRUs) include electrical infrastructure so that the TRUs can plug in and run off of electrical power instead of diesel while at the facility. The estimated electrical usage value of 147 MW should also be reviewed to determine if more is needed to serve electric TRU's and electric trucks.

3) Truck Trip Rates

In order to ensure that the Environmental Impact Report (EIR) prepared for this project does not underestimate air quality impacts, the lead agency should put a requirement in the Specific Plan that places a limit on the number of trucks that serve the project site at a plan level to not exceed what is analyzed in the EIR.

---

[1] *Air Quality and Land Use Handbook: A Community Health Perspective*, available here: http://www.arb.ca.gov/ch/handbook.pdf

4) Trucking Industry Support Services

The proposed project includes only two land use designations for the logistics portion of the project including a Logistics Development category and a Light Logistics category. Neither of these land use categories permits any support services for the trucking industry such as food, fueling, lodging, truck repair, etc. Consistent with the Western Riverside Council of Governments guidance[2], AQMD staff recommends that the lead agency provide these kinds of services onsite in order to reduce the amount of trucking activity (with its associated emissions) outside of the project site.

[2] *Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities*
Available here: http://www.wrcog.cog.ca.us/downloads/Good+Neighbor+Policies+Final-091205.pdf

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): JAEGER P. JONES Phone: 951-634-8252

Address (Required): 23941 LEMON AV. PERRIS. E-Mail: JJONES@MILLER-JONES.COM

***Note: Your name and contact information will become part of the public record for this project.**

[X] Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date:

HIGHLAND FAIRVIEW - HAS PROVEN WITH SKETCHERS THEY HAVE THE BEST IN MIND FOR OUR COMMUNITY - THE BUILDING IS VERY GREEN & HAS ADDED HIGH PAYING JOBS FOR US.

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): Sandra Williams Phone: 951-485-2285

Address (Required): 27756 Lafayette Way E-Mail: sanw.williams@ph.la.county.gov

Moreno Valley, CA. 92555

*Note: Your name and contact information will become part of the public record for this project.

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Date: 3-12-12

Please provide your comments below:

Having heard the comments at tonights meeting I am shocked and concerned about the proposed project.

Have other, less polluting projects been considered to bring jobs into the city. If so, what were the alternatives and outcomes for job creation and environmental impact.

I do not think the city should only utilize building warehouses as the only option to create jobs. What is, or has been done to research "other" options to create jobs in the city? Please update me on "all" ways, notice publications, etc. related to this project.

Thank you

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): Amber* Reilly Phone: (951) 452-9107

Address (Required): 29105 Arcoburnaro BLVD. E-Mail: deegunlk@live.com

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Date: 3/12/12

Please provide your comments below:

I, Amber Reilly am concerned with the environmental impact this project will have on the surrounding environment. I am a homeowner with two small children, and am concerned with the pollution that will accumulate around and in the developed mountains. The way that they are actually erect, will collect emissions from the factory & trucks. I have two owls living in my tree with nest, and will cause harm to them & my kids. Along with that the traffic coming & going will have hazardous concern on myself and overall children. I moved out that way for the scenery and clean air, and less population and congestion. Thank you.

Amber Reilly

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project. A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): Peggy Hadaway Phone: (951) 601-2093

Address (Required): 12255 Cocopah Court Moreno Valley 92557 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12 Mar 2012

(1) I am especially concerned about adding more pollution, especially to the air quality (2) I am also concerned about the true number of permanent jobs this project will bring to this town and (3) whether such as massive building is justified considering items 1 and 2 above.

(4) Due consideration is needed to bringing in alternative businesses to Moreno Valley in stead of this one project.

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): George B. Hague Sierra Club Phone:

Address (Required): 26711 Ironwood Ave 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below: Page 1

Date: 3-12-2012

DEIR must include viable alternatives which lessen the impacts to SR 60

What are going to be the transitional uses within the projects' boundry to avoid impacts to adjoining land owners.

Project ~~alternatives~~ objectives need to be

What is the definition of High-cube that is going

This Scoping Plan is premature without a specific Plan therefore ~~the Sierra Club believes this process needs to start again with the specific in the hands of the Public.~~

Does the developer control all the lands within the boundary the DEIR needs to show which lands are not controled.

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): George B. Hague Sierra Club Phone: _____

Address (Required): 26711 Ironwood Ave 92555 E-Mail: _____

***Note: Your name and contact information will become part of the public record for this project.**

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below: Page 2

Date: 3-12-2012

Will there be full blown truck stop. If there is what will be the social & environment impact.

What Level of LEED will the building qualify

The project will displace (not replace) 7,700 units. the city must include these 7,700 units in the traffic analysis — or the DEIR must be included.

What will be the buffer with the San Jacinto Wildlife Area

The DEIR will be inadequate unless the diesel toxic particulant pollution as well as diesel vapors are thoroughly analyzed.

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): ARTURO R. BENITEZ Phone: (909) 732-5294

Address (Required): 26156 CORONADA DR E-Mail: NONE

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 03-13-12

I HAVE LIVED IN M.V. SINCE 1985 AND HAVE SEEN THE CHANGES AFFECTING OUR CITY. MANY CHANGES HAVE BEEN POSITIVE, BUT THERE ARE MANY CHANGES THAT HAVE CAUSED A LOT OF DAMAGES AND LOSSES TO US THE TAXPAYERS RESIDENTS OF M.V.

I ATTENDED THE MEETING YESTERDAY, BUT DID NOT WALK TO THE MICROPHONE TO PUT IN MY 5¢ BUT NEXT MEETING, WHEN HOPEFULLY WE ARE PROVIDED WITH DETAILED PROJECT INFO. AND THE BOUNDARIES THAT THE PROJECT WILL AFFECT I WILL PARTICIPATE WITH MY OPINION.

ONE THING YOU "MUST" DO IS TO BE VERY TRANSPARENT AND PUBLISH ("PRESS ENTERPRISE"?) EVERYTHING SO THAT ALL OF M.V. HAS KNOWLEDGE OF ALL FACETS ON THIS PROJECT.

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

RECEIVED
MAR 14 2012
CITY OF MORENO VALLEY
Planning Division

City of Moreno Valley

Notice of Preparation (NOP) for an Environmental Impact Report (EIR)

PUBLIC COMMENT CARD

Thank you for your interest in the World Logistics Center project, A proposed specific plan for the future development of up to 41.6 million square feet of building area on 3,820 acres of land - 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. The project is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley. The applicant for the proposed project is Highland Fairview Properties. Please provide your NOP comments below and submit this card during the public scoping meeting or mail/e-mail to the addresses listed below by 5:00 p.m. on Monday, March 26, 2012, the end of the required 30 day NOP review for the project. Please attach additional pages, if necessary. Your participation and comments are appreciated.

Name (Required): CHARLES ROBINSON Phone: 714-328-5134

Address (Required): 27773 Auburn Ln., MOVAL 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 3-15-2012

I DID ATTEND YOUR MEETING 3-12-12 AT MOVAL CITY HALL. AS A RELATIVELY NEW HOMEOWNER IN 92555 AREA, WE ARE LEARNING MORE ABOUT THE CITY & YOUR HOLDINGS (PROPERTY). IT IS VERY GOOD YOU ARE DEVELOPING BUSINESS INTEREST IN YOUR HOME & CITY OF MOVAL. HOWEVER, WITH THE CITY HAVING MINIMUM LEAVERAGE IN MAKING DECISIONS WITH THE PROJECT, A PERSON LIKE YOU SHOULD NOT ONLY CONSIDER YOUR PERSONAL INTEREST, BUT SHOULD CONSIDER CITY INTEREST TOO. IT WOULD BE VERY CONSIDERATE OF YOU WHILE NEGOTIATING THESE CONTRACTS BETWEEN YOU (AS DEVELOPER) AND COMPANIES OF NEW LOGISTICS CENTER TO INCLUDE PROVISIONS TO HIRE LOCAL CITY MEMBERS IN THE DEVELOPMENT PROCESS & FULL TIME WORKING WITH COMPANIES COMING IN. THIS EFFORT ON YOUR PART WOULD DEFINETELY BOOST YOUR CREDIBILITY & RESPECT WITH COMMUNITY & CITY GOVERNMENT OF MOVAL.

Thank you for your comments. Please submit this form by 5:00 p.m. on Monday, March 26, 2012 to:

City of Moreno Valley
Community & Economic Development Department/Planning Division
ATTN: John Terell or Mark Gross
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Johnt@moval.org or Markg@moval.org

RECEIVED
MAR 19 2012
CITY OF MORENO VALLEY
Planning Division

MAR 15 2012

March 13, 2012

City of Moreno Valley

Community & Economic Development Department

14177 Fredrick Street

PO Box 88005

Moreno Valley, CA 92552

RECEIVED
MAR 1 5 2012
CITY OF MORENO VALLEY
Planning Division

Ref: World Logistics Center Specific Plan (Notice of Preparation of a Draft Environmental Impact Report)

I own the residence at 14670 Gilman Springs Road in the unincorporated portion of Riverside County. The project proposes to annex 85 acres between Alessandro Blvd and Gilman Springs Road which is directly in front of my property. I believe there is an error on your proposal as the parcel may only encompass 75 acres. I have several concerns with the proposal as outlined below.

1. Gilman Springs Road is already impacted way beyond its design and Moreno Valley does not adequately maintain the roadway surface of Gilman Springs Road and Alessandro within its city boundaries. With the proposed annexation out to Alessandro then I fear additional and continued neglect to both of these roadways.
2. Gilman Springs Road and Alessandro Boulevards intersect at a 45 degree angle that is currently both dangerous and hard to maneuver. The continuation of this intersection as it now stands would be even worse with heavy truck traffic due to the proposed change in the Specific Plan.
    a. Suggestion: If this project does go forward the intersection of Alessandro and Gilman Springs should be at a 90 degree angle. This should be done west of the 16 inch high pressure gas line owned by Quest Star Pipeline. This intersection should be signalized and not controlled with just stop signs as this will prohibit me from entering or exiting my property due to a steady stream of traffic with no breaks. This new intersection could align with the unimproved dirt road used by Quest star, Southern Cal Gas and County Fire.
    b. Gilman Springs and Alessandro should both be 6 lanes at this intersection plus additional right and left turn lanes with adequate stacking space for trucks so that they don't block traffic.
    c. There should be a turn median in front of my property so that I can enter and exit safely with my truck and trailer.
3. I have a serious concern about the truck traffic impacts on Gilman Springs Road State Route 60 and the inadequate freeway interchanges and overpasses. My guess is that at least 70% of the residences of Moreno Valley use Route 60 and the rest use either I-215 or local streets to leave and enter Moreno Valley. Given that this is a State Route and not an Interstate Freeway; federal funds are not as readily available for both expansion and maintenance. The reason the City of

Moreno Valley designated the southern portion for Industrial development was because of the large freeway intersections and on ramps along I-215. To continue to expand with large industrial logistic warehouses along State Route 60 is foolish. Theodore Street overpass is already at a crawl going north due to the trucks accessing the County Dump. They travel at about 5 miles per hours over the bridge while fully loaded. Again this bridge roadway is not maintained and his heavily rutted and poorly maintained.

4. Lack of adequate bridges and interchanges from north to south over State Route 60. There is not one overpass along State Route 60 that is more than a signal lane in either direction. Most don't have adequate sidewalks for pedestrians or bicyclists and the lanes are also very narrow. This is exasperated by the fact that there are no public schools north of the freeway east of Lassalle nor are there any emergency services such as fire stations or hospitals. There are also no proposed non interchange bridges connecting the north and south side of the freeway. Direct north south bridges would not be impacted the way interchange bridges would be. School buses would also be impacted by this proposed scope change.
5. This is an issue of "Environmental Justice" when the residences of the northeast end of the city are effectively blocked off from access to schools, medical attention, police services and grocery stores if the bridges are so impacted that it would take 20 minutes to just cross over the freeway to get basic services. This is already becoming a problem without the proposed increase in truck traffic. Note: Tractor Trailer rigs acceleration times from dead stops restrict the smooth flow of traffic much more than automobiles.
6. If you don't believe this bridge overpass congestion is possible just take a look at Fontana along I-10 where they have dealt with this for years and years before now replacing every bridge (again I-10 is an interstate not a State Route so it gets priority when it comes to Federal funding). RCTC, Caltrans and SCAG do not have the bridges or freeway widening anywhere on their list of future projects, thus there is no money for years and years to build these even if they were place on the list this year.
7. The study also needs to take into consideration the proposed industrial developments in Beaumont and Banning that will also impact Route 60. What about cumulative effects?
8. Any development changes in the proposed Specific Plan should reflect local streets that are adequate for handling heavy truck traffic such as have been done in Ontario and most recently in Redlands and San Bernardino's newer industrial parks where the roads are at least 3 lanes in each direction with open medians and lanes of at least 11 -12 feet wide. The roadway in front of the Skechers does not offer this and thus is not a good example model.

Respectfully submitted,

Duncan Bush 951-333-3540 cell

14670 Gilman Springs Road

Moreno Valley, CA 92555

MORENO VALLEY GROUP

PO BOX 1325, Moreno Valley, CA 92556-1325
Email address movalleygroup@yahoo.com Fax 951-924-4185

Regional Group of the San Gorgonio Chapter serving Moreno Valley

John Terell
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

March 26, 2012

Dear Mr. Terell:

Re: Notice of Preparation (NOP) for the Logistic Center (WLC)

The Sierra Club appreciates this opportunity to comment on this NOP. We have several concerns and questions we want addressed in the Draft Environmental Impact Report (DEIR), but probably most of our concerns are about Global Warming, Climate Change, Greenhouse Gas Pollution and Air Pollutant emissions. These concerns can be read below and we expect this project to do everything possible to eliminate and mitigate these problems in our non-attainment area.

During attendance at the NOP meeting, the Sierra Club realized that more needed to be done. The Skechers NOP meeting also had more than 30 in attendance, and this project is just as divisive. You had less than a dozen NOP handouts. When you were notified that significantly more were needed, they were not forthcoming. Therefore, at least 80% of those in attendance did not have what little information you provided during the meeting. Arriving early, I was able to obtain one of the few documents, and on the backside of the cover page, it reads "at this meeting, agencies, organizations, and members of the public will be provided a brief presentation on the project and will be able to review the proposed project …" Most people were not able to review the project, and I would be surprised if all had access to a computer or even know the NOP document was available somewhere online.

Environmental justice requires informed "public participation." What is described above does not qualify. Moreno Valley's population is more than 54% persons of Latino/Hispanic origin, according to the 2010 census. How can you truly have public participation without all documents related to the World Logistic Center (WLC) available in both English and Spanish? The same is true for all meetings. There must be enough headsets and interpreters for everyone to know what is said by everyone else at all meetings related to the WLC. In the Kettleman City case, the California Superior Court ruled that "meaningful involvement in the CEQA process was effectively precluded by the absence of Spanish translations."

The Sierra Club strongly recommends that you begin the NOP process anew because the City's failure to translate crucial documents and meetings has effectively excluded many residents from exercising their statutory right to participate in the decision-making process. The Sierra Club also expects all documents related to the WLC to avoid highly technical language and to make them comprehensible to the average Moreno Valley resident.

The Sierra Club also believes the NOP document provided to the public did not provide enough information and was misleading. The information does not "provide sufficient information describing the project and the potential environmental effects to enable responsible agencies to make a meaningful response. At a minimum, the information shall include: (c) Probable environmental effects of the project." (CA Code of Regulation EIR Process Section 15082)

The NOP the City provided does not address potential environmental impacts or even an easily understood location and number of homes that will be impacted. Your map of open space is misleading. The maps on Pages 5 and 6, as well as Page 7, give the impression that existing Department of Fish and Game (DFG) lands, as well as those of San Diego Gas & Electric, are part of the project and, therefore, the project description is not accurate for NOP commenters. Those DFG lands are part of the San Jacinto Wildlife Area (SJWA), which is a cornerstone of the Riverside County Multi-Species Plan, and the NOP fails to mention any potential environmental impacts to these significant lands for the NOP commenters. Potential impacts to our two-lane SR 60 should have been mentioned, similar to the concerns expressed by the executive director of the Southern California Association of Governments: " 'You are talking about a huge amount of warehousing, and you don't have the infrastructure to support that,' Ikhrata said." (Press-Enterprise, 3-10-2012)

For all of the above reasons, the Sierra Club strongly believes that the WLC NOP process needs to be improved, then recirculated to all agencies and organizations, as well as to members of the public. We also believe that for such a large and regionally significant project that all interested parties need more than 30 days.

The WLC is displacing – not replacing – 7,300 to 7,800 housing units that were part of the 20-year-old un-built Moreno Highlands project and are still shown on the Moreno Valley General Plan as part of our fair share of the region's housing stock. The DEIR and any General Plan amendments for the project must show the alternative placement for these houses in Moreno Valley. The DEIR must include these displaced units in the air quality and traffic analyses as well as all other impacts analyzed, or the document will be inadequate.

The analysis of the WLC's impacts to SR 60 must go well beyond the city limits of Moreno Valley. They must include the interchanges with the I-10, I-215, and SR 91, as well as all of SR 60 between those locations. The DEIR must show where all bottlenecks exist along SR 60, such as that at the I-215 interchange and west of the SR 60/SR 91/I-215 interchange to the Santa Ana River, as well as the SR 60 east of Redlands Blvd. to the city of Banning. The DEIR must list all of the physical impediments to the widening of SR 60 to its ultimate width between the Santa Ana River and the city of Banning, as well as indicating which ones will not be eliminated as impediments within 5, 10 and 15 years, or the traffic analysis will be inadequate. The Level of Service needs to be shown at each of the impediments during the years listed above, as well as at the WLC's build-out. What will be the background traffic during each of the above calculations?

The DEIR must have a traffic analysis of Moreno Valley's city streets and, probably, those of neighboring cities where there is a blockage on SR 60 at any point between the Santa Ana River and the city of Banning. The traffic analysis needs to show what happens at each off-ramp/city streets between these two points where a semi-truck caused a freeway-closing accident, or the DEIR will be inadequate. Gilman Springs Road is a two-lane death trap. What improvements will be made to this road to make it safer? Redlands Blvd and the San Timoteo Canyon roads are no better. Since these dangerous roadways are the alternative routes when SR 60 is closed in the Badlands, what will be done to more safely allow the many thousands of trucks the WLC will

attract to use these winding two-lane roads that are popular with commuters. Since the majority of warehouses have peak times during the year—such as getting ready for the opening of schools and the holiday season—the traffic analysis as well as all others such Air Quality/ Greenhouse Gas must show the worst case scenario possible.

The DEIR must include those projects that will add to the cumulative impacts of the WLC. This must include not only the projects approved but not yet built, but also those that are in the pipeline but not yet approved. These projects cannot be limited to ones within Moreno Valley but must include all those in neighboring communities/lands that will impact the same road systems and air quality that the WLC will impact, or the DEIR will be inadequate.

The WLC will have significant impacts to the San Jacinto Wildlife Area (SJWA) and all of its wonderful resources. The DEIR must show what type of buffer the WLC will provide to protect the SJWA's resources. There are several threatened/endangered species at the SJWA, as well as others that fall under the protection of Western Riverside County's Multi-Species Habitat Conservation Plan (MSHCP) – both plants and animals. The toxic diesel emissions will float above the SJWA and settle on the habitat, plants, animals and ponds. The DEIR will be inadequate if it does not explain the impacts of these toxic emissions on the habitat, plants, animals and water resources of the SJWA, private hunting clubs, and the Lake Perris SRA over at least a ten-year period. Because environmental stresses impact each species in a different way, the DEIR must explain how toxic diesel emissions and other environmental stressors such as light and noise impact each of the species covered by the MSHCP as well as the Stephens Kangaroo Rat, on the SJWA, private hunting club lands, and the Lake Perris SRA over at least a ten-year period. How will public and private hunting resources be impacted by the toxic diesel emissions, run-off, lights and noise?

The DEIR must show all county and city trails within five miles of the WLC and how the project will facilitate their interconnection as well as where it will cause a breakage in the trail system. How will the project accommodate public transit and make sure the proper decision makers provide it for this area of the city? This is a major requirement to gain points under LEED certification, and the WLC must make sure that the workers have easy access to this form of transportation. Bike trails also need to be totally integrated into the WLC's Specific Plan. They should be Class 1 bike paths to protect the riders from the 18-wheelers. They should also be integrated into any regional plans as well as a slowly improving City plan.

Since building near sensitive receptors is considered unacceptable because of the toxic diesel emissions, the DEIR must analyze the health impacts on the well-being of warehouse workers within the WLC Specific Plan.

The DEIR needs to show how building all warehouses to each level of LEED certification (certified through Platinum) reduces both the short-term and long-term environmental impacts of the project. The DEIR also needs to give a definition of "modern high-cube logistics facilities" to be used throughout the Specific Plan. When you explain or show the number of acres set aside for jobs on behalf of Moreno Valley residents, you must include our fair share of the March Inland Port acres or your data will not be valid. Any economic analysis must include the efforts which "are underway to establish mega-warehouse complexes off Interstate 15 in the Adelanto and Barstow areas in San Bernardino County." (Press-Enterprise 3-10-12) The cost of improving the infrastructure to an acceptable Level of Service for the public needs to be factored into the same economic analysis. " A new railroad spur might have to be built, or Highway 60 could need a new lane in each direction on the 17-mile stretch between Interstate 215 in Riverside and the I-10 in Beaumont, Ikhrata said" (Press-Enterprise 3-10-12) The viability of the

WLC being built needs to analyzed in light of the Panama Canal being widened to allow the shipping of goods directly to the eastern portions of the United States. To combat this, most West Coast ports have banded together with Western railroads to eliminate thousands of trucks from the local goods movement. The Jobs 1st Alliance fears that the ports of Los Angeles and Long Beach could lose as many as 100,000 jobs when the Panama Canal overhaul allows much larger ships to bypass California. " 'Worst case, there could be a 25% diversion from the Los Angeles-Long Beach,' said Paul Bingham, the group's chief economist. 'That's upwards of 3 million cargo containers. That's a lot of dockworkers who don't get work, truckers with less to haul and trains that don't run.' " (Los Angeles Times 12-28-2011) The economic analysis must address the above concerns and how they could easily impact the short-term as well as long-term viability of this project. The Sierra Club will also expect to hear these real concerns addressed during presentations on the WLC.

What are your plans for the homes the WLC has decided to include within their Specific Plan? The Sierra Club believes transitional uses need to be near these and other nearby homes. If the your plan does not show these transitional uses, are we to assume that the City will use eminent domain to acquire lands from unwilling sellers? Will the City use eminent domain in connection with the WLC? Many of these same homes have great views, and their owners need to be able to tell from the DEIR if those views will remain after the build out of the WLC.

With 45-50 million square feet of warehousing in the immediate area, will there be a truck stop planned within the WLC Specific Plan? The social and environmental impacts of a potential truck stop must be analyzed in this DEIR and not later as some planned after-thought.

The DEIR must show how toxic runoff from the project will be handled. The document must first identify what toxic runoff will be expected from 41,600,000 square feet of warehouses and quantify it. The project's lands divide the flow of water with some heading eastward and some within the Specific Plan heading westward. The DEIR needs to explain the problems presented by this as well as the solution. The project needs to show how it plans to deal with the significant flooding in the area and what will happen to those waters. There are places where the ground water is quite shallow and the DEIR needs to show how these large buildings will deal with this problem. The reliance of our area on ground water is becoming more and more evident. What will the project do to avoid decreasing the amount of ground water these acres within the Specific Plan area presently provide? The DEIR needs to explain the net decrease of ground water as a result of the WLC. The Sierra Club expects you to have proof that there will be at least a 20-year supply of water -- after build-out -- without impacting the San Jacinto Wildlife Area.

Your NOP should have mentioned that the consumption of electricity by all these warehouses "would generate air pollutant emissions." During the "Forum" the word "green" was used again and again to describe the WLC. The Sierra Club expects all buildings WLC buildings to match or exceed the Gold LEED certification recently agreed to by the Alessandro Business Center warehouse in the City of Riverside. Through the installation of solar panels and other LEED ideas, you could avoid generating air pollutants with the electricity you consume. The DEIR must also explain what other aspects of the project will be "green" and if they are going to be required or just included to the "greatest extend possible," which mean very little. Agreeing to require that at least 90% of your off-road construction equipment meet Tier III standards would also significantly help our non-attainment city and county. Continuing to pave over prime agricultural lands as well as those of local and state importance must be mitigated. Having locally grown products also cuts down on the climate change problems mentioned above and below. As you know, a developer recently donated $100,000 to the Riverside Land Conservancy

to help mitigate for the loss of agricultural lands. Please consider how your project will seriously mitigate your impacts to agriculture and to raptor foraging. This valley is world renowned for having more than 20 species of raptors.

You should also make sure your parking provides ample reserved spaces for several form of cars using alternative fuels. The parking areas also need to be made of porous material to help with ground water recharge and to lessen run off.

Since some of Moreno Valley's designated truck routes pass by schools and their playgrounds, the Sierra Club expects the NOP to explain what requirements will be placed on the tenants as well as the truckers who will deliver/pickup products for your warehouse to avoid this very toxic situation. How will the WLC increase the toxic level of any school within 1,500 feet of designated truck routes within our City? The project's distance from homes needs to be easily understood as well as all the paths trucks could take to the warehouse. How will you protect the workers from breathing toxic diesel emissions throughout their workday? What equipment, including gardening equipment, will you make sure is electric instead of diesel or gasoline in order to lessen pollution and better protect the workers? The DEIR needs to explain how noise barriers used during the construction and use of the warehouse could lessen impacts identified in the Initial Study. Impacts to our local streets as well as our very crowded freeways need to be explained so the average citizen will understand. The DEIR -- not just appendices -- needs to show the length of trips and the routes the diesel trucks will be taking when driving to and from the warehouse. We need to know the maximum number of trucks that will use these warehouses each workday and not just after the first year, but when the warehouse is being used to its maximum capacity.

The land should not be disked for at least six months prior to doing the Burrowing Owl survey. Otherwise many will believe you are just making it difficult on this special animal as well as making it more likely that it will be listed as endangered. The Sierra Club believes the DEIR will be inadequate unless our concerns and issues found throughout this letter are thoroughly addressed within the DEIR document.

I. THE DEIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

As a potential significant impact, the Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed.

A. THE DEIR MUST ADEQUATELY SET FORTH THE THREAT OF GREENHOUSE GAS POLLUTION AND GLOBAL WARMING

The DEIR should discuss the grave threats posed by global warming to California and the world. Current scientific consensus on climate change has now determined that the link between greenhouse gas emissions and global warming is highly certain. In California, elected leaders, through Executive Order S-03-05 and the California Global Warming Solutions Act of 2006 (AB 32), have also squarely linked greenhouse gases with global warming.

In order to conform to CEQA's informational mandates and properly inform the public and decision makers of the significance of the Project's contribution to greenhouse gases, the DEIR must first adequately discuss the threat posed by greenhouse gas emissions and avoid

minimizing or discounting the severity of global warming's impacts. *See* Guidelines § 15151. *See, e.g., Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* ("Laurel Heights I"), 47 Cal.3d 376, 392 (1988) (EIR is intended "to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action."); Guidelines § 15151 (requiring an EIR be detailed, complete, and reflect a good faith effort at full disclosure). A discussion of global warming impacts need not be lengthy, but should, at a minimum, convey the magnitude of the threat posed by global warming to humans and the environment. For the City's convenience, a scientific background on global warming and the specific threats posed to California is provided below.

i. Scientific Background on Climate Change

There is no longer credible scientific dispute that the climate is warming. In its most recent assessment, the Intergovernmental Panel on Climate Change ("IPCC") concluded that "[w]arming of the climate is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting snow and ice, and rising mean sea level." (IPCC 2007a). Expressed as a global average, surface temperatures have increased by about 0.74°C over the last hundred years, with 11 of the 12 warmest years on record having occurred in the past 12 years (IPCC 2007a). In September 2007, Arctic sea ice plummeted to a record-low level not anticipated by most climate models until 2050, leading scientists to predict that the Arctic could be ice-free in summer by 2030 (National Snow & Ice Data Center 2007).[1] Other observed consequences of the warming climate include sea level rise, increased frequency of droughts, floods, and heat waves and substantial increases in the duration and intensity of hurricanes (IPCC 2007a).

The IPCC now states with "very high confidence" that most of the warming observed over the past 50 years is the result of human generation of greenhouse gases, including carbon dioxide, methane, and nitrous oxide[2] (IPCC 2007a). The rapid warming observed since the 1970s has occurred in a period when the increase in greenhouse gases has dominated over all other factors (IPCC 2007a). The largest known contribution to global warming is from carbon dioxide (IPCC 2007a). Fossil fuel combustion is responsible for more than 75% of human caused carbon dioxide emissions with the remainder due to land-use change (primarily deforestation) (IPCC 2007a). The global atmospheric concentration of carbon dioxide has increased from a pre-industrial value of about 280 parts per million (ppm) to 379 ppm in 2005, a level that has not been exceeded during the past 650,000 years (during which carbon dioxide concentrations remained between 180 and 300 ppm). (IPCC 2007a; Canadell et al. 2007). In 2006, carbon dioxide concentrations reached a new high of 381.2 ppm (World Metrological Organization 2007). As greenhouse gas concentrations increase, more heat reflected from the earth's surface is absorbed by these greenhouse gases and radiated back into the atmosphere and to the earth's surface.[3] Consequently, the higher the level of greenhouse gas concentrations, the larger the degree of warming experienced.

At current growth rates and continued reliance on fossil fuels, atmospheric concentrations of carbon dioxide would likely exceed 1,000 ppm by the end of the century, resulting in an

---

[1] Based on the startling loss of sea ice in 2007, some scientists have predicted that "the Artic Ocean could be nearly ice-free at the end of the summer by 2012." Seth Borenstein, *Ominous Arctic Melt Worries Experts*, Associated Press, Dec. 11, 2007.

[2] *IPCC, 2007: Summary for Policymakers, in* CLIMATE CHANGE 2007: THE PHYSICAL SCIENCE BASIS, CONTRIBUTION OF WORKING GROUP I TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE at 4 (Susan Solomon et al. eds., Cambridge Univ. Press 2007) at 2-3. "Very high confidence" is defined at "at least a 9 out of 10 chance of being correct." *Id.* at 3 n.7.

[3] Greenhouse gases have a warming effect because, when solar radiation is reflected by the earth, greenhouse gases capture this thermal radiation and reradiate it back to earth, much like the effect of a common garden greenhouse resulting in the "greenhouse effect."

average global temperature increase of more than 5°C (United Nations Foundation & Sigma XI 2007). This is equivalent to the change in temperature since the last ice age – an era in which Europe and North America was under more than one kilometer of ice (United Nations Foundation & Sigma XI 2007). The growing consensus among climate scientists is that the threshold for dangerous climate change, whereupon a potential "tipping point" is reached and ecological changes become dramatically more rapid and out of control, is estimated at a temperature increase of around 2°C from pre-industrial levels, or an atmospheric concentration of carbon dioxide of approximately 450 ppm (United Nations Foundation & Sigma XI 2007; IPCC 2007c). In 2006, Dr. James E. Hansen, Director of the NASA Goddard Institute for Space Studies, and NASA's top climate scientist, stated: "In my opinion there is no significant doubt (probability > 99%) that . . . additional global warming of 2° C would push the earth beyond the tipping point and cause dramatic climate impacts including eventual sea level rise of at least several meters, extermination of a substantial fraction of the animal and plant species on the planet, and major regional climate disruptions" (Hansen et al. 2006). More recently however, given the recent unpredicted and extreme rate of loss of arctic ice observed in 2007, Dr. Hansen concluded that "the safe upper limit for atmospheric CO_2 is no more than 350 ppm" (McKibben 2007). Moreover, according to Hansen, just 10 more years of "business-as-usual" global emissions will make it difficult, if not impossible, to keep atmospheric concentrations of greenhouse gases at levels necessary to avoid a temperature increase above 2°C (Hansen et al. 2007).

Keeping the climate within the 2°C threshold requires significant reductions in the world's greenhouse gas emissions. To reach this objective, it is estimated that developed countries would have to target an emissions peak between 2012 and 2015, with 30 percent cuts by 2020 and 80 percent cuts from 1990 levels by 2050 (United Nations Foundation & Sigma XI 2007). In recognition of need for immediate action, California has committed itself though Executive Order S-3-05 and the California Global to reduce the state's emissions to 1990 levels by 2020 and by 80% reductions from 1990 levels by 2050. Ca. Health & Safety Code § 38550; Cal. Executive Order S-3-05 (2005).

The costs of taking no action to reduce greenhouse gas emissions far outweigh the costs of stabilizing emissions. The Stern Review of the Economics of Climate Change, a comprehensive report commissioned by the British government, recently concluded that allowing current emissions trajectories to continue unabated would eventually cost the global economy between 5 to 20 percent of GDP each year within a decade, or up to $7 trillion, and warned that these figures should be considered conservative estimates (Stern 2006). By contrast, measures to mitigate global warming by reducing emissions were estimated to cost about one percent of global GDP each year, and could save the world up to $2.5 trillion per year (Stern 2006). The Stern Report determined that if no action is taken to control greenhouse gas emissions, each ton of CO_2 emitted causes damage worth at least $85 (Stern 2006).

ii. Impacts to California from Global Warming

Climate change poses enormous risks to California. Scientific literature on the impact of greenhouse gas emissions on California is well developed.[4] The California Climate Change Center ("CCCC") has evaluated the present and future impacts of climate change to California and the project area in research sponsored by the California Energy Commission and the California Environmental Protection Agency (Cayan et al. 2007). The severity of the impacts facing California is directly tied to atmospheric concentrations of greenhouse gases (Cayan et al. 2007; Hayhoe et al. 2004). According to the CCCC aggressive action to cut greenhouse gas emissions today can limit impacts, such as loss of the Sierra snow pack to 30%, while a businessas-usual approach could result in as much as a 90% loss of the snowpack by the end of

[4] Additional reports issued by California agencies are available at http://www.climatechange.ca.gov, and IPCC

the century. As aptly noted in a report commissioned by the California EPA:

Because most global warming emissions remain in the atmosphere for decades or centuries, the choices we make today will greatly influence the climate our children and grandchildren inherit. The quality of life they experience will depend on if and how rapidly California and the rest of the world reduce greenhouse gas emissions (Cayan et al. 2007).

Some of the types of impacts to California and estimated ranges of severity – in large part dependent on the extent to which emissions are reduced – are summarized as follows:

• A 30 to 90 percent reduction of the Sierra snowpack during the next 100 years, including earlier melting and runoff.
• An increase in water temperatures at least commensurate with the increase in air temperatures.
• A 6 to 30 inch rise in sea level, before increased melt rates from the dynamical properties of ice-sheet melting are taken into account.
• An increase in the intensity of storms, the amount of precipitation and the proportion of precipitation as rain versus snow.
• Profound impacts to ecosystem and species, including changes in the timing of life events, shifts in range, and community abundance shifts. Depending on the timing and interaction of these impacts, they can be catastrophic.
• A 200 to 400 percent increase in the number of heat wave days in major urban centers.
• An increase in the number of days meteorologically conducive to ozone (O_3) formation.
• A 55 percent increase in the expected risk of wildfires (Cayan et al. 2007).

By providing details as to the ranges of proposed impacts, and indicating that the higher-range of impact estimates are projected if greenhouse gas emissions continue to increase under a "business as usual" scenario, decision-makers and the public will be better informed of the magnitude of the climate crisis and the urgency with which it must be addressed.

Finally, the DEIR should also include a brief discussion of other laws to address climate change, including California's mandate to reduce emissions to 1990 levels by 2020 and goal of further reducing emissions to 80% below 1990 levels by 2050. Achievement of state mandated emissions reductions will be severely impeded if agencies across the state continue to approve *new* projects without incorporating measures to reduce the added emissions created by these.

B. The EIR the Project Must Include an Inventory and Analysis of the Project's Projected Greenhouse Gas Emissions

The first step in determining a project's greenhouse gas pollution impact is to complete a full inventory of all emissions sources. In conducting such an inventory, all phases of the proposed project must be considered. *See* 14 Cal. Code Regs. § 15126. A basic requirement of CEQA is that "[a]n EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences." 14 Cal. Code Regs. § 15151. The greenhouse gas inventory for a project must include a complete analysis of all of a project's substantial sources of greenhouse gas emissions, from building materials and construction emissions to operational energy use, vehicle trips, water supply and waste disposal.

A greenhouse gas inventory for the project must include the project's direct and indirect greenhouse gas emissions. *See* 14 Cal. Code Regs § 15358(a)(1) (Indirect or secondary effects may include effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems.). Consequently, a complete inventory of a project's emissions should include, at minimum, an estimate of emissions from the following:

• Fugitive emissions of greenhouses gases, such as methane, from the proposed project;
• Emissions during construction from vehicles and machinery;
• Manufacturing and transport of building materials;
• Electricity generation and transmission for the heating, cooling, lighting, and other energy demands of the project;
• Water supply and transportation to the project;
• Vehicle trips and transportation emissions generated by the project;
• Wastewater and solid waste storage or disposal, including transport where applicable; and
• Outsourced activities and contracting.

Methodologies are readily available to inventory the emissions from the proposed project. In its recent white paper, CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (Jan. 2008), the California Air Pollution Control Officers Association (CAPCOA) set forth methodologies for analyzing greenhouse gas pollution (CAPCOA 2008) The California Office of Planning and Research ("OPR") has also released technical guidance on the preferred approach for analyzing greenhouse gas emissions and climate change entitled "Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review" (California OPR 2008). OPR also provides references to methodologies to quantify greenhouse gas emissions. In addition to the methodologies set forth by CAPCOA and OPR, ICLEI's Clean Air/Climate Protection (CACP) software allows cities to calculate emissions reductions, track and quantify emission outputs, and develop emissions scenarios to inform the planning process.[5] As noted in the ICLEI Climate Action Handbook, "Expertise in climate science is not necessary" to conduct an emissions inventory and compare this inventory against a forecast year (ICLEI). "A wide range of government staff members, from public works to environment and facilities departments, can conduct an inventory" (ICLEI). ICLEI also provides technical assistance and training to local government using the CACP software. It is incumbent on the City to "disclose all it can" about project impacts and educate itself on methodologies that are available to measure project emissions. *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm'rs ("Berkeley Jets")*, 91 Cal. App. 4th 1344, 1370 (2001).

As with any other project under CEQA, the baseline used for analyzing the impacts of a project is the existing on the ground environmental conditions at the time of the NOP. *See Environmental Planning & Information Council v. County of El Dorado (EPIC)*, 131 Cal.App.3d 350, 355 (1982) (effect of general plan amendment must be compared against actual environment, not assumptions in existing general plan). Accordingly, the DEIR should compare emissions from existing conditions with those that would result from the development of the project, as well as those that would occur under any proposed alternative scenarios. Because the Project envisions development over a long period, the EIR should also provide data on the trajectory for emissions in the planned community and under each proposed alternative in five-year increments.

Without a complete inventory, the DEIR cannot adequately inform the public and decision-makers about the Project's impacts. Similarly, without a complete inventory and analysis of greenhouse gas emissions that will result from the project, there is simply no way that The EIR can then adequately discuss alternatives, avoidance, and mitigation measures to reduce

---

[5] ICELI's Clean Air/Climate Protection software is available at http://www.cacpsoftware.org/ ICLEI-Local Governments for Sustainability is an international association of more than 650 local governments. Cities, counties, towns and villages around the world are members of ICLEI. ICLEI's mission is to improve the global environment through local action. On the issue of global warming, for example, ICLEI provides resources, tools, peer networking, best practices, and technical assistance to help local governments measure and reduce greenhouse gas emissions in their communities.

those impacts.

C. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced.

(Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008).

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005).

Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997).

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project would significantly understate Project impacts.

D. THE PROJECT'S GREENHOUSE GAS IMPACTS ARE CLEARLY SIGNIFICANT

The greenhouse gas emissions generated by a project of this size and scope will have a clearly significant cumulative impact. An impact is considered significant where its "effects are individually limited but cumulatively considerable." Guidelines § 15065(a)(3). Climate change is the classic example of a cumulative effects problem; emissions from numerous sources combine to create the most pressing environmental and societal problem of out time. *Ctr. for Biological Diversity*, 508 F.3d 508, 550 (9th Cir. 2007) ("the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct."); *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 720 (1990) ("Perhaps the best example [of a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem."). While a particular project's greenhouse gas emissions represent a fraction of California's total emissions, courts have flatly rejected the notion that the incremental impact of a project is not cumulatively considerable because it is so small that it would make only a de minimis contribution to the problem as a whole. *Communities for a Better Environment v. California Resources Agency*. 103 Cal.App.4th 98, 117 (2002); see also *Kings County Farm Bureau*, 221 Cal. App. 3d at 720 ("[p]erhaps the best example of [a cumulative impact] is air pollution, where thousands of relatively small sources of pollution cause a serious environmental health problem.").

In addition. there is nothing speculative about the fact that higher levels of greenhouse gas pollution will lead to greater impacts, which is why the State of California has prioritized greenhouse gas pollution reductions under AB 32. Moreover, in the analogous context of the National Environmental Policy Act (NEPA), the Ninth Circuit has already rejected the argument that "global warming is too speculative to warrant NEPA analysis." *Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*, 508 F.3d at 554.

In addition, lack of established significance thresholds does not excuse an agency from its obligation under CEQA to determine the significance of a Project's impacts. CEQA routinely calls for an agency to evaluate impacts in the absence of thresholds or to exercise its individual discretion in determining the significance of an impact. *See, e.g., Protect the Historic Amador Waterways*, 116 Cal. App. 4th at 1111 (agency required to assess potential impact not listed in CEQA checklist). The development of significance thresholds is "encouraged" and not a prerequisite for an impact analysis. Guidelines § 15064.7. Indeed, as noted in the CAPCOA white paper on CEQA and Climate Change, "[t]he absence of a threshold does not in any way relieve agencies of their obligations to address GHG emissions from projects under CEQA" (CAPCOA 2008). In fact, CEQA may require additional analysis even if a project meets an adopted standard, if other evidence indicates the project may nonetheless have a significant impact. *See Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners*, 91 Cal.App.4th 1344, 1380-82 (2001).

As the lead agency, CEQA requires the City to determine the significance of the Project's emissions with or without established significance thresholds. Guidelines § 15064. CAPCOA provides various means by which a lead agency can determine the significance of project

emissions (CAPCOA 2008). Importantly, a universally adopted methodology is *not* necessary to analyze project impacts. *Berkeley Keep Jets*, 91 Cal.App.4th at 1370 ("the fact that a single methodology does not exist…requires the [respondent] to do the necessary work to educate itself about the different methodologies that *are* available.").

"The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data." Guidelines § 15064(b). Any determination of whether there is a fair argument that the project may have a significant impact must include the consideration of the California Global Warming Solutions Act of 2006 (AB 32), wherein the State of California recognized that "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California" and required that existing levels of greenhouse gases be reduced to 1990 levels by 2020. Health & Safety Code §§ 38501(a), 38550. Because AB 32 establishes that existing greenhouse gas levels are unacceptable and must be substantially reduced within a fixed timeframe, any additional emissions that contribute to existing levels frustrate California's ability to meet its ambitious and critical emissions reduction mandate. Ignoring emissions from smaller sources would be neglecting a major portion of the greenhouse gas inventory.

In accordance with the scientific and factual data, the City should adopt a zero significance threshold for the Project's greenhouse gas emissions. As noted by the Ninth Circuit in *Center for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*:

[W]e cannot afford to ignore even modest contributions to global warming. If global warming is the result of the cumulative contributions of myriad sources, any one modest in itself, is there not a danger of losing the forest by closing our eyes to the felling of the individual trees?

508 F.3d 508, 550 (9th Cir. 2007). Accordingly, the City must unequivocally consider Project emissions to be a potentially significant impact.

E. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

To the extent that the project moves forward as planned, there are many mitigation measures the City can consider, as described below. This is not an exhaustive list and the EIR should explore these and all other feasible mitigation measures that will reduce the project's greenhouse gas emissions (CAPCOA 2008; California Office of the Attorney General 2008).

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the

project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Additionally, the EIR should analyze ways of including pedestrian and bicycle only streets and plazas within the development and create routes that will allow residents to reach the commercial center, schools and parks by public transportation, bicycling and walking.

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the planned community will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008).

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals.

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to:

• Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy efficient building during pre-design, design, construction, operations and management.

• Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;

• Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
• Reducing the use of pavement and impermeable surfaces;
• Requiring water re-use systems;
• Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting
• Limiting the hours of operation of outdoor lighting
• Maximizing water conservation measures in buildings and landscaping, using droughttolerant plants in lieu of turf, planting shade trees;
• Ensure that the Project is fully served by full recycling and composting services;
• Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
• Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
• Installing solar water heating systems to generate all of the Project's hot water requirements;
• Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.

iii. Mitigation Related to Project Construction
• Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
• Minimize, reuse, and recycle construction-related waste;
• Minimize grading, earth-moving, and other energy-intensive construction practices;
• Landscape to preserve natural vegetation and maintain watershed integrity;
• Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.
iv. Transportation Mitigation Measures
• Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
• Create a car sharing program within the planned community;
• Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
• Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission
vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
• Provide a shuttle service to public transit within and beyond the planned community;• Incorporate bicycle lanes and routes into the planned community's street systems.

v. Carbon Offsets
After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General offsets are a feasible CEQA mitigation measures[6] once all feasible mitigation

[6] The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See

measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources.

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR must consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted). In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008).

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources-including water quality and water availability, as well as traffic resulting from each proposed alternative. Selecting an alternative site closer to rail availability would be ideal.

CONCLUSION

Thank you for your attention to these comments. The Sierra Club expects all growth inducing as well as cumulative direct and indirect impact to be fully addressed in the DEIR. We look forward to working with the City to assure that the EIR conforms to the requirements of CEQA to assure that all significant impacts to the environment are fully analyzed, mitigated or avoided. The Sierra Club wishes to be placed on the mailing list for all future notices and documents regarding this project. Please mail all notices to Sierra Club, San Gorgonio Chapter, Moreno Valley Group, 26711 Ironwood Ave, Moreno Valley, CA. 92555.

Thank you,

George Hague
Conservation Chair
Moreno Valley Group

---

http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

San Gorgonio Chapter
Sierra Club
951.924.0816

REFERENCES

Barnett et al., "Human-Induced Changes in the Hydrology of the Western United States," Science, Jan. 31, 2008.

Canadell, Joseph et al. 2007. Contributions to accelerating atmospheric CO_2 growth from economic activity, carbon intensity, and efficiency of natural sinks. 4 Proceedings of the National Academy of Science 18866 (Nov. 20, 2007).

California Office of Planning and Research, Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review, June 17, 2008.

California Office of the Attorney General, The California Environmental Quality Act: Addressing Global Warming at the Local Agency Level, Mitigation Measures. Available at http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf

CAPCOA. 2008. CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.

Cayan, et al. 2007. Our Changing Climate: Assessing the Risks to California. California Climate Change Center. Available at: http://www.climatechange.ca.gov/biennial_reports/2006report/index.html.

Commission for Environmental Cooperation, Greenbuilding in North America (2008). Available at http://www.cec.org/pubs_docs/documents/index.cfm?varlan=ENGLISH&ID=2242

Epstein, P.R. and E. Mills (eds.). 2005. "Climate change futures health, ecological, and economic dimensions." The Center for Health and the Global Environment, Harvard Medical School. Cambridge, Massachusets, USA.

Gleick, Peter H. et al., 2000. Water: "The Potential Consequences of Climate Variability and Change for the Water Resources of the United States." The report of the Water Sector Assessment Team of the National Assessment of the Potential Consequences of Climate Variability and Change," U.S. Global Change Research Program, Pacific Institute for Studies in Development, Environment, and Security.

Hansen, J., et al. 2006. Global temperature change. Proceedings of the National Academy of Sciences of the United States of America 103:14288-14293.

Hansen, J., et al. 2007. Climate change and trace gases. Phil. Trans. R. Soc. 365:1925-1954.

Hayhoe, K., et al. 2004. Emissions pathways, climate change, and impacts on California. Proceedings of the National Academy of Sciences of the United States of America 101 no. 34:12422-12427.

ICLEI. Local Governments for Sustainability, U.S. Mayor's Climate Protection Agreement Climate Action Handbook.

IPCC 2007a, Summary for Policymakers, in Climate Change 2007: The Physical Science Basis, Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (2007).

IPCC. 2007b. Technical Summary in CLIMATE CHANGE 2007: IMPACTS, ADAPTATION AND VULNERABILITY, CONTRIBUTIONS OF WORKING GROUP II TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE at 62 (M. Parry et al., eds. Cambridge Univ. Press 2007).

IPCC, G. Meehl et al. 2007c, *Global Climate Projections in* CLIMATE CHANGE 2007: THE PHYSICAL SCIENCE BASIS, CONTRIBUTION OF WORKING GROUP I TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE (Susan Soloman et al., eds., Cambridge Univ. Press 2007).

Kolbert, Elizabeth, *Testing the Climate*, The New Yorker, (Dec. 24, 2007

McKibben, Bill, *Remember This: 350 Parts Per Million*, Washington Post (Dec. 28, 2007).
National Snow & Ice Data Center, *Arctic Sea Ice Shatters All Previously Record Lows*, (Oct. 1, 2007). Available at:
http://www.nsidc.org/news/press/2007_seaiceminimum/20071001_pressrelease.html.

NRDC 2007, "In Hot Water: Water Management Strategies to Weather the Effects of Global Warming" Nelson et. al. available at http://www.nrdc.org/globalWarming/hotwater/contents.asp

Stern, Sir Nicholas, Stern Review: The Economics of Climate Change, Executive Summary, October 30, 2006.

United Nations Foundation & Sigma XI, Confronting Climate Change: Avoiding the Unmanageable and Managing the Unavoidable (Feb. 2007); United Nation Development Programme, *Human Development Report 2007/2008: Fighting climate change: Human solidarity in a divided world*.

World Meteorogical Organization, Greenhouse Gas Bulletin: The State of Greenhouse Gases in the Atmosphere Using Global Observations through 2006 (Nov. 23, 2007).

SOUTHERN CALIFORNIA

ASSOCIATION of GOVERNMENTS

Main Office

818 West Seventh Street
12th Floor
Los Angeles, California
90017-3435

t (213) 236-1800
f (213) 236-1825

www.scag.ca.gov

Officers

President
Pam O'Connor, Santa Monica

First Vice President
Glen Becerra, Simi Valley

Second Vice President
Greg Pettis, Cathedral City

Immediate Past President
Larry McCallon, Highland

Executive/Administration Committee Chair

Pam O'Connor, Santa Monica

Policy Committee Chairs

Community, Economic and Human Development
Bill Jahn, Big Bear Lake

Energy & Environment
Margaret Clark, Rosemead

Transportation
Paul Glaab, Laguna Niguel

March 19, 2012

Mr. John C. Terrell
Planning Official
City of Moreno Valley
Community & Economic Development Department
P.O. Box 88005
Moreno Valley, CA 92552
johnt@moval.org

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the World Logistics Center Specific Plan [I20120043]

Dear Mr. Terrell:

Thank you for submitting the **Notice of Preparation of a Draft Environmental Impact Report for the World Logistics Center Specific Plan [I20120043]** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impact Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) under California Government Code Section 65080 and 65082.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project identifies includes the development of up to 41.6 million square feet of building area for modern high-cube logistics warehouse distribution facilities in the City of Moreno Valley, California.

Policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Visioning (CGV) that may be applicable to your project are outlined in the attachment. The RTP, CGV, and table of policies can be found on the SCAG web site at: http://scag.ca.gov/igr. For ease of review, we would encourage you to use a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or non-applicability of the policy and supportive analysis in a table format (example attached).

The attached policies are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. **When available, please send environmental documentation ONLY to SCAG's main office in Los Angeles and provide a minimum of 45 days for SCAG to review.** If you have any questions regarding the attached comments, please contact Pamela Lee at (213) 236-1895 or leep@scag.ca.gov. Thank you.

Sincerely,

Jacob Lieb, Manager
Environmental and Assessment Services

COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE WORLD LOGISTICS CENTER SPECIFIC PLAN [I20120043]

PROJECT LOCATION

The World Logistics Center Specific Plan project area is located in the northwestern Riverside County, in Rancho Belago within the eastern portion of the City of Moreno Valley. The proposed project is situated south of State Route 6- (SR-60), between Redlands Boulevard and Gilman Springs Road (the easterly city limit), extending to the southerly City Limit.

PROJECT DESCRIPTION

The proposed World Logistics Center Specific Plan is a master plan for the development of modern high-cube logistics warehouse distribution facilities on approximately 3,820 acres of land in eastern Moreno Valley. The project proposes the development of approximately 41.6 million square feet of modern high-cube logistics facilities over approximately 2,665 acres, 1,136 acres of permanent open space and 19 acres of existing public utility facilities.

The entitlements necessary for the proposed project includes a General Plan Amendment, adoption of the World Logistics Center Specific Plan, a Zone Change, a Development Agreement, a Tentative Parcel Map (for financing purposes only), and annexation of an 85-acre parcel along Gilman Springs Road. The City of Moreno Valley is the Lead Agency for the proposed project. In addition, the proposed project will require other associated action and approvals by other public entities in order to construct and operate the proposed project.

- **General Plan Amendment.** The General Plan amendment proposes a revision to the City General Plan land use designations for the project area as set forth in the proposed Specific Plan. The General Plan Amendment also includes amendments to several other elements as applicable, including (but not limited to) the Community Development Element, the Parks, the Recreation and Open Space Element, the Circulation Element, the Environmental Safety Element, and the Conservation Element.

- **Specific Plan.** The Specific plan establishes the master plan of development for the project area, including development standards and use regulations, a master plan for circulation and infrastructure, architectural, landscape and design guidelines and sustainability goals, all of which will be applicable to all development within the

- **Change of Zone.** The Change of Zone will establish the World Logistics Center Specific Plan which will replace most of the Moreno Highlands Specific Plan and re-zone several other properties. The new Specific Plan will become the regulatory land use document for the entire project area.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The DEIR should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion and city are as follows:

Adopted SCAG Regionwide Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted Western Riverside Council of Governments Subregion Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	1,735,426	1,918,962	2,096,544	2,262,992	2,414,256	2,550,867
Households	546,047	609,219	671,933	727,622	780,743	828,547
Employment	588,523	691,260	797,626	901,163	1,005,923	1,098,233

Adopted City of Moreno Valley Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	189,700	206,657	220,390	234,410	246,804	258,350
Households	50,432	55,407	60,025	64,699	69,353	72,977
Employment	39,225	49,414	61,974	71,359	80,667	91,642

1. The 2008 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

The **2008 Regional Transportation Plan (RTP)** also has goals and policies that may be pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

RTP G1 *Maximize mobility and accessibility for all people and goods in the region.*
RTP G2 *Ensure travel safety and reliability for all people and goods in the region.*
RTP G3 *Preserve and ensure a sustainable regional transportation system.*
RTP G4 *Maximize the productivity of our transportation system.*
RTP G5 *Protect the environment, improve air quality and promote energy efficiency.*
RTP G6 *Encourage land use and growth patterns that complement our transportation investments.*
RTP G7 *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

GV P1.1 *Encourage transportation investments and land use decisions that are mutually supportive.*
GV P1.2 *Locate new housing near existing jobs and new jobs near existing housing.*

GV P1.3 *Encourage transit-oriented development.*
GV P1.4 *Promote a variety of travel choices*

Principle 2: Foster livability in all communities.
GV P2.1 *Promote infill development and redevelopment to revitalize existing communities.*
GV P2.2 *Promote developments, which provide a mix of uses.*
GV P2.3 *Promote "people scaled," walkable communities.*
GV P2.4 *Support the preservation of stable, single-family neighborhoods.*

Principle 3: Enable prosperity for all people.
GV P3.1 *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
GV P3.2 *Support educational opportunities that promote balanced growth.*
GV P3.3 *Ensure environmental justice regardless of race, ethnicity or income class.*
GV P3.4 *Support local and state fiscal policies that encourage balanced growth*
GV P3.5 *Encourage civic engagement.*

Principle 4: Promote sustainability for future generations.
GV P4.1 *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
GV P4.2 *Focus development in urban centers and existing cities.*
GV P4.3 *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
GV P4.4 *Utilize "green" development techniques*

CONCLUSION

As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. We recommend that you review the SCAG List of Mitigation Measures for additional guidance, and encourage you to follow them, where applicable to your project. The SCAG List of Mitigation Measures may be found here: http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

SUGGESTED SIDE BY SIDE FORMAT - COMPARISON TABLE OF SCAG POLICIES

For ease of review, we would encourage the use of a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or not applicable of the policy and supportive analysis in a table format. All policies and goals must be evaluated as to impacts. Suggested format is as follows:

The complete table can be found at: http://www.scag.ca.gov/igr/

- Click on ***"Demonstrating Your Project's Consistency With SCAG Policies"***
- Scroll down to ***"Table of SCAG Policies for IGR"***

SCAG Regional Transportation Plan Goals and Compass Growth Visioning Principles		
Regional Transportation Plan Goals		
Goal/ Principle Number	**Policy Text**	**Statement of Consistency, Non-Consistency, or Not Applicable**
RTP G1	Maximize mobility and accessibility for all people and goods in the region.	***Consistent:*** *Statement as to why* ***Not-Consistent:*** *Statement as to why* *or* ***Not Applicable:*** *Statement as to why*
RTP G2	Ensure travel safety and reliability for all people and goods in the region.	***Consistent:*** *Statement as to why* ***Not-Consistent:*** *Statement as to why* *or* ***Not Applicable:*** *Statement as to why*
RTP G3	Preserve and ensure a sustainable regional transportation system.	***Consistent:*** *Statement as to why* ***Not-Consistent:*** *Statement as to why* *or* ***Not Applicable:*** *Statement as to why*
Etc.	Etc.	Etc.

John Terell

From:	tom@mvcitylink.com
Sent:	Monday, March 12, 2012 4:28 PM
To:	John Terell
Cc:	ddanelski@pe.com; Jesse Molina; Robin Hastings; Richard Stewart; Marcelo Co; William Batey; lhines@pe.com; tom@mvcitylink.com; stopvotesforsale@gmail.com
Subject:	41.6 Million sqft Warehouse
Attachments:	March 12.pdf

March 12, 2012

To: John Terrell
City Of Moreno Valley
Planning Official

Re: 41.6 Million Sq-ft Warehouse

Dear Mr. John Terrell,
Attached are my comments as was requested by your notice on the City of Moreno Valley website. Should you have any further questions or concerns please feel free to contact me.

Sincerely,
Thomas C. Ketcham
MV City Link
O. 951.824.6900
F. 951.224.9228
E. tom@mvcitylink.com
W. www.mvcitylink.com

Moreno Valley City Link
Entertainment – Business – Community

Listen weekly to our Radio Shows!

by email

March 12, 2012

To: John Terrell
City of Moreno Valley
Planning Official

Re: Proposed Warehouse – 41.6 million sqft
Moreno Valley – East End.

Dear Mr. John Terrell,

In regards to the upcoming public meeting scheduled for March 12, 2012 at 6pm in City Hall Chambers I must share my concerns as a long time resident of our community for this pending action.

First and foremost I must state that as a resident, I believe in doing what is best for the City of Moreno Valley, and its resident's. Creation of jobs, especially in this economy is paramount, but there must be a method to the madness as well.

Skechers

Mr. Iddo Benzeevi and his company, Highland Fairview have already embarked on a project which failed to fruition, and that was AQUABELLA. His claims of "million dollar homes" and fancy golf courses all failed. All that sits out there currently is a vacant field with weeds growing everywhere.

The actual Skechers building itself has multiple law suits pending against it. The unions and companies who Highland Fairview contracted with to help build the warehouse have been burned by HF & Skechers for nonpayment of funds for work provided. Several of these companies have had to shut their doors and file for bankruptcy due to "promises" from HF's CEO.

The "promise" of 2500 jobs created was whittled down to 1500, and then settled at 600. Lets us be reminded that these "600 jobs" were not created as many would like you to believe, rather they were transfers from the Ontario facility. The fact is there was an actual "job loss" associated with the Skechers factory, with the closure of the Cabazon outlet store for Skechers, as well as their Ontario warehouses. Compile this with the downstream job loss of those who lost their jobs from companies who were contracted with HF and Skechers and the job loss is doubled, if not tripled!

Check the court records to see all the les pen dins affecting the Skechers building and HF, which is readily available online.

Aquabella

Highland Fairview had a previous "vision" and that was for high end homes circa the $1 million dollar range, along with a gated community, golf course and several other amenities. Nothing ever came about though, why? In my opinion Highland Fairview did not have the money at the time to build such a project, and coincidently, the economy began to tank, so it provided an easy out to not build.

The City of Moreno Valley has never shown a single document to clearly state if the City has a standing agreement with Highland Fairview for Aquabella or not. Mrs. Robin Hastings has posed this question to city staff several times, and each time she is given the "jive dance" about its status.

Nonetheless, the City of Moreno Valley is now paying for Highland Fairview's conditions of approval on that project by finishing the street improvements on Cactus and Lassalle at tax payer cost. If this is a condition of approval for Highland Fairview why are they not paying for it? Is Highland Fairview going to reimburse the city those costs? I highly doubt it. Would the City have done this for any other developer? I highly doubt it.

Now Mr. Benzeevi has "another vision" for that area, a medical corridor. Well how much is this going to cost us, the residents of Moreno Valley now? The council voted on approving $75 million, with I'm sure much more to come. All the while the rest of our city deteriorates around us.

Jobs

The whole basis of this warehouse by Highland Fairview is to create "jobs, jobs, jobs", yet the track record of Highland Fairview has not been one of creating jobs, rather eliminating them! If more self automated warehouses are to come over here what happens to those current jobs? If ASHLEY was to relocate here how many jobs would they lay off where they left? How about TOYOTA, SONY, or HONDA? How many jobs would be eliminated when they downsize from 2000 current jobs to 750 or less because of these "new" self automated warehouses of the future?

The creation of jobs is important for all of us who live in the City. I only wish that our executive city staff would share the same vision. Unfortunately they do not as they reside in cities other than where they work, so henceforth they might not be aware of my next point.

Our problem is not the "space of warehouses", we have plenty of "space" available, and as a city planner you should be keenly aware of this fact.... Warehouse space is available for lease literally a stones throw from City Hall! Voit Company shows close to 400,000 sqft of space available for immediate sale/lease in the City of Moreno Valley, and that is just one Real Estate Brokerage! Others show much more square footage available, in addition to West Ridge's newly approved warehouse.

Compile this fact along with all of the warehouse space being made readily available on March JPA property just west of the City, and currently planned warehouse space on Alessandro just west of the 215 freeway and there are potentially MILLIONS OF SQUARE FEET of warehouse currently available.

If you take a short drive along Sycamore Canyon drive, just west of the 215 freeway there are several warehouses available for lease. A quick 5 minute drive down Perris Blvd will yield even more warehouse space either already approved, or in some sort of process of approval / construction. Why do we need more when we have not even exhausted all that is readily available in our own city and surrounding cities?

Growth

Our great city of Moreno Valley must grow, in several ways, this is just a fact. We must take into account though, how do we want it to grow? Several years ago the residents and city staff etc devised a "plan" on how that growth was to play out, and seemingly we are now throwing that plan out with the bath water!

We need to focus on getting our city back on track, and that means our basic services. We need to hire back our city staff which have been laid off, our firefighters and police officers, repair our roads which have a CPI index of, well lets just say "very low", lets build our new library for our kids which has been mothballed because "we didn't have the money", yet we have the money to give Highland Fairview $75 million dollars to finish their conditions of approval?

Our landscaping is out of code, and are pending lawsuits, as our very Mayor stated at a city council meeting that the city is responsible for the way the roads are paved and engineered. Well we have slopes which cause water to run off and into the streets when they are irrigated, this in turn causes the pavement to buckle and in turn causes a hazardous roadway for drivers who might lose control if the road way is wet, and or their tires slip on broken pavement.

A quick drive down Cactus, Heacock, Frederick or just about any other street will reveal how landscaping is missing in several places, wood fences are falling down, trash litters our sidewalks, and election signs such as those from Marcelo Co still stand faded in the sun, along with signs posted on fences and telephone poles. Why? The answer I am given is there is not enough code enforcement personal available to handle these issues....well how about we direct our efforts there?

Approval

Approval of this monstrosity of a warehouse footprint would not only further place our city into debt, but eliminate a way of life for those of us who live here. Many of those who "support" this project do not even live in our city, or do so by claiming they are "renting" here. There is a big difference in "renting" and owning.

Strip malls are empty, businesses such as Fish Shack, Hallmark, Party Warehouse, Toys-R-Us, Staples, Circuit City, Baja Fresh, Gottchalks, PH Woods, Century 21, as well as many others have left our city! Nothing has replaced them, these are all businesses which drive the local economy more so than a mega-warehouse. Residents shop these type of businesses weekly, if not daily, how many can shop a warehouse? Let's fill our strip malls and current warehouse space first and foremost BEFORE any approval is granted for the 41.6 million sqft of warehouse which will do nothing other than ruin our vistas, and serve to provide more traffic and pollution to our city.

In closing....

As a final note, many people may write you with several reasons as to why this project should either be approved or not. The simple task should be this, given the circumstances of Highland Fairview's track record of failures, its inability to create jobs, and its apparent stranglehold on our current city council via questionable dealings this project needs to be vetted properly to the residents, and ultimately should be placed to a city wide vote, as we are not just talking about a small warehouse here, rather a decision which will affect the landscape of our valley forever!!

I ask that you John, please consider this letter as a "no" vote for the proposed warehouse creation of 41.6 million square feet east of Moreno Beach Boulevard.

Should you have any further questions I can be contacted at the numbers listed below.

Sincerely,
Thomas Ketcham
(951) 801-5354
tom@mvcitylink.com

cc: MV City Council
Mary Bono Mack
State Assemblyman Paul Cook
Press Enterprise
North County Times
Orange County Times
Los Angels Times
Governor Jerry Brown
Attorney General Kamala Harris
Riverside County District Attorney Paul Zellerbach
www.mvgordie.com – Gordon Tucker
www.pr.com – Press Release

Thomas Thornsley
29170 Stevens Avenue, Moreno Valley, CA 92555

March 25, 2012

City of Moreno Valley
Community & Economic Development Department
14177 Frederick Street
Moreno Valley, CA 92552
Email: johnt@moval.org

Subject: NOP of a DEIR for World Logistics Center Specific Plan

Dear John C. Terell, Planning Official

On March 12, 2012, I attended the public scoping meeting held by the Community and Economic Development Department in the hopes of learning a great deal more detail about the proposed General Plan Amendment and the proposed Specific Plan. However, none was forthcoming thus making a through assessment of what should be evaluated or commented on for inclusion in the Environment Impact Report (EIR) very difficult. It appears that the City is proceeding forward with a generic assessment of the speculative impacts that a project of this magnitude would likely bring. Based on what has been presented publicly, to date, it would be impossible to prepared all the appropriate mitigation measures necessary to limit a host of impacts that this project will bring to Moreno Valley. That said, I have prepared some comments and issues that should be addressed by the EIR.

Air Quality – Provide a comprehensive assessment of all likely future impacts for not only this project but for the proposed land used in the surrounding communities. San Jacinto is proposing similar uses along its northwestern reaches with Gilman Spring Road, Highway 79, and Ramona Expressway. The City of Beaumont is also changing its land uses on its western boundary near the Highway 60 and Interstate 10. A full assessment should include air quality and prevailing winds and likely inversion layer areas in our and the surrounding valleys.

Aesthetics – This item is completely arbitrary without known design standard for the proposed Specific Plan. However, of greatest concern is the massing of building (high-cube) abutting any residential property in the area. Size, proximity, appearance, lighting must all be fully documented and brought forth to the surrounding neighborhoods. There is no doubt that views will be lost but beyond that the rest is unknown and mitigation measures cannot be conceived.

Drainage – The natural watershed drainage of the project area flows into the San Jacinto Wildlife Area (SJWA). Since development of the project area could limit natural percolation to just ten percent of the land area there will a tremendous volume of run-off and a need for water drainage systems, clarification basins, and retention systems that can limit impacts from project run-off pollutants. These systems must also address ground water recharge and any alterations to the flow rates into Mystic Lake and the San Jacinto River so as not to deplete or damage either.

Energy Use and Conservation - Solar Capacity and Rooftop Skylight Design should be utilized to the greatest capacity possible. With 41 million square feet of rooftop space alone this project area could

likely sustain itself electrically with the proper design features. Additionally, there are great opportunities to include ground mounted Solar Collection Systems for covered parking and thus limited the heat build up from parking lots. There are numerous other possibilities in the realm of project design that must be addressed and included in any viable proposal, and until such are purposed further comments can not be made.

Land Use / Planning – This project proposal does not include any reference to the proposed land use designations currently listed in the City's General Plan that would be applied. It is therefore difficult to determine if one use or a mix of uses will be permitted throughout the Specific Plan area. Any development of this size with only one proposed use will limit its ability to provide itself with support services for future tenants and employees. A full list of uses should be disclosed that offer greater opportunities and diversity of employment within the community. Include analysis of the following:

- *Job mix* by land use assessing the jobs per square foot is critical to maximizing jobs for this community. Support, service, and manufacturing opportunities should not be overlooked.
- A *Land Use* mix should be offered that buffers the most intense uses from the existing residential neighborhoods and Redlands Boulevard.
- *Design Standards* must be forthcoming to evaluate building size, locations, aesthetics, and views.

Population / Housing – Please provide a full accounting with legal requirements of why the City would be required to replace housing lost to the demise of the Moreno Highlands Specific Plan. Clearly explain how housing counts are made and meet for this commitment. Should the City need to address such a large loss, fully explain how and where the City will be able to fulfill its obligation. If a replacement obligation is required then those areas subject to modification should be included in this project proposal to balance out the change and mitigate this projects impact all at the same time.

Recreation – The Moreno Highlands Specific Plan provided the community with a mix of uses one of which was a large amount of accessible Open Space and trails. In the past decade a large portion of the Specific Plan was purchased by California Department of Fish and Game for habitat conservation which has restricted access and should never be reflected in any land use area references in the proposed Specific Plan. For all intended purposes the 1,086 acres of CDFG Open Space should be listed as “not a part.” It's only involvement in this whole process to formally change it's land use designation. As the proposed Specific Plan moves forward it should allocate appropriate “usable” Open Space of its own and maintain trail system connections.

Transportation – This item alone should place severe limits on any developments that generates traffic traveling on Highway 60. A full assessment should include an analysis of future traffic from this project and what build-out would bring if the surrounding communities follow the same line of land use development (See comments in Air Quality.) At present California Department of Transportation has no plans for improvements/expansion to Highway 60 nor the interchanges affected by this project. Therefore, this section should also include the following:

- *Congestion Analysis* for this project need to go well beyond the City and include scenarios for the possible development of similar uses in San Jacinto and Beaumont and Banning. The study should not be limited to development and existing land uses considering the current political climate and changes being proposed and discussed.
- *Railroad linkage* feasibility should be fully assessed as a practical option to limit truck traffic and for more economical movement of goods. This would be a valid mitigation measure that should not be overridden. A project of this size and scope is ill conceived without it and was a

necessary element in the City's analysis presented by a regional economist.

- *Road Designations* have yet to be defined nor have road standards been put forth. Those items along with a full evaluation of infrastructure needs and timing of these improvements should be addressed with limits on development tied directly to their completion.
- *Funding sources* for these improvements must be outlined for their likely fiscal impact on the City of Moreno Valley. Further City funding of road improvements will likely impact other areas of service to this community.
- *Development Time Lines* for highway improvements should be realistically assessed and included in this report to facilitate development schedules.

Utilities / Service Systems – The project area lacks almost all levels of infrastructure necessary to serve future development. To date no master plans have been put forth to define the system(s) needs, cost, or funding source. For example, some areas of eastern Moreno Valley are not currently connected to sewer service. A full study of the waste water capacity needs to be analyzed to include not only those area but also the project area. Some portions of the project area are downhill from existing connection points and will likely require extensive improvements to meet future demand. Please provide a full accounting for installation of all relevant utilities.

Economic Impact Report – This may not be considered a typical environmental category but if the development of this area is not financially sustainable for the City then it may have impacts on community services and thus compromise the quality of life for those residing in all of Moreno Valley. Of great concern is the City's financial involvement in the Specific Plan area development. The City is financially tight and has recently committed over one third of it's Measure A highway funds to another project limiting the City's ability to efficiently maintain existing roadway for the next 20 years. Please be sure to address:

- The City's financial involvement and ability to do so.
- All Project alternatives and other best land uses beyond those envisioned by the City.
- Potential property valuation impacts to surrounding residential properties.

Alternatives – Since the City is undertaking a major land use revision to a substantial portion of the community it should also assess other potential uses for this area that could offer viable alternatives to the propose project. These alternatives should include things like Community Sustainability Uses such as Farmland, Greenbelt Buffers to surrounding communities, Rural Residential, and Residential/Work in Placed development. Building the most possible is not always the best alternative for creating a liveable community.

Thank you for the opportunity to comment on this upcoming project and please keep me informed of future progress. As more details about this project come to light I am sure I will have more questions and comments. Feel free to contact me should you have any questions regarding my comments and requests. I would like to be involve in future planning and scoping sessions related to this project.

Sincerely,

Thomas Thornsley

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

San Manuel Band of Mission Indians
26569 Community Center Drive
Highland, CA 92346

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Ramona Band of Cahuilla
P.O. Box 391670
Anza, CA 92539

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Pechanga Cultural Resources
P.O Box 2183
Temecula, CA 92593

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Soboba Band of Mission Indians
P.O. Box 487
San Jacinto, CA 92581

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Los Coyotes Office
P.O. Box 189
Warner, CA 92086

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Cahuilla Tribal Band
P.O. Box 391760
Anza, CA 92539

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Santa Rosa Band of Mission Indians
P.O. Box 609
Hemet, CA 92546

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Serrano Nation of Indians
6588 Valaria Drive
Highland, CA 92346

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Morongo Band of Mission Indians
Planning & Building Services
12700 Pumarra Road
Banning, CA 92220

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community and Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 28, 2012

California Native American
Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Heritage Commission,

The City is currently reviewing a master plan proposal for Highland Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. A letter explaining project and the SB18 government to government consultation process has been sent to known Native American Tribes that are included on a list prepared by the Native American Heritage Commission. If any additional Native American Tribes are interested in initiating government to government consultation on this master plan or have any specific questions or concerns on the proposal, they are invited to provide written comments to the City at their earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

Cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

RECEIVED
MAR 12 2012
CITY OF MORENO VALLEY
Planning Division

March 7, 2012

Mr. John C. Terell, Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re: SCH#2012021045 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **"World Logistics Center (General Plan Amendment, TPM & Finance Map, Development Agreement and Annexation);"** located in the City of Moeno Valley; Riverside County, California

Dear Mr. Terell:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified. Also, the absence of archaeological resources does not preclude their existence. . California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to. California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California

Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties pursuant to CA Public Resources Code §5097.95. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, if the project is under federal jurisdiction, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be

followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
Riverside C(ıty
March 7, 20ı2

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.gov
(951) 506-9491 Fax

duplicate

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.gov
(951) 922-0105 Fax

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

Serrano Nation of Indians
Goldie Walker
P.O. Box 343 Serrano
Patton , CA 92369

(909) 862-9883

Cahuilla Band of Indians
Luther Salgado, Sr., , Chairperson
PO Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
915-763-5549

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012021045; CEQA Notice of Preparation (NOP); draft Environmental Impact Report and General Plan Amendment for the World Logistics Center; City of Moreno Valley; Riverside County, California.

Native American Contacts
Riverside C(.ty
March 7, 2012

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ahoover@pechanga-nsn.gov
951-770-8104
(951) 694-0446 - FAX

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
siva@dishmail.net
(951) 849-4676

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012021045; CEQA Notice of Preparation (NOP); draft Environmental Impact Report and General Plan Amendment for the World Logistics Center; City of Moreno Valley; Riverside County, California.

Community and Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 28, 2012

California Native American
Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Heritage Commission,

The City is currently reviewing a master plan proposal for Highland Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. A letter explaining project and the SB18 government to government consultation process has been sent to known Native American Tribes that are included on a list prepared by the Native American Heritage Commission. If any additional Native American Tribes are interested in initiating government to government consultation on this master plan or have any specific questions or concerns on the proposal, they are invited to provide written comments to the City at their earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

Cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

April 9, 2012

Mr. Mark Gross, AICP, Senior Planner
City of Moreno Valley Community and Economic Development Department: Planning Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Sent by FAX to: 951-413-3210
No. of Pages: 3

Re_ Tribal Consultation Pursuant to Government Codes No. 127e §§ 65092, 65351, 65352.3, 65352 .4, 65560 and 65562.5 (SB 18) for the **General Plan Amendment for World Logistic Center and Master Plan**; located at the City of Moreno Valley; Riverside County, California

Dear Mr. Gross:

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places. The Native American Heritage Commission is the state "trustee agency' designated for the protection of Native American Cultural Resource pursuant to CA Public Resources Code §21070. In the 1985 Appellate Court decision (170 Cal App 3rd 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites

Attached is a consultation list of tribal governments with traditional lands or cultural places located within the Project Area of Potential Effect (APE). The tribal entities on the list are for your guidance for **government-to-government consultation** purposes. Pursuant to CA Public Resources Code §5097.95, please provide pertinent project information to the tribal consulting parties.

The NAHC did perform a Sacred Lands File search of the 'area of potential effect (APE)' Native American cultural resources were not identified in the project area specified. However, lack of surface evidence of archeological resources does not preclude the existence of archeological resources that may be discovered inadvertently during construction activity. California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of

RECEIVED
APR 11 2012
CITY OF MORENO VALLEY
Planning Division

the California Public Records Act pursuant to. California Government Code §6254(r). The purpose of this code is to protect such sites from vandalism, theft and destruction. Please contact the Native Americans on the attached list to determine, from their knowledge, if the proposed changes or governmental action might impact on Native American cultural resources. If so, Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "substantial," and Section 2183.2 requires documentation, data recovery of cultural resources identified. The NAHC recommends that lead agencies provide appropriate archaeological studies and pertinent project information to the consulting Native American tribes, as appropriate. Tribal Governments have 90 days to comment from the receipt of the letter inviting consultation.

The Native American Heritage Commission works with Native American tribal governments regarding its identification of 'Areas of Traditional Use,' The Commission may adjust the submitted data defining the 'Area of Traditional Use' in accordance with documentation provided by consulting tribes, generally accepted ethnographic, anthropological, archeological research and oral history.

If you have any questions, please contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Attachment: Native American Tribal Government Consultation List

California Na e American Tribal Consultation Lis
Riverside County
April 9, 2012

Los Coyotes Band of Mission Indians
Shane Chapparosa, Chairman
P.O. Box 189 Cahuilla
Warner , CA 92086
(760) 782-0711

Morongo Band of Mission Indians
Robert Martin, Chairperson
12700 Pumarra Rroad Cahuilla
Banning , CA 92220 Serrano
(951) 849-8807
(951) 755-5200

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100

San Manuel Band of Mission Indians
James Ramos, Chairperson
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3724 - FAX

Serrano Nation of Indians
Goldie Walker
P.O. Box 343 Serrano
Patton , CA 92369

Soboba Band of Mission Indians
Scott Cozaet, Chairperson; Attn: Carrie Garcia
P.O. Box 487 Luiseno
San Jacinto , CA 92581
carrieg@soboba-nsn.gov
(951) 654-2765

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3. and 65362.4. et seq.

California Native Americans
Cultural Resources
Strategic Plan
Commissioners
Federal Laws and Codes
State Laws and Codes
Local Ordinances and Codes
Additional Information

Return to CNAHC Home Page

LOCAL GOVERNMENT TRIBAL CONSULTATION LIST REQUEST

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax

Project Title:
World Logistics Center

Local Government/Lead Agency:
City of Moreno Valley

Contact Person:
John Terell - or- Mark Gross

Street Address:
14177 Frederick Street

City: Moreno Valley **Zip:** 92552

Phone: (951) 413-3206 **Fax:**

Specific Area Subject to Proposed Action

County: Riverside

City/Community: City of Moreno Valley

Local Action Type:

___ General Plan ___ General Plan Element X General Plan Amendment

X Specific Plan ___ Specific Plan Amendment

___ Pre-planning Outreach Activity

Project Description:

General Plan Amendment, Change of Zone, Specific Plan, Subdivision, (future Tentative Tract / Parcel Maps), Annexation and Development Agreement for a 3,820 acre project of which 2,665 acres is considered developable land, to include 41.6 million square feet of future modern high-cube logistics warehouse distribution facilities, 1,136 acres of open space and 19 acres of existing public utility facilities.

~ See attached Project Description and Notice of Preparation ~

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Cahuilla Tribal Band
P.O. Box 391760
Anza, CA 92539

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Cahuilla Tribal Band
P.O. Box 391760
Anza, CA 92539

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Los Coyotes Office
P.O. Box 189
Warner, CA 92086

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

RECEIVED
FEB 27 2012
CITY OF MORENO VALLEY
Planning Division

MORONGO
BAND OF
MISSION
INDIANS

A SOVEREIGN NATION

February 22, 2012

John C. Terell, AICP, Planning Official
City of Moreno Valley
Community & Economic Development Department
P.O. Box 88005
Moreno Valley, CA 92552

SUBJECT: **Notice of Preparation of a Draft Environmental Impact Report**
Project Title: World Logistics Center Specific Plan
Project Applicant: Highland Fairview

Dear Mr.Terell:

Thank you for contacting the Morongo Band of Mission Indians regarding the above referenced project. The Tribe greatly appreciates the opportunity to review the project and, respectfully, offer the following comments.

The project is outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area or one in which the Tribe has cultural ties (e.g. Cahuilla/Serrano territory). Because the project involves a proposed master plan for the future development of up to 41.6 million square feet of building area providing for modern high-cube logistics warehouse distribution facilities the Morongo Band of Mission Indians asks that you impose specific conditions regarding cultural and/or archaeological resources and buried cultural materials on any development plans or entitlement applications as follows:

- If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5.

- In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.

  If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians

12700 PUMARRA ROAD · BANNING, CA 92220 · 951-849-4697 · FAX: 951-849-4425

("Tribe")[1]. If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

If I may be of further assistance with regard to this matter, please do not hesitate to contact me at your convenience.

Very truly yours,

MORONGO BAND OF MISSION INDIANS

Franklin A. Dancy,
Director of Planning

[1] The Morongo Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, Morongo can only speak for itself. The Tribe has no objection if the archaeologist wishes to consult with other tribes and if the city wishes to revise the condition to recognize other tribes.

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Morongo Band of Mission Indians
Planning & Building Services
12700 Pumarra Road
Banning, CA 92220

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

PALA TRIBAL HISTORIC PRESERVATION OFFICE

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
760-891-3510 Office | 760-742-3189 Fax

PALA THPO

RECEIVED
MAR 12 2012
CITY OF MORENO VALLEY
Planning Division

March 8, 2012

John C. Terell
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: World Logistics Center Specific Plan

Dear Mr. Terrel,

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Therefore, we have no objection to the continuation of project activities as currently planned and we defer to the wishes of Tribes in closer proximity to the project area.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-891-3515 or by e-mail at sgaughen@palatribe.com.

Sincerely,

Shasta C. Gaughen, PhD
Tribal Historic Preservation Officer
Pala Band of Mission Indians

ATTENTION: THE PALA TRIBAL HISTORIC PRESERVATION OFFICE IS RESPONSIBLE FOR ALL REQUESTS FOR CONSULTATION. PLEASE ADDRESS CORRESPONDENCE TO **SHASTA C. GAUGHEN** AT THE ABOVE ADDRESS. IT IS NOT NECESSARY TO ALSO SEND NOTICES TO PALA TRIBAL CHAIRMAN ROBERT SMITH.

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Ramona Band of Cahuilla
P.O. Box 391670
Anza, CA 92539

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Ramona Band of Cahuilla
P.O. Box 391670
Anza, CA 92539

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office. Box 2183 • Temecula, CA 92593
Telephone (951) 308-9295 • Fax (951) 506-9491

Chairperson:
Germaine Arenas

Vice Chairperson:
Mary Bear Magee

Committee Members:
Evie Gerber
Darlene Miranda
Bridgett Barcello Maxwell
Aurelia Marruffo
Richard B. Scearce, III

Director:
Gary DuBois

Coordinator:
Paul Macarro

Cultural Analyst:
Anna Hoover

March 16, 2012

VIA E-MAIL and USPS

RECEIVED
MAR 2 2 2012
CITY OF MORENO VALLEY
Planning Division

Mr. John Terell
Planning Official
City of Moreno Valley Planning
14177 Frederick Street
Moreno Valley, CA 92552-0805

Re: Pechanga Tribe Comments on the Notice for Preparation (NOP) for a Draft Environmental Impact Report (DEIR) on the World Logistics Center Specific Plan

Dear Mr. Terell:

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist the City in preparing appropriate avoidance and preservation measures for the cultural resources that will be impacted during development of this Project. The Tribe knows that within the Project boundaries is a portion of a Luiseño village complex which includes *tóota yixélval,* ceremonial areas, domestic activity areas and deeply buried sites, among other resources which are recorded sites. The Tribe is opposed to any direct, indirect and cumulative impacts to tangible and intangible tribal cultural resources and traditional tribal landscapes. The Tribe requests to meet and begin formal consultation with the City of Moreno Valley as soon as possible to discuss the proposed Project and avoidance of the village complex and associated components that exist within the Project boundaries.

THE CITY OF MORENO VALLEY MUST INCLUDE INVOLVEMENT OF AND CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL REVIEW PROCESS

It has been the intent of the Federal Government[1] and the State of California[2] that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the City of Moreno Valley consult with the Tribe to guarantee an adequate knowledge base to appropriately evaluate the Project effects, as well as ensuring, because there are known resources on this Project site, that design of the Project is accomplished to avoid all impacts to these resources and in addition, generate adequate mitigation measures for the treatment of other as of yet unknown resources.

LEAD AGENCY CONSULTATION WITH THE PECHANGA TRIBE REQUIRED PURSUANT TO CAL. GOVT. C. §§ 65351, 65352, 65352.3, AND 65352.4 (SENATE BILL 18 – TRADITIONAL TRIBAL CULTURAL PLACES LAW)

As a General Plan Amendment and a Specific Plan will be processed for this Project, the Lead Agency is required to consult with the Pechanga Tribe pursuant to a State law entitled Traditional Tribal Cultural Places (also known as SB 18; Cal. Govt. C. § 65352.3). The purpose of consultation is to identify any Native American sacred places and any geographical areas which could potentially yield sacred places, identify proper means of treatment and management of such places, and to ensure the protection and preservation of such places through agreed upon mitigation (Cal. Govt. C. 65352.3; SB18, Chapter 905, Section 1(4)(b)(3)). Consultation must be government-to-government, meaning directly between the Tribe and the Lead Agency, seeking agreement where feasible (Cal. Govt. C. § 65352.4; SB18, Chapter 905, Section 1(4)(b)(3)). Lastly, any information conveyed to the Lead Agency concerning Native American sacred places shall be confidential in terms of the specific identity, location, character and use of those places and associated features and objects. This information is not subject to public disclosure pursuant the California Public Records Act (Cal. Govt. C. 6254(r)).

[1] See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.
[2] See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe has a specific legal and cultural interest in this Project as the Tribe is culturally affiliated with the geographic area that comprises the Project property. The Tribe has been the named the consulting tribe on projects in the vicinity of the proposed Project, and has specific knowledge of cultural resources and sacred places within/near the proposed Project. The Tribe asserts that this culturally sensitive area is affiliated specifically with the Pechanga Band of Luiseño Indians because of the Tribe's specific cultural ties to this area that we can further explain through continued consultation and comments. Pechanga considers any resources located on this Project property to be Pechanga cultural resources and we look forward to working directly with the City to continue preserving and avoiding these sensitive tribal cultural resources.

D. L. True, C. W. Meighan, and Harvey Crew[3] stated that the California archaeologist is blessed "with the fact that the nineteenth-century Indians of the state were direct descendents of many of the Indians recovered archaeologically, living lives not unlike those of their ancestors." Similarly, the Tribe knows that their ancestors lived in this land and that the Luiseño peoples still live in their traditional lands. The Pechanga Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology, history and ethno-history; and through recorded ethnographic and linguistic accounts. Many anthropologists and historians who have presented boundaries of the Luiseño traditional territory have included the Moreno Valley area in their descriptions (Drucker 1937; Heizer and Whipple 1957; Kroeber 1925; Smith and Freers 1994), and such territory descriptions correspond almost identically with what was communicated to the Pechanga people by our elders. While historic accounts and anthropological and linguistic theories are important in determining traditional Luiseño territory, the most critical sources of information used to define our traditional territories are our songs, creation accounts, and oral traditions.

Luiseño history originates with the creation of all things at *'éxva Teméeku*, in the present day City of Temecula, and dispersing out to all corners of creation (what is today known as Luiseño territory). It was at Temecula that the Luiseño deity *Wuyóot* lived and taught the people, and here that he became sick, finally expiring at Lake Elsinore. Many of our songs relate the tale of the people taking the dying *Wuyóot* to the many hot springs at Elsinore, where he died (DuBois 1908). He was cremated at *'éxva Teméeku*. A traditional song recounts the travels of eagle, as he searches for a place where there was no death. His travels begin at Temecula, flying north to San Bernardino and then to the east, south, and west through Julian, Cuyamaca, and Palomar, and returning to Temecula.[4] It is the Luiseño creation account that connects Elsinore to Temecula, and thus to the Temecula people who were evicted and moved to the Pechanga Reservation, and now known as the Pechanga Band of Luiseño Mission Indians (the Pechanga

[3] D. L. True, C. W. Meighan, and Harvey Crew. Archaeological Investigations at Molpa, San Diego County, California, *University of California Press* 1974 Vol. 11, 1-176
[4] Ibid.

Tribe). From Elsinore, the people spread out, establishing villages and marking their territories. The first people also became the mountains, plants, animals and heavenly bodies.

Many traditions and stories are passed from generation to generation by songs. One of the Luiseño songs recounts the travels of the people to Elsinore after a great flood (DuBois 1908). From here, they again spread out to the north, south, east and west. Three songs, called *Montivol*, are songs of the places and landmarks that were destinations of the Luiseño ancestors, several of which are located near the Project area. They describe the exact route of the Temecula (Pechanga) people and the landmarks made by each to claim title to places in their migrations (DuBois 1908:110). The Native American Heritage Commission (NAHC) Most Likely Descendent (MLD) files substantiate this habitation and migration record from oral tradition. These examples illustrate a direct correlation between the oral tradition and the physical place; proving the importance of songs and stories as a valid source of information outside of the published anthropological data.

Tóota yixélval (rock art) is also an important element in the determination of Luiseño territorial boundaries. *Tóota yixélval* can consist of petroglyphs (incised) elements, or pictographs (painted) elements. The science of archaeology tells us that places can be described through these elements. Riverside and Northern San Diego Counties are home to red-pigmented pictograph panels. Archaeologists have adopted the name for these pictograph-versions, as defined by Ken Hedges of the Museum of Man, as the San Luis Rey style. This is the predominant style of rock art within the Project area and incorporates elements which include chevrons, zig-zags, dot patterns, sunbursts, handprints, net/chain, anthropomorphic (human-like) and zoomorphic (animal-like) designs. Tribal historians and photographs inform us that some design elements are reminiscent of Luiseño ground paintings. A few of these design elements, particularly the flower motifs, the net/chain and zig-zags, were sometimes depicted in Luiseño basket designs and can be observed in remaining baskets and textiles today.

Further evidencing the connection between the San Luis Rey rock art style and Luiseno people are these descriptions of how the diamond chain pattern, which is uniquely San Luis style rock art, was incorporated into the Luiseño girls' ceremony. In 1892, Bureau of Ethnology anthropologist H.W. Henshaw compiled information on what was called the "Girls Ceremony." He wrote: 'that during the fourth new moon of the young girl's puberty rite, diamond shaped marks were painted vertically on the cheeks of the girls faces' (Smith & Freers, pg. 19). For Pechanga, the connection to the rock art images held a known meaning. J.P. Harrington would later cross-reference this same "face painting" information in his 1933 work entitled *The Luiseno Girls Ceremony.*

An additional type of *tóota yixélval*, identified by archaeologists also as rock art or petroglyphs, are cupules. Throughout Luiseño territory, there are certain types of large boulders, taking the shape of mushrooms or waves, which contain numerous small pecked and ground indentations, or cupules. Many of these cupule boulders have been identified within a few hundred feet of the Project.

Additionally, according to historian Constance DuBois:

> When the people scattered from Ekvo Temeko, Temecula, they were very powerful. When they got to a place, they would sing a song to make water come there, and would call that place theirs; or they would scoop out a hollow in a rock with their hands to have that for their mark as a claim upon the land. The different parties of people had their own marks. For instance, Albañas's ancestors had theirs, and Lucario's people had theirs, and their own songs of Munival to tell how they traveled from Temecula, of the spots where they stopped and about the different places they claimed (1908:158).

Thus, our songs and stories, our indigenous place names, as well as academic works, demonstrate that the Luiseño people who occupied what we know today as Moreno Valley and the Lakeview area are ancestors of the present-day Luiseño/Pechanga people, and as such, Pechanga is culturally affiliated to this geographic area. The Tribe welcomes the opportunity to meet with the City to further explain and provide documentation concerning our specific cultural affiliation to lands within your jurisdiction.

CULTURAL RESOURCES CONCERNS AND REQUESTED TRIBAL INVOLVEMENT

The proposed Project encompasses a portion of a known Luiseño village complex with over 15 individually recorded cultural sites within the Project boundaries. This area is a traditional tribal landscape and therefore, preservation of these resources is the highest priority to the Tribe. We request formal government to government, face to face consultation with the City in order to provide additional cultural information and initiate discussions regarding preservation measures. We further recommend that, because of the sensitivity of the area, the Draft Environmental Impact Report (DEIR) should address direct, indirect and cumulative impacts to cultural resources; auditory and visual impacts; growth-related impacts; and long-term impacts the Project will have on this landscape. We are also opposed to any impacts to, and relocation of, burials and Native American remains, associated burial items as well as sacred items.

Auditory and Visual Impacts

As stated above, there is a portion of a Luiseño village complex located within the Project boundaries, including numerous *tóota yixélval*. The development of the proposed World Logistics Center will directly impact these resources through potential destruction and ground disturbing activities, as well as visual impacts to the resources. Further, the sheer size of the Project will be seen and heard for miles and will be a visual impediment to not only this traditional cultural landscape, but also the scenic beauty of this region. It will additionally affect the natural quiet and peacefulness of the area. Because of the size, complexity and numerous direct, indirect and cumulative impacts the Project will have on the surrounding landscape, visual and auditory impacts to cultural resources should be thoroughly evaluated within the final

document. The Pechanga Tribe requests further consultation on this issue to assist in such evaluation.

Cumulative Impacts

Cumulative impacts are also a major concern for the Tribe. The destruction of any "individual" cultural resource is detrimental to the whole cultural landscape and serves to further destroy the Tribe's traditional ancestral places. Unfortunately, most of the traditional ancestral places of the Tribe are on private and public lands which are constantly threatened by development. The Tribe is not anti-development; however, we increasingly struggle with lead agencies to protect and preserve our invaluable resources which continue to be destroyed and otherwise impacted on nearly a daily basis. Improper recordation and analysis of features in a larger community or habitation context allows for the piecemealing of sites and which can result in improper eligibility determinations which in turn leads ultimately to damage or destruction of these nonrenewable resources.

One of the most serious shortcomings of the "science" of archaeology is the practice of recording individual sites, even though another site is recorded only feet away. Rather than seeing how these sites are in fact connected, archaeologists record them as individual, distinct sites which greatly reduce their "significance" under state law and minimize the potential contributions these sites might have to the knowledge of both Tribes and scientists. Archaeology does not take a "10,000 foot view" of these sites – if it did, archaeologists would see clearly that these individually recorded sites most often actually fall within the footprint of large village complexes. In fact, the Tribe, through its own research into village settlement patterns, has found that villages often spanned as much as five miles in each direction. Thus, these "individual sites" are not, in fact, discrete loci; but rather, they are components of much larger social and village complexes. However, by finding that these resources are "individual sites," the science of archaeology is able to diminish their "significance" under state law which in turn, opens these resources up to destruction. While the Tribe is aware that not all sites and cultural resources can be saved during development, it is important to acknowledge in project documentation that these are not renewable resources and thus the impairment or destruction of any one site or resource located within a village complex IS in fact a cumulative impact.

Additionally, with the proposed Project, the increased vehicular traffic will increase air pollution and other environmental hazards. This increased pollution directly and indirectly impacts cultural resources as the smog and other pollutants build up on boulder outcrops which in this case include rare and fragile rock art. Very little research has been conducted to determine the effects of air pollutants on boulder outcrops and rock art; however, through our lengthy history of cultural resource protection efforts, the Tribe knows that constant exposure to harmful pollutants will erode the delicate pigments left on the rocks. This kind of indirect and cumulative impact needs to be addressed in more detail in the final document. We know that resources sensitive to these kinds of exposures exist within and around the Project boundaries.

As such, the document will be legally inadequate if it fails to assess and address these kinds of impacts.

Growth-Related Impacts

Finally, the Tribe is concerned about growth-related impacts to this area and their effects on cultural resources. First, increased growth in a region typically results in future expansion of development which further threatens the very few open areas in which cultural and other natural resources exist. In addition, we know that development brings more people to a given area, often resulting in impacts to preserved resources through vandalism, looting, graffiti or other forms of destruction. As stated above, the known village complex on this Project site will be impacted by the proposed Project. Based upon the current archaeological methodology, there is a high probability that the individually recorded sites located within the boundaries will be subjected to a site-by-site analysis and not viewed in their proper context – that of a village / habitation area. The Tribe requests that this area be analyzed as a whole, not piecemealed into destruction.

Furthermore, the Tribe requests to work closely with the City to develop a long-term strategy for the appropriate preservation of cultural resources located within and adjacent to the Project boundaries. For example, the Tribe has worked on several projects in which prominent rock outcroppings were preserved and avoided during construction activities. However, the Lead Agency did not provide for any long term care and as families and development moved into these areas, the rock outcroppings were subject to graffiti and the *tóota yixélval* was permanently impacted. We request to work together to preserve these resources by developing preservation methods and plans, which may include planting native species, engineering walls or fences, developing community watch groups, or other methods that deter vandals.

CONTINUED TRIBAL INVOLVEMENT AND PROJECT MITIGATION

The Tribe will continue to be involved and participate with the City in assuring that an adequate environmental assessment is completed – including all archaeological studies, and in developing a preservation/avoidance plan for the known sites as well as developing mitigation measures which must include options for avoidance and preservation for unknown sites and inadvertent finds. We would like to meet face-to-face with the City under SB 18 and separately with the City, the Project Applicant and the Project archaeologist as soon as possible in order to work towards a proposed development designed to avoid sensitive areas. These efforts benefit all parties involved as sensitive Tribal resources can be preserved and costs for the Applicant can be lowered from reduced archaeological work, unneeded stoppages of construction equipment and reduced engineering fees.

While it is too early to provide specific mitigation measures for this Project, we do believe tribal monitoring will be required in areas where resources are not already identified or identified through further study and evaluation. Specifics regarding monitoring will be discussed in more detail when we meet with the City to consult pursuant to SB18.

The Tribe believes that adequate cultural resources assessments and management must always include a component which addresses inadvertent discoveries. Every major State and Federal law dealing with cultural resources includes provisions addressing inadvertent discoveries (See e.g.: CEQA (Cal. Pub. Resources Code §21083.2(i); 14 CCR §15064.5(f)); Section 106 (36 CFR §800.13); NAGPRA (43 CFR §10.4). Moreover, most state and federal agencies have guidelines or provisions for addressing inadvertent discoveries (See e.g.: FHWA, Section 4(f) Regulations - 771.135(g); CALTRANS, Standard Environmental Reference - 5-10.2 and 5-10.3). Because of the extensive presence of the Tribe's ancestors within the Project area, it is not unreasonable to expect to find vestiges of that presence. Such cultural resources and artifacts are significant to the Tribe as they are reminders of their ancestors. Moreover, the Tribe is expected to protect and assure that all cultural sites of its ancestors are appropriately treated in a respectful manner.

Further, the Pechanga Tribe believes that if human remains are discovered, State law would apply and the mitigation measures must account for this. According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage Commission must name a "most likely descendant," who shall be consulted as to the appropriate disposition of the remains. This is addressed in the AEP; however, given the Project's location in Pechanga territory, the Pechanga Tribe intends to assert its right pursuant to California law with regard to any remains or items discovered in the course of this Project. Any proposed mitigation measures must allow for avoidance of human remains, which is the preference under state law. All too often mitigation measures are too vague or weak regarding the treatment of human remains in their original resting place, thus resulting in the removal of the Tribe's ancestors. It is the position of the Pechanga Tribe that human remains must never be moved or other impacted, but rather, they should remain in their original resting place, undisturbed.

We are also requesting additional Project specific information on any previous excavations on this property, previous land uses, the grading plan for this Project, further information on biological resources, geotechnical and any other relevant surveys or studies including archaeological surveys or reports. As additional Project information becomes available and through consultations between the Tribe and the City, the Tribe may offer specific avoidance or mitigation measures. Further discussions with the City should occur in a confidential setting regarding this culturally important and sensitive landscape.

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts. Further, the Tribe reserves the right to participate in the regulatory process and provide comment on issues pertaining to the regulatory process and Project approval. In addition, if Army Corps jurisdiction is triggered through a 401/404 Permit requirement, the Tribe requests to be consulted with pursuant to federal law, including the National Historic Preservation Act (NHPA), Section 106 and any other federal authority.

The Pechanga Tribe looks forward to working together with the City of Moreno Valley in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8104 or at ahoover@pechanga-nsn.gov once you have had a chance to review these comments so that we might address the issues concerning the mitigation language. Thank you.

Sincerely,

Anna Hoover
Cultural Analyst

Cc Pechanga Office of the General Counsel

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Pechanga Cultural Resources
P.O Box 2183
Temecula, CA 92593

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

RINCON BAND OF LUISEÑO INDIANS

Culture Committee

Post Office Box 68 · Valley Center, California 92082 ·
(760) 297-2621 or (760) 297-2622 & Fax:(760) 749-8901

RECEIVED
APR 2 - 2012
CITY OF MORENO VALLEY
Planning Division

March 23, 2012

City of Moreno Valley
Community & Economic Development Department
Planning Division
14177 Fredrick Street
PO Box 88005
Moreno Valley, CA 92552-0805

Re: World Logistics Center Specific Plan; Project Applicant, Highland Fairview

Dear John C. Terell,

Thank you for inviting us to submit comments on World Logistics Center Specific Plan, Project Applicant: Highland Fairview. This letter is written on behalf of the Rincon Band of Luiseño Indians. Rincon is submitting these comments concerning your Project's potential impact on Luiseño cultural resources.

The Rincon Band has concerns for impacts to historic and cultural resources and findings of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseño people. This is to inform you, your identified location is within the Aboriginal Territory of the Luiseno people, but is not within the Rincon Historic boundaries.

We refer you to Soboba Band of Luiseño Indians or Morongo Band of Mission Indians who are closer to your project area, please contact the Native American Heritage commission and they will assist with a referral. We also request you update your contact information for Rincon and request you include in any future letters and correspondence the Rincon Tribal Chairman and the Tribal Historic Preservation Office in the Cultural Resource Department, Post Office Box 68, Valley Center, Ca 92082 (760) 297 2621.

Thank you for this opportunity to protect and preserve our cultural assets.

Sincerely

Bo Mazzetti	Stephanie Spencer	Charlie Kolb	Steve Stallings	Laurie E. Gonzalez
Tribal Chairman	Vice Chairwoman	Council Member	Council Member	Council Member

RINCON BAND OF LUISEÑO INDIANS

Culture Committee

Post Office Box 68 · Valley Center, California 92082 ·
(760) 297-2621 or·(760) 297-2622 & Fax:(760) 749-8901

Rose Duro
Rincon Culture Committee Chairman

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

San Manuel Band of Mission Indians
26569 Community Center Drive
Highland, CA 92346

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

San Manuel Band of Mission Indians
26569 Community Center Drive
Highland, CA 92346

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Santa Rosa Band of Mission Indians
P.O. Box 609
Hemet, CA 92546

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Santa Rosa Band of Mission Indians
P.O. Box 609
Hemet, CA 92546

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Serrano Nation of Indians
6588 Valaria Drive
Highland, CA 92346

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Serrano Nation of Indians
6588 Valaria Drive
Highland, CA 92346

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

RECEIVED
APR 24 2012
CITY OF MORENO VALLEY
Planning Division

SOBOBA BAND OF LUISEÑO INDIANS
EST. JUNE 19, 1883

April 16, 2012

Attn: John C. Terell, AICP
City of Moreno Valley
Community Development and Economic Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case No. PA12-00010 through PA12-00015: World Logistics Specific Center Specific Plan, General Plan Amendment, Change of Zone, Annexation, Development Agreement and Tentative Parcel Map (Annexation of 85 Acres at the Northwest Corner of Alessandro and Gilman Springs Road)

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in close proximity to known village sites and is a shared use area that was used in ongoing trade between the Luiseno and Cahuilla tribes. Therefore it is regarded as highly sensitive to the people of Soboba.

Soboba Band of Luiseño Indians is requesting the following:

1. **Government to Government** consultation in accordance to SB18. Including the transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.

2. Soboba Band of Luiseño Indians continues to act as a consulting tribal entity for this project.

3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that a Native American monitoring component be included as a mitigation measure for the Mitigated Negative Declaration and the Environmental Impact Report. The Tribe requesting that a Treatment and Dispositions Agreement between the developer and The Soboba Band be provided to the City of Moreno Valley prior to the issuance of a grading permit and before conducting any additional archaeological fieldwork

4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

The Soboba Band of Luiseno Indians is requesting a face-to-face meeting between the City of Moreno Valley and the Soboba Cultural Resource Department. Please contact me at your earliest convenience either by email or phone in order to make arrangements.

Sincerely,

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. When appropriate and agreed upon in advance, the Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains.

A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.

D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact.

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native

SOBOBA BAND OF LUISEÑO INDIANS

American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

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

Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

SOBOBA BAND OF LUISEÑO INDIANS

RECEIVED
MAY - 8 2012
CITY OF MORENO VALLEY
Planning Division

SOBOBA BAND OF LUISEÑO INDIANS
EST. JUNE 19, 1883

April 30, 2012

Attn: John Tercell, AICP
City of Moreno Valley
Community Development and Economic Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case No. PA12-0010 through PA12-0015
Specific Plan, General Plan Amendment, Change of Zone, Annexation, Development Agreement and Tentative Parcel Map 26457- for 2,684 acres to accommodate industrial warehouse buildings (northwest Corner of Alessandro Blvd. and Gilman Springs Road)

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in close proximity to known village sites and is a shared use area that was used in ongoing trade between the Luiseno and Cahuilla tribes. Therefore it is regarded as highly sensitive to the people of Soboba.

Soboba Band of Luiseño Indians is requesting the following:

1. **Government to Government** consultation in accordance to SB18. Including the transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.

2. Soboba Band of Luiseño Indians continue to be a lead consulting tribal entity for this project.

3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that Native American Monitor(s) from the Soboba Band of Luiseño Indians Cultural Resource Department to be present during any ground disturbing proceedings. Including surveys and archaeological testing.

4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

Sincerely,

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains

A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.

D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact

SOBOBA BAND OF LUISEÑO INDIANS

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

SOBOBA BAND OF LUISEÑO INDIANS

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Soboba Band of Mission Indians
P.O. Box 487
San Jacinto, CA 92581

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Soboba Band of Mission Indians
P.O. Box 487
San Jacinto, CA 92581

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Cahuilla Tribal Band
P.O. Box 391760
Anza, CA 92539

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community and Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

October 2, 2012

Mr. Franklin A. Dancy
Director of Planning
Morongo Band of Mission Indians
Planning & Building Services
12700 Pumarra Road
Banning, CA 92220

RE: Cultural Resource Study and Consultation Request for World Logistics Center

Dear Mr. Dancy:

As your agency is aware, the City is currently reviewing a master plan proposal for Highland Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

Based on the provisions of SB 18, the City is currently working through consultation with all known Tribes that may be affected by grading and land disturbance of the proposed project. As requested by prior written correspondence of your agency, cultural resources information is being submitted for your review. Attached, please find a copy of the Cultural Resources Study for your information. As the submittal of the document continues the consultation proceedings, the City welcomes any comments on the study within 30 days of this correspondence, or the latest by November 5, 2012. If consultation meetings are necessary after review of the cultural information provided, please include any written comments in a letter and indicate when you would be available for a consultation meeting to discuss. If the City does not hear from you in the allotted time, we will assume that there are no comments and a consultation meeting would not be necessary.

If you should have questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

Attachment

Cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/PA12-0010 through PA12-0015–Cultural Resources Study Letter

RECEIVED
FEB 2 7 2012
CITY OF MORENO VALLEY
Planning Division

MORONGO
BAND OF
MISSION
INDIANS

A SOVEREIGN NATION

February 22, 2012

John C. Terell, AICP, Planning Official
City of Moreno Valley
Community & Economic Development Department
P.O. Box 88005
Moreno Valley, CA 92552

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report
Project Title: World Logistics Center Specific Plan
Project Applicant: Highland Fairview

Dear Mr.Terell:

Thank you for contacting the Morongo Band of Mission Indians regarding the above referenced project. The Tribe greatly appreciates the opportunity to review the project and, respectfully, offer the following comments.

The project is outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area or one in which the Tribe has cultural ties (e.g. Cahuilla/Serrano territory). Because the project involves a proposed master plan for the future development of up to 41.6 million square feet of building area providing for modern high-cube logistics warehouse distribution facilities the Morongo Band of Mission Indians asks that you impose specific conditions regarding cultural and/or archaeological resources and buried cultural materials on any development plans or entitlement applications as follows:

- If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5.

- In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.

  If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians

("Tribe")[1]. If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

If I may be of further assistance with regard to this matter, please do not hesitate to contact me at your convenience.

Very truly yours,

MORONGO BAND OF MISSION INDIANS

Franklin A. Dancy,
Director of Planning

[1] The Morongo Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, Morongo can only speak for itself. The Tribe has no objection if the archaeologist wishes to consult with other tribes and if the city wishes to revise the condition to recognize other tribes.

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

RECEIVED
MAR 12 2012
CITY OF MORENO VALLEY
Planning Division

March 7, 2012

Mr. John C. Terell, Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re: SCH#2012021045 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **"World Logistics Center (General Plan Amendment, TPM & Finance Map, Development Agreement and Annexation);"** located in the City of Moeno Valley; Riverside County, California

Dear Mr. Terell:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified. Also, the absence of archaeological resources does not preclude their existence. . California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to. California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California

Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties pursuant to CA Public Resources Code §5097.95. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, if the project is under federal jurisdiction, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be

followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
Riverside County
March 7, 2012

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.gov
(951) 506-9491 Fax

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

Serrano Nation of Indians
Goldie Walker
P.O. Box 343 Serrano
Patton , CA 92369
(909) 862-9883

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.gov
(951) 922-0105 Fax

Cahuilla Band of Indians
Luther Salgado, Sr., , Chairperson
PO Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
915-763-5549

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012021045; CEQA Notice of Preparation (NOP); draft Environmental Impact Report and General Plan Amendment for the World Logistics Center; City of Moreno Valley; Riverside County, California.

Native American Contacts
Riverside County
March 7, 2012

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ahoover@pechanga-nsn.gov
951-770-8104
(951) 694-0446 - FAX

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
siva@dishmail.net
(951) 849-4676

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012021045; CEQA Notice of Preparation (NOP); draft Environmental Impact Report and General Plan Amendment for the World Logistics Center; City of Moreno Valley; Riverside County, California.

Community and Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

March 7, 2012

California Native American
Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley (Revised from February 28, 2012 letter)

Dear Native American Heritage Commission,

The City is currently reviewing a master plan proposal for Highland Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. A letter explaining the project and the SB18 government to government consultation process has been sent to known Native American Tribes that are included on a list prepared by the Native American Heritage Commission. In order to update the list of known Tribes in the City of Moreno Valley and for this particular project, the City has completed Exhibit A requesting an updated Tribal Consultation list from the Native American Heritage Commission (see attached).

If any additional Native American Tribes are interested in initiating government to government consultation on this master plan or have any specific questions or concerns on the proposal, they are invited to provide written comments to the City at their earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Attachments

Mg

Cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Additional Information

California Native Americans
Cultural Resources
Strategic Plan
Commissioners
Federal Laws and Codes
State Laws and Codes
Local Ordinances and Codes
Additional Information

Return to CNAHC Home Page

LOCAL GOVERNMENT TRIBAL CONSULTATION LIST REQUEST

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax

Project Title:
World Logistics Center

Local Government/Lead Agency:
City of Moreno Valley

Contact Person:
John Terell - or- Mark Gross

Street Address:
14177 Frederick Street

City:
Moreno Valley **Zip:** 92552

Phone: (951) 413-3206 **Fax:**

Specific Area Subject to Proposed Action

County: Riverside

City/Community: City of Moreno Valley

Local Action Type:

___ General Plan ___ General Plan Element X General Plan Amendment

X Specific Plan ___ Specific Plan Amendment

___ Pre-planning Outreach Activity

Project Description:

General Plan Amendment, Change of Zone, Specific Plan, Subdivision, (future Tentative Tract / Parcel Maps), Annexation and Development Agreement for a 3,820 acre project of which 2,665 acres is considered developable land, to include 41.6 million square feet of future modern high-cube logistics warehouse distribution facilities, 1,136 acres of open space and 19 acres of existing public utility facilities.

~ See attached Project Description and Notice of Preparation ~

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # _____

Project Title: World Logistics Center (General Plan Amendment, Change of Zone, new Specific Plan, Tentative Parcel Map (Finance Map), Development Agreement, and annexation of 85-acre site adjacent to Gilman Springs Road

Lead Agency: City of Moreno Valley
Contact Person: John C. Terell, Planning Official
Mailing Address: 14177 Frederick St.
Phone: (951) 413-3206
City: Moreno Valley
Zip: 92553
County: Riverside

Project Location: County: Riverside
City/Nearest Community: Moreno Valley
Cross Streets: State Highway 60 and Gilman Springs Road
Zip Code: 92555
Lat. / Long.: 33 ° 55 ' " N/ 117° 8 ' " W
Total Acres: 3,820 acres
Assessor's Parcel No.: Various (see attached)
Por. of Sections: 1,12,13 TWP 3S Range 3W Base SBBM
Sections: Por. of 6,7,8,9,16,17,18,19,20,21 TWP 3S Range 2W Base SBBM

Within 2 Miles: State Hwy #: 60
Waterways:
Airports:
Railways:
Schools:

Document Type:

CEQA:
- ☒ NOP
- ☐ Early Cons
- ☐ Neg Dec
- ☐ Mit Neg Dec
- ☐ Draft EIR
- ☐ Supplement/Subsequent EIR (Prior SCH No.) _____
- Other _____

NEPA:
- ☐ NOI
- ☐ EA
- ☐ Draft EIS
- ☐ FONSI

Other:
- ☐ Joint Document
- ☐ Final Document
- ☐ Other _____

Local Action Type(s):

- ☐ General Plan Update
- ☒ General Plan Amendment
- ☐ General Plan Element
- ☐ Community Plan
- ☒ Specific Plan
- ☐ Master Plan
- ☐ Planned Unit Development
- ☐ Site Plan
- ☒ Rezone
- ☐ Prezone
- ☐ Use Permit
- ☒ Land Division (Subdivision, etc.)
- ☒ Annexation
- ☐ Redevelopment
- ☐ Coastal Permit
- ☒ Development Agmt

Development Type:

- ☐ Residential: Units _____ Acres _____
- ☐ Office: Sq.ft. _____ Acres _____ Employees _____
- ☐ Commercial: Sq.ft. _____ Acres _____ Employees _____
- ☒ Industrial: Sq.ft. 41.6 mln Acres 2,665 Employees _____
- ☐ Educational
- ☐ Recreational
- ☐ Water Facilities: Type _____ MGD _____
- ☐ Transportation: Type _____
- ☐ Mining: Mineral _____
- ☐ Power: Type _____ MW _____
- ☐ Waste Treatment: Type _____ MGD _____
- ☐ Hazardous Waste: Type _____
- ☒ Other: Open Space: 1,136 acres; Public Utility 19 acres

Project Issues Discussed In Document:

- ☒ Aesthetic/Visual
- ☒ Agricultural Land
- ☒ Air Quality
- ☒ Archeological/Historical
- ☒ Biological Resources
- ☐ Coastal Zone
- ☒ Drainage/Absorption
- ☒ Economic/Jobs
- ☐ Fiscal
- ☒ Flood Plain/Flooding
- ☐ Forest Land/Fire Hazard
- ☒ Geologic/Seismic
- ☒ Minerals
- ☒ Noise
- ☒ Population/Housing Balance
- ☒ Public Services/Facilities
- ☒ Recreation/Parks
- ☐ Schools/Universities
- ☐ Septic Systems
- ☒ Sewer Capacity
- ☒ Soil Erosion/Compaction/Grading
- ☒ Solid Waste
- ☒ Toxic/Hazardous
- ☒ Traffic/Circulation
- ☒ Vegetation
- ☒ Water Quality
- ☒ Water Supply/Groundwater
- ☒ Wetland/Riparian
- ☒ Wildlife
- ☒ Growth Inducing
- ☒ Land Use
- ☒ Cumulative Effects
- ☐ Other _____

Present Land Use/Zoning/General Plan Designation:

See attached Exhibit A (page 6) for existing land use designations.

Project Description: *(please use a separate page if necessary)*

The World Logistics Center Specific Plan would include the future development of 41.6 million square feet of building areas providing for modern high-cube logistics warehouse distribution facilities on approximately 2,665 acres.

(see Exhibit A for Detailed Project Description Summary)

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

	Air Resources Board		Office of Historic Preservation
	Boating & Waterways, Department of		Office of Public School Construction
	California Emergency Management Agency		Parks & Recreation, Department of
	California Highway Patrol		Pesticide Regulation, Department of
S	Caltrans District #		Public Utilities Commission
	Caltrans Division of Aeronautics	S	Regional WQCB #
	Caltrans Planning		Resources Agency
	Central Valley Flood Protection Board		Resources Recycling and Recovery, Department of
	Coachella Valley Mtns. Conservancy		S.F. Bay Conservation & Development Comm.
	Coastal Commission		San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
	Colorado River Board		San Joaquin River Conservancy
S	Conservation, Department of		Santa Monica Mtns. Conservancy
	Corrections, Department of		State Lands Commission
	Delta Protection Commission		SWRCB: Clean Water Grants
	Education, Department of		SWRCB: Water Quality
	Energy Commission		SWRCB: Water Rights
S	Fish & Game Region #		Tahoe Regional Planning Agency
	Food & Agriculture, Department of		Toxic Substances Control, Department of
	Forestry and Fire Protection, Department of	S	Water Resources, Department of
	General Services, Department of		
	Health Services, Department of	S	Other: Attorney General's Office
	Housing & Community Development	S	Other: University of California - Riverside
	Native American Heritage Commission		

Local Public Review Period (to be filled in by lead agency)

Starting Date February 23, 2012 Ending Date March 26, 2012

Lead Agency (Complete if applicable):

Consulting Firm: Parsons Brinckerhoff
Address: 421 East Vanderbilt Way, Suite 200
City/State/Zip: San Bernardino, CA 92408
Contact:
Phone:

Applicant: Highland Fairview
Address: 14225 Corporate Way
City/State/Zip: Moreno Valley, CA 92553
Phone: (951) 867-5300

Signature of Lead Agency Representative: John R. Hull **Date:** 02-21-2012

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413.3206
FAX: 951.413.3210

Date: February 21, 2012

To: Responsible and Trustee Agencies / Interested Organizations and Individuals

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

Lead Agency:

CITY OF MORENO VALLEY
Community & Economic Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552
Phone: 951.413.3206
FAX: 951.413.3210
Contact: John C. Terell, Planning Official
Email: johnt@moval.org

The City of Moreno Valley will be the Lead Agency for preparation of an environmental impact report for the project identified below. We are soliciting your views as to the scope and content of the environmental information which is germane to your statutory responsibilities in connection with the proposed project. A detailed project description, location, and potential environmental effects are contained in the attached materials.

Due to time limits mandated by state law, your response must be sent at the earliest possible date but not later than 30 days after the receipt of this notice, or by March 26, 2012.

Please send your response to the City of Moreno Valley at the address shown above. All respondents should include a contact name, name of agency/organization (if applicable), phone number, and both mail and email addresses.

Project Title: World Logistics Center Specific Plan

Project Applicant: Highland Fairview

Location: The Proposed Project encompasses 3,820 acres of land within the City of Moreno Valley, located south of SR-60, between Redlands Boulevard and Gilman Springs Road extending to the southerly City boundary. The proposed project area is depicted in the Project Description Summary for World Logistics Center Specific Plan, Exhibit A.

Project Description: The World Logistics Center Specific Plan is a proposed master plan for the future development of up to 41.6 million square feet of building area providing for modern high-cube logistics warehouse distribution facilities.

The proposed project will include an amendment to the City's General Plan and Zoning Ordinance, along with adoption of a Specific Plan that will set forth land use regulations governing the project area. The project includes the following discretionary actions by the City of Moreno Valley:

- General Plan Amendment
- Adoption of a new Specific Plan
- Change of Zone
- Development Agreement
- Tentative Parcel Map (Finance Map)
- Annexation for 85-acre site adjacent to Gilman Springs Road

Environmental Issues to be evaluated in the EIR: The lead agency, the City of Moreno Valley, has determined that an Environmental Impact Report (EIR) will need to be prepared based on the scale and potential complexity of the proposed project, and the potential for controversy. Therefore, an EIR will be prepared to fully evaluate the potential impacts of the proposed project. The EIR will be comprehensive in nature, evaluating all issues noted in the CEQA Appendix G Environmental Checklist and Appendix F Energy Conservation. This includes:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy Use and Conservation
- Geology / Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Waste
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation / Traffic
- Utilities / Service Systems
- Mandatory Findings of Significance

The EIR will address the short and long-term effects of the project on the environment and will evaluate the potential for the project to cause direct and indirect impacts, as well as cumulative impacts. Alternatives to the proposed project will be evaluated that may reduce impacts that are determined to be significant in the EIR. For those impacts determined to be significant, mitigation measures will be proposed. A mitigation monitoring program will be developed as required by Section 15126.4 of the CEQA Guidelines.

The environmental determination in this NOP is subject to a 30-day public review period per Public Resources Code Section 21080.4(a) and CEQA Guidelines Section 15082. During the public review period, public agencies, interested organizations and individuals have the opportunity to identify those environmental issues that have the potential to be affected by the

project and that should be addressed in the EIR. For this project, the public review period is: February 23 through March 26, 2012.

A copy of the Notice of Preparation for the proposed project is available for the proposed project is available for public review at the following location:

City of Moreno Valley
Community & Economic Development Department
Planning Division
14177 Frederick Street
Moreno Valley, California 92553
(951) 413-3206
Hours: Monday through Thursday, 7:30 a.m. to 5:30 p.m.

In addition, an electronic copy of the Notice of Preparation will be made available on the City website at http://www.moreno-valley.ca.us/

Scoping Meeting:

A public scoping meeting will be held on **Wednesday, March 12, 2012, from 6:00 to 8:00 p.m.** at the following location:

Moreno Valley City Hall
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92553

At this meeting, agencies, organizations, and members of the public will be provided a brief presentation on the project and will be able to review the proposed project and provide comments on the scope of the environmental review process for the proposed World Logistics Center Specific Plan.

Please contact the Community Development Department at (951) 413-3206 if you have any questions about this meeting.

Date: February 21, 2012

Signature _____

John C. Terell AICP
Planning Official

Exhibit A
Project Description Summary

for

World Logistics Center Specific Plan

Prepared for

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Prepared by

Parsons Brinckerhoff
421 East Vanderbilt Way, Suite 200
San Bernardino, CA 92408

February 21, 2012

Project Description

1.1 Project Overview

The proposed World Logistics Center Specific Plan is a master plan for the development of modern high-cube logistics warehouse distribution facilities on approximately 3,820 acres of land in eastern Moreno Valley. The project proposes the development of approximately 41.6 million square feet of modern high-cube logistics facilities over approximately 2,665 acres, 1,136 acres of permanent open space, and 19 acres of existing public utility facilities.

1.2 Project Location

The World Logistics Center Specific Plan project area is located in the northwestern Riverside County, in Rancho Belago within the eastern portion of the City of Moreno Valley. The proposed project is situated south of State Route 60 (SR-60), between Redlands Boulevard and Gilman Springs Road (the easterly City limit), extending to the southerly City Limit. Figure 1 depicts the location of the proposed project within the region.

The 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 US Geological 7.5 minute series Sunnymead and El Casco California Quadrangles. Figure 2 depicts the proposed project boundary on the applicable USGS Quad sheets.

1.3 Environmental Setting and Surrounding Land Uses

The project area is largely undeveloped land. Presently, there are seven single-family homes in various locations in the project area along with associated ranch/farm buildings. Most of the site has been used for dry farming at one time or another since the early 1900's, and much of the site continues to be used for dry farming at the present time. San Diego Gas & Electric operates a natural gas compressor station, known as the Moreno Compressor Station, on 18 acres in the southern portion of the site. Southern California Gas Company operates a valving, metering, and pipe cleaning station on a one acre parcel in the south-central portion of the site.

The major roadways that currently provide access to the project area are SR-60, Redlands Boulevard, Alessandro Boulevard, Gilman Springs Road and Theodore Street. Redlands Boulevard and Theodore Street are north-south roadways that intersect with SR-60. Alessandro Boulevard is an east-west thoroughfare that runs through Moreno Valley from Interstate-215 on the west to Gilman Springs Road on the east. Gilman Springs Road runs in a northwesterly-southeasterly direction connecting SR-60 to the Hemet-San Jacinto area and beyond.

There is little development adjacent to the east and south boundaries of the project area. The area easterly of the project is commonly referred to as the Badlands, a rugged area that separates the City of Moreno Valley from San Timoteo Canyon, and the City of Beaumont. Due to its steep slopes and canyons, the Badlands area has experienced little development; however there are seven single-

family homes in the area east of Gilman Springs Road. The Badlands Sanitary Landfill, operated by the County of Riverside Waste Management Department, is located approximately 1.5 miles northeasterly of the project area.

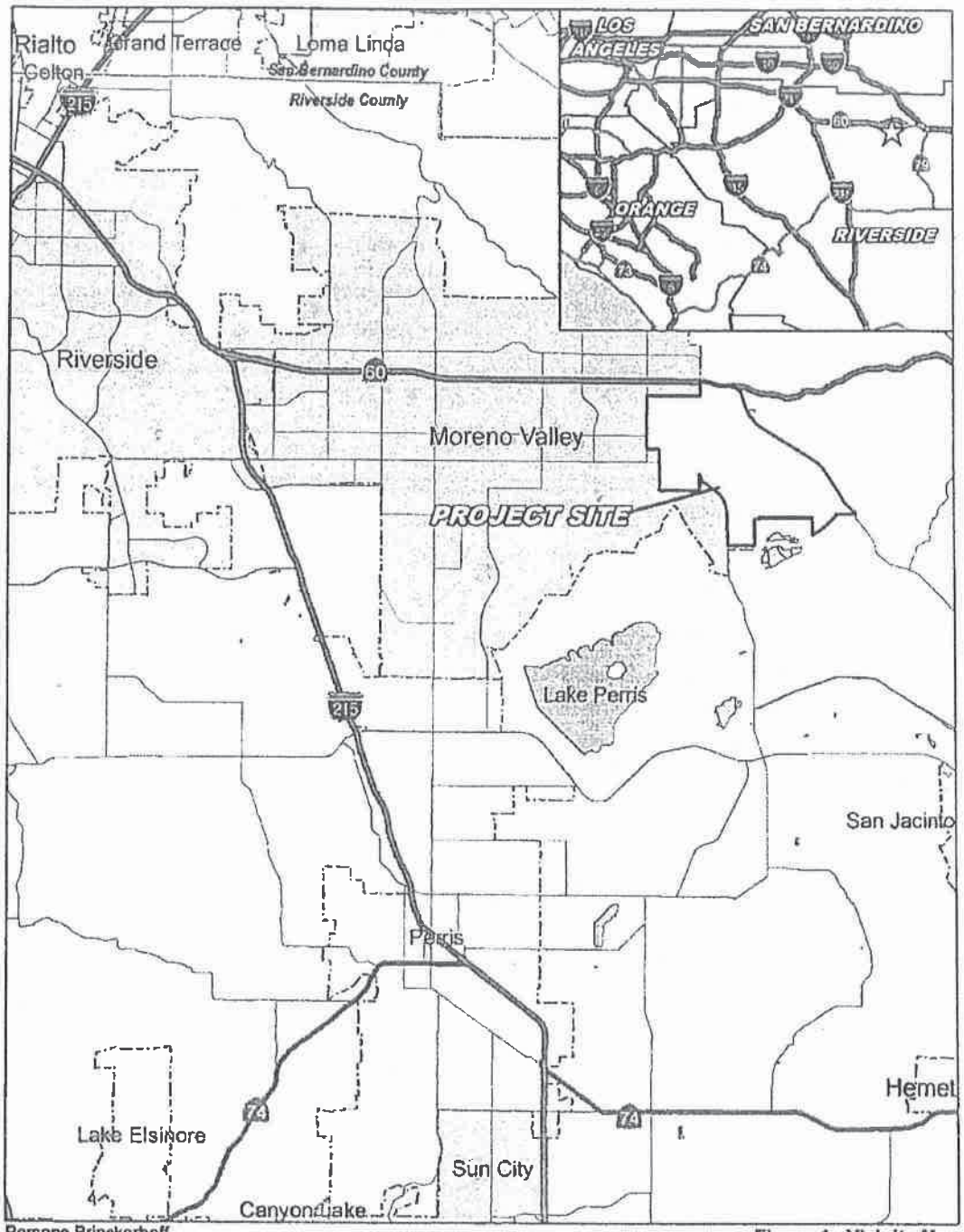
The area south of the proposed project is the San Jacinto Wildlife Area (SJWA) (which includes the Upland Game Hunting Area), and the Lake Perris State Recreation Area. These lands are state-owned and access to these areas is restricted. The SJWA is owned and operated by the California Department of Fish and Game and contains approximately 9,000 acres of restored wetland and ponds. The Lake Perris State Recreation Area is owned and operated by the California State Parks Department and contains approximately 6,000 acres of open space land which is used both for recreation and preservation of the natural southern California landscape.

Highland Fairview Corporate Park (HFCP), located north and west of the project area between Redlands Boulevard and Theodore Street, is currently under development and the first phase was completed in late 2011. The area north of SR-60 is largely undeveloped with clusters of low density residential development within the Moreno Valley city limits.

Lying to the west of the proposed project is the more developed portion of the City of Moreno Valley. Near the southwest boundary of the proposed project is the existing residential neighborhood of Old Moreno at the intersection of Redlands Boulevard and Alessandro Boulevard; a small market and a Post Office are also located near this intersection. The Moreno Valley Ranch residential community is approximately one mile southwest of the project area.

There are two future commercial areas located immediately north of the project area. The first is located at the northwest corner of Theodore Street and Eucalyptus Avenue (proposed 80,000 square feet), and the second is at the northeast corner of Redlands Boulevard and Eucalyptus Avenue (proposed 120,000 square feet). The nearest large-scale commercial development is located on the south side of SR-60 at Moreno Beach Drive approximately 1¼ mile to the west of the proposed project; this shopping area includes Walmart and Target superstores, along with restaurants and ancillary commercial and service uses, and the Moreno Valley Auto Center. The central core of Moreno Valley, which includes other residential neighborhoods and commercial activity, is located approximately three miles west of the project area.

March Air Reserve Base (MARB) is located approximately seven miles southwesterly of the proposed project. The MARB is under the authority of the March Joint Powers Authority which acts as the land use authority, the Redevelopment Agency as well as the Airport Authority (the March Inland Port Airport Authority) for reuse of the former March Air Force Base.



Parsons Brinckerhoff
Date: Feb. 2012
Source: ESRI (2011)

Figure 1 - Vicinity Map
World Logistics Center Specific Plan
Moreno Valley, CA

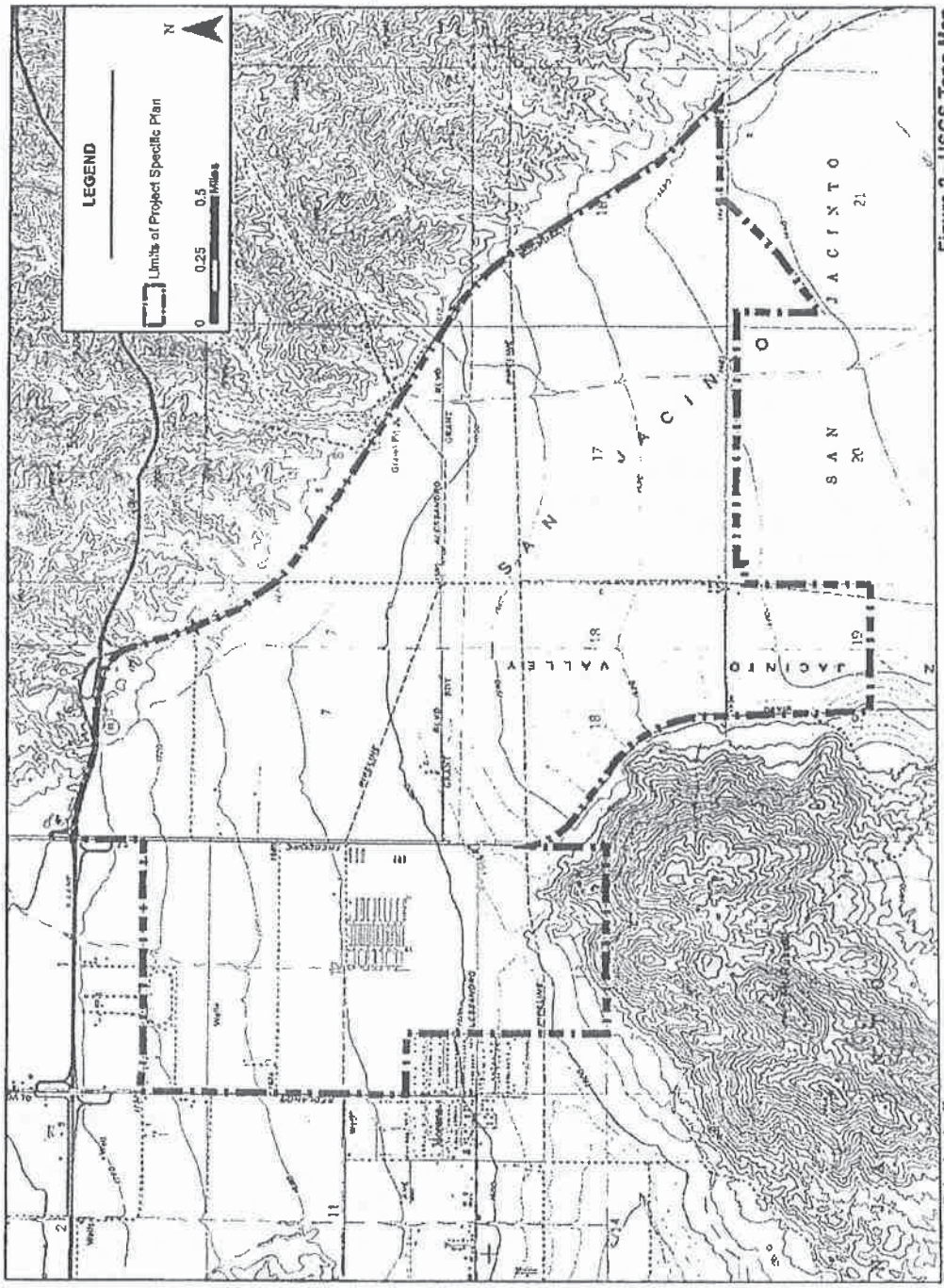


Figure 2 - USGS Topo Map
World Logistics Center Specific Plan
Moreno Valley, CA

Parsons Brinckerhoff
Date: Feb. 2012
Source: US Geological 7.5 minute series Sunnymead and El Casco California Quadrangles

1.4 Existing General Plan, Specific Plan and Zoning Land Use Designations Surrounding the Project Area and Currently Applicable to the Proposed Project Site

The Land Use Designations Currently Applicable to the Proposed Project Site

The Community Development Element of the City's General Plan currently designates the project area as a mix of residential, commercial, business park and open space land uses. In 1992 the City approved the 3,038-acre Moreno Highlands Specific Pan (MHSP) as a master planned, mixed use community, consisting of up to 7,763 residential dwelling units (on approximately 2,435 acres) and approximately 603 acres of business, retail, institutional and other uses. A summary of land uses of the MHSP is depicted in Table 1 below.

Table 1. Moreno Highlands Specific Plan (Current Land Use Designations)

Land Use	Acreage
Residential Community	
Residential (7,283 du)	1,359.3
Parks and Open Space	701.9
Neighborhood Commercial	10.0
Cemetery	16.5
Public Facilities	347.7
Planned Business Center	
Business Park	360.8
Mixed Use	80.5
Community Commercial	16.0
Parks and Open Space	77.9
Public Facilities	67.4
Project Total	**3,038**

Adopted by City Council March 17, 1992

As a result of a variety of factors, none of the Moreno Highlands Specific Plan has been implemented.

The current Housing Element, adopted by the City in February 2011, identifies the MHSP as a potential location for future jobs-producing land uses. In April 2011, the City adopted an Economic Development Action Plan which identifies eastern Moreno Valley as a potential area for major job-producing land uses. The proposed World Logistics Center Specific Plan project is consistent with these adopted policy statements in that it seeks to comprehensively plan the project area for jobs-producing land uses.

South of SR-60/East of Redlands Boulevard

The HFCP project is currently under development. Phase 1 (Skechers' North American Operational Headquarters) was completed in late 2011. HFCP is located immediately north and west of the project area, on the north side of Eucalyptus Avenue between Redlands Boulevard and Theodore Street. The HFCP project was approved by the City of Moreno Valley in 2009. The City General Plan land use designation for the site is Commercial (C) and Business Park/Light Industrial (LI).

North of SR-60

The land located on the north side of SR-60 and westerly of Theodore Street is within the City of Moreno Valley and has land use designations of Office (O) and Residential (R1—density of one dwelling unit per acre). The area lying easterly of Theodore Street is within the County of Riverside with land use designations of Scenic Highway Commercial (C-P-S) and Controlled Development Area (W-2). The W-2 area allows single-family residential and light agriculture (the suffix indicates a 2-acre minimum parcel size); and the C-P-S district allows certain wholesale and retail commercial uses. This county territory is within the City's Sphere of Influence; the City land use designation for the area is Rural Residential (RR) and Residential (R1).

East of Gilman Springs Road

The Badlands area, lying easterly of Gilman Springs Road, is within the jurisdiction of the County of Riverside and has a land use designation of Controlled Development Area (W-2, W-2-1 and W-2-20), allowed uses include single-family residential and light agriculture (the suffix indicates minimum parcel size in acres). This county territory is also within the City's Sphere of Influence and the City land use designations for the area are Rural Residential (RR) and Commercial (C).

Southern Boundary

The land area lying to the south of the project is within the San Jacinto Wildlife Area and the Lake Perris State Recreation Area. Portions of these facilities are within the City limits and have a City General Plan land use designations of Open Space (OS) and Flood Plain (FP).

West of Redlands Boulevard

The City land use designations for the residential areas west of Redlands Boulevard are Residential R2 and R3 (maximum density of 2 and 3 dwelling units per acre, respectively). Residential areas southerly of the site along Alessandro Boulevard are subject to City land use designations of R2 and R5 (maximum density of 2 and 5 dwelling units per acre respectively). To the northwest, north of Eucalyptus Avenue, properties have land use designations of Commercial (C) and Business Park/Light Industrial (BP).

1.5 The Proposed Project

The entitlements necessary for the proposed project includes a General Plan Amendment, adoption of the World Logistics Center Specific Plan, a Zone Change, a Development Agreement, a Tentative Parcel Map (for financing purposes only), and annexation of an 85-acre parcel along Gilman Springs Road. The City of Moreno Valley is the Lead Agency for the proposed project. In addition, the project

will require other associated actions and approvals by other public entities in order to construct and operate the proposed project.

General Plan Amendment

The General Plan Amendment proposes a revision to the City General Plan land use designations for the project area as set forth in the proposed Specific Plan. The General Plan Amendment also includes amendments to several other elements as applicable, including (but not limited to) the Community Development Element, the Parks, Recreation and Open Space Element, the Circulation Element, the Environmental Safety Element, and the Conservation Element.

Specific Plan

The proposed project includes a Specific Plan to implement the new General Plan Amendment and to set forth comprehensive land use regulations governing the proposed project. The World Logistics Center Specific Plan is a master plan for the development of approximately 41.6 million square feet of modern high-cube logistics warehouse distribution facilities defined as Logistics Development.

The Specific Plan establishes the master plan of development for the project area, including development standards and use regulations, a master plan for circulation and infrastructure, architectural, landscape and design guidelines and sustainability goals, all of which will be applicable to all development within the project area.

Within the Specific Plan the primary land use category will be Logistics Development, this use will provide for high-cube logistics warehouse space consisting of buildings of 500,000 square feet or greater, with ceiling heights of 25 feet or greater. Warehousing and logistics activities consistent with the storage and processing of manufactured goods and materials prior to their distribution to other facilities and retail outlets will be permitted within this category. Ancillary office and maintenance space will be permitted, along with the outdoor storage of trucks, trailers, and shipping containers.

Table 2 depicts the land area associated with the proposed Logistics Development, Public Utility, and Open Space Uses within he proposed project. Figure 3 depicts the proposed Land Use Plan.

Table 2. The World Logistics Center Specific Plan Land Use Summary

Land Use	Acreage
Logistics Development	2,665
Public Utility	19
Open Space	
CDFG Open Space	1,086
Other OS Areas	50
Total	**3,820**

Change of Zone

All but 16 acres of the existing Moreno Highlands Specific Plan are included within the boundary of the World Logistics Center Specific Plan. In addition, the World Logistics Center Specific Plan includes 798 acres of other land area, for a total project area of 3,820 acres.

The Change of Zone will establish the World Logistics Center Specific Plan which will replace most of the Moreno Highlands Specific Plan and re-zone several other properties. The new Specific Plan will become the regulatory land use document for the entire project area.

Development Agreement

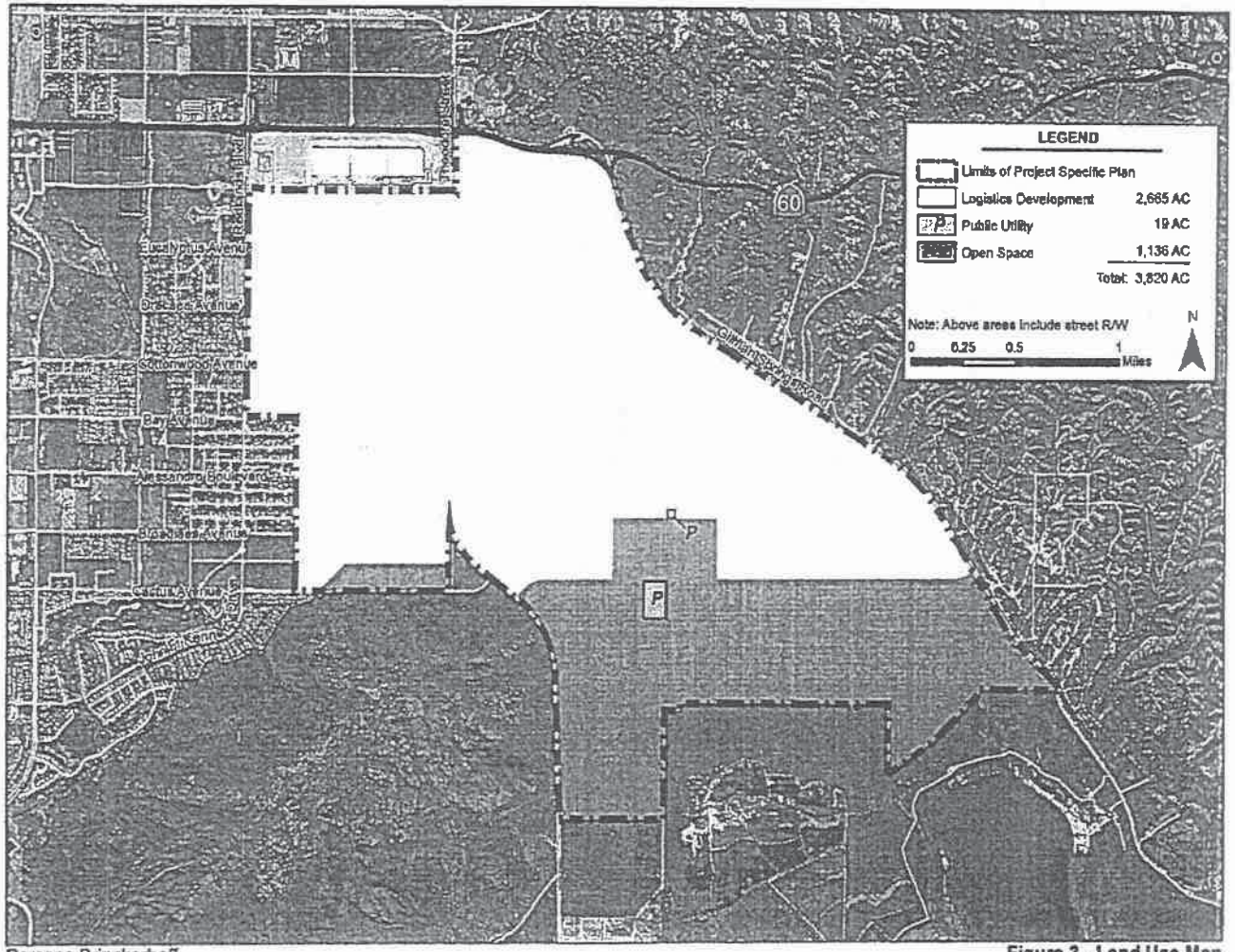
The project will include a Development Agreement between the property owner, Highland Fairview, (or related entities) and the City of Moreno Valley in order to provide certainty for the future development of the project for those parcels owned by Highland Fairview.

Tentative Parcel Map

A Tentative Parcel Map (for financing purposes only) proposes the subdivision of a portion of the project site into large parcels for purposes of financial transactions or further subdivision of the land prior to development.

Annexation

The project includes the annexation by the City of an 85-acre parcel located on the north side of Alessandro Boulevard at Gilman Springs Road. This parcel is already within the City's Sphere of Influence. The proposed project includes pre-annexation General Plan land use designations and zoning for this parcel, and the EIR will be the environmental documentation used by the Local Agency Formation Commission to complete the annexation process. The County's land use designation currently applicable to this parcel is W-2-2½. The W-2 area allows single-family residential and light agriculture (the suffix indicates minimum parcel size in acres) and the City's current General Plan land use designation for the site is Business Park (BP). This project proposes to incorporate this property into the World Logistics Center Specific Plan.



Parsons Brinckerhoff
Date: Feb. 2012

Figure 3 - Land Use Map
World Logistics Center Specific Plan
Moreno Valley, CA

PALA TRIBAL HISTORIC PRESERVATION OFFICE

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
760-891-3510 Office | 760-742-3189 Fax

PALA THPO

RECEIVED
MAR 12 2012
CITY OF MORENO VALLEY
Planning Division

March 8, 2012

John C. Terell
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: World Logistics Center Specific Plan

Dear Mr. Terrel,

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Therefore, we have no objection to the continuation of project activities as currently planned and we defer to the wishes of Tribes in closer proximity to the project area.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-891-3515 or by e-mail at sgaughen@palatribe.com.

Sincerely,

Shasta C. Gaughen, PhD
Tribal Historic Preservation Officer
Pala Band of Mission Indians

ATTENTION: THE PALA TRIBAL HISTORIC PRESERVATION OFFICE IS RESPONSIBLE FOR ALL REQUESTS FOR CONSULTATION. PLEASE ADDRESS CORRESPONDENCE TO **SHASTA C. GAUGHEN** AT THE ABOVE ADDRESS. IT IS NOT NECESSARY TO ALSO SEND NOTICES TO PALA TRIBAL CHAIRMAN ROBERT SMITH.

Community and Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

October 2, 2012

Anna M. Hoover
Cultural Analyst
Pechanga Cultural Resources
Temecula Band of Luiseno Mission Indians
Post Office Box 2183
Temecula, CA 92592

RE: Cultural Resource Study and Consultation Request for World Logistics Center

Dear Ms. Hoover:

As your agency is aware, the City is currently reviewing a master plan proposal for Highland Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

Based on the provisions of SB 18, the City is currently working through consultation with all known Tribes that may be affected by grading and land disturbance of the proposed project. As requested by prior written correspondence of your agency, cultural resources information is being submitted for your review. Attached, please find a copy of the Cultural Resources Study for your information. As the submittal of the document continues the consultation proceedings, the City welcomes any comments on the study within 30 days of this correspondence, or the latest by November 5, 2012. If consultation meetings are necessary after review of the cultural information provided, please include any written comments in a letter and indicate when you would be available for a consultation meeting to discuss. If the City does not hear from you in the allotted time, we will assume that there are no comments and a consultation meeting would not be necessary.

If you should have questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner, or John Terell, Planning Official at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

Attachment

Cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/PA12-0010 through PA12-0015–Cultural Resources Study Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Ramona Band of Cahuilla
P.O. Box 391670
Anza, CA 92539

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

San Manuel Band of Mission Indians
26569 Community Center Drive
Highland, CA 92346

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

San Manuel Band of Mission Indians
26569 Community Center Drive
Highland, CA 92346

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Ramona Band of Cahuilla
P.O. Box 391670
Anza, CA 92539

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Pechanga Cultural Resources
P.O Box 2183
Temecula, CA 92593

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Soboba Band of Mission Indians
P.O. Box 487
San Jacinto, CA 92581

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Los Coyotes Office
P.O. Box 189
Warner, CA 92086

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Cahuilla Tribal Band
P.O. Box 391760
Anza, CA 92539

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Santa Rosa Band of Mission Indians
P.O. Box 609
Hemet, CA 92546

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Serrano Nation of Indians
6588 Valaria Drive
Highland, CA 92346

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Morongo Band of Mission Indians
Planning & Building Services
12700 Pumarra Road
Banning, CA 92220

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community and Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 28, 2012

California Native American
Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Heritage Commission,

The City is currently reviewing a master plan proposal for Highland Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. A letter explaining project and the SB18 government to government consultation process has been sent to known Native American Tribes that are included on a list prepared by the Native American Heritage Commission. If any additional Native American Tribes are interested in initiating government to government consultation on this master plan or have any specific questions or concerns on the proposal, they are invited to provide written comments to the City at their earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

Cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

RECEIVED
MAR 12 2012
CITY OF MORENO VALLEY
Planning Division

March 7, 2012

Mr. John C. Terell, Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re: SCH#2012021045 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **"World Logistics Center (General Plan Amendment, TPM & Finance Map, Development Agreement and Annexation);"** located in the City of Moeno Valley; Riverside County, California

Dear Mr. Terell:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified. Also, the absence of archaeological resources does not preclude their existence. . California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to. California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California

Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties pursuant to CA Public Resources Code §5097.95. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, if the project is under federal jurisdiction, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be

followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
Riverside C(ıty
March 7, 20ı2

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.gov
(951) 506-9491 Fax

duplicate

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.gov
(951) 922-0105 Fax

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

Serrano Nation of Indians
Goldie Walker
P.O. Box 343 Serrano
Patton , CA 92369

(909) 862-9883

Cahuilla Band of Indians
Luther Salgado, Sr., , Chairperson
PO Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
915-763-5549

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012021045; CEQA Notice of Preparation (NOP); draft Environmental Impact Report and General Plan Amendment for the World Logistics Center; City of Moreno Valley; Riverside County, California.

Native American Contacts
Riverside C(.ty
March 7, 2012

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ahoover@pechanga-nsn.gov
951-770-8104
(951) 694-0446 - FAX

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
siva@dishmail.net
(951) 849-4676

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012021045; CEQA Notice of Preparation (NOP); draft Environmental Impact Report and General Plan Amendment for the World Logistics Center; City of Moreno Valley; Riverside County, California.

Community and Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 28, 2012

California Native American
Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Heritage Commission,

The City is currently reviewing a master plan proposal for Highland Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. A letter explaining project and the SB18 government to government consultation process has been sent to known Native American Tribes that are included on a list prepared by the Native American Heritage Commission. If any additional Native American Tribes are interested in initiating government to government consultation on this master plan or have any specific questions or concerns on the proposal, they are invited to provide written comments to the City at their earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

Cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

STATE OF CALIFORNIA Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

April 9, 2012

Mr. Mark Gross, AICP, Senior Planner
City of Moreno Valley Community and Economic Development Department: Planning Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Sent by FAX to: 951-413-3210
No. of Pages: 3

Re_ Tribal Consultation Pursuant to Government Codes No. 127e §§ 65092, 65351, 65352.3, 65352 .4, 65560 and 65562.5 (SB 18) for the **General Plan Amendment for World Logistic Center and Master Plan**; located at the City of Moreno Valley; Riverside County, California

Dear Mr. Gross:

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places. The Native American Heritage Commission is the state "trustee agency' designated for the protection of Native American Cultural Resource pursuant to CA Public Resources Code §21070. In the 1985 Appellate Court decision (170 Cal App 3rd 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites

Attached is a consultation list of tribal governments with traditional lands or cultural places located within the Project Area of Potential Effect (APE). The tribal entities on the list are for your guidance for **government-to-government consultation** purposes. Pursuant to CA Public Resources Code §5097.95, please provide pertinent project information to the tribal consulting parties.

The NAHC did perform a Sacred Lands File search of the 'area of potential effect (APE)' Native American cultural resources were not identified in the project area specified. However, lack of surface evidence of archeological resources does not preclude the existence of archeological resources that may be discovered inadvertently during construction activity. California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of

RECEIVED
APR 11 2012
CITY OF MORENO VALLEY
Planning Division

the California Public Records Act pursuant to. California Government Code §6254(r). The purpose of this code is to protect such sites from vandalism, theft and destruction. Please contact the Native Americans on the attached list to determine, from their knowledge, if the proposed changes or governmental action might impact on Native American cultural resources. If so, Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "substantial," and Section 2183.2 requires documentation, data recovery of cultural resources identified. The NAHC recommends that lead agencies provide appropriate archaeological studies and pertinent project information to the consulting Native American tribes, as appropriate. Tribal Governments have 90 days to comment from the receipt of the letter inviting consultation.

The Native American Heritage Commission works with Native American tribal governments regarding its identification of 'Areas of Traditional Use,' The Commission may adjust the submitted data defining the 'Area of Traditional Use' in accordance with documentation provided by consulting tribes, generally accepted ethnographic, anthropological, archeological research and oral history.

If you have any questions, please contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Attachment: Native American Tribal Government Consultation List

California Na e American Tribal Consultation Lis
Riverside County
April 9, 2012

Los Coyotes Band of Mission Indians
Shane Chapparosa, Chairman
P.O. Box 189 Cahuilla
Warner , CA 92086
(760) 782-0711

Morongo Band of Mission Indians
Robert Martin, Chairperson
12700 Pumarra Rroad Cahuilla
Banning , CA 92220 Serrano
(951) 849-8807
(951) 755-5200

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100

San Manuel Band of Mission Indians
James Ramos, Chairperson
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3724 - FAX

Serrano Nation of Indians
Goldie Walker
P.O. Box 343 Serrano
Patton , CA 92369

Soboba Band of Mission Indians
Scott Cozaet, Chairperson; Attn: Carrie Garcia
P.O. Box 487 Luiseno
San Jacinto , CA 92581
carrieg@soboba-nsn.gov
(951) 654-2765

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3. and 65362.4. et seq.

California Native Americans
Cultural Resources
Strategic Plan
Commissioners
Federal Laws and Codes
State Laws and Codes
Local Ordinances and Codes
Additional Information

Return to CNAHC Home Page

LOCAL GOVERNMENT TRIBAL CONSULTATION LIST REQUEST

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax

Project Title:
World Logistics Center

Local Government/Lead Agency:
City of Moreno Valley

Contact Person:
John Terell - or- Mark Gross

Street Address:
14177 Frederick Street

City: Moreno Valley **Zip:** 92552

Phone: (951) 413-3206 **Fax:**

Specific Area Subject to Proposed Action

County: Riverside

City/Community: City of Moreno Valley

Local Action Type:

___ General Plan ___ General Plan Element X General Plan Amendment

X Specific Plan ___ Specific Plan Amendment

___ Pre-planning Outreach Activity

Project Description:

General Plan Amendment, Change of Zone, Specific Plan, Subdivision, (future Tentative Tract / Parcel Maps), Annexation and Development Agreement for a 3,820 acre project of which 2,665 acres is considered developable land, to include 41.6 million square feet of future modern high-cube logistics warehouse distribution facilities, 1,136 acres of open space and 19 acres of existing public utility facilities.

~ See attached Project Description and Notice of Preparation ~

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Cahuilla Tribal Band
P.O. Box 391760
Anza, CA 92539

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Cahuilla Tribal Band
P.O. Box 391760
Anza, CA 92539

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Los Coyotes Office
P.O. Box 189
Warner, CA 92086

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

RECEIVED
FEB 27 2012
CITY OF MORENO VALLEY
Planning Division

MORONGO
BAND OF
MISSION
INDIANS

A SOVEREIGN NATION

February 22, 2012

John C. Terell, AICP, Planning Official
City of Moreno Valley
Community & Economic Development Department
P.O. Box 88005
Moreno Valley, CA 92552

SUBJECT: **Notice of Preparation of a Draft Environmental Impact Report**
Project Title: World Logistics Center Specific Plan
Project Applicant: Highland Fairview

Dear Mr.Terell:

Thank you for contacting the Morongo Band of Mission Indians regarding the above referenced project. The Tribe greatly appreciates the opportunity to review the project and, respectfully, offer the following comments.

The project is outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area or one in which the Tribe has cultural ties (e.g. Cahuilla/Serrano territory). Because the project involves a proposed master plan for the future development of up to 41.6 million square feet of building area providing for modern high-cube logistics warehouse distribution facilities the Morongo Band of Mission Indians asks that you impose specific conditions regarding cultural and/or archaeological resources and buried cultural materials on any development plans or entitlement applications as follows:

- If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5.

- In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.

  If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians

12700 PUMARRA ROAD · BANNING, CA 92220 · 951-849-4697 · FAX: 951-849-4425

("Tribe")[1]. If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

If I may be of further assistance with regard to this matter, please do not hesitate to contact me at your convenience.

Very truly yours,

MORONGO BAND OF MISSION INDIANS

Franklin A. Dancy,
Director of Planning

[1] The Morongo Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, Morongo can only speak for itself. The Tribe has no objection if the archaeologist wishes to consult with other tribes and if the city wishes to revise the condition to recognize other tribes.

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Morongo Band of Mission Indians
Planning & Building Services
12700 Pumarra Road
Banning, CA 92220

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

PALA TRIBAL HISTORIC PRESERVATION OFFICE

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
760-891-3510 Office | 760-742-3189 Fax

PALA THPO

RECEIVED
MAR 12 2012
CITY OF MORENO VALLEY
Planning Division

March 8, 2012

John C. Terell
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: World Logistics Center Specific Plan

Dear Mr. Terrel,

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Therefore, we have no objection to the continuation of project activities as currently planned and we defer to the wishes of Tribes in closer proximity to the project area.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-891-3515 or by e-mail at sgaughen@palatribe.com.

Sincerely,

Shasta C. Gaughen, PhD
Tribal Historic Preservation Officer
Pala Band of Mission Indians

ATTENTION: THE PALA TRIBAL HISTORIC PRESERVATION OFFICE IS RESPONSIBLE FOR ALL REQUESTS FOR CONSULTATION. PLEASE ADDRESS CORRESPONDENCE TO **SHASTA C. GAUGHEN** AT THE ABOVE ADDRESS. IT IS NOT NECESSARY TO ALSO SEND NOTICES TO PALA TRIBAL CHAIRMAN ROBERT SMITH.

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Ramona Band of Cahuilla
P.O. Box 391670
Anza, CA 92539

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Ramona Band of Cahuilla
P.O. Box 391670
Anza, CA 92539

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office. Box 2183 • Temecula, CA 92593
Telephone (951) 308-9295 • Fax (951) 506-9491

Chairperson:
Germaine Arenas

Vice Chairperson:
Mary Bear Magee

Committee Members:
Evie Gerber
Darlene Miranda
Bridgett Barcello Maxwell
Aurelia Marruffo
Richard B. Scearce, III

Director:
Gary DuBois

Coordinator:
Paul Macarro

Cultural Analyst:
Anna Hoover

March 16, 2012

VIA E-MAIL and USPS

RECEIVED
MAR 2 2 2012
CITY OF MORENO VALLEY
Planning Division

Mr. John Terell
Planning Official
City of Moreno Valley Planning
14177 Frederick Street
Moreno Valley, CA 92552-0805

Re: Pechanga Tribe Comments on the Notice for Preparation (NOP) for a Draft Environmental Impact Report (DEIR) on the World Logistics Center Specific Plan

Dear Mr. Terell:

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist the City in preparing appropriate avoidance and preservation measures for the cultural resources that will be impacted during development of this Project. The Tribe knows that within the Project boundaries is a portion of a Luiseño village complex which includes *tóota yixélval,* ceremonial areas, domestic activity areas and deeply buried sites, among other resources which are recorded sites. The Tribe is opposed to any direct, indirect and cumulative impacts to tangible and intangible tribal cultural resources and traditional tribal landscapes. The Tribe requests to meet and begin formal consultation with the City of Moreno Valley as soon as possible to discuss the proposed Project and avoidance of the village complex and associated components that exist within the Project boundaries.

THE CITY OF MORENO VALLEY MUST INCLUDE INVOLVEMENT OF AND CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL REVIEW PROCESS

It has been the intent of the Federal Government[1] and the State of California[2] that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the City of Moreno Valley consult with the Tribe to guarantee an adequate knowledge base to appropriately evaluate the Project effects, as well as ensuring, because there are known resources on this Project site, that design of the Project is accomplished to avoid all impacts to these resources and in addition, generate adequate mitigation measures for the treatment of other as of yet unknown resources.

LEAD AGENCY CONSULTATION WITH THE PECHANGA TRIBE REQUIRED PURSUANT TO CAL. GOVT. C. §§ 65351, 65352, 65352.3, AND 65352.4 (SENATE BILL 18 – TRADITIONAL TRIBAL CULTURAL PLACES LAW)

As a General Plan Amendment and a Specific Plan will be processed for this Project, the Lead Agency is required to consult with the Pechanga Tribe pursuant to a State law entitled Traditional Tribal Cultural Places (also known as SB 18; Cal. Govt. C. § 65352.3). The purpose of consultation is to identify any Native American sacred places and any geographical areas which could potentially yield sacred places, identify proper means of treatment and management of such places, and to ensure the protection and preservation of such places through agreed upon mitigation (Cal. Govt. C. 65352.3; SB18, Chapter 905, Section 1(4)(b)(3)). Consultation must be government-to-government, meaning directly between the Tribe and the Lead Agency, seeking agreement where feasible (Cal. Govt. C. § 65352.4; SB18, Chapter 905, Section 1(4)(b)(3)). Lastly, any information conveyed to the Lead Agency concerning Native American sacred places shall be confidential in terms of the specific identity, location, character and use of those places and associated features and objects. This information is not subject to public disclosure pursuant the California Public Records Act (Cal. Govt. C. 6254(r)).

[1] See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.
[2] See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe has a specific legal and cultural interest in this Project as the Tribe is culturally affiliated with the geographic area that comprises the Project property. The Tribe has been the named the consulting tribe on projects in the vicinity of the proposed Project, and has specific knowledge of cultural resources and sacred places within/near the proposed Project. The Tribe asserts that this culturally sensitive area is affiliated specifically with the Pechanga Band of Luiseño Indians because of the Tribe's specific cultural ties to this area that we can further explain through continued consultation and comments. Pechanga considers any resources located on this Project property to be Pechanga cultural resources and we look forward to working directly with the City to continue preserving and avoiding these sensitive tribal cultural resources.

D. L. True, C. W. Meighan, and Harvey Crew[3] stated that the California archaeologist is blessed "with the fact that the nineteenth-century Indians of the state were direct descendents of many of the Indians recovered archaeologically, living lives not unlike those of their ancestors." Similarly, the Tribe knows that their ancestors lived in this land and that the Luiseño peoples still live in their traditional lands. The Pechanga Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology, history and ethno-history; and through recorded ethnographic and linguistic accounts. Many anthropologists and historians who have presented boundaries of the Luiseño traditional territory have included the Moreno Valley area in their descriptions (Drucker 1937; Heizer and Whipple 1957; Kroeber 1925; Smith and Freers 1994), and such territory descriptions correspond almost identically with what was communicated to the Pechanga people by our elders. While historic accounts and anthropological and linguistic theories are important in determining traditional Luiseño territory, the most critical sources of information used to define our traditional territories are our songs, creation accounts, and oral traditions.

Luiseño history originates with the creation of all things at *'éxva Teméeku*, in the present day City of Temecula, and dispersing out to all corners of creation (what is today known as Luiseño territory). It was at Temecula that the Luiseño deity *Wuyóot* lived and taught the people, and here that he became sick, finally expiring at Lake Elsinore. Many of our songs relate the tale of the people taking the dying *Wuyóot* to the many hot springs at Elsinore, where he died (DuBois 1908). He was cremated at *'éxva Teméeku*. A traditional song recounts the travels of eagle, as he searches for a place where there was no death. His travels begin at Temecula, flying north to San Bernardino and then to the east, south, and west through Julian, Cuyamaca, and Palomar, and returning to Temecula.[4] It is the Luiseño creation account that connects Elsinore to Temecula, and thus to the Temecula people who were evicted and moved to the Pechanga Reservation, and now known as the Pechanga Band of Luiseño Mission Indians (the Pechanga

[3] D. L. True, C. W. Meighan, and Harvey Crew. Archaeological Investigations at Molpa, San Diego County, California, *University of California Press* 1974 Vol. 11, 1-176
[4] Ibid.

Tribe). From Elsinore, the people spread out, establishing villages and marking their territories. The first people also became the mountains, plants, animals and heavenly bodies.

Many traditions and stories are passed from generation to generation by songs. One of the Luiseño songs recounts the travels of the people to Elsinore after a great flood (DuBois 1908). From here, they again spread out to the north, south, east and west. Three songs, called *Montivol*, are songs of the places and landmarks that were destinations of the Luiseño ancestors, several of which are located near the Project area. They describe the exact route of the Temecula (Pechanga) people and the landmarks made by each to claim title to places in their migrations (DuBois 1908:110). The Native American Heritage Commission (NAHC) Most Likely Descendent (MLD) files substantiate this habitation and migration record from oral tradition. These examples illustrate a direct correlation between the oral tradition and the physical place; proving the importance of songs and stories as a valid source of information outside of the published anthropological data.

Tóota yixélval (rock art) is also an important element in the determination of Luiseño territorial boundaries. *Tóota yixélval* can consist of petroglyphs (incised) elements, or pictographs (painted) elements. The science of archaeology tells us that places can be described through these elements. Riverside and Northern San Diego Counties are home to red-pigmented pictograph panels. Archaeologists have adopted the name for these pictograph-versions, as defined by Ken Hedges of the Museum of Man, as the San Luis Rey style. This is the predominant style of rock art within the Project area and incorporates elements which include chevrons, zig-zags, dot patterns, sunbursts, handprints, net/chain, anthropomorphic (human-like) and zoomorphic (animal-like) designs. Tribal historians and photographs inform us that some design elements are reminiscent of Luiseño ground paintings. A few of these design elements, particularly the flower motifs, the net/chain and zig-zags, were sometimes depicted in Luiseño basket designs and can be observed in remaining baskets and textiles today.

Further evidencing the connection between the San Luis Rey rock art style and Luiseno people are these descriptions of how the diamond chain pattern, which is uniquely San Luis style rock art, was incorporated into the Luiseño girls' ceremony. In 1892, Bureau of Ethnology anthropologist H.W. Henshaw compiled information on what was called the "Girls Ceremony." He wrote: 'that during the fourth new moon of the young girl's puberty rite, diamond shaped marks were painted vertically on the cheeks of the girls faces' (Smith & Freers, pg. 19). For Pechanga, the connection to the rock art images held a known meaning. J.P. Harrington would later cross-reference this same "face painting" information in his 1933 work entitled *The Luiseno Girls Ceremony.*

An additional type of *tóota yixélval*, identified by archaeologists also as rock art or petroglyphs, are cupules. Throughout Luiseño territory, there are certain types of large boulders, taking the shape of mushrooms or waves, which contain numerous small pecked and ground indentations, or cupules. Many of these cupule boulders have been identified within a few hundred feet of the Project.

Additionally, according to historian Constance DuBois:

> When the people scattered from Ekvo Temeko, Temecula, they were very powerful. When they got to a place, they would sing a song to make water come there, and would call that place theirs; or they would scoop out a hollow in a rock with their hands to have that for their mark as a claim upon the land. The different parties of people had their own marks. For instance, Albañas's ancestors had theirs, and Lucario's people had theirs, and their own songs of Munival to tell how they traveled from Temecula, of the spots where they stopped and about the different places they claimed (1908:158).

Thus, our songs and stories, our indigenous place names, as well as academic works, demonstrate that the Luiseño people who occupied what we know today as Moreno Valley and the Lakeview area are ancestors of the present-day Luiseño/Pechanga people, and as such, Pechanga is culturally affiliated to this geographic area. The Tribe welcomes the opportunity to meet with the City to further explain and provide documentation concerning our specific cultural affiliation to lands within your jurisdiction.

CULTURAL RESOURCES CONCERNS AND REQUESTED TRIBAL INVOLVEMENT

The proposed Project encompasses a portion of a known Luiseño village complex with over 15 individually recorded cultural sites within the Project boundaries. This area is a traditional tribal landscape and therefore, preservation of these resources is the highest priority to the Tribe. We request formal government to government, face to face consultation with the City in order to provide additional cultural information and initiate discussions regarding preservation measures. We further recommend that, because of the sensitivity of the area, the Draft Environmental Impact Report (DEIR) should address direct, indirect and cumulative impacts to cultural resources; auditory and visual impacts; growth-related impacts; and long-term impacts the Project will have on this landscape. We are also opposed to any impacts to, and relocation of, burials and Native American remains, associated burial items as well as sacred items.

Auditory and Visual Impacts

As stated above, there is a portion of a Luiseño village complex located within the Project boundaries, including numerous *tóota yixélval*. The development of the proposed World Logistics Center will directly impact these resources through potential destruction and ground disturbing activities, as well as visual impacts to the resources. Further, the sheer size of the Project will be seen and heard for miles and will be a visual impediment to not only this traditional cultural landscape, but also the scenic beauty of this region. It will additionally affect the natural quiet and peacefulness of the area. Because of the size, complexity and numerous direct, indirect and cumulative impacts the Project will have on the surrounding landscape, visual and auditory impacts to cultural resources should be thoroughly evaluated within the final

document. The Pechanga Tribe requests further consultation on this issue to assist in such evaluation.

Cumulative Impacts

Cumulative impacts are also a major concern for the Tribe. The destruction of any "individual" cultural resource is detrimental to the whole cultural landscape and serves to further destroy the Tribe's traditional ancestral places. Unfortunately, most of the traditional ancestral places of the Tribe are on private and public lands which are constantly threatened by development. The Tribe is not anti-development; however, we increasingly struggle with lead agencies to protect and preserve our invaluable resources which continue to be destroyed and otherwise impacted on nearly a daily basis. Improper recordation and analysis of features in a larger community or habitation context allows for the piecemealing of sites and which can result in improper eligibility determinations which in turn leads ultimately to damage or destruction of these nonrenewable resources.

One of the most serious shortcomings of the "science" of archaeology is the practice of recording individual sites, even though another site is recorded only feet away. Rather than seeing how these sites are in fact connected, archaeologists record them as individual, distinct sites which greatly reduce their "significance" under state law and minimize the potential contributions these sites might have to the knowledge of both Tribes and scientists. Archaeology does not take a "10,000 foot view" of these sites – if it did, archaeologists would see clearly that these individually recorded sites most often actually fall within the footprint of large village complexes. In fact, the Tribe, through its own research into village settlement patterns, has found that villages often spanned as much as five miles in each direction. Thus, these "individual sites" are not, in fact, discrete loci; but rather, they are components of much larger social and village complexes. However, by finding that these resources are "individual sites," the science of archaeology is able to diminish their "significance" under state law which in turn, opens these resources up to destruction. While the Tribe is aware that not all sites and cultural resources can be saved during development, it is important to acknowledge in project documentation that these are not renewable resources and thus the impairment or destruction of any one site or resource located within a village complex IS in fact a cumulative impact.

Additionally, with the proposed Project, the increased vehicular traffic will increase air pollution and other environmental hazards. This increased pollution directly and indirectly impacts cultural resources as the smog and other pollutants build up on boulder outcrops which in this case include rare and fragile rock art. Very little research has been conducted to determine the effects of air pollutants on boulder outcrops and rock art; however, through our lengthy history of cultural resource protection efforts, the Tribe knows that constant exposure to harmful pollutants will erode the delicate pigments left on the rocks. This kind of indirect and cumulative impact needs to be addressed in more detail in the final document. We know that resources sensitive to these kinds of exposures exist within and around the Project boundaries.

As such, the document will be legally inadequate if it fails to assess and address these kinds of impacts.

Growth-Related Impacts

Finally, the Tribe is concerned about growth-related impacts to this area and their effects on cultural resources. First, increased growth in a region typically results in future expansion of development which further threatens the very few open areas in which cultural and other natural resources exist. In addition, we know that development brings more people to a given area, often resulting in impacts to preserved resources through vandalism, looting, graffiti or other forms of destruction. As stated above, the known village complex on this Project site will be impacted by the proposed Project. Based upon the current archaeological methodology, there is a high probability that the individually recorded sites located within the boundaries will be subjected to a site-by-site analysis and not viewed in their proper context – that of a village / habitation area. The Tribe requests that this area be analyzed as a whole, not piecemealed into destruction.

Furthermore, the Tribe requests to work closely with the City to develop a long-term strategy for the appropriate preservation of cultural resources located within and adjacent to the Project boundaries. For example, the Tribe has worked on several projects in which prominent rock outcroppings were preserved and avoided during construction activities. However, the Lead Agency did not provide for any long term care and as families and development moved into these areas, the rock outcroppings were subject to graffiti and the *tóota yixélval* was permanently impacted. We request to work together to preserve these resources by developing preservation methods and plans, which may include planting native species, engineering walls or fences, developing community watch groups, or other methods that deter vandals.

CONTINUED TRIBAL INVOLVEMENT AND PROJECT MITIGATION

The Tribe will continue to be involved and participate with the City in assuring that an adequate environmental assessment is completed – including all archaeological studies, and in developing a preservation/avoidance plan for the known sites as well as developing mitigation measures which must include options for avoidance and preservation for unknown sites and inadvertent finds. We would like to meet face-to-face with the City under SB 18 and separately with the City, the Project Applicant and the Project archaeologist as soon as possible in order to work towards a proposed development designed to avoid sensitive areas. These efforts benefit all parties involved as sensitive Tribal resources can be preserved and costs for the Applicant can be lowered from reduced archaeological work, unneeded stoppages of construction equipment and reduced engineering fees.

While it is too early to provide specific mitigation measures for this Project, we do believe tribal monitoring will be required in areas where resources are not already identified or identified through further study and evaluation. Specifics regarding monitoring will be discussed in more detail when we meet with the City to consult pursuant to SB18.

The Tribe believes that adequate cultural resources assessments and management must always include a component which addresses inadvertent discoveries. Every major State and Federal law dealing with cultural resources includes provisions addressing inadvertent discoveries (See e.g.: CEQA (Cal. Pub. Resources Code §21083.2(i); 14 CCR §15064.5(f)); Section 106 (36 CFR §800.13); NAGPRA (43 CFR §10.4). Moreover, most state and federal agencies have guidelines or provisions for addressing inadvertent discoveries (See e.g.: FHWA, Section 4(f) Regulations - 771.135(g); CALTRANS, Standard Environmental Reference - 5-10.2 and 5-10.3). Because of the extensive presence of the Tribe's ancestors within the Project area, it is not unreasonable to expect to find vestiges of that presence. Such cultural resources and artifacts are significant to the Tribe as they are reminders of their ancestors. Moreover, the Tribe is expected to protect and assure that all cultural sites of its ancestors are appropriately treated in a respectful manner.

Further, the Pechanga Tribe believes that if human remains are discovered, State law would apply and the mitigation measures must account for this. According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage Commission must name a "most likely descendant," who shall be consulted as to the appropriate disposition of the remains. This is addressed in the AEP; however, given the Project's location in Pechanga territory, the Pechanga Tribe intends to assert its right pursuant to California law with regard to any remains or items discovered in the course of this Project. Any proposed mitigation measures must allow for avoidance of human remains, which is the preference under state law. All too often mitigation measures are too vague or weak regarding the treatment of human remains in their original resting place, thus resulting in the removal of the Tribe's ancestors. It is the position of the Pechanga Tribe that human remains must never be moved or other impacted, but rather, they should remain in their original resting place, undisturbed.

We are also requesting additional Project specific information on any previous excavations on this property, previous land uses, the grading plan for this Project, further information on biological resources, geotechnical and any other relevant surveys or studies including archaeological surveys or reports. As additional Project information becomes available and through consultations between the Tribe and the City, the Tribe may offer specific avoidance or mitigation measures. Further discussions with the City should occur in a confidential setting regarding this culturally important and sensitive landscape.

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts. Further, the Tribe reserves the right to participate in the regulatory process and provide comment on issues pertaining to the regulatory process and Project approval. In addition, if Army Corps jurisdiction is triggered through a 401/404 Permit requirement, the Tribe requests to be consulted with pursuant to federal law, including the National Historic Preservation Act (NHPA), Section 106 and any other federal authority.

The Pechanga Tribe looks forward to working together with the City of Moreno Valley in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8104 or at ahoover@pechanga-nsn.gov once you have had a chance to review these comments so that we might address the issues concerning the mitigation language. Thank you.

Sincerely,

Anna Hoover
Cultural Analyst

Cc Pechanga Office of the General Counsel

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Pechanga Cultural Resources
P.O Box 2183
Temecula, CA 92593

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

RINCON BAND OF LUISEÑO INDIANS

Culture Committee

Post Office Box 68 · Valley Center, California 92082 ·
(760) 297-2621 or (760) 297-2622 & Fax:(760) 749-8901

RECEIVED
APR 2 - 2012
CITY OF MORENO VALLEY
Planning Division

March 23, 2012

City of Moreno Valley
Community & Economic Development Department
Planning Division
14177 Fredrick Street
PO Box 88005
Moreno Valley, CA 92552-0805

Re: World Logistics Center Specific Plan; Project Applicant, Highland Fairview

Dear John C. Terell,

Thank you for inviting us to submit comments on World Logistics Center Specific Plan, Project Applicant: Highland Fairview. This letter is written on behalf of the Rincon Band of Luiseño Indians. Rincon is submitting these comments concerning your Project's potential impact on Luiseño cultural resources.

The Rincon Band has concerns for impacts to historic and cultural resources and findings of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseño people. This is to inform you, your identified location is within the Aboriginal Territory of the Luiseno people, but is not within the Rincon Historic boundaries.

We refer you to Soboba Band of Luiseño Indians or Morongo Band of Mission Indians who are closer to your project area, please contact the Native American Heritage commission and they will assist with a referral. We also request you update your contact information for Rincon and request you include in any future letters and correspondence the Rincon Tribal Chairman and the Tribal Historic Preservation Office in the Cultural Resource Department, Post Office Box 68, Valley Center, Ca 92082 (760) 297 2621.

Thank you for this opportunity to protect and preserve our cultural assets.

Sincerely

Bo Mazzetti	Stephanie Spencer	Charlie Kolb	Steve Stallings	Laurie E. Gonzalez
Tribal Chairman	Vice Chairwoman	Council Member	Council Member	Council Member

RINCON BAND OF LUISEÑO INDIANS

Culture Committee

Post Office Box 68 · Valley Center, California 92082 ·
(760) 297-2621 or·(760) 297-2622 & Fax:(760) 749-8901

Rose Duro
Rincon Culture Committee Chairman

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

San Manuel Band of Mission Indians
26569 Community Center Drive
Highland, CA 92346

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

San Manuel Band of Mission Indians
26569 Community Center Drive
Highland, CA 92346

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Santa Rosa Band of Mission Indians
P.O. Box 609
Hemet, CA 92546

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Santa Rosa Band of Mission Indians
P.O. Box 609
Hemet, CA 92546

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Serrano Nation of Indians
6588 Valaria Drive
Highland, CA 92346

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Serrano Nation of Indians
6588 Valaria Drive
Highland, CA 92346

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

RECEIVED
APR 24 2012
CITY OF MORENO VALLEY
Planning Division

SOBOBA BAND OF LUISEÑO INDIANS
EST. JUNE 19, 1883

April 16, 2012

Attn: John C. Terell, AICP
City of Moreno Valley
Community Development and Economic Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case No. PA12-00010 through PA12-00015: World Logistics Specific Center Specific Plan, General Plan Amendment, Change of Zone, Annexation, Development Agreement and Tentative Parcel Map (Annexation of 85 Acres at the Northwest Corner of Alessandro and Gilman Springs Road)

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in close proximity to known village sites and is a shared use area that was used in ongoing trade between the Luiseno and Cahuilla tribes. Therefore it is regarded as highly sensitive to the people of Soboba.

Soboba Band of Luiseño Indians is requesting the following:

1. **Government to Government** consultation in accordance to SB18. Including the transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.

2. Soboba Band of Luiseño Indians continues to act as a consulting tribal entity for this project.

3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that a Native American monitoring component be included as a mitigation measure for the Mitigated Negative Declaration and the Environmental Impact Report. The Tribe requesting that a Treatment and Dispositions Agreement between the developer and The Soboba Band be provided to the City of Moreno Valley prior to the issuance of a grading permit and before conducting any additional archaeological fieldwork

4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

The Soboba Band of Luiseno Indians is requesting a face-to-face meeting between the City of Moreno Valley and the Soboba Cultural Resource Department. Please contact me at your earliest convenience either by email or phone in order to make arrangements.

Sincerely,

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. When appropriate and agreed upon in advance, the Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains.

A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.

D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact.

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native

SOBOBA BAND OF LUISEÑO INDIANS

American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

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

Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

SOBOBA BAND OF LUISEÑO INDIANS

RECEIVED
MAY - 8 2012
CITY OF MORENO VALLEY
Planning Division

SOBOBA BAND OF LUISEÑO INDIANS
EST. JUNE 19, 1883

April 30, 2012

Attn: John Tercell, AICP
City of Moreno Valley
Community Development and Economic Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case No. PA12-0010 through PA12-0015
Specific Plan, General Plan Amendment, Change of Zone, Annexation, Development Agreement and Tentative Parcel Map 26457- for 2,684 acres to accommodate industrial warehouse buildings (northwest Corner of Alessandro Blvd. and Gilman Springs Road)

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in close proximity to known village sites and is a shared use area that was used in ongoing trade between the Luiseno and Cahuilla tribes. Therefore it is regarded as highly sensitive to the people of Soboba.

Soboba Band of Luiseño Indians is requesting the following:

1. **Government to Government** consultation in accordance to SB18. Including the transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.

2. Soboba Band of Luiseño Indians continue to be a lead consulting tribal entity for this project.

3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that Native American Monitor(s) from the Soboba Band of Luiseño Indians Cultural Resource Department to be present during any ground disturbing proceedings. Including surveys and archaeological testing.

4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

Sincerely,

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains

A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.

D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact

SOBOBA BAND OF LUISEÑO INDIANS

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

SOBOBA BAND OF LUISEÑO INDIANS

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Soboba Band of Mission Indians
P.O. Box 487
San Jacinto, CA 92581

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

February 29, 2012

Soboba Band of Mission Indians
P.O. Box 487
San Jacinto, CA 92581

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. If you are interested in initiating government to government consultation on this master plan, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

mg

c: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Cahuilla Tribal Band
P.O. Box 391760
Anza, CA 92539

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community and Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

October 2, 2012

Mr. Franklin A. Dancy
Director of Planning
Morongo Band of Mission Indians
Planning & Building Services
12700 Pumarra Road
Banning, CA 92220

RE: Cultural Resource Study and Consultation Request for World Logistics Center

Dear Mr. Dancy:

As your agency is aware, the City is currently reviewing a master plan proposal for Highland Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

Based on the provisions of SB 18, the City is currently working through consultation with all known Tribes that may be affected by grading and land disturbance of the proposed project. As requested by prior written correspondence of your agency, cultural resources information is being submitted for your review. Attached, please find a copy of the Cultural Resources Study for your information. As the submittal of the document continues the consultation proceedings, the City welcomes any comments on the study within 30 days of this correspondence, or the latest by November 5, 2012. If consultation meetings are necessary after review of the cultural information provided, please include any written comments in a letter and indicate when you would be available for a consultation meeting to discuss. If the City does not hear from you in the allotted time, we will assume that there are no comments and a consultation meeting would not be necessary.

If you should have questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

Attachment

Cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/PA12-0010 through PA12-0015–Cultural Resources Study Letter

RECEIVED
FEB 2 7 2012
CITY OF MORENO VALLEY
Planning Division

MORONGO
BAND OF
MISSION
INDIANS

A SOVEREIGN NATION

February 22, 2012

John C. Terell, AICP, Planning Official
City of Moreno Valley
Community & Economic Development Department
P.O. Box 88005
Moreno Valley, CA 92552

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report
Project Title: World Logistics Center Specific Plan
Project Applicant: Highland Fairview

Dear Mr.Terell:

Thank you for contacting the Morongo Band of Mission Indians regarding the above referenced project. The Tribe greatly appreciates the opportunity to review the project and, respectfully, offer the following comments.

The project is outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area or one in which the Tribe has cultural ties (e.g. Cahuilla/Serrano territory). Because the project involves a proposed master plan for the future development of up to 41.6 million square feet of building area providing for modern high-cube logistics warehouse distribution facilities the Morongo Band of Mission Indians asks that you impose specific conditions regarding cultural and/or archaeological resources and buried cultural materials on any development plans or entitlement applications as follows:

- If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5.

- In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.

  If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians

("Tribe")[1]. If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

If I may be of further assistance with regard to this matter, please do not hesitate to contact me at your convenience.

Very truly yours,

MORONGO BAND OF MISSION INDIANS

Franklin A. Dancy,
Director of Planning

[1] The Morongo Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, Morongo can only speak for itself. The Tribe has no objection if the archaeologist wishes to consult with other tribes and if the city wishes to revise the condition to recognize other tribes.

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

RECEIVED
MAR 12 2012
CITY OF MORENO VALLEY
Planning Division

March 7, 2012

Mr. John C. Terell, Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Re: SCH#2012021045 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **"World Logistics Center (General Plan Amendment, TPM & Finance Map, Development Agreement and Annexation);"** located in the City of Moeno Valley; Riverside County, California

Dear Mr. Terell:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified. Also, the absence of archaeological resources does not preclude their existence. . California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to. California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California

Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties pursuant to CA Public Resources Code §5097.95. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, if the project is under federal jurisdiction, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be

followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts
Riverside County
March 7, 2012

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.gov
(951) 506-9491 Fax

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula , CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700
(951) 659-2228 Fax

Serrano Nation of Indians
Goldie Walker
P.O. Box 343 Serrano
Patton , CA 92369
(909) 862-9883

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.gov
(951) 922-0105 Fax

Cahuilla Band of Indians
Luther Salgado, Sr., , Chairperson
PO Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
915-763-5549

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012021045; CEQA Notice of Preparation (NOP); draft Environmental Impact Report and General Plan Amendment for the World Logistics Center; City of Moreno Valley; Riverside County, California.

Native American Contacts
Riverside County
March 7, 2012

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseño
Temecula , CA 92593
ahoover@pechanga-nsn.gov
951-770-8104
(951) 694-0446 - FAX

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
siva@dishmail.net
(951) 849-4676

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012021045; CEQA Notice of Preparation (NOP); draft Environmental Impact Report and General Plan Amendment for the World Logistics Center; City of Moreno Valley; Riverside County, California.

Community and Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

March 7, 2012

California Native American
Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

RE: SB18 Consultation Notification for the World Logistics Center in Moreno Valley (Revised from February 28, 2012 letter)

Dear Native American Heritage Commission,

The City is currently reviewing a master plan proposal for Highland Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. The NOP included a detailed description of the proposed project. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

The purpose of this letter is to provide notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process regarding the proposed 41.6 million square feet of building area associated with the World Logistics Center master plan. A letter explaining the project and the SB18 government to government consultation process has been sent to known Native American Tribes that are included on a list prepared by the Native American Heritage Commission. In order to update the list of known Tribes in the City of Moreno Valley and for this particular project, the City has completed Exhibit A requesting an updated Tribal Consultation list from the Native American Heritage Commission (see attached).

If any additional Native American Tribes are interested in initiating government to government consultation on this master plan or have any specific questions or concerns on the proposal, they are invited to provide written comments to the City at their earliest convenience or within the 90 day time frame requirement included under SB 18.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Attachments

Mg

Cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/SB18 Notification Letter

Additional Information

California Native Americans
Cultural Resources
Strategic Plan
Commissioners
Federal Laws and Codes
State Laws and Codes
Local Ordinances and Codes
Additional Information

Return to CNAHC Home Page

LOCAL GOVERNMENT TRIBAL CONSULTATION LIST REQUEST

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax

Project Title:
World Logistics Center

Local Government/Lead Agency:
City of Moreno Valley

Contact Person:
John Terell - or- Mark Gross

Street Address:
14177 Frederick Street

City:
Moreno Valley **Zip:** 92552

Phone: (951) 413-3206 **Fax:**

Specific Area Subject to Proposed Action

County: Riverside

City/Community: City of Moreno Valley

Local Action Type:

___ General Plan ___ General Plan Element X General Plan Amendment

X Specific Plan ___ Specific Plan Amendment

___ Pre-planning Outreach Activity

Project Description:

General Plan Amendment, Change of Zone, Specific Plan, Subdivision, (future Tentative Tract / Parcel Maps), Annexation and Development Agreement for a 3,820 acre project of which 2,665 acres is considered developable land, to include 41.6 million square feet of future modern high-cube logistics warehouse distribution facilities, 1,136 acres of open space and 19 acres of existing public utility facilities.

~ See attached Project Description and Notice of Preparation ~

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # _____

Project Title: World Logistics Center (General Plan Amendment, Change of Zone, new Specific Plan, Tentative Parcel Map (Finance Map), Development Agreement, and annexation of 85-acre site adjacent to Gilman Springs Road

Lead Agency: City of Moreno Valley
Contact Person: John C. Terell, Planning Official
Mailing Address: 14177 Frederick St.
Phone: (951) 413-3206
City: Moreno Valley
Zip: 92553
County: Riverside

Project Location: County: Riverside
City/Nearest Community: Moreno Valley
Cross Streets: State Highway 60 and Gilman Springs Road
Zip Code: 92555
Lat. / Long.: 33 ° 55 ' " N/ 117° 8 ' " W
Total Acres: 3,820 acres
Assessor's Parcel No.: Various (see attached)
Por. of Sections: 1,12,13 TWP 3S Range 3W Base SBBM
Sections: Por. of 6,7,8,9,16,17,18,19,20,21 TWP 3S Range 2W Base SBBM

Within 2 Miles: State Hwy #: 60
Waterways:
Airports:
Railways:
Schools:

Document Type:

CEQA:
- ☒ NOP
- ☐ Early Cons
- ☐ Neg Dec
- ☐ Mit Neg Dec
- ☐ Draft EIR
- ☐ Supplement/Subsequent EIR (Prior SCH No.) _____
- Other _____

NEPA:
- ☐ NOI
- ☐ EA
- ☐ Draft EIS
- ☐ FONSI

Other:
- ☐ Joint Document
- ☐ Final Document
- ☐ Other _____

Local Action Type(s):

- ☐ General Plan Update
- ☒ General Plan Amendment
- ☐ General Plan Element
- ☐ Community Plan
- ☒ Specific Plan
- ☐ Master Plan
- ☐ Planned Unit Development
- ☐ Site Plan
- ☒ Rezone
- ☐ Prezone
- ☐ Use Permit
- ☒ Land Division (Subdivision, etc.)
- ☒ Annexation
- ☐ Redevelopment
- ☐ Coastal Permit
- ☒ Development Agmt

Development Type:

- ☐ Residential: Units _____ Acres _____
- ☐ Office: Sq.ft. _____ Acres _____ Employees _____
- ☐ Commercial: Sq.ft. _____ Acres _____ Employees _____
- ☒ Industrial: Sq.ft. 41.6 mln Acres 2,665 Employees _____
- ☐ Educational
- ☐ Recreational
- ☐ Water Facilities: Type _____ MGD _____
- ☐ Transportation: Type _____
- ☐ Mining: Mineral _____
- ☐ Power: Type _____ MW _____
- ☐ Waste Treatment: Type _____ MGD _____
- ☐ Hazardous Waste: Type _____
- ☒ Other: Open Space: 1,136 acres; Public Utility 19 acres

Project Issues Discussed In Document:

- ☒ Aesthetic/Visual
- ☒ Agricultural Land
- ☒ Air Quality
- ☒ Archeological/Historical
- ☒ Biological Resources
- ☐ Coastal Zone
- ☒ Drainage/Absorption
- ☒ Economic/Jobs
- ☐ Fiscal
- ☒ Flood Plain/Flooding
- ☐ Forest Land/Fire Hazard
- ☒ Geologic/Seismic
- ☒ Minerals
- ☒ Noise
- ☒ Population/Housing Balance
- ☒ Public Services/Facilities
- ☒ Recreation/Parks
- ☐ Schools/Universities
- ☐ Septic Systems
- ☒ Sewer Capacity
- ☒ Soil Erosion/Compaction/Grading
- ☒ Solid Waste
- ☒ Toxic/Hazardous
- ☒ Traffic/Circulation
- ☒ Vegetation
- ☒ Water Quality
- ☒ Water Supply/Groundwater
- ☒ Wetland/Riparian
- ☒ Wildlife
- ☒ Growth Inducing
- ☒ Land Use
- ☒ Cumulative Effects
- ☐ Other _____

Present Land Use/Zoning/General Plan Designation:

See attached Exhibit A (page 6) for existing land use designations.

Project Description: *(please use a separate page if necessary)*

The World Logistics Center Specific Plan would include the future development of 41.6 million square feet of building areas providing for modern high-cube logistics warehouse distribution facilities on approximately 2,665 acres.

(see Exhibit A for Detailed Project Description Summary)

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

	Air Resources Board		Office of Historic Preservation
	Boating & Waterways, Department of		Office of Public School Construction
	California Emergency Management Agency		Parks & Recreation, Department of
	California Highway Patrol		Pesticide Regulation, Department of
S	Caltrans District #		Public Utilities Commission
	Caltrans Division of Aeronautics	S	Regional WQCB #
	Caltrans Planning		Resources Agency
	Central Valley Flood Protection Board		Resources Recycling and Recovery, Department of
	Coachella Valley Mtns. Conservancy		S.F. Bay Conservation & Development Comm.
	Coastal Commission		San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
	Colorado River Board		San Joaquin River Conservancy
S	Conservation, Department of		Santa Monica Mtns. Conservancy
	Corrections, Department of		State Lands Commission
	Delta Protection Commission		SWRCB: Clean Water Grants
	Education, Department of		SWRCB: Water Quality
	Energy Commission		SWRCB: Water Rights
S	Fish & Game Region #		Tahoe Regional Planning Agency
	Food & Agriculture, Department of		Toxic Substances Control, Department of
	Forestry and Fire Protection, Department of	S	Water Resources, Department of
	General Services, Department of		
	Health Services, Department of	S	Other: Attorney General's Office
	Housing & Community Development	S	Other: University of California - Riverside
	Native American Heritage Commission		

Local Public Review Period (to be filled in by lead agency)

Starting Date February 23, 2012 Ending Date March 26, 2012

Lead Agency (Complete if applicable):

Consulting Firm: Parsons Brinckerhoff
Address: 421 East Vanderbilt Way, Suite 200
City/State/Zip: San Bernardino, CA 92408
Contact:
Phone:

Applicant: Highland Fairview
Address: 14225 Corporate Way
City/State/Zip: Moreno Valley, CA 92553
Phone: (951) 867-5300

Signature of Lead Agency Representative: John R. Hull **Date:** 02-21-2012

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413.3206
FAX: 951.413.3210

Date: February 21, 2012

To: Responsible and Trustee Agencies / Interested Organizations and Individuals

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

Lead Agency:

CITY OF MORENO VALLEY
Community & Economic Development Department
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552
Phone: 951.413.3206
FAX: 951.413.3210
Contact: John C. Terell, Planning Official
Email: johnt@moval.org

The City of Moreno Valley will be the Lead Agency for preparation of an environmental impact report for the project identified below. We are soliciting your views as to the scope and content of the environmental information which is germane to your statutory responsibilities in connection with the proposed project. A detailed project description, location, and potential environmental effects are contained in the attached materials.

Due to time limits mandated by state law, your response must be sent at the earliest possible date but not later than 30 days after the receipt of this notice, or by March 26, 2012.

Please send your response to the City of Moreno Valley at the address shown above. All respondents should include a contact name, name of agency/organization (if applicable), phone number, and both mail and email addresses.

Project Title: World Logistics Center Specific Plan

Project Applicant: Highland Fairview

Location: The Proposed Project encompasses 3,820 acres of land within the City of Moreno Valley, located south of SR-60, between Redlands Boulevard and Gilman Springs Road extending to the southerly City boundary. The proposed project area is depicted in the Project Description Summary for World Logistics Center Specific Plan, Exhibit A.

Project Description: The World Logistics Center Specific Plan is a proposed master plan for the future development of up to 41.6 million square feet of building area providing for modern high-cube logistics warehouse distribution facilities.

The proposed project will include an amendment to the City's General Plan and Zoning Ordinance, along with adoption of a Specific Plan that will set forth land use regulations governing the project area. The project includes the following discretionary actions by the City of Moreno Valley:

- General Plan Amendment
- Adoption of a new Specific Plan
- Change of Zone
- Development Agreement
- Tentative Parcel Map (Finance Map)
- Annexation for 85-acre site adjacent to Gilman Springs Road

Environmental Issues to be evaluated in the EIR: The lead agency, the City of Moreno Valley, has determined that an Environmental Impact Report (EIR) will need to be prepared based on the scale and potential complexity of the proposed project, and the potential for controversy. Therefore, an EIR will be prepared to fully evaluate the potential impacts of the proposed project. The EIR will be comprehensive in nature, evaluating all issues noted in the CEQA Appendix G Environmental Checklist and Appendix F Energy Conservation. This includes:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy Use and Conservation
- Geology / Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Waste
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation / Traffic
- Utilities / Service Systems
- Mandatory Findings of Significance

The EIR will address the short and long-term effects of the project on the environment and will evaluate the potential for the project to cause direct and indirect impacts, as well as cumulative impacts. Alternatives to the proposed project will be evaluated that may reduce impacts that are determined to be significant in the EIR. For those impacts determined to be significant, mitigation measures will be proposed. A mitigation monitoring program will be developed as required by Section 15126.4 of the CEQA Guidelines.

The environmental determination in this NOP is subject to a 30-day public review period per Public Resources Code Section 21080.4(a) and CEQA Guidelines Section 15082. During the public review period, public agencies, interested organizations and individuals have the opportunity to identify those environmental issues that have the potential to be affected by the

project and that should be addressed in the EIR. For this project, the public review period is: February 23 through March 26, 2012.

A copy of the Notice of Preparation for the proposed project is available for the proposed project is available for public review at the following location:

City of Moreno Valley
Community & Economic Development Department
Planning Division
14177 Frederick Street
Moreno Valley, California 92553
(951) 413-3206
Hours: Monday through Thursday, 7:30 a.m. to 5:30 p.m.

In addition, an electronic copy of the Notice of Preparation will be made available on the City website at http://www.moreno-valley.ca.us/

Scoping Meeting:

A public scoping meeting will be held on **Wednesday, March 12, 2012, from 6:00 to 8:00 p.m.** at the following location:

Moreno Valley City Hall
City Council Chambers
14177 Frederick Street
Moreno Valley, CA 92553

At this meeting, agencies, organizations, and members of the public will be provided a brief presentation on the project and will be able to review the proposed project and provide comments on the scope of the environmental review process for the proposed World Logistics Center Specific Plan.

Please contact the Community Development Department at (951) 413-3206 if you have any questions about this meeting.

Date: February 21, 2012

Signature _____

John C. Terell AICP
Planning Official

Exhibit A
Project Description Summary

for

World Logistics Center Specific Plan

Prepared for

City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Prepared by

Parsons Brinckerhoff
421 East Vanderbilt Way, Suite 200
San Bernardino, CA 92408

February 21, 2012

Project Description

1.1 Project Overview

The proposed World Logistics Center Specific Plan is a master plan for the development of modern high-cube logistics warehouse distribution facilities on approximately 3,820 acres of land in eastern Moreno Valley. The project proposes the development of approximately 41.6 million square feet of modern high-cube logistics facilities over approximately 2,665 acres, 1,136 acres of permanent open space, and 19 acres of existing public utility facilities.

1.2 Project Location

The World Logistics Center Specific Plan project area is located in the northwestern Riverside County, in Rancho Belago within the eastern portion of the City of Moreno Valley. The proposed project is situated south of State Route 60 (SR-60), between Redlands Boulevard and Gilman Springs Road (the easterly City limit), extending to the southerly City Limit. Figure 1 depicts the location of the proposed project within the region.

The 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 US Geological 7.5 minute series Sunnymead and El Casco California Quadrangles. Figure 2 depicts the proposed project boundary on the applicable USGS Quad sheets.

1.3 Environmental Setting and Surrounding Land Uses

The project area is largely undeveloped land. Presently, there are seven single-family homes in various locations in the project area along with associated ranch/farm buildings. Most of the site has been used for dry farming at one time or another since the early 1900's, and much of the site continues to be used for dry farming at the present time. San Diego Gas & Electric operates a natural gas compressor station, known as the Moreno Compressor Station, on 18 acres in the southern portion of the site. Southern California Gas Company operates a valving, metering, and pipe cleaning station on a one acre parcel in the south-central portion of the site.

The major roadways that currently provide access to the project area are SR-60, Redlands Boulevard, Alessandro Boulevard, Gilman Springs Road and Theodore Street. Redlands Boulevard and Theodore Street are north-south roadways that intersect with SR-60. Alessandro Boulevard is an east-west thoroughfare that runs through Moreno Valley from Interstate-215 on the west to Gilman Springs Road on the east. Gilman Springs Road runs in a northwesterly-southeasterly direction connecting SR-60 to the Hemet-San Jacinto area and beyond.

There is little development adjacent to the east and south boundaries of the project area. The area easterly of the project is commonly referred to as the Badlands, a rugged area that separates the City of Moreno Valley from San Timoteo Canyon, and the City of Beaumont. Due to its steep slopes and canyons, the Badlands area has experienced little development; however there are seven single-

family homes in the area east of Gilman Springs Road. The Badlands Sanitary Landfill, operated by the County of Riverside Waste Management Department, is located approximately 1.5 miles northeasterly of the project area.

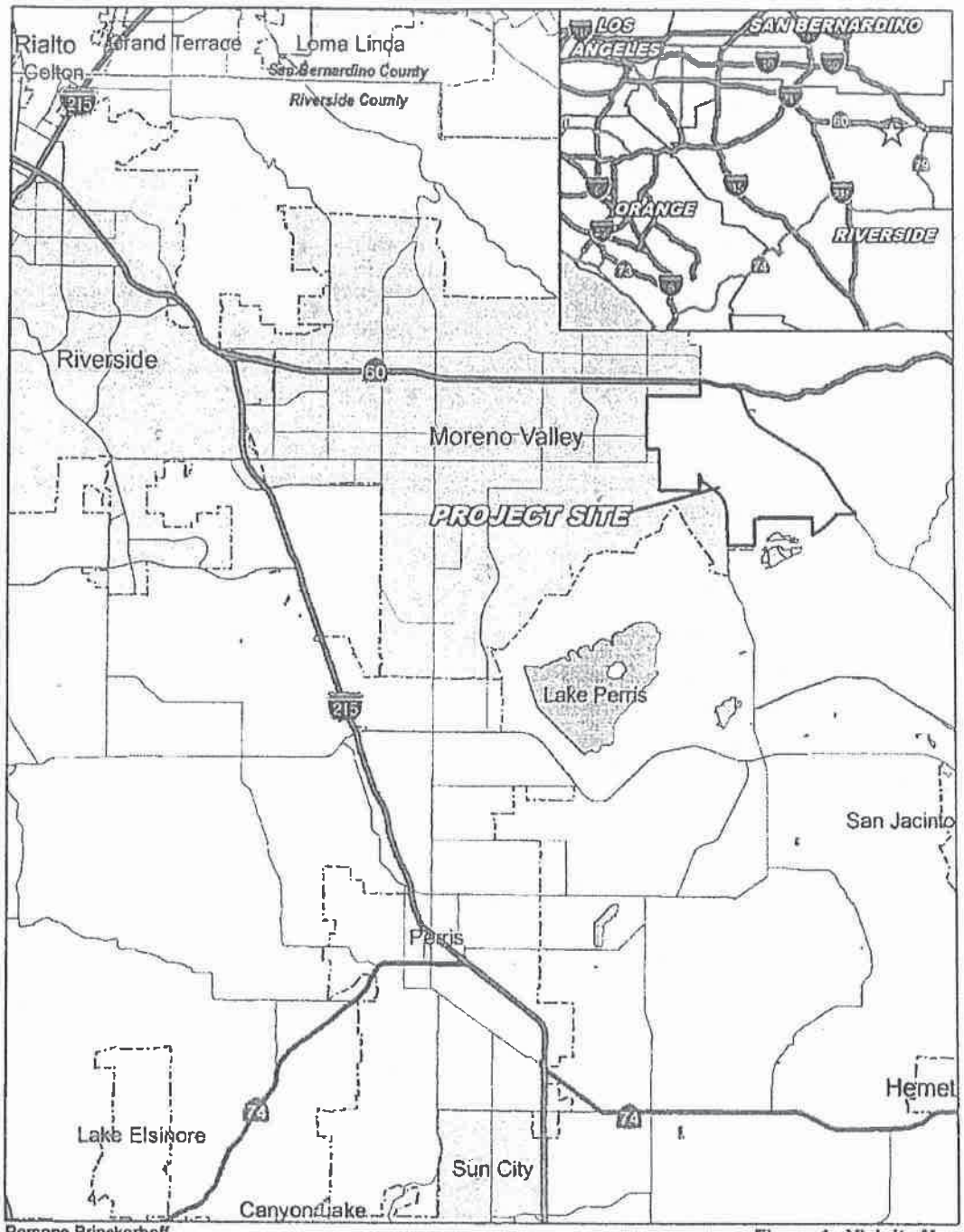
The area south of the proposed project is the San Jacinto Wildlife Area (SJWA) (which includes the Upland Game Hunting Area), and the Lake Perris State Recreation Area. These lands are state-owned and access to these areas is restricted. The SJWA is owned and operated by the California Department of Fish and Game and contains approximately 9,000 acres of restored wetland and ponds. The Lake Perris State Recreation Area is owned and operated by the California State Parks Department and contains approximately 6,000 acres of open space land which is used both for recreation and preservation of the natural southern California landscape.

Highland Fairview Corporate Park (HFCP), located north and west of the project area between Redlands Boulevard and Theodore Street, is currently under development and the first phase was completed in late 2011. The area north of SR-60 is largely undeveloped with clusters of low density residential development within the Moreno Valley city limits.

Lying to the west of the proposed project is the more developed portion of the City of Moreno Valley. Near the southwest boundary of the proposed project is the existing residential neighborhood of Old Moreno at the intersection of Redlands Boulevard and Alessandro Boulevard; a small market and a Post Office are also located near this intersection. The Moreno Valley Ranch residential community is approximately one mile southwest of the project area.

There are two future commercial areas located immediately north of the project area. The first is located at the northwest corner of Theodore Street and Eucalyptus Avenue (proposed 80,000 square feet), and the second is at the northeast corner of Redlands Boulevard and Eucalyptus Avenue (proposed 120,000 square feet). The nearest large-scale commercial development is located on the south side of SR-60 at Moreno Beach Drive approximately 1¼ mile to the west of the proposed project; this shopping area includes Walmart and Target superstores, along with restaurants and ancillary commercial and service uses, and the Moreno Valley Auto Center. The central core of Moreno Valley, which includes other residential neighborhoods and commercial activity, is located approximately three miles west of the project area.

March Air Reserve Base (MARB) is located approximately seven miles southwesterly of the proposed project. The MARB is under the authority of the March Joint Powers Authority which acts as the land use authority, the Redevelopment Agency as well as the Airport Authority (the March Inland Port Airport Authority) for reuse of the former March Air Force Base.



Parsons Brinckerhoff
Date: Feb. 2012
Source: ESRI (2011)

Figure 1 - Vicinity Map
World Logistics Center Specific Plan
Moreno Valley, CA

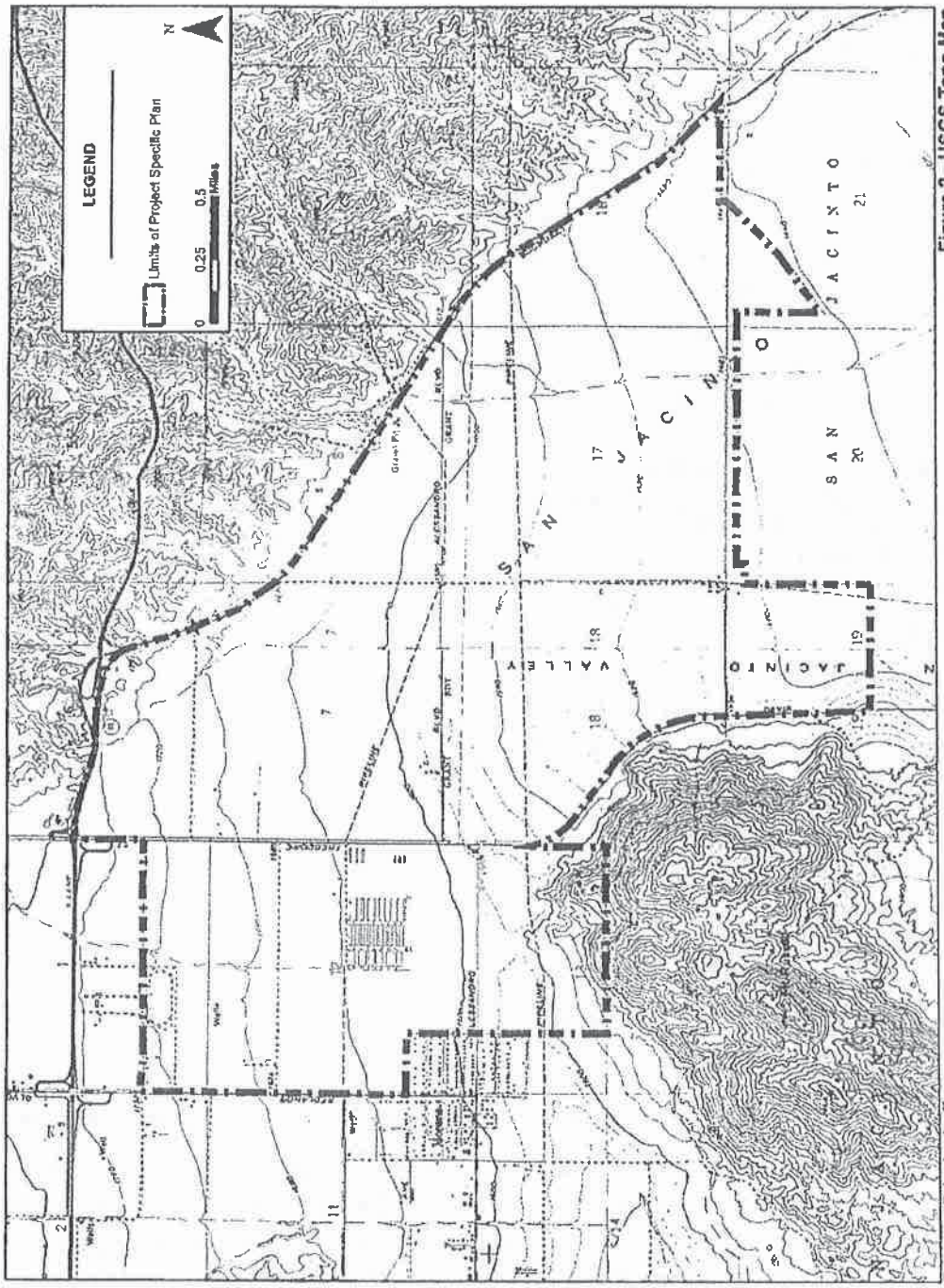


Figure 2 - USGS Topo Map
World Logistics Center Specific Plan
Moreno Valley, CA

Parsons Brinckerhoff
Date: Feb. 2012
Source: US Geological 7.5 minute series Sunnymead and El Casco California Quadrangles

1.4 Existing General Plan, Specific Plan and Zoning Land Use Designations Surrounding the Project Area and Currently Applicable to the Proposed Project Site

The Land Use Designations Currently Applicable to the Proposed Project Site

The Community Development Element of the City's General Plan currently designates the project area as a mix of residential, commercial, business park and open space land uses. In 1992 the City approved the 3,038-acre Moreno Highlands Specific Pan (MHSP) as a master planned, mixed use community, consisting of up to 7,763 residential dwelling units (on approximately 2,435 acres) and approximately 603 acres of business, retail, institutional and other uses. A summary of land uses of the MHSP is depicted in Table 1 below.

Table 1. Moreno Highlands Specific Plan (Current Land Use Designations)

Land Use	Acreage
Residential Community	
Residential (7,283 du)	1,359.3
Parks and Open Space	701.9
Neighborhood Commercial	10.0
Cemetery	16.5
Public Facilities	347.7
Planned Business Center	
Business Park	360.8
Mixed Use	80.5
Community Commercial	16.0
Parks and Open Space	77.9
Public Facilities	67.4
Project Total	**3,038**

Adopted by City Council March 17, 1992

As a result of a variety of factors, none of the Moreno Highlands Specific Plan has been implemented.

The current Housing Element, adopted by the City in February 2011, identifies the MHSP as a potential location for future jobs-producing land uses. In April 2011, the City adopted an Economic Development Action Plan which identifies eastern Moreno Valley as a potential area for major job-producing land uses. The proposed World Logistics Center Specific Plan project is consistent with these adopted policy statements in that it seeks to comprehensively plan the project area for jobs-producing land uses.

South of SR-60/East of Redlands Boulevard

The HFCP project is currently under development. Phase 1 (Skechers' North American Operational Headquarters) was completed in late 2011. HFCP is located immediately north and west of the project area, on the north side of Eucalyptus Avenue between Redlands Boulevard and Theodore Street. The HFCP project was approved by the City of Moreno Valley in 2009. The City General Plan land use designation for the site is Commercial (C) and Business Park/Light Industrial (LI).

North of SR-60

The land located on the north side of SR-60 and westerly of Theodore Street is within the City of Moreno Valley and has land use designations of Office (O) and Residential (R1—density of one dwelling unit per acre). The area lying easterly of Theodore Street is within the County of Riverside with land use designations of Scenic Highway Commercial (C-P-S) and Controlled Development Area (W-2). The W-2 area allows single-family residential and light agriculture (the suffix indicates a 2-acre minimum parcel size); and the C-P-S district allows certain wholesale and retail commercial uses. This county territory is within the City's Sphere of Influence; the City land use designation for the area is Rural Residential (RR) and Residential (R1).

East of Gilman Springs Road

The Badlands area, lying easterly of Gilman Springs Road, is within the jurisdiction of the County of Riverside and has a land use designation of Controlled Development Area (W-2, W-2-1 and W-2-20), allowed uses include single-family residential and light agriculture (the suffix indicates minimum parcel size in acres). This county territory is also within the City's Sphere of Influence and the City land use designations for the area are Rural Residential (RR) and Commercial (C).

Southern Boundary

The land area lying to the south of the project is within the San Jacinto Wildlife Area and the Lake Perris State Recreation Area. Portions of these facilities are within the City limits and have a City General Plan land use designations of Open Space (OS) and Flood Plain (FP).

West of Redlands Boulevard

The City land use designations for the residential areas west of Redlands Boulevard are Residential R2 and R3 (maximum density of 2 and 3 dwelling units per acre, respectively). Residential areas southerly of the site along Alessandro Boulevard are subject to City land use designations of R2 and R5 (maximum density of 2 and 5 dwelling units per acre respectively). To the northwest, north of Eucalyptus Avenue, properties have land use designations of Commercial (C) and Business Park/Light Industrial (BP).

1.5 The Proposed Project

The entitlements necessary for the proposed project includes a General Plan Amendment, adoption of the World Logistics Center Specific Plan, a Zone Change, a Development Agreement, a Tentative Parcel Map (for financing purposes only), and annexation of an 85-acre parcel along Gilman Springs Road. The City of Moreno Valley is the Lead Agency for the proposed project. In addition, the project

will require other associated actions and approvals by other public entities in order to construct and operate the proposed project.

General Plan Amendment

The General Plan Amendment proposes a revision to the City General Plan land use designations for the project area as set forth in the proposed Specific Plan. The General Plan Amendment also includes amendments to several other elements as applicable, including (but not limited to) the Community Development Element, the Parks, Recreation and Open Space Element, the Circulation Element, the Environmental Safety Element, and the Conservation Element.

Specific Plan

The proposed project includes a Specific Plan to implement the new General Plan Amendment and to set forth comprehensive land use regulations governing the proposed project. The World Logistics Center Specific Plan is a master plan for the development of approximately 41.6 million square feet of modern high-cube logistics warehouse distribution facilities defined as Logistics Development.

The Specific Plan establishes the master plan of development for the project area, including development standards and use regulations, a master plan for circulation and infrastructure, architectural, landscape and design guidelines and sustainability goals, all of which will be applicable to all development within the project area.

Within the Specific Plan the primary land use category will be Logistics Development, this use will provide for high-cube logistics warehouse space consisting of buildings of 500,000 square feet or greater, with ceiling heights of 25 feet or greater. Warehousing and logistics activities consistent with the storage and processing of manufactured goods and materials prior to their distribution to other facilities and retail outlets will be permitted within this category. Ancillary office and maintenance space will be permitted, along with the outdoor storage of trucks, trailers, and shipping containers.

Table 2 depicts the land area associated with the proposed Logistics Development, Public Utility, and Open Space Uses within he proposed project. Figure 3 depicts the proposed Land Use Plan.

Table 2. The World Logistics Center Specific Plan Land Use Summary

Land Use	Acreage
Logistics Development	2,665
Public Utility	19
Open Space	
CDFG Open Space	1,086
Other OS Areas	50
Total	**3,820**

Change of Zone

All but 16 acres of the existing Moreno Highlands Specific Plan are included within the boundary of the World Logistics Center Specific Plan. In addition, the World Logistics Center Specific Plan includes 798 acres of other land area, for a total project area of 3,820 acres.

The Change of Zone will establish the World Logistics Center Specific Plan which will replace most of the Moreno Highlands Specific Plan and re-zone several other properties. The new Specific Plan will become the regulatory land use document for the entire project area.

Development Agreement

The project will include a Development Agreement between the property owner, Highland Fairview, (or related entities) 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.

Tentative Parcel Map

A Tentative Parcel Map (for financing purposes only) proposes the subdivision of a portion of the project site into large parcels for purposes of financial transactions or further subdivision of the land prior to development.

Annexation

The project includes the annexation by the City of an 85-acre parcel located on the north side of Alessandro Boulevard at Gilman Springs Road. This parcel is already within the City's Sphere of Influence. The proposed project includes pre-annexation General Plan land use designations and zoning for this parcel, and the EIR will be the environmental documentation used by the Local Agency Formation Commission to complete the annexation process. The County's land use designation currently applicable to this parcel is W-2-2½. The W-2 area allows single-family residential and light agriculture (the suffix indicates minimum parcel size in acres) and the City's current General Plan land use designation for the site is Business Park (BP). This project proposes to incorporate this property into the World Logistics Center Specific Plan.

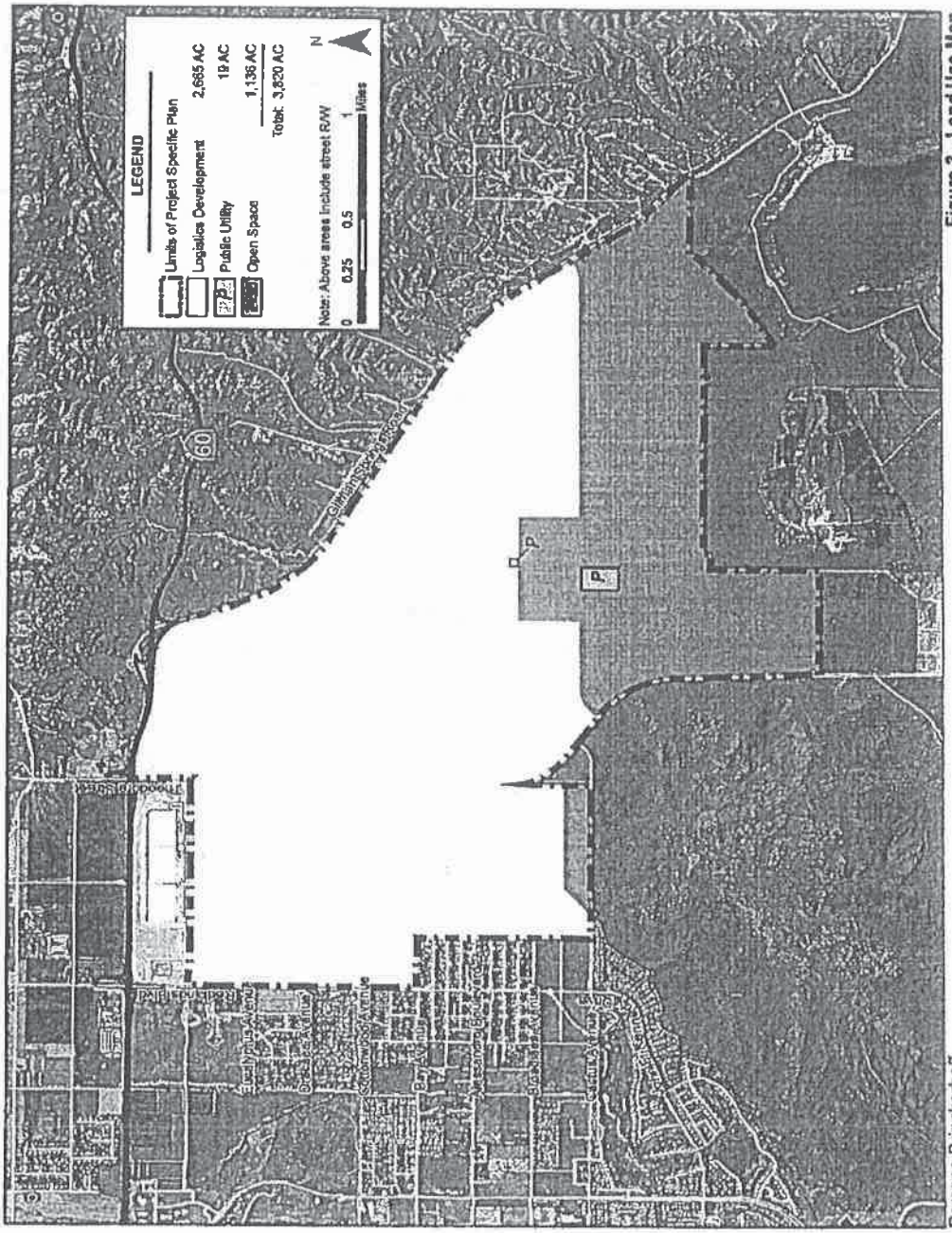


Figure 3 - Land Use Map
World Logistics Center Specific Plan
Moreno Valley, CA

PALA TRIBAL HISTORIC PRESERVATION OFFICE

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
760-891-3510 Office | 760-742-3189 Fax

PALA THPO

RECEIVED
MAR 12 2012
CITY OF MORENO VALLEY
Planning Division

March 8, 2012

John C. Terell
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: World Logistics Center Specific Plan

Dear Mr. Terrel,

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Therefore, we have no objection to the continuation of project activities as currently planned and we defer to the wishes of Tribes in closer proximity to the project area.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-891-3515 or by e-mail at sgaughen@palatribe.com.

Sincerely,

Shasta C. Gaughen, PhD
Tribal Historic Preservation Officer
Pala Band of Mission Indians

ATTENTION: THE PALA TRIBAL HISTORIC PRESERVATION OFFICE IS RESPONSIBLE FOR ALL REQUESTS FOR CONSULTATION. PLEASE ADDRESS CORRESPONDENCE TO **SHASTA C. GAUGHEN** AT THE ABOVE ADDRESS. IT IS NOT NECESSARY TO ALSO SEND NOTICES TO PALA TRIBAL CHAIRMAN ROBERT SMITH.

Community and Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

October 2, 2012

Anna M. Hoover
Cultural Analyst
Pechanga Cultural Resources
Temecula Band of Luiseno Mission Indians
Post Office Box 2183
Temecula, CA 92592

RE: Cultural Resource Study and Consultation Request for World Logistics Center

Dear Ms. Hoover:

As your agency is aware, the City is currently reviewing a master plan proposal for Highland Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

Based on the provisions of SB 18, the City is currently working through consultation with all known Tribes that may be affected by grading and land disturbance of the proposed project. As requested by prior written correspondence of your agency, cultural resources information is being submitted for your review. Attached, please find a copy of the Cultural Resources Study for your information. As the submittal of the document continues the consultation proceedings, the City welcomes any comments on the study within 30 days of this correspondence, or the latest by November 5, 2012. If consultation meetings are necessary after review of the cultural information provided, please include any written comments in a letter and indicate when you would be available for a consultation meeting to discuss. If the City does not hear from you in the allotted time, we will assume that there are no comments and a consultation meeting would not be necessary.

If you should have questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner, or John Terell, Planning Official at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

Attachment

Cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/PA12-0010 through PA12-0015–Cultural Resources Study Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Ramona Band of Cahuilla
P.O. Box 391670
Anza, CA 92539

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

San Manuel Band of Mission Indians
26569 Community Center Drive
Highland, CA 92346

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Serrano Nation of Indians
6588 Valaria Drive
Highland, CA 92346

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

RECEIVED
OCT 23 2012
CITY OF MORENO VALLEY
Planning Division

October 8, 2012

Attn: John Tercell, AICP
City of Moreno Valley
Community Development and Economic Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Cultural Resource Study and Consultation Request for World Logistics Center

The Soboba Band is in receipt of your letter dated October 2, 2012, along with the attached disk for the World Logistics Center Draft Cultural Resources Assessment, prepared by Michael Bradman Associates (MBA). It is noted on page 39 of the Draft Cultural Resources Assessment that "as of the date of this report Mr. Ontiveros has not requested to consult with [MBA]." This project is a specific plan for the city and is subject to the provisions of SB18-Tradtional Tribal Cultural Places. Therefore it **requires that the city participate in formal, government-to-government consultation, directly with the Soboba Band**, as required by law. Our not being able to attend an on-site consultation with the consulting firm does not mean that the tribe does not wish to consult on the project, nor does it mean that we do not have significant concerns regarding the project, as it is clear in our letters to both MBA and the City of Moreno Valley.

The Soboba Band of Luiseno Indians did respond to MBA's initial scoping letter for the project, in which we stated that the project area was culturally sensitive and significant to the people of Soboba, and requested that consultations take place between the two government entities involved, which in this case are the City of Moreno Valley and the Soboba Band of Luiseno Indians. In addition to the response to MBA requesting government-to-government consultation, the tribe also formally requested consultation in letters to the City of Moreno Valley on February 28, 2011, and on April 16 and 30, 2012 (see attached). To this date, the Soboba Band has yet to receive a response from the City of Moreno Valley in response to our request for formal government to government consultation.

The tribe maintains its stance regarding the subject of working in and around traditional use areas and the fact that it does intensify the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that Native American Monitor(s) from the Soboba Band of Luiseño Indians Cultural Resource Department to be present **during any ground disturbing proceedings**, including surveys and archaeological testing.

This area is extremely significant to the people of Soboba, and there are numerous sites in the vicinity of the project area. However, these are not issues that we wish to disclose in either a public setting, or in written text. Therefore, let this letter serve as another request by the Soboba Band of Luiseno Indians to formally requesting that a face-to face

consultation take place between a representative from the City of Moreno Valley and a representative from the Soboba Band, as a means of satisfying the requirement for official government to government consultation in accordance to SB18, as well as means of privately conveying information about these significant cultural resources and our concerns.

We appreciate your understanding on this significant issue, as well as your regard and observance of our Tribal Cultural Resources in your project area. Please contact me at your earliest convenience to set up a face to face consultation meeting. I look forward to hearing from you.

Sincerely,

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

RECEIVED
APR 24 2012
CITY OF MORENO VALLEY
Planning Division

SOBOBA BAND OF LUISEÑO INDIANS
EST. JUNE 19, 1883

April 16, 2012

Attn: John C. Terell, AICP
City of Moreno Valley
Community Development and Economic Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case No. PA12-00010 through PA12-00015: World Logistics Specific Center Specific Plan, General Plan Amendment, Change of Zone, Annexation, Development Agreement and Tentative Parcel Map (Annexation of 85 Acres at the Northwest Corner of Alessandro and Gilman Springs Road)

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in close proximity to known village sites and is a shared use area that was used in ongoing trade between the Luiseno and Cahuilla tribes. Therefore it is regarded as highly sensitive to the people of Soboba.

Soboba Band of Luiseño Indians is requesting the following:

1. **Government to Government** consultation in accordance to SB18. Including the transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.

2. Soboba Band of Luiseño Indians continues to act as a consulting tribal entity for this project.

3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that a Native American monitoring component be included as a mitigation measure for the Mitigated Negative Declaration and the Environmental Impact Report. The Tribe requesting that a Treatment and Dispositions Agreement between the developer and The Soboba Band be provided to the City of Moreno Valley prior to the issuance of a grading permit and before conducting any additional archaeological fieldwork

4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

The Soboba Band of Luiseno Indians is requesting a face-to-face meeting between the City of Moreno Valley and the Soboba Cultural Resource Department. Please contact me at your earliest convenience either by email or phone in order to make arrangements.

Sincerely,

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. When appropriate and agreed upon in advance, the Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains.

A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.

D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact.

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native

American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).
Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

SOBOBA BAND OF LUISEÑO INDIANS

Community and Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

October 2, 2012

Mr. Joe Ontiveros
Soboba Band of Mission Indians
P. O. Box 487
San Jacinto, CA 92581

RE: Cultural Resource Study and Consultation Request for World Logistics Center

Dear Mr. Ontiveros:

As your agency is aware, the City is currently reviewing a master plan proposal for Highland Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

Based on the provisions of SB 18, the City is currently working through consultation with all known Tribes that may be affected by grading and land disturbance of the proposed project. As requested by prior written correspondence of your agency, cultural resources information is being submitted for your review. Attached, please find a copy of the Cultural Resources Study for your information. As the submittal of the document continues the consultation proceedings, the City welcomes any comments on the study within 30 days of this correspondence, or the latest by November 5, 2012. If consultation meetings are necessary after review of the cultural information provided, please include any written comments in a letter and indicate when you would be available for a consultation meeting to discuss. If the City does not hear from you in the allotted time, we will assume that there are no comments and a consultation meeting would not be necessary.

If you should have questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

Attachment

Cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/PA12-0010 through PA12-0015–Cultural Resources Study Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Soboba Band of Mission Indians
P.O. Box 487
San Jacinto, CA 92581

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Serrano Nation of Indians
6588 Valaria Drive
Highland, CA 92346

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter

RECEIVED
OCT 23 2012
CITY OF MORENO VALLEY
Planning Division

October 8, 2012

Attn: John Tercell, AICP
City of Moreno Valley
Community Development and Economic Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Cultural Resource Study and Consultation Request for World Logistics Center

The Soboba Band is in receipt of your letter dated October 2, 2012, along with the attached disk for the World Logistics Center Draft Cultural Resources Assessment, prepared by Michael Bradman Associates (MBA). It is noted on page 39 of the Draft Cultural Resources Assessment that "as of the date of this report Mr. Ontiveros has not requested to consult with [MBA]." This project is a specific plan for the city and is subject to the provisions of SB18-Tradtional Tribal Cultural Places. Therefore it **requires that the city participate in formal, government-to-government consultation, directly with the Soboba Band**, as required by law. Our not being able to attend an on-site consultation with the consulting firm does not mean that the tribe does not wish to consult on the project, nor does it mean that we do not have significant concerns regarding the project, as it is clear in our letters to both MBA and the City of Moreno Valley.

The Soboba Band of Luiseno Indians did respond to MBA's initial scoping letter for the project, in which we stated that the project area was culturally sensitive and significant to the people of Soboba, and requested that consultations take place between the two government entities involved, which in this case are the City of Moreno Valley and the Soboba Band of Luiseno Indians. In addition to the response to MBA requesting government-to-government consultation, the tribe also formally requested consultation in letters to the City of Moreno Valley on February 28, 2011, and on April 16 and 30, 2012 (see attached). To this date, the Soboba Band has yet to receive a response from the City of Moreno Valley in response to our request for formal government to government consultation.

The tribe maintains its stance regarding the subject of working in and around traditional use areas and the fact that it does intensify the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that Native American Monitor(s) from the Soboba Band of Luiseño Indians Cultural Resource Department to be present **during any ground disturbing proceedings**, including surveys and archaeological testing.

This area is extremely significant to the people of Soboba, and there are numerous sites in the vicinity of the project area. However, these are not issues that we wish to disclose in either a public setting, or in written text. Therefore, let this letter serve as another request by the Soboba Band of Luiseno Indians to formally requesting that a face-to face

consultation take place between a representative from the City of Moreno Valley and a representative from the Soboba Band, as a means of satisfying the requirement for official government to government consultation in accordance to SB18, as well as means of privately conveying information about these significant cultural resources and our concerns.

We appreciate your understanding on this significant issue, as well as your regard and observance of our Tribal Cultural Resources in your project area. Please contact me at your earliest convenience to set up a face to face consultation meeting. I look forward to hearing from you.

Sincerely,

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

RECEIVED
APR 24 2012
CITY OF MORENO VALLEY
Planning Division

SOBOBA BAND OF LUISEÑO INDIANS
EST. JUNE 19, 1883

April 16, 2012

Attn: John C. Terell, AICP
City of Moreno Valley
Community Development and Economic Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case No. PA12-00010 through PA12-00015: World Logistics Specific Center Specific Plan, General Plan Amendment, Change of Zone, Annexation, Development Agreement and Tentative Parcel Map (Annexation of 85 Acres at the Northwest Corner of Alessandro and Gilman Springs Road)

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in close proximity to known village sites and is a shared use area that was used in ongoing trade between the Luiseno and Cahuilla tribes. Therefore it is regarded as highly sensitive to the people of Soboba.

Soboba Band of Luiseño Indians is requesting the following:

1. **Government to Government** consultation in accordance to SB18. Including the transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.

2. Soboba Band of Luiseño Indians continues to act as a consulting tribal entity for this project.

3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that a Native American monitoring component be included as a mitigation measure for the Mitigated Negative Declaration and the Environmental Impact Report. The Tribe requesting that a Treatment and Dispositions Agreement between the developer and The Soboba Band be provided to the City of Moreno Valley prior to the issuance of a grading permit and before conducting any additional archaeological fieldwork

4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

The Soboba Band of Luiseno Indians is requesting a face-to-face meeting between the City of Moreno Valley and the Soboba Cultural Resource Department. Please contact me at your earliest convenience either by email or phone in order to make arrangements.

Sincerely,

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. When appropriate and agreed upon in advance, the Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains.

A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.

D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact.

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native

American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).
Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

SOBOBA BAND OF LUISEÑO INDIANS

Community and Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

October 2, 2012

Mr. Joe Ontiveros
Soboba Band of Mission Indians
P. O. Box 487
San Jacinto, CA 92581

RE: Cultural Resource Study and Consultation Request for World Logistics Center

Dear Mr. Ontiveros:

As your agency is aware, the City is currently reviewing a master plan proposal for Highland Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The proposed master plan is located south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

Based on the provisions of SB 18, the City is currently working through consultation with all known Tribes that may be affected by grading and land disturbance of the proposed project. As requested by prior written correspondence of your agency, cultural resources information is being submitted for your review. Attached, please find a copy of the Cultural Resources Study for your information. As the submittal of the document continues the consultation proceedings, the City welcomes any comments on the study within 30 days of this correspondence, or the latest by November 5, 2012. If consultation meetings are necessary after review of the cultural information provided, please include any written comments in a letter and indicate when you would be available for a consultation meeting to discuss. If the City does not hear from you in the allotted time, we will assume that there are no comments and a consultation meeting would not be necessary.

If you should have questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official at (951) 413.3215.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

Attachment

Cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/PA12-0010 through PA12-0015–Cultural Resources Study Letter

Community & Economic Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

April 19, 2012

Soboba Band of Mission Indians
P.O. Box 487
San Jacinto, CA 92581

RE: SB18 Consultation Notification Reminder for the World Logistics Center in Moreno Valley

Dear Native American Tribal Agency,

The City is currently reviewing a master plan proposal for Highand Fairview Properties referred to as the World Logistics Center. The proposed master plan includes the future development of up to 41.6 million square feet of building area and encompasses 3,820 acres of land; of which 2,665 acres is considered developable land providing for future modern high-cube logistics warehouse distribution facilities. There are currently no specific building projects included with the proposal at this time. The location of the proposed plan is south of SR-60, between Redlands Boulevard and Gilman Springs Road, and extending to the southerly boundary of the City of Moreno Valley.

On February 21, 2012, the City of Moreno Valley distributed a Notice of Preparation (NOP) for an Environmental Impact Report to be prepared for the new master plan proposal. On February 29, 2012, additional SB18 consultation notification was provided to all Tribes included on the Native American Heritage Commission list. Based on the provisions of SB 18, the City is currently in contact with all known Tribes that may be affected by this master plan proposal or the grading and land disturbance of any future projects related to this Plan.

As we have not heard from your Tribal agency since the time that the NOP letter and SB18 notification letter were sent in February, the purpose of this correspondence is to provide a reminder notice of SB18 proceedings to initiate consultation under Government Code Section 65352.3 and invite Native American Tribes to participate in the government to government consultation process. If you are interested in initiating government to government consultation on this master plan project, or have any specific questions or concerns on the proposal, please provide written comments to the City at your earliest convenience or within 90 days (May 29, 2012) from the date of the original SB18 notification letter.

If you should have any general questions or concerns, please do not hesitate to contact Mark Gross, Senior Planner or John Terell, Planning Official, at (951) 413-3206.

Sincerely,

Mark Gross, AICP
Senior Planner

John C. Terell, AICP
Planning Official

Mg

cc: Wayne Peterson, Highland Fairview Properties, 14225 Corporate Way, Moreno Valley, CA 92553

Mg/2012/Tribal Notification Reminder Letter