

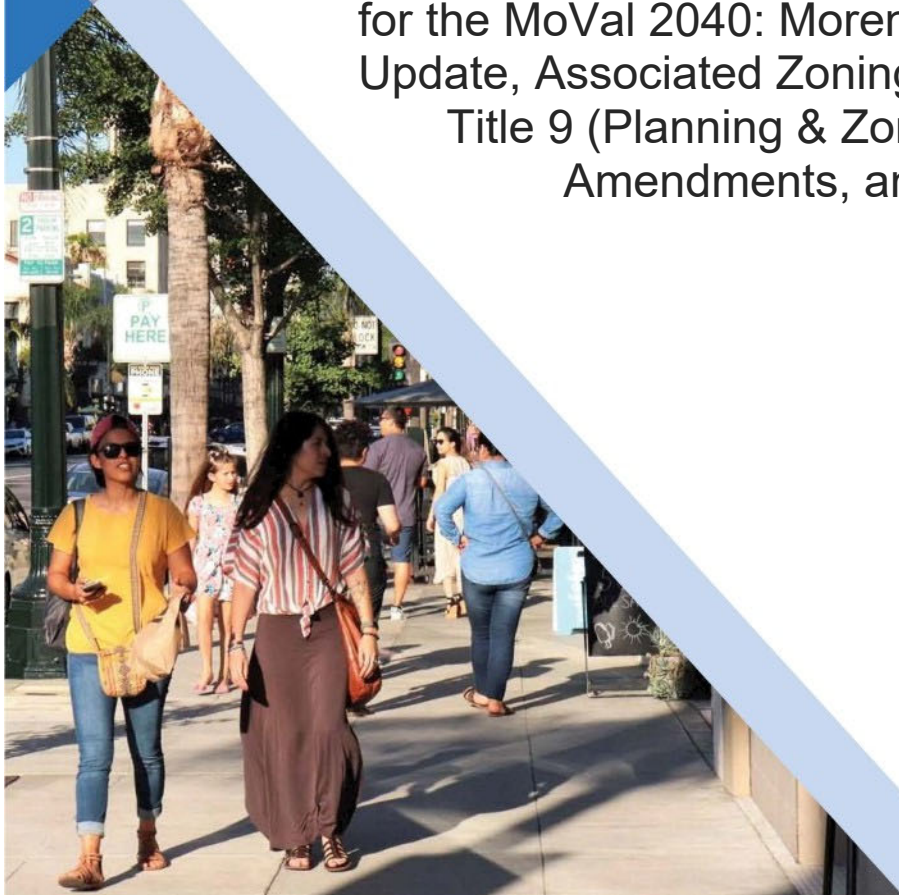


City of Moreno Valley

**Revised Final Program Environmental Impact Report
for the MoVal 2040: Moreno Valley General Plan
Update, Associated Zoning Text Amendments to
Title 9 (Planning & Zoning) and Zoning Atlas
Amendments, and Climate Action Plan**

SCH # 2020039022

**Public Review Draft
September 19, 2025**





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Environmental Impact Report
for the MoVal 2040: Moreno Valley
General Plan Update, Associated
Zoning Text Amendments to Title 9
(Planning & Zoning) and Zoning
Atlas Amendments, and Climate
Action Plan
SCH # 2020039022**

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1.0 INTRODUCTION

1.1 Purpose of the Revised Final Environmental Impact Report

The City of Moreno Valley (City), as the Lead Agency under the California Environmental Quality Act (CEQA), has prepared this Revised Final Program Environmental Impact Report (Revised Final EIR) for the MoVal 2040 Project (Project) (State Clearinghouse [SCH] No. 2020039022). This document, in conjunction with the Revised Draft Program Environmental Impact Report (Revised Draft EIR), comprises the Revised Final EIR for the Project.

As described in CEQA Guidelines Sections 15088, 15089, 15090 and 15132, the Lead Agency must evaluate comments received on the Revised Draft EIR and prepare written responses and consider the information contained in a [Revised] Final EIR before approving a project. Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15132, a [Revised] Final EIR consists of: (a) the [Revised] Draft EIR or a revision of the Draft; (b) comments and recommendations received on the [Revised] Draft EIR either verbatim or in summary; (c) a list of persons, organizations, and public agencies commenting on the [Revised] Draft EIR; (d) the responses of the Lead Agency to significant environmental points raised in the review and consultation process; and (e) any other information added by the Lead Agency.

1.2 Project Summary

The Project consists of three long-term plans that will be implemented as policy documents guiding future development activities and related City actions, including:

- The 2024 General Plan Update (GPU)
- Associated Zoning Text Amendments to Title 9 of the City's Municipal Code (Planning & Zoning) and Zoning Atlas Amendments
- 2024 Climate Action Plan (CAP)

California Government Code Section 65300 et seq. mandates that all counties and cities prepare a general plan that establishes policies and standards for future development, housing affordability, and resource protection. State law encourages cities to keep general plans current through periodic updates. The Project includes an update to the 2006 General Plan that will guide future land use decisions in the City, provide a long-term vision for the City, and provide policies and implementing actions that will allow the City to achieve this vision through 2040, the life of the General Plan. The General Plan will be the primary policy document guiding growth and development within the City through the planning horizon year of 2040. Together with the Zoning Ordinance and related sections of the Municipal Code, the Project will serve as the basis for planning-related decisions made by City staff, the Moreno Valley Planning Commission, and the Moreno Valley City Council.

The Project also includes preparation of a CAP. The proposed CAP is a community-wide strategy for reducing greenhouse gas (GHG) emissions for the purpose of adapting to the effects of climate change.

Preparation of the CAP includes establishing the City's GHG reduction targets, as well as specific strategies and implementing actions to achieve these targets.

The Project's environmental impacts were analyzed in a program EIR. As described in CEQA Guidelines Section 15168, program-level environmental review documents are appropriate when a project consists of a series of actions related to the issuance of rules, regulations, and other planning criteria. In 2020 and 2021, the City prepared and circulated a Draft Program EIR for the Project (2021 GPU EIR) for public review.

In June 2021, the Project and the 2021 GPU EIR were approved and certified, respectively, by the City of Moreno Valley City Council. Subsequently, on October 28, 2021, a CEQA lawsuit was filed by the Sierra Club in Riverside County Superior Court challenging the validity of the CAP and the 2021 GPU EIR (*Sierra Club v. The City of Moreno Valley, Case No. CVRI2103300*). On March 5, 2024, the Court issued a Statement of Decision, embodied in a judgment and Writ issued on May 6, 2024 (Statement of Decision and Writ) which granted the petition limited to the issues of baseline (existing conditions analysis), air quality, climate change (GHG emissions), and energy use, but rejected and denied the arguments regarding the issues of land use analysis and zoning. Specifically, the Statement of Decision and Writ identified the following deficiencies:

- Baseline: the baseline used in the 2021 GPU EIR failed to describe the Project's environmental impacts as they existed at the time that the notice of preparation of the 2021 GPU EIR was published.
- Air Quality: the Air Quality section failed to compare the Project's environmental impacts against existing conditions and instead compared them to assumed impacts under the former General Plan, which understated the impacts from the present Project;
- Energy: the Energy section failed to compare the Project's environmental impacts against existing conditions and instead compared them to assumed impacts under the former General Plan, which understated the impacts from the present Project; and
- GHG Emissions: the GHG emissions section failed to include mitigation measures, relying instead on an inadequate CAP that failed to comply with requirements of the CEQA Guidelines.

The Revised Draft EIR was prepared to correct the deficiencies identified in the March ruling. While the Revised Draft EIR includes all 18 topical areas previously included in the 2021 GPU EIR, the topical areas that were not found to be deficient in the Statement of Decision and Writ were not revised and the analysis remained unchanged from the analysis presented in the 2021 GPU. As such, pursuant to CEQA Guidelines Section 15088.5(f)(2), public review of the Revised Draft EIR was limited to only the revised sections:

- Section 4.3, Air Quality
- Section 4.6, Energy
- Section 4.8, Greenhouse Gas Emissions

In addition, although not required by the Court ruling, the following sections were revised to reflect new information identified in the responses to the deficiencies identified by the Court:

- Section 4.13, Noise
- Section 4.16, Transportation

Section 4.5, Cultural and Tribal Cultural Resources, was also slightly revised to add the dates of consultation and communications with various Tribes.

Section 1.3, *Overview of the CEQA Public Review Process for the Revised Draft EIR*, below, includes a description of the public review process of the Revised Draft EIR, and Section 1.4, *Organization of the Revised Final EIR*, provides an overview of what is included in this Revised Final EIR.

1.3 Overview of the CEQA Public Review Process for the Revised Draft EIR

In compliance with the CEQA Guidelines, the City, as the Lead Agency for the Project, has provided opportunities for the public to participate in the environmental review process. As described below, throughout the environmental review process, an effort was made to inform, contact and solicit input from the public and various State, regional, and local government agencies and other interested parties on the Project.

Notice of Preparation

In accordance with CEQA Guidelines Section 15082, a Notice of Preparation (NOP) was distributed to initiate the City's CEQA review process for the Project, identify and seek public input for the Project's potential environmental effects, and identify a date for the Project's public scoping meeting. The NOP was published on July 30, 2024 with a public review period ending on August 28, 2024 in compliance with the State's mandatory 30-day public review period.

Scoping Meeting

A scoping meeting was held to discuss the Project on August 14, 2024, at 6:00 PM at the City Hall Council Chambers, located on 14177 Frederick Street, Moreno Valley, California. A presentation was provided, including an overview of the Project and the CEQA process. Following the presentation, participants were encouraged to provide oral or written comments to aid the City in refining the scope of issues to be addressed in the Revised Draft EIR.

Five individuals from the public attended the scoping meeting. A total of 24 comment letters were received in response to the NOP and scoping meeting. The NOP and the comment letters received in response to the NOP and scoping meeting are provided in Appendix A of the Revised Draft EIR.

Revised Draft EIR

In accordance with the provision of CEQA Guidelines Sections 15085(a) and 15087(a), the City, serving as the Lead Agency: (1) prepared and transmitted a Notice of Completion (NOC) on July 7, 2025 to the State Clearinghouse; (2) published a Notice of Availability (NOA) of a Revised Draft EIR on July 7, 2025, which indicated that the Revised Draft EIR was available for public review and inspection during the Public Review Period at City Hall, located on 14177 Frederick Street, Moreno Valley, California; (3) provided copies of the NOA and Revised Draft EIR on July 7, 2025 to the City's three public library branches at Main Branch located at 25480 Alessandro Boulevard, Mall Branch located at 22500 Town Circle, and Iris Plaza Branch located at 16170 Perris Boulevard; (4) posted the NOA and the Revised Draft EIR on the Community Development Department's Current Projects webpage at: <http://www.moreno-valley.ca.us/cdd/documents/about-projects.html> on July 7, 2025; and (5) posted the NOA in the Press Enterprise on July 7, 2025. The Revised Draft EIR was circulated for public review from July 7, 2025, through August 21, 2025.

During the Draft EIR public review period, the County received 26 comment letters on the Draft EIR from agencies, organizations, and individuals. All written comments received during the public review period are presented, and responses are provided in Section 2.0, *Comment Letters and Responses to Comments*, of this Revised Final EIR.

1.4 Organization of the Revised Final EIR

The Revised Final EIR is organized as follows:

- **Section 1.0: Introduction.** Describes the process and purpose of the Revised Final EIR, provides a summary of the Project, summarizes the Revised Final EIR public review process, and presents the contents of the Revised Final EIR.
- **Section 2.0: Comment Letters and Responses to Comments.** Presents all comments received by the City during the 46-day public review period of the Revised Draft EIR (July 7, 2025 to August 21, 2025). Also provides responses to all comments received that are related to the contents of the Revised Draft EIR.
- **Section 3.0: Corrections and Additions to the Revised Draft EIR.** Includes revisions to the Revised Draft EIR that represent minor changes to the Project Description, changes or additions in response to comments received on the Revised Draft EIR, and additional edits to provide clarification to the Revised Draft EIR text. Changes to the Revised Draft EIR are shown with ~~striketrough~~ text for deletions and double underline text for additions. The changes do not add significant new information that would affect the analysis or conclusions presented in the Revised Draft EIR.
- **Section 4.0: Mitigation Monitoring and Reporting Program.** The Mitigation Monitoring and Reporting Program (MMRP) is the document that will be used by the enforcement and monitoring agencies responsible for the implementation of the Project's mitigation measures. Mitigation measures are listed by environmental topic.
- **Appendices.** Contains appendices as referenced throughout the Revised Final EIR. These appendices include:

- **Appendix A:** Comments Received on the Revised Draft EIR
- **Appendix B:** EMFAC Modeling
- **Appendix C:** GHG/Energy Modeling
- **Appendix D:** Other Supporting Documentation

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2.0 COMMENT LETTERS AND RESPONSES TO COMMENTS

CEQA Guidelines Section 15088(a) states that: “The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The Lead Agency shall respond to comments that were received during the noticed comment period and any extensions and may respond to late comments.” In accordance with these requirements, this section of the Revised Final EIR provides responses to each of the comments on the Revised Draft EIR received during the public comment period. Table 2-1, *Summary of Comments on the MoVal 2040 Revised Draft Program EIR*, provides a list of the comment letters received and the corresponding issues that were raised in response to the Revised Draft EIR.

The individual letters received during the public comment period, and as listed in Table 2-1, are each assigned a number in chronological order, as indicated in Table 2-1. Each comment that requires a response is also assigned a number. For example, the first comment letter received was from the Southern California Gas Company (SoCalGas); therefore, this is Letter A1. The first comment in the letter is therefore labeled Comment A1-1 and the responses to each comment are correspondingly numbered, (i.e., Response to Comment A1-1). A copy of each comment letter is provided in Appendix A, *Comments Received on the Revised Draft EIR*, of this Revised Final EIR. As required by the CEQA Guidelines Section 15088(c), the focus of the responses to comments is on “the disposition of significant environmental issues raised.” Therefore, detailed responses are not provided for comments that do not relate to environmental issues.

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**Table 2-1
Summary of Comments on the MoVal 2040 Revised Draft Program EIR**

No.	Name	Date Received	Environmental Category						
			Air Quality / Health Risk	CAP	Energy	GHG	Noise	Transportation	Other
Agency									
A1	Will Liao Southern California Gas Company	July 11, 2025							X
A2	Yecenia Casa Riverside Airport Land Use Commission	July 21, 2025							X
A3	Amy McNeil Riverside Flood Control & Water Conservation District	August 15, 2025							X
A4	Anthony Budicin Eastern Municipal Water District	August 20, 2025							X
A5	Sam Wang South Coast Air Quality Management District	August 20, 2025	X	X	X	X			
A6	Janki Patel California Department of Transportation	August 21, 2025						X	
A7	Aaron Echols California Native Plant Society	August 21, 2025							X
Organization									
B1	Chris Rice Moreno Badlands Conservancy	August 21, 2025	X	X	X	X			
B2	Chris Rice Moreno Badlands Conservancy	August 21, 2025	X		X				
B3	Chris Rice Moreno Badlands Conservancy	August 21, 2025		X					
B4	Chris Rice Moreno Badlands Conservancy	August 21, 2025		X					
B5	Marven Norman Center for Community Action and Environmental Justice	August 21, 2025	X					X	X
B6	Maria Lum Sierra Club	August 21, 2025							X
B7	Abigail Smith Sierra Club	August 21, 2025	X		X	X			X

**Table 2-1
Summary of Comments on the MoVal 2040 Revised Draft Program EIR**

No.	Name	Date Received	Environmental Category						
			Air Quality / Health Risk	CAP	Energy	GHG	Noise	Transportation	Other
Individuals									
C1	George Hague	August 1, 2025							X
C2	George Hague	August 8, 2025		X		X			
C3	Shelley Lindekugel	August 11, 2025							X
C4	Charles Horn	August 16, 2025							X
C5	Belinda Cramer	August 19, 2025							X
C6	Dusan Stancic	August 20, 2025							X
C7	Linda Jimenez	August 20, 2025							X
C8	Mike McCarthy	August 20, 2025	X			X		X	X
C9	George Hague	August 21, 2025	X	X		X		X	X
C10	George Hague	August 21, 2025							X
C11	Lindsay Robinson	August 21, 2025					X		X
C12	Oscar Alvarez	August 21, 2025		X	X	X	X		X

2.1 Topical Responses

Topical Response 1: Scope of Revised Draft EIR

In June 2021, the City Council and the City of Moreno Valley (City) approved and adopted the City's 2040 General Plan Update (2021 GPU), a Change of Zone, and Municipal Code Update, and its Climate Action Plan (CAP) (collectively, the Project) and certified an Environmental Impact Report (EIR) (State Clearinghouse No. 2020039022). On October 28, 2021, a California Environmental Quality Act (CEQA) lawsuit was filed by the Sierra Club in Riverside County Superior Court challenging the validity of the CAP and the EIR (2021 GPU EIR) (*Sierra Club v. The City of Moreno Valley, Case No. CVRI2103300*). On March 5, 2024, the Court issued a Writ and accompanying Statement of Decision which provided that the 2021 GPU EIR's analysis of the Project baseline and analysis of the Project's impacts on the air quality, energy, and greenhouse gas emissions were inadequate, but rejected and denied the Sierra Club's arguments regarding the issues of "land use analysis" and "zoning."

On May 6, 2024, the City Council set aside the 2021 approvals and certification to comply with the Writ and Statement of Decision issued by the Court. The Writ mandated that the City rescind its certification of the 2021 GPU EIR and to remedy only those portions of the 2021 GPU EIR the Court determined were inadequate. Therefore, in compliance with the Writ, the Revised Draft EIR has revised portions of:

- Section 4.3, Air Quality;
- Section 4.6, Energy; and
- Section 4.8 Greenhouse Gas Emissions.

While the Statement of Decision also did not find any inadequacies in the 2021 GPU EIR's analyses of Cultural and Tribal Resources, Noise, and Transportation, these sections have also been revised to show compliance and consistency with regulations (e.g. Assembly Bill [AB] 52 (2014) and Senate Bill [SB] 18 (2004)) and quantitative models (e.g., the Riverside County Transportation Model [RIVCOM]) which were adopted since 2021. Moreover, although the Court also did not find any inadequacies in the alternatives analysis in the 2021 GPU EIR, portions of Chapter 6, *Project Alternatives*, were reviewed and revised to ensure consistency with any updated sections. Specifically, the Revised Draft EIR revises sections of the 2021 GPU EIR in the following ways:

- The Revised Draft EIR uses a 2024 baseline and compares the impacts to those that exist in 2024 to determine the significance of the 2040 General Plan.
- The Revised Draft EIR uses the South Coast Air Quality Management District's (South Coast AQMD or SCAQMD) 2022 Air Quality Management Plan (AQMP) and references and incorporates both approved and known anticipated projects in the City that were not referenced or incorporated in the 2022 AQMP.
- The Revised Draft EIR identifies Toxic Air Contaminants (TACs) and provides suitable mitigation measures.
- The Revised Draft EIR analyzes greenhouse gas (GHG) emissions and provides suitable mitigation measures.

- The Revised CAP has been structured in a manner that makes it appropriate for tiering purposes.
- The Revised Draft EIR identifies the various energy usages and provides appropriate mitigation measures.

The doctrine of res judicata thus bars any new claim alleging that any other portion of the 2021 GPU EIR was inadequate. (*Citizens for Open Government v. City of Lodi* (2012) 205 California appellate court [Cal. App.] 4th 296.) The Court did not find any inadequacy in the 2021 GPU EIR's analysis of Aesthetics, Agriculture and Forestry Resources, Biological Resources, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Population/Housing, Public Services and Recreation, Utilities and Service Systems, and Wildfire Sections, and it denied the Sierra Club's arguments regarding the issues of "land use analysis" and "zoning" and left intact the City's California Housing and Community Development (HCD)-certified October 2022 Housing Elements, which incidentally earned the City the prestigious designation as a Pro-housing jurisdiction by HCD. In summary, the law bars any new claim involving the portions of the 2021 GPU EIR pertaining to any of the above matters the Court did not find to be inadequate under CEQA. As such, only comments that specifically address the revisions identified above will receive a detailed response in the Revised Final EIR. However, all comments made on the Revised Draft EIR will be included in the administrative record and provided to City decision-makers for their review and consideration.

Topical Response 2: Recirculation Not Required for the Revised Draft EIR

Under CEQA, recirculation is only required when the Lead Agency adds “significant new information” to an EIR after the public comment period commences and prior to certification of the EIR. (Public Resources Code [PCR] § 21092.1, 14 California Code of Regulations [CCR] § 15088.5; see also *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal. 4th 1112, 1128). According to 14 CCR § 15088.5(a), the definition of “information” can include changes in the project components or the environmental setting as well as additional data. However, recirculation is only required when “significant” new information is added to EIR such that the EIR is changed in a way that deprives the public of a meaningful opportunity to review and comment on a substantial environmental impact of the project or a feasible way to mitigate or avoid an impact that the project proponent has declined to implement. As detailed in 14 CCR § 15088.5, the following would constitute “significant new information” requiring recirculation:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
- The Revised Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an otherwise adequate EIR. (14 CCR § 15088.5(b)). Here, in response to certain comments, information was added to the Revised Draft EIR to clarify an issue or expand on a topic. Those revisions are detailed in Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of the Final Revised EIR.

With respect to the suggestion of a new alternative or a mitigation measure specifically, recirculation is required only if the new alternative or mitigation measure meets all of the following criteria:

- It is feasible;
- It is considerably different from the alternatives or mitigation measures already evaluated in the Revised Draft EIR;
- It would clearly lessen the project’s significant environmental impacts; and
- It is not adopted.

No new significant impacts have been identified in the Revised Final EIR. Further, no new mitigation measures have been identified and included in this Revised Final EIR. While MM AQ-4 and MM GHG-1 have been enhanced as shown in Chapter 3.0, Additions and Corrections, of this Revised Final EIR, the edits are considered insignificant as they merely clarify the mitigation measure to make its

implementation clearer and correct omissions that do not alter the environmental findings. Overall, these insignificant edits do not deprive the public of a meaningful opportunity to comment, and as such, recirculation is not required, consistent with 14 CCR § 15088.5(b).

Additionally, none of the comments received on the Revised Draft EIR have resulted in the determination that an environmental impact identified in the Revised Draft EIR has a substantially greater impact than as described in the Revised Draft EIR. No new feasible alternatives have been suggested or added to the Revised Final EIR that would significantly reduce impacts compared to what has already been disclosed in the Revised Draft EIR.

Finally, while Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of the Revised Final EIR reflects certain revisions to the Revised Draft EIR that are clarifying or editorial in nature, such revisions do not rise to the level of “significant new information,” and therefore, recirculation of the Revised Draft EIR is not required. Based on the foregoing and as otherwise supported by information in the administrative record, the City’s decision not to recirculate is supported by substantial evidence and consistent with CEQA. As such, no further response is required.

Topical Response 3: The Revised Draft EIR is a Programmatic Document

As discussed in Section 1.0, *Introduction*, of the Revised Draft EIR, the Revised Draft EIR, as with the 2021 GPU EIR, is considered a program-level environmental review document or “program EIR.” As discussed in 14 CCR § 15168, a program EIR can be prepared to analyze a series of actions characterized as one large project and are related either:

- Geographically
- As logical parts in the chain of contemplated actions
- In connection with rules, regulations, plans, or other general criteria to govern the conduct of a continuing program
- As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigation in several different ways.

The Project, which is the subject of the Revised Draft EIR, consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. Specifically, the Project analyses the potential environmental impacts associated with the implementation of the goals, policies, actions and projected buildout of the following three planning documents:

- 2024 General Plan Update (2024 GPU)
- Associated Zoning Text Amendments to Title 9 (Planning & Zoning) and Zoning Atlas Amendments
- 2024 Climate Action Plan

In this case, these three separate planning documents constitute a series of actions related to the issuance of rules, regulations, and other planning criteria, and as such, a program EIR is an appropriate level of analysis for the Project. Because the Project does not contemplate any specific development but instead the projected buildout of these planning documents, the analysis included in the Revised Draft EIR is a broad-level environmental review that assesses the potential impacts of these long-term plans, rather than focusing on specific sites or projects. The use of a program EIR allows for future project approvals to be streamlined by allowing more detailed plans to build upon the initial analysis included in the Revised Draft EIR.

For program EIRs such as the Revised Draft EIR, the level of detail should match the detail of the underlying plan or program being considered. As established in *Rio Vista Farm Bureau Center v. County of Solano* (1992) 5 Cal. App. 4th 351, an EIR for a general plan need not be as specific as an EIR for the individual projects that follow. As such, the general principle is that the “sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible” at the time of its preparation. (*Id.* at 313; 14 CCR § 15151.) The Project includes an update to the 2006 General Plan that will guide future land use decisions in Moreno Valley, provide a long-term vision for the City, and provide policies and implementing actions that will allow the City to achieve this vision over the life of the General Plan. The General Plan will be the primary policy document guiding growth and development within the City through the planning horizon year of 2040. Together with the Zoning Ordinance and related sections of the Municipal Code, the Project will

serve as the basis for planning-related decisions made by City staff, the Moreno Valley Planning Commission, and the Moreno Valley City Council. The Project also includes preparation and adoption of a CAP. The CAP is a community-wide strategy for reducing GHG emissions for the purpose of adapting to the effects of climate change. Preparation of the CAP includes establishing the City's GHG reduction targets, as well as specific strategies and implementing actions to achieve these targets.

The three plans that constitute the Project provide a collection of policies and planning objectives rather than specific development plans or projects. Therefore, because the pattern of development and specific scopes and timelines of future projects in the City is unknown, the Revised Draft EIR focuses on analyzing the overall impacts related to air quality, cultural and Tribal cultural resources, energy, GHG emissions, noise, transportation and alternative Projects that are reasonably foreseeable should the proposed vision for the City be achieved. As such, the Revised Draft EIR provides sufficient detail to inform decision-making and provides meaningful information to the public that is proportional to the level of detail of the underlying plans.

Similarly, mitigation measures proposed by program EIRs do not need to have the same level of specificity as a project-level analysis and can be more general. However, they do need to provide a reasonable, good-faith analysis of mitigation measures for future projects. (*Communities for a Better Environmental v. City of Richmond* (2010) 184 Cal. App. 4th 70). Moreover, mitigation measures in a program EIR must define specific, measurable, and enforceable performance criteria for mitigating impacts. (PRC § 21083.1(b).) As such, the mitigation measures included in the Revised Draft EIR were designed specifically to address the potential impacts identified by the analysis while still being specific enough to be enforceable and feasible.

During the public review period for the Revised Draft EIR, the City received public comments on the Revised Draft EIR that suggest other mitigation measures outside of the ones identified and analyzed in the Revised Draft EIR could be applied to the Project. However, after review of these comments, it has been determined that there is either: (1) there is not substantial evidence based on facts, data, or expert opinion showing that the mitigation measures suggested would substantially reduce significant impacts related to these topical areas; or (2) the mitigation measures suggested are not appropriate for a programmatic-document, which requires implementation to all future projects within the Project Area, and rather are better applied to project-level analysis of specific development projects. As discussed in the Revised Draft EIR, approval of the Project and certification of its Revised Final EIR does not entitle or environmentally clear any specific development project. Future development may be subject to additional analysis and mitigation measures as applicable. Therefore, the mitigation measures included in the Revised Draft EIR are designed to be applicable to broadly to all future projects that would be proposed subsequent to the Project. The mitigation included in the Revised Draft EIR is further discussed below.

Regarding the topical areas discussed in the Revised Draft EIR, the Project would implement Mitigation Measure (MM) AQ-1 through MM AQ-5, which requires development projects, when identified, to assess and mitigate air quality impacts during construction and operation to comply with regulatory thresholds and protect public health. This includes analyzing air emissions, controlling fugitive dust, reducing construction emissions, coordinating concurrent projects, and conducting Health Risk Assessments for

toxic air contaminants near sensitive receptors based on specified thresholds. The Revised Draft EIR also found that future construction and operational emissions associated with development projects would conflict with the implementation of the AQMP. However, at a programmatic level of analysis, there are no feasible mitigation measures that would reduce air quality impacts associated with development facilitated by the Project to a less than significant level. With the implementation of MM AQ-1 through MM AQ-5, the Project would still result in significant and unavoidable impacts to air quality.

The Project would also implement MM CUL-1 through MM CUL-11, which protect cultural resources by requiring evaluations of historic structures to assess buildings over 50 years old for historical significance and archaeological resource assessments to identify and mitigate impacts on archaeological resources, retaining an archaeologist to monitor ground-disturbing activities, conducting tribal consultation, preparing Cultural Resources Management Plans, and establishing requirements for handling discoveries, such as stopping work and assess any unexpected finds, including human remains, based on specified thresholds. However, at a programmatic level of analysis, there are no feasible mitigation measures that would reduce cultural resources and tribal cultural resources impacts associated with development facilitated by the Project to a less than significant level. With the implementation of MM CUL-1 through MM CUL-11, the Project would still result in significant and unavoidable impacts to cultural resources and Tribal cultural resources.

Implementation of MM GHG-1 and MM GHG-2 would commit the City to ongoing monitoring, annual reporting, and periodic updates of its CAP to meet GHG reduction targets aligned with SB 32 (2016) and AB 1279 (2022), including preparing a fully updated CAP by 2030 and every five years thereafter. Additionally, discretionary projects under CEQA must complete a GHG Emissions Analysis Compliance Checklist, incorporate or propose suitable GHG reduction measures, or demonstrate that they will not hinder the City's emission reduction goals, ensuring consistent progress toward the 2040 and 2045 targets. Implementation of these mitigation measures would result in less than significant impacts related to GHG emissions.

Traffic noise impacts are significant and unavoidable for existing sensitive land uses due to the lack of retrofit programs. MM NOS-1 and MM NOS-2 require new developments to comply with interior noise standards. Construction noise controls include restricted hours, equipment maintenance, and alternative low-noise methods. Projects near fragile structures require noise and vibration analyses to ensure compliance with Federal Transit Administration thresholds. However, at a programmatic level of analysis, there are no feasible mitigation measures that would reduce air quality impacts associated with development facilitated by the Project to a less than significant level. With the mitigation proposed, the Project would still result in significant and unavoidable impacts related to noise.

Additionally, the Project has incorporated Vehicle Miles Traveled (VMT) reducing goals and policies to the extent feasible. Specifically, the Project includes Transportation Demand Management (TDM) policies and actions under goals C-2 and C-3 of the 2024 GPU Circulation Element that promote complete streets design to accommodate all transportation modes and encourage connectivity through an integrated network; improve walkability and community integration by providing walkable access to daily needs and

special provisions for pedestrians and bicycles; and traffic and parking management plans to utilize travel demand management strategies encouraging transit and other alternatives to single-occupant vehicles. Additionally, TDM policies and actions under goals C-4 and C-5 of the 2024 GPU Circulation Element outline goals and policies for improving transportation in the City by providing convenient and safe connections between neighborhoods and destinations and enhancing transportation operations while reducing VMT. Specifically, these policies and actions promote the development of high-speed transit linkages and express routes, improving access and connectivity to key destinations, establishing a Transit Center/Mobility Hub in the Downtown Center, ensuring sidewalks and pedestrian safety in new developments, expanding transit facilities into newly developed areas, encouraging bicycling and other non-automotive modes and implementing TDM strategies on a project-level. These goals and policies reflect a programmatic approach to reducing VMT impacts in the General Plan Area. However, even with the implementation of these VMT reducing goals, impacts related to transportation remain significant and unavoidable.

As demonstrated above, the Revised Draft EIR contains mitigation measures that are specific, include performance standards, and are enforceable either by the City or another agency while also maintaining a programmatic application. As such, no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration.

Topical Response 4: Environmental Justice-related Legislation Applicable to the Project

As discussed in Section 3.0, *Project Description*, of the Revised Draft EIR, the Project addresses the eight State-mandated elements of Land Use, Circulation, Housing, Conservation, Open Space, Noise, Safety, and Environmental Justice, supplemented with three optional elements: Economic Development, Community Character, and Healthy Community. Within these elements, the Project contains goals, policies, and actions to guide decision-making for the City that both respond to community aspirations expressed throughout the MoVal 2040 process as well as new legal requirements that have come into force, including requirements for addressing geologic hazards, flooding, wildland and urban fires, and environmental justice.

Specifically, environmental justice is discussed in Chapter 8: Environmental Justice and Chapter 9: Healthy Community within the 2024 GPU. Chapter 8 satisfies the legal requirements in planning for Senate Bill (SB) 535 (2012)-identified “Disadvantaged Communities” including addressing the topics of air quality and pollution exposure; safe and sanitary homes; public facilities and physical activity; healthy food access; and civic engagement and investment prioritization. Chapter 9: Healthy Community is an optional element that is closely linked to the Environmental Justice Element and contains background information and policies aimed to focus engagement to target youth and address linguistic isolation; provide opportunities for social connections; provide an array of health care options; and promote businesses that support healthy and active lifestyles.

During the public review process for the Revised Draft EIR, the City received public comments requesting further clarification as to how the Revised Draft EIR evaluated the Project’s potential impact on disadvantaged communities. As discussed above, SB 535 defines the “disadvantaged communities” that cities and counties must consider in general plans, specifically in an environmental justice element. The Air Quality Impact Assessment prepared for the Project, included in Appendix B to the Revised Draft EIR, identified the SB 535 disadvantaged communities within the City on Figure 7, *SB 535 Disadvantaged Communities*. While SB 535 identifies disadvantaged communities, it does not include project-specific requirements or prohibit developments in proximity to the designated communities. Similarly, SB 1000 (2016) requires local governments to identify disadvantaged communities, engage with communities during the planning process, and develop environmental justice policies that address the unique and compounded health risks of those communities in their general plans. At the center of SB 1000 is the goal to reduce disproportionate pollution burdens on disadvantaged communities.

Additionally, AB 98 (2024) is also applicable to the Project and was analyzed in Section 4.3, *Air Quality*, of the Revised Draft EIR (Sections 4.3.5.3 and 4.3.8.3 (AQ-5); see also section 4.13.2.2(e)). AB 98 requires new logistics development projects to adhere to standards related to setbacks, buffers, air quality mitigation, and the use of zero-emission equipment. The intent of AB 98 is to create a more equitable and sustainable approach to goods movement and reduce disproportionate burdens on vulnerable communities, promote cleaner industrial practices, and balance economic development with public health and environmental justice. Other requirements in AB 98 include requiring local jurisdictions to designate truck routes that prioritize the use of major arterials and highways, avoid sensitive land uses such as homes, schools, and healthcare facilities, and include public signage and accessible mapping;

requiring housing replacement and relocation assistance for housing units demolished; and additional air monitoring systems within Riverside and San Bernardino counties by South Coast Air Quality Management District (South Coast AQMD).

Local Pollutant Concentration

Within the Air Quality Impact Assessment (Appendix B) and the Revised Draft EIR, air quality impacts to sensitive receptors, including disadvantaged communities, are evaluated through analyses of local pollutant concentrations and TACs, which includes an evaluation of both construction and operational health risk.

The Project's impacts are evaluated on a programmatic level within the Revised Draft EIR as the Project is a long-term planning document (see Topical Response 3, *The Revised Draft EIR is a Programmatic Document*, of this Revised Final EIR). Therefore, while localized emissions are speculative at the programmatic level, future CEQA review would evaluate project-level impacts. South Coast AQMD developed Localized Significant Thresholds (LSTs) for emissions of NO₂, CO, PM₁₀, and PM_{2.5} generated at new development sites based on South Coast AQMD's LSTs methodology developed in response to the South Coast AQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). LSTs represent the maximum emissions that can be generated at a project site without expecting to cause or substantially contributing to an exceedance of the most stringent State or federal ambient air quality standard. Localized air quality impacts using LST are directly tied to public health protection because the LSTs consider proximity of construction or operational emissions to people. By ensuring the individual project emissions remain below the LST, the risk of localized air quality and health impacts are minimized particularly those sensitive receptors who are most vulnerable to air quality exceedances.

Therefore, as concluded in the Project's Air Quality Assessment in Appendix B (see page 57, § 8.3, Threshold 3: Sensitive Receptors) and the Revised Draft EIR (see page 4.3-40, § 4.3.8.3, Topic 3: Sensitive Receptors) the Project would implement Mitigation Measure (MM) AQ-4, which requires qualifying future development projects to analyze impacts of localized pollutant concentrations at the project-level based on South Coast AQMD's LTS and apply supplemental project-level mitigation measures if required, and MM AQ-5, which requires qualifying future development projects to conduct a project-specific Health Risk Assessment and apply supplemental project-level mitigation measures if required. Implementation of MM AQ-4 and MM AQ-5 would reduce the regional construction and operation emissions associated with buildout of the Project and would also result in a reduction of localized construction- and operation-related criteria air pollutant emissions to the extent feasible.

Toxic Air Contaminants (TAC)

One of the highest public health priorities is the reduction of diesel particulate matter (DPM) generated by vehicles on California's freeways and highways, as it is one of the primary TACs with the most direct and common implications for respiratory health problems. Per California Air Resources Board (CARB) criteria, heavily traveled roadways where average daily vehicle trip volumes exceed 100,000 vehicles can be sources of DPM from diesel-fueled engines (e.g., heavy-duty trucks). As discussed above, implementation of the Project does not propose any development; however, the Project includes

assumptions based on the land use changes associated with the 2024 GPU that would facilitate future development. Implementation of the Project would accommodate approximately 41.1 million square feet of additional industrial or warehousing developments, which typically generate substantial DPM emissions from off-road equipment use, truck idling, and/or use of transport refrigeration units for cold storage (see page 4.3-33, § 4.3.5.3, Topic 3: Sensitive Receptors of the Revised Draft EIR).

DPM contains hundreds of different chemicals, many of which are harmful to human health. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer. The use of diesel-powered construction equipment would be episodic and would occur throughout the project sites of individual future development projects under implementation of the Project.

Regarding construction, future development projects would be subject to various regulations to minimize construction exhaust. For example, in accordance with California Off-Road Diesel-Fueled Fleet Regulations, equipment operators shall be registered using the Diesel Off-Road Online Reporting System (DOORS), and diesel-powered construction equipment with 25 horsepower or greater engines shall meet exhaust PM and NO_x emissions standards. Additionally, Sections 2485 and 2449 of Title 13 of the CCR limits diesel-fueled motor vehicle idling to no more than five minutes. Section 2449 limits idling for off-road diesel-fueled fleets. Section 2485 limits idling for diesel-fueled commercial motor vehicles with Gross Vehicle Weight Ratings (GVWR) of greater than 10,000 pounds that are or must be licensed to operate on publicly maintained highways and streets within California. Construction implementing the Project is subject to and would be required to comply with California regulations limiting equipment exhaust and limiting heavy-duty construction equipment idling to no more than five minutes, which would further reduce potential diesel exhaust emissions from construction. Additionally, entitlements for large projects are typically subject to discretionary approvals, and subsequent air quality analysis would be required pursuant to CEQA to demonstrate that those projects would not result in air quality impacts at nearby receptors.

However, because the Project is analyzed at a programmatic level, the specific location, types, and timings of the industrial or warehouse developments are unknown. Therefore, the Project would implement MM AQ-5 (see Revised Draft EIR § 4.3.8.3), which requires development of future sensitive receptors within 1,000 feet of industrial sources and development of industrial sources within 1,000 feet of sensitive receptors to prepare a detailed site-specific analysis of TAC impacts, referred to as Health Risk Assessment, pursuant to recommendations set forth in the CARB Air Quality and Land Use Handbook.¹

¹ California Air Resources Board (CARB), Air Quality and Land Use Handbook, <https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf>. Accessed September 12, 2025.

Additionally, per South Coast AQMD Rule 1401², applicable land uses would be required to obtain a permit from the South Coast AQMD and install best available control technology.

The Revised Draft EIR contains a Health Effects and Health Risk Assessment (HEHRA) in Appendix H to the Revised Draft EIR to evaluate the operational health risk associated with the Project. The HEHRA uses dispersion modeling to quantify the potential carcinogenic and non-carcinogenic health risks associated with operation of the Project. As reported in the HEHRA (Appendix H, § 4.2, pages 35 -38), modeling shows that cancer risk associated with the Project would not exceed South Coast AQMD's 10 in one million threshold. Chronic non-carcinogenic impacts are analyzed by using a chronic hazard index where 1 would represent a significant impact. As modeled in the HEHRA, the highest maximum chronic hazard index associated with DPM emissions from industrial operations within the City is far below the hazard index threshold of 1 (Appendix H, § 4.3, pages 38-39). Regardless, as discussed above, the Project would implement MM AQ-5, which exceeds the requirements of AB 98 and requires proposed industrial projects within 1,000 feet of sensitive receptors to conduct an operational HRA. As concluded in the Revised Draft EIR, § 4.3.9.3, implementation of General Plan policies, compliance with AB 98, and MM AQ-5 would reduce localized impacts from future development in the City. Additionally, per South Coast AQMD Rule 1401, applicable land uses would be required to obtain a permit from the South Coast AQMD and install the best available control technology. Therefore, emissions of TACs would be controlled by the South Coast AQMD through permitting, which requires that equipment and facilities meet the best available technology and emissions standards, and would be subject to further study and HRAs prior to the issuance of any necessary air quality permits under South Coast AQMD Rule 1401, which would ensure less than significant impacts.

However, localized construction and operational emissions associated with future development that would be accommodated under the 2024 GPU could exceed the South Coast AQMD's LST and health risk thresholds. Therefore, construction and operational impacts related to sensitive receptors would be considered potentially significant. However, both MM AQ-4 and MM AQ-5 would apply to future development. Specifically, MM AQ-5 would reduce the regional construction and operation emissions, and health risk associated with buildout of the Project and therefore would also result in a reduction of localized construction- and operation-related criteria air pollutant emissions as well as health risk to the extent technically and logistically feasible. However, because existing sensitive receptors may be near construction activities and large emitters of on-site operation-related criteria air pollutant emissions generated by individual development projects accommodated by the Project, construction and operation emissions and health risk generated by such projects have the potential to exceed South Coast AQMD's LSTs. Overall, impacts would remain significant and unavoidable with all feasible mitigation applied.

² South Coast Air Quality Management District (South Coast AQMD), Rule 1401 New Source Review of Toxic Air Contaminants, <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf>. Accessed September 12, 2025.

Truck Routes

As a related matter, the City also received comments that shared concerns regarding truck routes passing sensitive receptors. Within the City, truck routes are designated along arterial roadways.³ Arterials serve two primary functions: to move vehicles into and through the City and to serve adjacent commercial land uses. The Revised Draft EIR contains several mitigation measures that address potential pollutants from truck traffic related to future projects that would be proposed within the City. MM AQ-2 (see Revised Draft EIR § 4.3.8.2) requires all trucks to cover their loads as required by California Vehicle Section 23114. Covering loads and maintaining a freeboard height of 12 inches can reduce PM10 emissions by 91 percent. MM AQ-3 (see Revised Draft EIR § 4.3.8.2) requires construction haul trucks to meet CARB's 2020 engine emission standards and requires that operators maintain documentation of this requirement and provide it to the City prior to grading permit issuance. Moreover, MM AQ-3 specifically requires that construction contractors reroute construction trucks away from congested streets or sensitive receptor areas, as technically and logistically feasible. This requirement would be included on the plans for the future development project. Additionally, MM AQ-5 also requires individual development projects that are found to exceed South Coast AQMD's thresholds related to sensitive receptors to implement additional project-level mitigation, such as requiring heavy-duty trucks to be zero-emission and forbidding trucks from idling for more than three minutes.

Therefore, the Project fulfills the requirements of SB 535 and SB 1000 through the inclusion of Chapter 8, Environmental Justice of the 2024 GPU, and its associated goals, policies, and actions. Further, the Revised Draft EIR fulfills the requirements of AB 98 by analyzing the potential impact of warehousing and industrial operations on a programmatic level and requiring project-level mitigation (MM AQ-5) for future development projects to further evaluate and mitigate impacts, as necessary, on sensitive receptors. Should the analysis performed in compliance with M AQ-5 for future development projects indicate that further mitigation is needed, that mitigation will be determined on a project-by-project basis. As shown above, the Revised Draft EIR already includes all feasible mitigation measures that can be applied on a programmatic level.

³ City of Moreno Valley, Designated Truck Route Map, https://www.moreno-valley.ca.us/city_hall/departments/pub-works/transportation/pdfs/truck-routes.pdf. Accessed September 12, 2025.

Topical Response 5: Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR

Following release of the Revised Draft EIR, the Federal government nullified the U.S. Environmental Protection Agency's (USEPA) waivers for several of California's transportation-related regulations aimed at reducing emissions, including the Advanced Clean Trucks Regulation (2020) and Heavy-Duty Omnibus Low-NO_x Rules (2016). In the Revised Draft EIR, the CARB's 2021 Emission FACTor computer model (EMFAC2021) was used to forecast future transportation related criteria air pollutants and GHG emissions. The EMFAC2021 model incorporated the emissions benefits of the two regulations. The nullification of the EPA waiver creates an unanticipated discrepancy in the emissions analysis used to support the analysis Revised Draft EIR.

In personal emails dated June 17, 2025 and September 5, 2025, CARB (see pages 28 through 32 of Appendix B to the Revised Final EIR) disclosed that it is currently developing factors to remove emission reductions from the Advanced Clean Trucks and Heavy-Duty Omnibus Low-NO_x rules from EMFAC2021 emission calculations, which are currently included in the model that was utilized for the analysis in the Revised Draft EIR but have recently been revoked by the federal government. These factors are anticipated to be released to the public in a few months. However, in the interim, CARB's guidance document, *Off-Model Adjustment Factors to Account for Recently Adopted Regulations After Release of the EMFAC2017 Model*⁴, has been used to identify and remove emission reductions from the Advanced Clean Trucks and Heavy-Duty Omnibus Low-NO_x Rules incorporated in the EMFAC2021 emission outputs and reported in the Revised Draft EIR.

Methodology

The CARB document discusses the methodology used to assess the benefits of the revoked regulations under two scenarios, the controlled scenario where benefits from the regulations are reflected when estimating emissions and an uncontrolled scenario where emissions are estimated without accounting for the benefits of the regulations. The adjustment factors were calculated based on the following equation:

$$\text{Adjustment Factors} = \text{Controlled Emissions} \div \text{Uncontrolled Emissions}$$

To remove the emission reductions associated with the Advanced Clean Trucks and Heavy-Duty Omnibus rules which are incorporated into EMFAC2021, adjustment factors were applied to NO_x, PM_{2.5}, PM₁₀, and ROG emissions for all vehicle categories in the EMFAC2017 emission outputs as described in the four-step process included in the document. The difference between adjusted emissions and unadjusted EMFAC2017 emissions were then added to EMFAC2021 outputs.⁵ For comparison, the inverse of the adjustment factors identified in the CARB document were also applied directly to the EMFAC2021 emissions, increasing emissions rather than reducing them. The results of these two different methodologies showed a slightly higher increase in emissions when applying the inverse adjustment factors directly to the EMFAC2021 emissions as opposed to adding the difference between adjusted and

⁴ CARB, https://ww2.arb.ca.gov/sites/default/files/2022-11/emfac2017_adjustment_factors_v1.0.2_ada.pdf. Accessed September 12, 2025.

⁵ Note that the adjustment factor in the CARB document includes more regulations than just Advanced Clean Trucks and Heavy-Duty Omnibus, meaning that the results being adding to the EMFAC2021 output emissions are conservative.

unadjusted EMFAC2017 emissions. Therefore, to be conservative, the EMFAC2021 emissions were multiplied by the inverse of the CARB adjustment factors for this analysis.

Table 2-2, *Revised Draft EIR Operational Criteria Pollutant Emissions*, below includes the operational criteria pollutant emissions as shown in the Revised Draft EIR for 2040 using EMFAC2021. Table 2-3, *Revised Final EIR Operational Criteria Pollutant Emissions*, shows operational criteria pollutant emissions with the EMFAC2021 adjustments. Table 2-4, *Operational 2040 Total Emissions (Maximum Pounds Per Day)*, shows the percentage change. The adjustment factors and calculations can be found in Appendix B of this Revised Final EIR.

Table 2-2 Revised Draft EIR Operational Criteria Pollutant Emissions						
Source	Maximum Pounds Per Day ¹					
	VOC	NO _x	CO	SO _x	PM10	PM2.5
2024 Existing						
Area	4,902	142	16,392	1	1	1
Energy	33	1,111	263	4	45	45
Mobile ²	3,298	3,890	31,941	73	4,240	1,102
Total Emissions	8,233	5,142	48,596	78	4,286	1,148
2040 Operations						
Area	5,956	200	23,223	1	1	1
Energy	59	1,573	457	7	82	82
Mobile ²	2,721	2,509	27,936	78	6,024	1,536
Total Emissions	8,736	4,283	51,617	86	6,107	1,620
Net	+503	-859	+3,020	+8	+1,821	+472
VOC = Volatile Organic Compounds; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO _x = Sulfur Dioxide; PM10 = Particulate Matter 10 microns in diameter or less; PM2.5 = Particulate Matter 2.5 microns in diameter or less.						
1. Total emissions may be off due to rounding.						
2. The mobile emissions include brake wear, tire wear, re-entrained road dust, and vehicle exhaust.						
Refer to Appendix B of the Revised Final EIR for calculations.						

Table 2-3 includes EMFAC2021 adjustments in the 2040 Operations scenario.

Table 2-3 Final EIR Operational Criteria Pollutant Emissions						
Source	Maximum Pounds Per Day ¹					
	VOC	NO _x	CO	SO _x	PM10	PM2.5
2024 Existing						
Area	4,902	142	16,392	1	1	1
Energy	33	1,111	263	4	45	45
Mobile ²	3,298	3,890	31,941	73	4,240	1,102
Total Emissions	8,233	5,142	48,596	78	4,286	1,148
2040 Operations						
Area	5,956	200	23,223	1	1	1
Energy	59	1,573	457	7	82	82
Mobile ²	2,748	2,936	27,936	78	6,069	1,552
Total Emissions	8,763	4,709	51,617	86	6,152	1,635
Net	+530	-433	+3,020	+8	+1,866	+487
VOC = Volatile Organic Compounds; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO _x = Sulfur Dioxide; PM10 = Particulate Matter 10 microns in diameter or less; PM2.5 = Particulate Matter 2.5 microns in diameter or less. 1. Total emissions may be off due to rounding. 2. The mobile emissions include brake wear, tire wear, re-entrained road dust, and vehicle exhaust.						
Refer to Appendix B of the Revised Final EIR for calculations.						

Table 2-4 Operational 2040 Total Emissions (Maximum Pounds Per Day)						
	VOC	NO _x	CO	SO _x	PM10	PM2.5
DEIR 2040	8,736	4,283	51,617	86	6,107	1,620
Final EIR 2040	8,763	4,709	51,617	86	6,152	1,635
Percent Change (%)	<1%	10%	0%	0%	1%	1%
VOC = Volatile Organic Compounds; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO _x = Sulfur Dioxide; PM10 = Particulate Matter 10 microns in diameter or less; PM2.5 = Particulate Matter 2.5 microns in diameter or less.						

These adjusted emissions have been incorporated into the Revised Final EIR. The Revised Draft EIR found a significant and unavoidable impact to criteria pollutants as the Project is of regional scale and programmatic in nature. While applying the EMFAC2021 adjustment factor increases Nox by approximately 10 percent and PM10 and PM2.5 by one percent, the resulting changes would keep the level of significance the same.

As explained in Appendix H: Health Effects and Health Risk Assessment (HEHRA) on page 16: “SCAQMD currently does not have methodologies that would provide the City with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from implementation of a project’s criteria mass emissions. For criteria air pollutants, exceedance of the regional significance thresholds cannot be used to correlate a project to quantifiable health impacts unless emissions are sufficiently high

to use a regional model.⁶ According to the SCAQMD, exceeding the mass emission thresholds does not mean NAAQS or CAAQS will be exceeded or that adverse health effects would occur. While the SCAQMD's mass emissions thresholds help identify projects with large enough emissions to warrant refined analyses, they don't provide a precise prediction of O₃ or PM concentrations at a specific location or the exact health effects associated with those concentrations on a particular day. Instead, the SCAQMD's mass emissions thresholds are the level at which project specific mitigation measures should be implemented."

Additionally, on page 34 of Appendix H: *"However, based on the conclusions reached for similar project-specific HIAs, regional modeling would not yield any definitive health impacts from this Project. In fact, at the time of this writing, no available modeling tools have been proven to provide a reliable and meaningful analysis to correlate an increase in mass totals or concentrations of criteria air pollutants from an individual project to specific health effects or estimate additional pollutant nonattainment days relative to the NAAQS and CAAQS due to a single project."* Therefore, while the adjustment to EMFAC2021 to provide a conservative picture of emissions in 2040 would increase some criteria pollutants, the health effects would have a negligible increase due to inability to accurately model at the regional scale and one percent increase in diesel particulate matter (DPM).

⁶ The South Coast AQMD notes that a project emitting only 10 tons per year of NOX or VOC is small enough that its regional impact on ambient O₃ levels may not be detected in the regional air quality models that are currently used to determine O₃ levels; thus, in this case it would not be feasible to directly correlate project emissions of VOC or NOX with specific health impacts from O₃ (South Coast AQMD, Brief of Amicus Curiae in Support of Neither Party, *Sierra Club v. County of Fresno*, Case No. S219783 [filed Apr. 13, 2015], 6 Cal.5th 502 (2018)).

2.2 Responses to Comments

Letter A1

William Liao, Region Planning Supervisor
Southern California Gas Company (SoCalGas)

WLiao@socalgas.com

840-213-5899

Received on July 11, 2025

Comment A1-1

We've received your Draft Program EIR PEN25-0020. Since there doesn't appear to be any specific area of concern at this time, I would like to simply ask to please include us in your project planning early-on in the process so we can work together to identify conflicts and find resolutions.

Please let me know if you have any questions. Thank you.

Response to Comment A1-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 California Code of Regulations [CCR] §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Letter A2

Yesenia Casas

Riverside County Airport Land Use Commission

4080 Lemon Street, 14th Floor

Riverside, CA 92501

(951)955-5132

Ycasas@rivco.org

Received on July 21, 2025

Comment A2-1

Thank you for transmitting the above referenced project to ALUC for review. Please note that the proposed Citywide general plan amendment does require review by the ALUC because although the City is consistent with the compatibility plan for March AIA, the project proposes a citywide general plan amendment.

See application attached.

If you have any questions, please feel free to contact ALUC Planner, Jackie Vega.

Response to Comment A2-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment A2-2

I spoke to the Director at ALUC and for this particular project if there is no change to the SCOPE of the original reviewed project by the ALUC through ZAP1465MA21 , review by the ALUC is not required again.

Response to Comment A2-2

This comment confirms that further review of the MoVal 2040 Revised Draft EIR by the ALUC is not required. This comment is noted. No environmental issue is raised.

Letter A3

Amy McNeill, PE
Engineer Project Manager
Riverside County Flood Control & Water Conservation District
1995 Market Street
Riverside, CA 92501
ammcneil@rivco.org
951-955-1214
Received on August 15, 2025

Comment A3-1

Thank you for the opportunity to comment, however since this proposal is not a project with proposed construction, Riverside County Flood Control and Water Conservation District has no comments at this time. When the future projects come in, the District will review and provide any applicable comments. It is noted that Chapter 6 Safety pages 7 to 10 cover a general description of the flood hazards and notes coordination with Riverside County Flood Control and Water conservation District will occur when projects are submitted in the future.

Please note, land use changes that result in higher densities and thus increased impervious surfaces may impact the capacity of existing drainage facilities and require additional mitigation on site.

Response to Comment A3-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Letter A4

Anthony Budicin
Director of Environmental and Regulatory Compliance
Eastern Municipal Water District
Received on August 20, 2025

Comment A4-1

Please find attached a copy of Eastern Municipal Water District's comments on the Notice of Availability for the MoVal 2040 Project Revised Draft Program Environmental Impact Report, signed by Environmental and Regulatory Compliance Director, Anthony Budicin.

Response to Comment A4-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment A4-2

EMWD appreciates the opportunity to provide comments on the Notice of Availability (NOA) for the MoVal 2040 Project Revised Draft Program Environmental Impact Report (PEIR).

Response to Comment A4-2

The comment is noted. No environmental issue is raised.

Comment A4-3

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

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

Response to Comment A4-3

This comment does not pertain to any significant environmental issues or impacts or any measures to avoid or mitigate any identifiable significant environmental impact. As such, no response to this comment is warranted or required.

Comment A4-4

This comment is a copy of the Notice of Availability of the MoVal 2040 Revised Draft EIR.

Response to Comment A4-4

The comment is noted. No environmental issue is raised.

Letter A5

Sam Wang, Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation
South Coast Air Quality management District
21865 Copley Drive, Diamond Bar, CA 91765
Received on August 20, 2025

Comment A5-1

Attached are the South Coast AQMD staff's comments on the Revised Draft Program Environmental Impact Report for the MoVal 2040: Moreno Valley General Plan Update, Associated Zoning Text Amendments to Title 9 (Planning and Zoning) and Zoning Atlas Amendments, and 2024 Climate Action Plan (CAP) Project (South Coast AQMD Control Number: RVC250708-02). Please contact me if you have any questions regarding these comments, and confirm that you have received the letter.

Response to Comment A5-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment A5-2

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Moreno Valley (City) is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments, organized by topic of concern.

Response to Comment A5-2

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. See Response to Comment A5-1. In light of the foregoing, no further response to this comment is warranted or required.

Comment A5-3

Summary of Project Information in the Revised DPEIR

Based on the Revised DPEIR, the Proposed Project consists of three separate planning documents:

1) the 2024 General Plan Update (GPU), which incorporates changes to the policy framework and land use designations of the existing 2006 General Plan (GP); 2) associated Zoning Text Amendments to Title 9 (Planning and Zoning) and Zoning Atlas Amendments; and 3) the 2024 Climate Action Plan (CAP) to establish a community-wide strategy for reducing greenhouse gas (GHG) emissions and adapting to the effects of climate change.¹

The 2024 GPU primarily focuses on future development and redevelopment within proposed Concept Areas, which are: Downtown Center, Community Centers, Community Corridors, Highway Office/Commercial, Business Flex, and Residential Density Changes.² The 2024 includes a consolidated set of land use designations to introduce five new designations within the Concept Areas.³ Other land use designations would be carried forward from the existing 2006 GP to the 2040 horizon year.⁴

The CAP would provide a comprehensive plan for addressing GHG emissions within the Proposed Project area.⁵ The CAP was developed concurrently with the 2024 GPU to reinforce the City's commitment to reducing GHG emissions and to demonstrate how the City would comply with the State GHG emissions reduction standards under Senate Bill (SB) 32 and Assembly Bill (AB) 1279.⁶

The Proposed Project would result in approximately 33,812 new homes and approximately 45,012,371 square feet (sq. ft.) of non-residential uses by 2040, with 41,137,466 sq. ft. allocated for light industrial uses.⁷

Footnote 1: Revised DPEIR. p. 3-4.

Footnote 2: *Ibid.* p. 3-8 to 3-12.

Footnote 3: *Ibid.* p. 3-13.

Footnote 4: *Ibid.*

Footnote 5: *Ibid.* p. 3-19.

Footnote 6: *Ibid.* p. 3-20.

Footnote 7: *Ibid.* p. 3-23.

Response to Comment A5-3

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. See Response to Comment A5-1.

On or about October 28, 2021, the Sierra Club filed a First Amended Petition for Writ of Mandate and Complaint for Declaratory Relief ("Petition") against the City, alleging violations of CEQA and the State

CEQA Guidelines and challenging the City Council's approval of the 2040 GPU's related zoning designations and zoning atlas (map). On or about March 5, 2024, Hon. Judge Firetag of Riverside County Superior Court ("Court") issued a Statement of Decision which granted the Petition on the issues of "inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses," but denied the Petition on the issue of "land use analysis." The Court followed up the Statement of Decision with the attached Peremptory Writ of Mandate ("Writ"), dated May 6, 2024, that ordered the City to set aside the approval of the 2040 GPU and Climate Action Plan and rescind certification of the 2021 GPU EIR. While the Court also ordered the City to set aside the 2040 GPU's "associated zoning" amendments, it is important to note that the Statement of Decision indicates the Petition was denied on the "issues of zoning." In light of the foregoing, no changes in land use designations are being considered with the exception of any that are required pursuant to legislation adopted since certification of the 2021 GPU EIR.

Moreover, the purpose of the proposed CAP is to provide a roadmap of local policies that are intended to reduce GHG emissions. As such, the proposed CAP includes the following elements: a) an emissions inventory and projection; b) emission targets; c) enforceable GHG control measures; d) implementation; and e) monitoring and reporting of GHG emission levels. The proposed CAP also provides a means for streamlining the analysis of GHG emissions under CEQA for future projects. In other words, the proposed CAP provides the basis for CEQA review of GHG emissions for projects consistent with the 2024 General Plan Update. CEQA Guidelines Section 15183.5 requires "qualified GHG reduction plans" (CAPs) to "specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level." The Guidelines do not require any specific measures, instead they leave the identification of a specific group of measures to the discretion of the Lead Agency on a project-by-project basis. In light of the foregoing, no further response to this comment is warranted or required.

Comment A5-4

South Coast AQMD Comments

Clarification on Whether the World Logistic Center is Accounted in the Proposed Project's Total Square Footage

According to the Revised DPEIR, Table 3-3 indicates that non-residential development is projected to increase from 33,746,988 sq. ft. under existing 2024 conditions to 74,884,455 sq. ft. in the future year 2040 scenario. This reflects a net increase of approximately 41,137,466 sq. ft. attributable to the Proposed Project.⁸ However, it is unclear whether this total value includes the World Logistics Center (WLC), which is proposed to consist of up to 40.6 million sq. ft. of logistics, manufacturing, and associated industrial uses.⁹ The Revised DPEIR does not explain whether the WLC is included within the total non-residential square footage projected through 2040. While the technical files provided by the Lead Agency indicate that emissions associated with the WLC have been quantified, the Revised DPEIR and its appendices do not clearly explain that the WLC is an integral component of the Proposed Project. Given the potential for substantial air quality impacts associated with large-scale logistics operations, the Lead Agency is recommended to clearly delineate whether the WLC is part of the Proposed Project's development

assumptions. This clarification should be included in the Revised Final PEIR to ensure accurate emissions forecasting and a comprehensive evaluation of cumulative air quality impacts.

Footnote 8: *Ibid.*

Footnote 9: *Ibid.* p. 2-7.

Response to Comment A5-4

Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level of detail required for the analysis and mitigation in a program EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required.

As such, specific projects are not discussed in detail in the Revised Draft EIR. The City's General Plan and its zoning map were amended to include the World Logistics Center (WLC) and the Specific Plan for the WLC was approved in 2015, all through the initiative process. As noted by the commentor, WLC is included in the 2040 land use estimates and the resulting air quality emissions. As shown on page 18 of Appendix H, *Human Effects and Health Risk Assessment* (HEHRA), to the Revised Draft EIR, Area (East) includes the area of WLC along with surrounding industrial areas; also see Figure 10 in Appendix H to the Revised Draft EIR. Additionally, as shown in Table 4, Daily Truck Trips (Appendix H to the Revised Draft EIR), the majority of the future truck trips are evaluated in Area 5. These trucks currently do not exist and are therefore not included in the existing 2024 scenario as WLC is undeveloped but are included in the 2040 land use estimates and resulting air quality emissions as described above. Similarly, Table 5, *Off-Road Equipment*, and Table 6, *Backup Generators*, show the estimates for Area 5 (East), including WLC (see Appendix H to the Revised Draft EIR).

Table 3-3, *Citywide Buildout Summary*, in Chapter 3.0, *Project Description*, of the Revised Draft EIR has been revised to clarify that the WLC square footage has been accounted for in the 2040 buildout summary. See Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of this Revised Final EIR for the added footnote 2 to Table 3-3. It should be noted that this correction does not constitute new or significant information but rather clarifies that the WLC square footage was analyzed. No further response is warranted or required.

Comment A5-5

Inconsistent on Meteorological Data Used in AERMOD Modeling

According to Appendix H of the Revised DPEIR, the Health Effects and Health Risk Assessment indicates that the most recent five years of meteorological (MET) data from the South Coast AQMD's Perris Valley station were used in the AERMOD dispersion modeling.¹⁰ However, a review of the AERMOD input files

provided by the Lead Agency indicates that the MET data from the Riverside Municipal Airport (KRAL) station was actually utilized for the analyses.

To ensure consistency, accuracy, and transparency in the air quality and health risk assessment (HRA), the Lead Agency is recommended to clearly identify the MET dataset used in the modeling, revise the analyses as necessary to reflect the appropriate dataset, and incorporate the updated modeling results in the Revised Final PEIR. Accurate representation of meteorological data is critical for reliable dispersion modeling and subsequent evaluation of health risk and air quality impacts under CEQA.

Footnote 10: Appendix H – Health Effects and Health Risk Assessment. p. 21.

Response to Comment A5-5

For the HEHRA modeling completed for the Revised Draft EIR, meteorological (MET) data was used from the Riverside Municipal Airport (KRAL). See Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of the Revised Final EIR for revisions made to Section 4.3, *Air Quality*, and the HEHRA to replace “Perris Monitoring Station” with “Riverside Municipal Airport (KRAL).” Riverside Municipal Airport is the appropriate MET data to use as it most closely matches the terrain and climate of the City. As such, no further response is warranted or required.

Comment A5-6

Truck Idling Duration and Emissions Modeling

Appendix H indicates that a default assumption of 15 minutes of idling per truck per day was applied in the estimate of diesel particulate matter (DPM) emissions for the operational HRA.¹¹ This assumption, however, may not accurately reflect the actual operating conditions of the Proposed Project's scale. Specifically, for a high-throughput logistics or distribution facility with over 41 million sq. ft. allocated to light industrial uses, it is reasonably foreseeable that individual trucks visiting the site may experience extended periods of idling due to on-site queuing, security checks, staging, loading, and unloading operations, particularly during peak hours or in constrained circulation areas.

Although the California Air Resources Board (CARB) limits diesel truck idling to five minutes as set forth in the Airborne Toxic Control Measure (ATCM), this regulation provides exemptions for trucks equipped with engines that meet the optional low-NOx idle emission standard, which is typically applicable to model year 2008 and newer trucks. These vehicles, often referred to as “clean idle” certified, are permitted to idle longer than five minutes when situated more than 100 feet from sensitive land uses such as homes and schools.¹² Furthermore, CARB’s EMFAC2021 Volume III Technical Document (Table 4.4.2-5) indicates that heavy-duty trucks may idle for up to five hours at a single location under certain conditions.¹³ As such, by applying a 15-minute idling duration, the actual on-site idling behavior and, consequently, DPM emissions, which are a key contributor to localized health risks, may have been substantially underestimated in the HRA.

Accurate characterization of idling activity is essential to fully assess a project's potential health risk impacts, particularly for nearby sensitive receptors. Therefore, to ensure the HRA provides a conservative and health-protective estimate of potential exposure, the Lead Agency is recommended to either: 1) revise the operational emissions modeling in the Revised Final PEIR to assume a minimum of 30 minutes of idling per truck per day, unless site-specific data or operational constraints justify a shorter duration; or 2) provide empirical evidence, such as facility-specific queuing and processing time studies, vehicle circulation modeling, or comparable industry data, to substantiate the 15-minute assumption as being representative of the anticipated operation activities of the Proposed Project.

Footnote 11: Appendix H. p. 18.

Footnote 12: CARB. Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling available at <https://ww2.arb.ca.gov/our-work/programs/atcm-to-limit-vehicle-idling>

Footnote 13: CARB. EMFAC2021 Volume III Technical Document. p. 161. Table 4.4.2-5 available at EMFAC2021 Volume III Technical Document

Response to Comment A5-6

Please refer to Response to Comment A5-4, which directs the commenter to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. As explained further in Topical Response 3, the air quality analysis is comprehensive and programmatic in nature. WLC was previously analyzed in a Revised EIR, certified in 2020, and has a mitigation measure 4.3.6.3B(n), which limits idling of trucks and vehicles to three minutes. Majority of the truck idling activity would be due to WLC. Mitigation Measure (MM) AQ-3 on page 4.3-39 of the Revised Draft EIR includes a similar restriction limiting vehicle idling to five minutes that will be implemented on the project-level for individual future projects and is indicative of the City's concern over truck and vehicle idling. As such, no further response is warranted or required.

Comment A5-7

Assessment of Emissions and Operational Hours for Emergency Standby Engines and Potentially Underestimated Operational Emissions

Appendix H notes that the precise number of emergency backup generators anticipated under the 2024 GPU is currently unknown at the programmatic level. As a result, the Revised DPEIR estimates generator usage based on default electricity demand assumptions per industrial square footage as provided by the California Emissions Estimator Model (CalEEMod).¹⁴ Accordingly, Table 6 in Appendix H presents the projected number of generators expected to be installed, based on industrial development area assumptions illustrated in Figure 1.

Figure 1: Screenshot of Table 6 in Appendix H

Table 6: Backup Generators		
Industrial Area	Backup Generators	
	2024	2040
Area 1 (South)	20	25
Area 2 (West)	12	16
Area 3 (North)	0	1
Area 4 (East)	4	5
Area 5 (East)	-	53

Based on Table 6 of Appendix H, the number of emergency backup generators is projected to increase from 36 units under existing 2024 conditions to 100 units for all five areas by the 2040 horizon year. Furthermore, according to the technical file provided by the Lead Agency (labeled "MoVals HRA Calc"), emissions associated with these generators are estimated based on an operational schedule of 50 hours per year per unit.¹⁵ It is important to note that South Coast AQMD air permits for emergency standby engines typically allow up to 50 hours per year for maintenance and testing, with a maximum of 200 total operational hours per year (including emergency use). As a result, the analysis of operational emissions for these generators should calculate the future emissions based on the assumption of 200 hours of operation per year per unit. If fewer hours are assumed for any or all of the new emergency engines, South Coast AQMD staff would need to include a permit condition to limit operations of these emergency engines to the hours specified in the CEQA analysis. Therefore, the Lead Agency is recommended to revise the emissions calculations for the emergency engines to reflect the maximum allowable usage. These revisions should be incorporated into the analysis of operational emissions, and the level of significance should be re-examined and updated accordingly. The revised calculations and supporting evidence should be included in the Revised Final PEIR.

Footnote 15: Provided technical file labeled as MoVal HRA Calc.

Response to Comment A5-7

Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level of detail required for the analysis and mitigation in a program EIR. Future projects would be required to comply with South Coast AQMD permits and rules.

Although called "backup" generators, they have been evaluated as being in use for up to 50 hours per year each for testing and maintenance because they are considered emergency backup generators. Per South Coast AQMD Emergency Generators fact sheet an emergency backup generator includes "a standby internal combustion engine (ICE) or turbine for non-utility power generation that does not operate more than 200 hours a year and is only operated in the event of an emergency power failure or for routine

testing and maintenance”.⁷ Typical permit language states: “shall not be operated more than a total of 200 hours in any one year which includes no more than 50 hours in any one year for maintenance and testing.”⁸ In addition, permit condition 4 states “Operation of the engine beyond the 50 hours per year allotted for engine maintenance and testing shall be allowed only during emergencies resulting in an interruption of service of the primary power supply or during stage II or III electrical emergencies declared by the electrical grid operator. This engine may be used as part of an interruptible electric service program.” Beyond testing and maintenance, emergency backup generators are permitted to operate only during emergencies (i.e., when grid power is not available) and only up to maximum permitted limit of 200 hours per year. It is not expected that most, if any, emergency backup generators would operate at the full permitted capacity of 200 hours per year, let alone every emergency backup generator citywide every year. CEQA requires analysis of reasonably foreseeable operational conditions (e.g., analysis of transportation impacts does not model vehicle trips based on Black Friday traffic). The 50-hour assumption aligns with the regulatory maximum for testing and maintenance and represents a reasonable expected average for operation of emergency backup generators on an annual basis. Furthermore, because the health risk analysis evaluates long-term chronic exposures over a 30-year residential exposure duration, use of the enforceable 50-hour annual operation limit is both appropriate and consistent with CEQA and California Office of Environmental Health Hazard Assessment (OEHHA) guidance.

Future development projects in all areas will have standard operating procedure (SOP) per the typical South Coast AQMD permit to ensure compliance with regulations and standards, including limits on testing and maintenance to no more than 50 hours in any one year. As shown in Figure 10 on page 20 of the HEHRA, Area 5 is expected to include just over 50 percent of the emergency backup generators within the City and Area 5 is composed solely of the WLC. The WLC is required to comply with WLC Mitigation Measure 4.3.6.3B(m), which requires that all standby emergency generators shall be fueled by natural gas, propane, or any non-diesel fuel. Therefore, the generators estimated in Area 5 would be non-diesel and criteria pollutant emissions would be substantially less than what has been assumed in the Revised Draft EIR.

Comment A5-8

Recommended Revision to the Air Quality Mitigation Measures

The Revised DPEIR concludes that impacts to sensitive receptors would be significant and proposes mitigation measures (MMs) to reduce these impacts.¹⁶

Specifically, MM AQ-4 states, “...if two or more dust-generating construction projects occur within 1,000 meters of each other, which collectively disturb 15 acres or more...a localized significance threshold (LST) analysis shall be prepared.” However, MM AQ-4 raises two key concerns. First, the mitigation measure

⁷ South Coast AQMD, Emergency Generators, 2024, <http://www.aqmd.gov/home/permits/emergency-generators#Fact4>. Accessed September 14, 2025.

⁸ South Coast AQMD, Permit to Operate for Facility ID: 133591, <https://onbase-pub.aqmd.gov/publicaccess/PublicAccessProvider.ashx?action=ViewDocument&overlay=Print&overrideFormat=PDF>. Accessed September 14, 2025.

may potentially exclude other individual projects that may not occur concurrently within a 1,000-meter radius but that still have the potential to generate substantial localized emissions affecting nearby sensitive receptors. Second, the mitigation measure appears to limit the requirement for an LST analysis to be conducted for the construction phase, without addressing localized impacts from operational emissions, including those associated with stationary sources such as emergency backup generators, which emit DPM and toxic air contaminants (TACs) of concern.

Therefore, to ensure comprehensive protection of sensitive receptors, the Lead Agency is recommended to revise the language in MM AQ-4 to require LST analyses for both the construction and operational phases of all future projects that will occur as part of the 2024 GPU, regardless of the proximity to each other or timing of implementation. The revised language should be incorporated into the Revised Final PEIR to ensure consistency with best practices in air quality impact assessment and mitigation.

Footnote 16: *Ibid.* p. 4.3-40.

Response to Comment A5-8

A revision has been made to MM AQ-4 of Section 4.3, *Air Quality*, of the Revised Draft EIR and is reflected in Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of the Revised Final EIR. Impacts would remain significant and unavoidable.

AQ-4: Prior to issuance of a grading permit, ~~if two or more dust-generating construction projects occur within 1,000 meters of each other, which collectively will disturb 15 acres or more and which have demolition, excavation, or grading activity scheduled to occur concurrently,~~ a Localized Significance Threshold analysis shall be prepared for construction and operations. If the LST analysis determines that the established Localized Significance Thresholds for NO_x, PM2.5, or PM10 would be exceeded, then modifications to construction equipment profiles, modifications to construction schedules, or additional pollution reduction measures shall be implemented to ensure that none of the Thresholds will be exceeded.

Comment A5-9

Additional Recommended Air Quality and Greenhouse Gas Mitigation Measures and Project Design Features for Consideration

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. To further reduce the Proposed Project's air quality impacts, South Coast AQMD recommends incorporating the following mitigation measures and project design considerations into the Revised Final PEIR.

Response to Comment A5-9

Please refer to Response to Comment A5-4, which directs the commenter to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a

programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. See also Response to Comment A5-17 regarding future development project compliance with all relevant South Coast AQMD rules. Also, see Response A5-3 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment A5-10

Mitigation Measures to Reduce Operational Air Quality Impacts from Mobile Sources

1. Require zero-emission (ZE) or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NO_x emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible.

Note: Given CARB's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, such as the Advanced Clean Trucks Rule and the Heavy-duty Low NO_x Omnibus Regulation, ZE and NZE trucks will become increasingly more available for use.

Response to Comment A5-10

Please refer to Response to Comment A5-4. Please also refer to Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Per Topical Response 5, the Clean Air Act waivers allowing the implementation of California's Advanced Clean Trucks Rule and Heavy-duty Low NO_x Omnibus Regulation have been withdrawn by the U.S. Environmental Protection Agency (USEPA). Therefore, additional calculations have been prepared to conservatively show air quality emissions without the rule or regulation.

Comment A5-11

2. Require a phase-in schedule to incentivize the use of cleaner operating trucks to reduce any significant adverse air quality impacts.

Note: South Coast AQMD staff are available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.

Response to Comment A5-11

Please refer to Response to Comment A5-4. All feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. Also, see Response A5-3 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment A5-12

3. Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Revised Final PEIR. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.

Response to Comment A5-12

Please refer to Response to Comment A5-4. All feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

See Response to Comment A5-17 below as well as pages 8-7 and 8-8 of the Environmental Justice Element of the General Plan highlight the South Coast AQMD's Air Quality Management Plan and its rules "that reduce emissions from various sources, including industrial processes and equipment, and issue permits to ensure compliance." The General Plan recognized the importance of "working with other agencies to develop new regulations and secure funding and other incentives to encourage the accelerated transition of vehicles, buildings, and industrial facilities to cleaner technologies." Related policies are included on page 32 of Appendix B, *Air Quality Impact Assessment*, of the Revised Draft EIR.

Additionally, Section 3.4 of Appendix B, *Air Quality Impact Assessment*, starting on page 30 highlights all the General Plan policies related to air quality emissions such as C.6-2 "Support implementation of new technologies and best practices that make logistics operations cleaner, greener, and more efficient, including electric truck charging stations, autonomous vehicle sensors and communications."

Comment A5-13

4. Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure and electrical panels which are appropriately sized for the demand. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Response to Comment A5-13

Please refer to Response to Comment A5-4. All feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. Also, see Response A5-3 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment A5-14**Mitigation Measures to Reduce Operational Air Quality Impacts from Other Area Sources**

1. Maximize the use of solar energy by installing solar energy arrays and battery storage.
2. Use light-colored paving and roofing materials.

3. Utilize only Energy Star-rated heating, cooling, and lighting devices and appliances.

Response to Comment A5-14

Please refer to Response to Comment A5-4. All feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. Also, see Response A5-3 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment A5-15

Design Considerations for Reducing Air Quality and Health Risk Impacts

1. Clearly mark truck routes with trailblazer signs so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, daycare centers, etc.).
2. Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors, and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
3. Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside.
4. Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
5. Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

Response to Comment A5-15

Please refer to Response to Comment A5-4. All feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. Also, see Response A5-3 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment A5-16

Lastly, the South Coast AQMD also suggests that the Lead Agency conduct a review of the following references and incorporate additional mitigation measures as applicable to the Proposed Project in the Revised Final PEIR:

1. State of California – Department of Justice: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act¹⁷
2. South Coast AQMD 2022 Air Quality Management Plan,¹⁸ specifically:
 - a) Appendix IV-A – South Coast AQMD’s Stationary and Mobile Source Control Measures

- b) Appendix IV-B – CARB’s Strategy for South Coast
 - c) Appendix IV-C – SCAG’s Regional Transportation Strategy and Control Measure
3. United States Environmental Protection Agency (U.S. EPA) Transportation, Air Quality, and Climate Change.¹⁹

Footnote 17: State of California – Department of Justice, Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act available at <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>

Footnote 18: South Coast AQMD, 2022 Air Quality Management Plan (AQMP) available at <http://www.aqmd.gov/home/air-quality/cleanair-plans/air-quality-mgt-planplans/air-quality-mgt-plan>

Footnote 19: United States Environmental Protection Agency (U.S. EPA) Transportation, Air Quality, and Climate Change available at <https://www.epa.gov/transportation-air-pollution-and-climate-change>

Response to Comment A5-16

Please refer to Response to Comment A5-4. All feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. Also, see Response A5-3 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment A5-17

Compliance with South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program

Since the Proposed Project consists of the net increase of 41,137,466 sq. ft. by 2040 for light industrial uses, and once the warehouses are occupied, the Proposed Project’s warehouse owners and operators will be required to comply with South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – WAIRE Program²⁰ and Rule 316 – Fees for Rule 2305.²¹ Rule 2305 and Rule 316 aim to reduce regional and local emissions of NOx and particulate matter (PM), including DPM, so as to reduce adverse public health impacts on communities located near warehouses. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt to earn WAIRE Points on behalf of their tenants if they so choose, because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance, the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Therefore, the Lead Agency is recommended to review Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether

additional project requirements, design features/enhancements, and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation. For questions concerning Rule 2305 implementation and compliance, please call (909) 396-3140 or email waire-program@aqmd.gov. For implementation of guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage.

Response to Comment A5-17

The comment is noted. No environmental issue is raised. Future projects would be required to comply with WAIRE Program and all relevant South Coast AQMD rules per page 24 of Appendix B of the Revised Draft EIR: *"The following is a partial list of SCAQMD rules which apply to construction activities associated with implementation of the 2024 GPU. These rules are listed as they would lower construction emissions; the SCAQMD, not, the City, is responsible for enforcement of these rules."* [Footnote 19, which directs the reader to see the South Coast AQMD rule book for rules related to specific operational activities or sources, has been omitted.] A description of WAIRE Program (Rule 2305) is included on page 26 of Appendix B of the Revised Draft EIR.

Comment A5-18

Health Risk Reduction Strategies

Many strategies are available to reduce exposures, including, but not limited to, building filtration systems with Minimum Efficiency Reporting Value (MERV) 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that the South Coast AQMD conducted to investigate filters,²² the cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary and include costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy consumption that the Lead Agency should evaluate in the Revised Final PEIR. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. These filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, replacement has the potential to result in emissions from the transportation of used filters to disposal sites and generate solid waste that the Lead Agency should evaluate in the Final Revised PEIR. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to diesel particulate matter emissions.

Footnote 20: South Coast AQMD. Rule 2305 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf>

Footnote 21: South Coast AQMD. Rule 316 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-iii/r316.pdf>

Footnote 22: This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/defaultsource/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.

Response to Comment A5-18

Please refer to Response to Comment A5-4. All feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment A5-19

South Coast AQMD Air Permits and Role as a Responsible Agency

Implementation of the Proposed Project would require the use of new stationary and portable sources, for which air permits from the South Coast AQMD will be required. The Revised Final PEIR should include a discussion about the South Coast AQMD rules that may be applicable to the Proposed Project. Those rules may include, for example, Rule 201 – Permit to Construct,²³ Rule 203 – Permit to Operate,²⁴ Rule 401 – Visible Emissions,²⁵ Rule 402 – Nuisance,²⁶ Rule 403 – Fugitive Dust,²⁷ Rule 1110.2 – Emissions from Gaseous and Liquid Fueled Engines,²⁸ Rule 1113 – Architectural Coatings,²⁹ Regulation XIII – New Source Review,³⁰ Rule 1401 – New Source Review of Toxic Air Contaminants,³¹ Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines,³² etc.

Footnote 23: South Coast AQMD. Rule 201 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-201.pdf>

Footnote 24: South Coast AQMD. Rule 203 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-ii/rule-203.pdf>

Footnote 25: South Coast AQMD. Rule 401 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-iv/rule-401.pdf>

Footnote 26: South Coast AQMD. Rule 402 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-iv/rule-402.pdf>

Footnote 27: South Coast AQMD. Rule 403 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-iv/rule-403>

Footnote 28: South Coast AQMD. Rule 1110.2 available at https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1110_2.pdf

Footnote 29: South Coast AQMD. Rule 1113 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xi/r1113.pdf>

Footnote 30: South Coast AQMD. Regulation XIII available at: <https://www.aqmd.gov/home/rules-compliance/rules/scaqmd-rule-book/regulation-xiii>

Footnote 31: South Coast AQMD. Rule 1401 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1401.pdf>

Footnote 32: South Coast AQMD. Rule 1470 available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf>

Response to Comment A5-19

The comment is noted. South Coast AQMD rules are included on pages 24 through 26 of Appendix B of the Revised Draft EIR. Individual projects within the City would be required to obtain permits through South Coast AQMD for any new stationary and portable sources which require air permits. No further edits to the Revised Draft EIR are required. Impacts would remain significant and unavoidable.

Comment A5-20

In addition, it is important to note that since air permits from the South Coast AQMD are required, South Coast AQMD's role under CEQA may be as a Responsible Agency. CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of the process for conducting a review of the Proposed Project and issuing discretionary approvals. Also, as set forth in CEQA Guidelines Section 15096(h), the Responsible Agency is required to make Findings in accordance with CEQA Guidelines Section 15091 for each significant effect of the project and issue a Statement of Overriding Considerations in accordance with CEQA Guidelines Section 15093, if necessary. Lastly, as set forth CEQA Guidelines Section 15096(i), the Responsible Agency may file a Notice of Determination.

CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of the process for conducting a review of the Proposed Project and issuing discretionary approvals. Moreover, it is important to note that if a Responsible Agency determines that a CEQA document is not adequate to rely upon for its discretionary approvals, the Responsible Agency must take further actions listed in CEQA Guideline Section 15096(e), which could have the effect of delaying the implementation of the Proposed Project. In its role as CEQA Responsible Agency, the South Coast AQMD is obligated to ensure that the CEQA document prepared for this Proposed Project contains a sufficient project description and analysis to be relied upon in order to issue any discretionary approvals that may be needed for air permits.

For these reasons, the final CEQA document should be revised to include a discussion about any and all new stationary and portable equipment requiring South Coast AQMD air permits, provide the evaluation of their air quality and greenhouse gas impacts, and identify South Coast AQMD as a Responsible Agency

for the Proposed Project as this information will be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at <https://www.aqmd.gov/home/permits>.

Response to Comment A5-20

The comment is noted. No environmental issue is raised. Future projects would be required to obtain applicable permits.

Comment A5-21

Conclusion

As set forth in Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Revised Final PEIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Revised Final PEIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. South Coast AQMD staff are available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Response to Comment A5-21

The comment is noted. No environmental issue is raised.

Letter A6

Janki Patel, Branch Chief – Local Development Review
Division of Transportation Planning
Caltrans District 8
464 West 4th Street
San Bernardino CA, 92401
Received on August 21, 2025

Comment A6-1

The California Department of Transportation (Caltrans) Local Development Review (LDR) Branch has completed its review of the MoVal 2040: The Moreno Valley Comprehensive General Plan Update. Municipal Code and Zoning Amendments and Climate Action Plan Revised Environmental Impact Report (REIR). This is a citywide project in the City of Moreno Valley.

Response to Comment A6-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm’n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov’ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document’s identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment A6-2

In June 2021, the City Council of the City of Moreno Valley (“City Council”) approved and adopted the City’s 2040 General Plan Update (“2040 General Plan”), a Change of Zone and Municipal Code Update, and its Climate Action Plan (“CAP”). At that time, the City also certified the associated Environmental Impact Report (EIR), State Clearinghouse No. 2020039022, as compliant with the California Environmental Quality Act (CEQA).

Subsequently, a lawsuit entitled *Sierra Club v. City of Moreno Valley*, Riverside Superior Court Case No. CVRI2103300, was filed challenging the validity of both the CAP and the EIR. In March 2024, the court issued a ruling and judgment (the “Ruling”) in favor of the petitioner. In response, in May 2024, the City Council set aside the 2021 approvals and EIR certification.

The current Project, known as MoVal 2040, involves the readoption of the 2040 General Plan, the Change of Zone (including updates to the Zoning Atlas) and Municipal Code Update, as well as the revision and adoption of the CAP.

Based on the information available, we are submitting the following comments and recommendations for your consideration:

Response to Comment A6-2

The comment is noted. No environmental issue is raised.

Comment A6-3

Local Development Review

While we recognize that the Vehicle Miles Traveled (VMT) impacts associated with this project are considered significant and unavoidable, and that reductions from transportation demand management (TDM) measures alone may not be sufficient to fully mitigate these impacts, we strongly encourage the City to continue pursuing VMT reduction strategies wherever feasible. Such efforts will help advance long-term sustainability goals, enhance multimodal accessibility, and promote more environmentally responsible development.

Response to Comment A6-3

Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level of detail required for the analysis and mitigation in a program EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment A6-4

Community and Regional Planning

Given the planned increase in low-density development (sprawl) and the associated rise in vehicle miles traveled (VMT), the selection of the Reduced Growth Alternative as the Environmentally Superior Alternative appears misguided—both from the City’s perspective and as a desired outcome by the Sierra Club. We recommend that the City engage directly with the Sierra Club to discuss this issue.

Even the description of the Environmentally Superior Alternative acknowledges this concern. It notes that the Reduced Growth Alternative would hinder opportunities for job growth, limit mixed-use development, and fall short of meeting the region’s RHNA housing needs—factors that were the very reason it was not initially considered the superior alternative.

Response to Comment A6-4

Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 1 provides a background of the CEQA lawsuit that was filed by the Sierra Club in Riverside County Superior Court challenging the validity of the 2021 GPU EIR and Climate Action Plan (CAP), the Writ and Statement of Decision issued by the Court, and limited scope of the analysis prepared in the Revised Draft EIR. The Court did not find any inadequacies in the

alternatives analysis in the 2021 GPU EIR, and portions of Chapter 6.0, *Project Alternatives*, were reviewed and revised to ensure consistency with any updated sections. Only comments that specifically address the revisions made will receive a detailed response in the Revised Final EIR. However, all comments made on the Revised Draft EIR will be included in the administrative record and provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment A6-5

Complete Streets & Active Transportation

California Vehicle Code Sections 21235(b) and 21235(g) regulate where scooters may legally operate. Within the GPU, scooters are referenced only in Circulation Network Action C.2.F. However, scooters and scooter users should be explicitly considered within the “layered network” approach and integrated into the Pedestrian and Bicycle Network when planning future Moreno Valley transportation improvements.

Under state law, scooter users must comply with specific operating requirements, including restrictions that often limit them to designated bicycle facilities depending on roadway speed limits. Without incorporating scooters into the circulation network, scooter users could face mobility barriers compared to bicyclists and pedestrians. This oversight could also expose both users and the City to increased liability risks if facilities are not planned in accordance with applicable regulations.

Response to Comment A6-5

Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, Topical Responses, of this Revised Final EIR. Additionally, it should be noted that the lead agency must evaluate comments on a draft EIR and prepare written responses that describe the disposition of any “significant environmental issues” raised by commenters, for inclusion in its final EIR. (Public Resources Code [PRC] §21091(d); 14 CCR §§15088, 15132, 15204). This comment, however, does not identify any significant environmental issues related specifically to the Project, but instead focuses on the proposed land uses and densities, in addition to political, social and economic issues addressed in various elements of the General Plan, as reasons why the Project should be denied or makes a suggested revision to the content of the 2024 GPU itself. As such, no response is warranted or required.

Notwithstanding, it should be noted that in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of “inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses,” but denied the Petition on the issue of “land use analysis” and “issues of zoning” which the comment is focused upon. Nevertheless, the City, as the Lead Agency, is committed to making a decision on the Project, based on its merits taking into consideration all comments received, including those which do not make or include any statements about the Revised Draft EIR’s analysis or environmental issues.

Comment A6-6

System Planning

1. The Climate Action Plan (CAP) includes updated Green House Gases (GHG) inventories and reduction strategies consistent with SB 32 and Executive Order B-55-18. We encourage the City to strengthen sector-specific measures and establish a clear implementation and tracking framework. Additional opportunities exist to further align the CAP with regional planning efforts such as SCAG's Connect SoCal and Climate Action Plan for Transportation Infrastructure (CAPTI).

Response to Comment A6-6

The comment is noted. Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level of detail required for the analysis and mitigation in a program EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment A6-7

2. The Revised Draft provides enhanced mapping of vulnerable populations and evaluates cumulative impacts in overburdened communities. We recommend that the City of Moreno Valley continue to prioritize public health mitigation measures in disadvantaged communities (DACs), particularly those located along state highway corridors and within industrial zones.

Response to Comment A6-7

The comment is noted. No environmental issue is raised. Additionally, please refer to Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Topical Response 4 discusses how environmental justice is addressed within the Revised Draft EIR and the Project's consistency with the requirements of Senate Bill (SB) 535, SB 1000, and AB 98. It also identifies the analysis within the Revised Draft EIR that evaluates the Project's impact on sensitive receptors, including disadvantaged communities, and the mitigation that would be implemented to address these impacts. As further discussed in Topical Response 4, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment A6-8

While the appendices incorporate improved baseline and horizon year assumptions that reflect both existing and anticipated development, we recommend including supporting documentation on

methodology and data sources. This will improve transparency and enhance the defensibility of the analysis under CEQA.

Response to Comment A5-8

Pursuant to 14 CCR § 15204(a), comments on the Revised Draft EIR should focus on the sufficiency of the identification and analysis of potentially significant environmental impacts and the adequacy of mitigation measures that have been designed to avoid or mitigate those impacts. This comment, however, does not raise or pertain to any such potential impacts or mitigation measures; rather it simply requests more data. A lead agency is not required to conduct every test or perform all research, studies, or experimentation that may be sought by commenters. (PRC § 21091(d)(2)(B); 14 CCR § 15204(a)). Notwithstanding, sufficient information related to the improved baseline and horizon year is included in Appendix G, *Methodology for Establishing the Environmental Baseline and Horizon Year Forecast*, to the Revised Draft EIR has been provided as an appendix to document the methodology taken to establish the 2024 environmental baseline and 2040 horizon year forecast for the Revised Draft EIR.

Per 14 CCR § 15125, the lead agency should describe existing conditions at the time the environmental analysis commences to provide the most accurate picture practically possible of the project's impacts. Therefore, in responses to the Writ and Statement of Decision, the City updated the list of projects and associated land uses and acreages from the 2021 GPU EIR to include all development projects that were approved between 2018 and 2024 and constructed and operational by 2024 to establish the 2024 baselines for the Revised Draft EIR. As such, the 2024 baseline now reflects the "realized physical conditions on the ground" and provides an accurate standard for determining whether an impact is significant. Ultimately, the lead agency has the discretion to determine how to best measure the existing conditions, provided its decision is supported by substantial evidence as provided in Appendix G of the Revised Draft EIR. Please see Appendix G of the Revised Draft EIR for the methodology and data utilized to establish the 2024 baseline. In light of the foregoing, no further response is warranted or required.

Comment A6-9

Equitable Access

If any Caltrans facilities are impacted by the project, they must comply with American Disabilities Act (ADA) Standards upon project completion. Additionally, the project must ensure the maintenance of bicycle and pedestrian access throughout the construction phase. These access considerations align with Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

Response to Comment A6-9

The comment is noted. No environmental issue is raised.

Comment A6-10

Caltrans Encroachment Permit

Be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' R/W requires a Caltrans-issued encroachment permit.

For information regarding the Encroachment Permit application and submittal requirements, contact:

Caltrans Office of Encroachment Permits
464 West 4th Street, Basement, MS 619
San Bernardino, CA 92401-1400
(909) 383-4526

D8.E-permits@dot.ca.gov

<https://dot.ca.gov/programs/traffic-operations/ep>

Important Note: All new permit applications must now be submitted through our new CEPS Online Portal at: <https://ceps.dot.ca.gov/>

Response to Comment A6-10

The comment is noted. No environmental issue is raised.

Comment A6-11

Thank you again for including Caltrans in the review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email LDR-D8@dot.ca.gov or call 909-925-7520.

Response to Comment A6-11

This comment does not pertain to any significant environmental issues or impacts or any measures to avoid or mitigate any identifiable significant environmental impact. As such, no response to this comment is warranted or required. Notwithstanding, as requested, the commenter will be added to the list of contacts that the lead agency will send any additional Project information that may have not been available at the time of this response.

Letter A7

Aaron Echols, Conservation Chair

California Native Plant Society Riverside – San Bernardino Chapter

(949) 584 8145

aechols22@gmail.com

Received on August 21, 2025

Comment A7-1

Please find the attached comment from the California Native Plant Society Riverside/San Bernardino Chapter on the Moreno Valley General Plan Update Revised Draft Environmental Impact Report.

Please confirm receipt of these comments and include these comments into the public record.

Response to Comment A7-1

The comment is noted. The comment letter is included in the administrative record for the Project. No further response is warranted or required.

Comment A7-2

Dear Community Development Director,

Thank you for the opportunity to provide comments on the Revised Draft Environmental Impact Report (“RDEIR”) for the Moreno Valley General Plan Update (“GPU”) in accordance with the California Environmental Quality Act (“CEQA”). The following comments are submitted on behalf of the Riverside/San Bernardino Chapter of California Native Plant Society (“CNPS”).

Response to Comment A7-2

The comment is noted.

Comment A7-3

CNPS is a non-profit environmental organization with 13,000 members in 35 Chapters across California and Baja California, Mexico. CNPS’s mission is to protect California’s native plant heritage and preserve it for future generations through the application of science, research, education, and conservation. CNPS works closely with decision-makers, scientists, communities, and local planners to advocate for well-informed policies, regulations, and land management practices.

Response to Comment A7-3

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 California Code of Regulations [CCR] §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm’n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov’ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA

Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment A7-4

While we are aware that only comments in response to those revised sections of the DEIR require formal responses, we are offering the following comments regarding non-revised sections, primarily pertaining to plant and vegetation resources within the program area.

Response to Comment A7-4

The comment is noted. Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 1 provides a background of the CEQA lawsuit that was filed by the Sierra Club in Riverside County Superior Court challenging the validity of the 2021 GPU EIR and CAP, the Writ and Statement of Decision issued by the Court, and limited scope of the analysis prepared in the Revised Draft EIR. Only comments that specifically address the revisions made will receive a detailed response in the Revised Final EIR. As acknowledged by the commenter, the Court did not find any inadequacy in the 2021 GPU EIR's analysis of Biological Resources. However, all comments made on the Revised Draft EIR will be included in the administrative record and provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment A7-5

Impact analysis throughout the revised DEIR including those identified on **Table S-1 Summary of Environmental Impacts**, failed to identify considerations for potential SENSITIVE VEGETATION COMMUNITIES that exist within the City boundary and sphere of influence. During the Notice of Preparation process, on April 8th, 2020, the California Department of Fish and Wildlife recommended that:

An assessment of the various habitat types located within the Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following The Manual of California Vegetation, second edition (Sawyer et al. 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.

Response to Comment A7-5

The comment is noted. Please refer to Response to Comment A7-4. No further response is warranted or required.

Comment A7-6

Despite this, the RDEIR entirely fails to recognize and/or discuss considerations for sensitive vegetation communities as defined under *The Manual of California Vegetation*. Vegetation maps and table

descriptions that were prepared and included in the DEIR contain a more generic discussion of vegetation communities using the outdated Holland Classification system which is not a suitable reference for 1) Identifying potential sensitive vegetation or 2) determining avoidance and/or mitigation strategies if potential impacts are identified.

For this reason, future specific projects are required to analyze and discuss impacts sensitive vegetation communities as defined by the State of California.

Response to Comment A7-6

The comment is noted. Please refer to Response to Comment A7-4. No further response is warranted or required.

Comment A7-7

For assessing impacts to sensitive vegetation communities we provide the following guidance as recommended by the CDFW:

Addressing Sensitive Natural Communities in Environmental Review

- Identify all Natural Communities within the project footprint using the best means possible, for example, keying them out in the Manual of California, Second Edition (Sawyer et al. 2009) or in classification or mapping reports from the region, available on [VegCAMP's Reports and Maps page](#).
- Refer to the current standard list of Natural Communities to determine if any of these types are ranked Sensitive (S1-S3 rank); if so, see CEQA Guidelines checklist at IVb.
- Other considerations when assessing potential impacts to Sensitive Natural Communities from a project include:
 1. Compliance with state and federal wetland and riparian policies and codes, as certain Natural Communities are restricted to wetlands or riparian settings.
 2. Compliance with the Native Plant Protection Act and the state and federal Endangered Species Acts, as some Natural Communities either support rare species or are defined by the dominance or presence of such species.
 3. Compliance with CEQA Guidelines Section 15065(a), which mandates completion of an EIR if a project would threaten to eliminate a plant community.
 4. Compliance with local regional plans, regulations, or ordinances that call for consideration of impacts to Natural Communities.
 5. Vegetation types that are not on the state's sensitive list but that may be considered rare or unique to the region under CEQA Guidelines Section 15125(c).

- If a Natural Community in the project area has not previously been described, it may be a rare type. In this case, please contact VegCAMP ([Rachelle Boul](#)) about documenting the Natural Community.
- If there are Sensitive Natural Communities on your project site and you need guidance regarding their significance, assessment of quality or value, and potential impacts, contact the appropriate regional staff person through the local CDFW Regional Office. These staff have local knowledge and context.
- The Department's document [Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities \(PDF\)\(opens in new tab\)](#) provides information on reporting.

Response to Comment A7-7

The comment is noted. Please refer to Response to Comment A7-4. No further response is warranted or required.

Comment A7-8

Semi-Natural Stands and Addressing Grasslands and Flower Fields

Semi-natural alliances have their own membership rules, that is, the minimum percent relative or absolute cover of the non-native to define a stand, which can be ecosystem-dependent. However, California's grasslands and flower fields vegetation types are among the most difficult to analyze and study. The greatest challenge comes from the variation in species composition and abundance from early to late season and between years. Researchers and consultants have tended to underestimate the significance of native herbaceous plants because they are frequently at their highest cover either very early or very late in the season and may have very low cover during the spring and summer, when non-native grasses dominate and when field work is often performed. Additionally, in some years, a given area may be characterized by an abundance of non-native forbs and grasses, while in other years native herbs may dominate. This inter-seasonal and inter-annual variance of cover between the diagnostic species and the less diagnostic species leads us to conclude that rules for an herbaceous vegetation type's identification should be more broadly inclusive for nativity, with relative cover as low as 10% natives determining a native stand.

Use of the Manual of California Vegetation requires looking closely to determine if native indicator species are evenly distributed and interspersed with non-native plants while visiting the sites throughout the growing season. Although this often makes for more difficult field identification, detection of native plants ensures a proper assessment of the stand's conservation and biodiversity value.

There are indeed many grasslands or herbaceous stands populated almost entirely by non-natives; some have been heavily disturbed in the past and others invaded by exotics that can preclude natives almost completely, such as medusa-head (*Elymus caput-medusae*) and perennial pepperweed (*Lepidium latifolium*). Vegetation scientists at NatureServe, the California Native Plant Society, and CDFW determine

non-native stands based on a rule of at least 90% cover of non-native species without evenly distributed or diverse native forbs and grasses at any time in the growing season. Conversely, a stand is considered native if 10% or more relative cover consists of native taxa that are evenly distributed in the stand and present at any time during growing season. For example, the [Sonoma County Vegetation Key \(PDF\)\(opens in new tab\)](#) includes this rule for the *Deschampsia caespitosa* alliance: *Deschampsia cespitosa*, *Danthonia californica*, and/or *Eryngium armatum* dominate or co-dominate individually or in combination (if *Holcus lanatus* has the highest cover, but these three species have at least 10% combined cover, key to *Deschampsia*).

Response to Comment A7-8

The comment is noted. Please refer to Response to Comment A7-4. No further response is warranted or required.

Comment A7-9

Unclassified Areas of the State

Refer to [this map for parts of the state that have not been classified according to state standards \(PDF\)\(opens in new tab\)](#), several resources may need to be used to determine natural community types occurring there. In most unclassified areas, many types are already described at the Alliance level. Check the membership rules in the [Manual of California Vegetation Online\(opens in new tab\)](#) and use these types whenever possible. If an existing Alliance does not fit the area of interest, you may need to refer to a higher level of the hierarchy (Group or Macrogroup). For definitions of the higher levels please refer to the [“NatureServe Explorer”\(opens in new tab\)](#). If an Association level distinction is necessary, please [contact VegCAMP staff](#) to help identify the best fit or to help assess for potential new community types. Please note there are legacy records for sensitive natural communities in the California Natural Diversity Database (CNDDDB) that identify community types as described in “Preliminary Descriptions of the Terrestrial Natural Communities of California” ([Holland 1986](#)) ([Excel\)\(opens in new tab\)](#). Please refer to Holland types only when VegCAMP staff direct you to do so.¹

Footnote 1: Natural Communities <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Background>

Response to Comment A7-9

The comment is noted. Please refer to Response to Comment A7-4. No further response is warranted or required.

Comment A7-10

Because the RDEIR did not address or discuss impacts to sensitive vegetation communities, as is, it should be considered deficient and incomplete.

Thank you for the opportunity to make comments on this project. We look forward to working with you in helping to create more vibrant and well planned communities.

Response to Comment A7-10

The comment is noted. Please refer to Response to Comment A7-4. No further response is warranted or required.

Letter B1

Chris Rice
Resident, Moreno Valley
Representative, Moreno Badlands Conservancy
Received on August 21, 2025

Comment B1-1

Please accept the attached public comments on the Revised Draft Program Environmental Impact Report (RDEIR) for MoVal 2040, SCH #2020039022. These submissions are provided on behalf of the Moreno Badlands Conservancy and myself as a resident of Moreno Valley.

The four attached letters address distinct areas of the recirculated RDEIR:

1. **Baseline / CRA Revocation (Preservation Letter)**
2. **Air Quality and Cumulative Impacts**
3. **Energy Analysis**
4. **Draft Climate Action Plan**

Each letter is intended to raise specific CEQA compliance concerns within its subject area. Together, they reflect our good-faith effort to ensure that the record contains substantive analysis for the City Council and the public.

Please confirm receipt of this email and attachments so that we may ensure they are included in the administrative record.

Response to Comment B1-1

The comment provides a summary of Comments B1-3 through B1-20 below. Please see Responses to Comments B1-3 through B1-20 for the specific responses for each comment.

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment B1-2

The Moreno Badlands Conservancy, a group of concerned city residents, submits this comment regarding the Revised Draft Program Environmental Impact Report (RDEIR) for the MoVal 2040 General Plan Update. **These comments are directed to the recirculated portions of the RDEIR, as required by CEQA Guidelines**

§15088.5(f)(2). The record demonstrates that the RDEIR's air quality, greenhouse gas (GHG), and energy analyses are fundamentally flawed because they rely on regulatory assumptions that no longer exist in law. These defects go to the core of CEQA's requirements for accurate, stable, and finite environmental analysis.

Response to Comment B1-2

This comment is noted. The comment provides a summary of Comments B1-3 to B1-20 below. Please see Response to Comment B1-3 to B1-20 below for the specific responses to each comment. On June 12, 2025 President Trump signed three joint resolutions to revoke California Clean Air Act waivers that allowed California to require all new cars and trucks in CA be zero-emissions by 2035 (Advanced Clean Cars II rule), require automakers to meet zero-emissions sales targets for medium and heavy-duty trucks (Advanced Clean Trucks rule), and set limits on NO_x emissions from heavy-duty diesel engines (Heavy-Duty Low NO_x Omnibus rule). EMFAC2021 was used to model the Project's air quality and greenhouse gas (GHG) emissions analysis because it did not incorporate the majority of these emission reductions rules, although it does include reductions from the Advanced Clean Trucks rule (ACT) and an early version of the Heavy-Duty Low NO_x Omnibus rules.

However, based on comments received regarding this topic, adjustment factors were applied to the EMFAC2021 emission rates to remove the emission reductions associated with the ACT and Heavy-Duty Low NO_x Omnibus rules. Please refer to Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Topical Response 5 discusses the federal regulatory changes that revoked the ACT (2020) and Heavy-Duty Omnibus Low-NO_x Rules (2016) following the release of the Revised Draft EIR. It discusses the methodology utilized to remedy the modeling to accurately forecast emissions without the benefit of these regulations. Ultimately, it concludes that remodeling does not result in any significant changes to the disclosure of emissions in the Revised Draft EIR or its significance findings.

Comment B1-3

The RDEIR itself admits in Appendix B that its EMFAC2021 modeling assumed implementation of California's Advanced Clean Trucks (ACT) rule and the Heavy-Duty Omnibus Low-NO_x regulation. Both were revoked under the federal Congressional Review Act (CRA) in June 2025. Because CEQA requires environmental analysis to be based on reasonably foreseeable conditions, not legally impossible ones, the RDEIR cannot lawfully proceed without recirculation.

Response to Comment B1-3

See Response to Comment B-2 above. A conservative adjustment factor has been incorporated into the proposed CAP and Revised Draft EIR to account for increased air quality and GHG emissions due to the revocation of the ACT and Heavy-Duty Omnibus Low-NO_x regulation. No other adjustments are necessary as the additional waivers that were revoked by the CRA do not impact the proposed CAP. A summary document detailing the data sources and methodology has been included as Appendix G, *Regulatory Adjustment Appendix*, to the proposed CAP and Appendix B of this Revised Final EIR. With the adjustment, the proposed CAP continues to achieve the 2030 target and makes substantial progress towards the 2045

target. The air quality impacts would remain significant and unavoidable. It should be noted that this finding remains unchanged from the findings made in the Revised Draft EIR.

Regarding the GHG analysis, as shown in Table 3 of Appendix G to the proposed CAP, the City's expected GHG emissions will still be 134 metric tons of CO₂e less than the required reduction target pathway of 987,683 metric tons of CO₂e in 2030 without consideration of the revoked regulations. As such, impacts related to GHG emissions would remain less than significant with mitigation incorporated, consistent with the findings made in the Revised Draft EIR.

Therefore, as discussed further in Topical Response 2, *Recirculation Not Required for the Revised Draft EIR*, in Section 2.1, Topical Responses, of this Revised Final EIR, recirculation is not required. Recirculation is only required when the lead agency adds "significant new information" to an EIR after the public comment period commences and prior to certification of the EIR. (PRC § 21092.1, 14 CCR § 15088.5; see also *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1128). As detailed in 14 CCR § 15088.5, the following would constitute "significant new information" requiring recirculation:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- The Revised Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an otherwise adequate EIR. (14 CCR § 15088.5(b)). The Advanced Clean Truck Regulation adjustment only results in a slight increase in GHG emissions within the 2030 target. It does not result in new significant environmental impacts, a substantial increase in the severity of an environmental impact, or new mitigation measures. Additionally, it only makes insignificant modifications to the proposed CAP's assumptions which were based on current best practices and State models. Thus, recirculation is not required or warranted.

Comment B1-4

II. The Congressional Review Act (CRA) Nullifies Key Assumptions

On **June 12, 2025**, the President signed into law three CRA resolutions permanently revoking EPA's waiver approvals for California programs:

- **Public Law 119-15 (H.J. Res. 87):** Advanced Clean Trucks (ACT) & related heavy-duty programs (88 *Fed. Reg.* 20688, Apr. 6, 2023)

- **Public Law 119-16 (H.J. Res. 88):** Advanced Clean Cars II (ACC II) (90 Fed. Reg. 642, Jan. 6, 2025)
- **Public Law 119-17 (H.J. Res. 89):** Omnibus Low-NOx Regulation (90 Fed. Reg. 643, Jan. 6, 2025)

Under **5 U.S.C. §801(f)**, these revoked rules “shall have no force or effect” and are treated as if they “never took effect” (void ab initio). This is not a matter of uncertain policy; it is a legal fact. Any analysis assuming implementation of these programs, including EMFAC2021 modeling, is based on legally impossible conditions.

We are aware that California and other states have filed challenges to the CRA revocations, and that GAO has raised questions about whether EPA waiver notices are “rules” subject to the CRA. Those cases remain pending. However, CEQA requires analysis based on current, enforceable legal conditions, not speculative future outcomes. As of June 12, 2025, ACT, ACC II, and Omnibus “shall have no force or effect” under 5 U.S.C. §801(f) and must be treated as void ab initio. These were the operative facts when the RDEIR was circulated for public review, and they will remain the operative facts when the City Council considers certification. The RDEIR cannot lawfully rely on programs that do not presently exist in law.¹

Footnote 1: GAO has opined that EPA waiver notices are not “rules” under the CRA and noted uncertainty about the legal effect of disapproving certain notices. See GAO, *Observations Regarding the EPA’s Submission of Clean Air Act Waiver Notices as Rules Under the CRA* (B-337179, Mar. 6, 2025). California and other states have also filed suit challenging the CRA resolutions. Those cases remain pending, but unless and until a court stays or overturns the laws, CEQA requires analysis based on the enforceable baseline: ACT, ACC II, and Omnibus “shall have no force or effect.” 5 U.S.C. §801(f).

Response to Comment B1-4

Please refer to Response to Comment B1-3 above. Please also refer to Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. As discussed in Topical Response 5, emission reductions associated with the rules revoked under H.J. Res. 87, H.J. Res. 88, and H.J. Res. 89 have been removed from the emission rates used in the analysis of this Project. Instead, a conservative adjustment factor has been incorporated into the proposed CAP and the analysis contained in the Revised Draft EIR to account for an increase in air quality and GHG emissions due to the revocation of the ACT and Omnibus Low NO_x regulation. A summary document detailing the data sources and methodology has been included as Appendix G, *Regulatory Adjustment Appendix*, to the proposed CAP. As such, no further response is warranted or required.

Comment B1-5

III. The RDEIR’s Admission in Appendix B

Appendix B, pdf page 21 (labeled p.14), expressly acknowledges that EMFAC2021 includes ACT and Omnibus assumptions. The City is aware that its analysis rests on invalid premises. Yet rather than correcting its modeling, the RDEIR proceeds as though nothing changed.

Because these programs are now void ab initio, continuing to model emissions as if they remain in effect violates CEQA's requirement that analysis be based on reasonably foreseeable conditions. The City cannot claim ignorance, nor can it rely on stale model defaults when the record shows awareness of their invalidity.

Response to Comment B1-5

Please refer to Responses to Comments B1-2 through B1-4 above. Additionally, please refer to Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. As explained above, Topical Response 5 concludes that remodeling does not result in any significant changes to the disclosure of emissions in the Revised Draft EIR or its significance findings. No further response is warranted or required.

Comment B1-6

IV. Why Recirculation Is Required

CEQA Guidelines §15088.5 requires recirculation where significant new information is added that deprives the public of a meaningful opportunity to comment. That standard is plainly met here:

- 1. Changed Legal Baseline:**

The CRA has retroactively eliminated the regulatory programs on which the modeling depends.

- 2. Admission of Invalid Assumptions:**

Appendix B concedes reliance on ACT and Omnibus.

- 3. Magnitude of Effect**

Correcting the assumptions would substantially increase criteria pollutant and GHG emissions, changing the severity of impacts. This represents a substantial increase in the severity of environmental impacts within the meaning of CEQA Guidelines §15088.5(a)(1).

- 4. Publication of Analysis with Invalid Assumptions**

The CRA revocations occurred on June 12, 2025, nearly a month before the City published the RDEIR on July 8, 2025. By that time, the City had actual knowledge that its EMFAC assumptions were no longer legally valid. Circulating an EIR premised on assumptions already rendered unenforceable fails to satisfy CEQA's requirement that environmental review be based on a stable, accurate, and legally supportable baseline.

It bears emphasis that these were the operative facts at the time of circulation and remain the operative facts during public review. The RDEIR was released nearly a month after the CRA revocations took effect, yet it continued to rely on phantom regulations. Likewise, when the City Council considers certification, those regulations will still be void. CEQA does not permit decision-makers to rely on hypothetical reinstatement; the analysis must reflect the legal conditions facing both the public and the Council at the time of comment and vote. Reliance on legally impossible assumptions is not 'substantial evidence' under CEQA. (*See CBE v. SCAQMD* (2010) 48 Cal.4th 310, 322–323).

Failure to recirculate deprives decision-makers and the public of a legally adequate picture of the project's environmental consequences.

Response to Comment B1-6

Please refer to Response to Comment B1-3. As explained above and in Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR, emission reductions associated with ACT and the Heavy-Duty Low NO_x Omnibus rule have been removed from the emission rates used in the analysis of this Project. As concluded in Response to Comment B1-3, the ACT adjustment only results in a slight increase in GHG emissions within the 2030 target. It does not result in new significant environmental impacts, a substantial increase in the severity of an environmental impact, or new mitigation measures. Additionally, it only makes insignificant modifications to the proposed CAP's assumptions which were based on current best practices and State models. Thus, recirculation is not required or warranted.

Comment B1-7

V. Implications for Air Quality Findings

- **Criteria Pollutants:** Without Omnibus benefits, NO_x and PM_{2.5} emissions are far higher than reported².
- **Localized Impacts:** Sensitive receptor exposures are underestimated; thresholds may be exceeded. SCAQMD's CEQA Air Quality Handbook requires agencies to conduct Localized Significance Threshold (LST) analyses to evaluate near-source pollutant concentrations at sensitive receptors. Because the RDEIR relies on EMFAC2021 with invalid Omnibus benefits, receptor-level exposures are materially understated, and LST thresholds may be exceeded³.
- **Cumulative Impacts:** Regional totals are artificially suppressed, masking basin-wide severity. CEQA requires cumulative impacts to be evaluated based on a reasonable forecast of basin-wide conditions, not suppressed totals driven by invalid assumptions. Because EMFAC2021 embeds Omnibus reductions that no longer exist, the RDEIR's cumulative air quality analysis systematically understates basin-wide severity⁴.

Footnote 2: CARB's rulemaking record projected that the Omnibus Low-NO_x rule would reduce heavy-duty truck NO_x emissions by up to 90% and PM_{2.5} emissions by approximately 75% by 2031 compared to pre-rule trajectories. These benefits are embedded in EMFAC2021. Without them, Appendix B's reported outputs substantially understate emissions.

Footnote 3: South Coast Air Quality Management District, Final Localized Significance Threshold Methodology (June 2003; revised July 2008).

Footnote 4: CEQA Guidelines, Cal. Code Regs., tit. 14, §15130(b); Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692, 721 (rejecting cumulative analysis that understated basin-wide concentrations).

Response to Comment B1-7

Please refer to Response to Comment B1-3 and Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Emission reductions associated with ACT and the Heavy-Duty Low NO_x Omnibus rule have been removed from the emission rates used in the analysis of this Project. The ACT adjustment only results in a slight increase in GHG emissions within the 2030 target. No further response is warranted or required.

Comment B1-8

VI. Implications for GHG and CAP Consistency

- **GHG Projections:** By assuming ACT and ACC II mandates, the analysis inflates fleet turnover and underestimates emissions.
- **CAP Consistency:** Findings of consistency with the City's Climate Action Plan are unsupported by substantial evidence.

Response to Comment B1-8

Please refer to Response to Comment B1-3 above and Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. However, this comment is unclear on how it pertains to the City's proposed CAP. Nonetheless, we interpret the comment as a reference to the inclusion of GHG emissions from the ACT in the adjusted GHG forecast of the proposed CAP. As detailed above, a conservative adjustment factor has been incorporated into the proposed CAP to account for additional GHG emissions due to the revocation of the ACT. A summary document detailing the data sources and methodology has been included as Appendix G, *Regulatory Adjustment Appendix*, to the proposed CAP. As explained therein, the proposed CAP does not include GHG emissions reduction from the ACT.

Moreover, the purpose of the proposed CAP is to provide a roadmap of local policies that are intended to reduce GHG emissions. As such, the proposed CAP includes the following elements: a) an emissions inventory and projection; b) emission targets; c) enforceable GHG control measures; d) implementation; and e) monitoring and reporting of GHG emission levels. The proposed CAP also provides a means for streamlining the analysis of GHG emissions under CEQA for future projects. In other words, the proposed CAP provides the basis for CEQA review of GHG emissions for projects consistent with the 2024 GPU. CEQA Guidelines Section 15183.5 requires "qualified GHG reduction plans" (CAPs) to "specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level." The Guidelines do not require any specific measures, instead they leave the identification of a specific group of measures to the discretion of the lead agency on a project-by-project basis. In light of the foregoing, no further response to this comment is warranted or required.

Comment B1-9**VII. Implications for Energy and Fuel Demand**

The Energy appendix understates fossil fuel consumption by assuming accelerated ZEV penetration. CEQA Appendix F requires accurate disclosure of project-related energy use. The analysis instead rests on assumptions now legally impossible.

Response to Comment B1-9

As previously discussed, the Revised Draft EIR used EMFAC2021, which included approximately 11.5 percent heavy-duty trucks in 2040 as electric (page 8 of Appendix F, *Energy Calculations*, of the Revised Draft EIR) due to the ACT. Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR discusses the federal regulatory changes that revoked the ACT and Heavy-Duty Omnibus Low-NO_x Rules following the release of the Revised Draft EIR. It discusses the methodology utilized to remedy the modeling to accurately forecast emissions without the benefit of these regulations.

Additionally, Table 2-5, *Heavy Duty Truck Fuel Consumption*, below shows the heavy-duty truck fuel consumption assuming the same rate of zero emission vehicle (ZEV) penetration as EMFAC2021 2024 scenario (approximately 0.25 percent for Riverside County).

Table 2-5 Heavy Duty Truck Fuel Consumption					
Fuel Type	Fuel Consumption (gallons)		Total VMT		Mile per Gallon (MPG)
	Revised Draft EIR	Revised Final EIR	Revised Draft EIR	Revised Final EIR	
Diesel	1,366,592	1,538,836	182,605	205,619	7.48
Gasoline	45	179	9	36	4.93
Natural Gas	17,322	20,680	2,603	3,108	6.65

As noted in Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of this Final Revised EIR, Table 2-6 (Revised Table 4.6-10), *2024 GPU Buildout Transportation Fuel Consumption*, of the Revised Draft EIR will be updated to reflect this analysis as shown below. No further response is warranted or required.

Table 2-6 (Revised Table 4.6-10) 2024 GPU Buildout Transportation Fuel Consumption			
Vehicle Fuel Type	Existing 2024	Proposed 2021 GPU (2040)	Net Change
	Gallons		
Diesel	1,276,186	1,752,111 <u>1,988,111</u>	+475,925 <u>+711,925</u>
Gasoline ¹	148,722,926	243,947,394 <u>244,014,548</u>	+95,224,468 <u>+95,291,622</u>
Liquefied Natural Gas	10,985	18,490 <u>23,073</u>	+7,505 <u>+12,088</u>
Total	150,010,097	245,717,995 <u>246,035,732</u>	+95,707,898 <u>+96,025,635</u>

1. Includes gasoline consumption by plug-in hybrid vehicles.

Comment B1-10

VIII. Environmental Justice Concerns

The RDEIR identifies disadvantaged communities using CalEnviroScreen but fails to reassess the cumulative burden of lost ACT/Omnibus benefits. CEQA and SB 1000 require disclosure of disproportionate impacts on EJ communities. By ignoring increased exposures in already overburdened neighborhoods, the analysis fails both CEQA and state equity mandates.

Response to Comment B1-10

Please refer to *Response to Comment B1-3* above and Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Additionally, please also refer to Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*. Topical Response 4 discusses how environmental justice is addressed within the Revised Draft EIR and the Project's consistency with the requirements of SB 535, SB 1000, and AB 98. It also identifies the analysis within the Revised Draft EIR that evaluates the Project's impact on sensitive receptors, including disadvantaged communities, and the mitigation that would be implemented to address these impacts. As further discussed in Topical Response 4, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment B1-11

IX. Technical Deficiencies in Air Quality and GHG Modeling

The flaws in Appendix B are not confined to legal assumptions; they extend to the technical modeling that underpins every significant finding. Even without new model runs, the deficiencies are evident on the face of the record:

Response to Comment B1-11

Please refer to *Response to Comment B1-3* and Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. A conservative adjustment factor has been incorporated into the proposed CAP and Revised Draft EIR to account for additional air quality and GHG emissions due to the revocation of the ACT and the Heavy-Duty Low NO_x Omnibus rule. A summary document detailing the data sources and methodology has been included as Appendix G: *Regulatory Adjustment Appendix* to the proposed CAP. No further response is warranted or required.

Comment B1-12**1. Reliance on EMFAC2021 With Invalid Assumptions**

Appendix B concedes that EMFAC2021 “assumed implementation” of ACT and Omnibus, both void under the CRA. Modeling premised on legally impossible regulatory benefits is not substantial evidence.

Response to Comment B1-12

Please refer to Response to Comment B1-3 and Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. No further response is warranted or required.

Comment B1-13**2. Absence of Sensitivity or Conservative Scenario Analysis**

Despite acknowledging invalid assumptions, the RDEIR presents only one emissions scenario. CEQA requires disclosure of reasonably foreseeable outcomes and analysis of uncertainty (Laurel Heights Improvement Ass’n v. Regents (1988) 47 Cal.3d 376). A “no-ACT/Omnibus” sensitivity run would have revealed far higher NO_x and PM_{2.5} emissions.

Response to Comment B1-13

Please refer to Response to Comment B1-3 and Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. No further response is warranted or required.

Comment B1-14**3. Greenhouse Gas Projections Are Inflated**

The GHG analysis assumes ACC II mandates remain in force. In reality, those rules are void ab initio. This inflates GHG reductions and undermines the CAP consistency finding (*Center for Biological Diversity v. DFW* (2015) 62 Cal.4th 204).

Response to Comment B1-14

Please refer to Response to Comment B1-3 and Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. The CAP does not include GHG emissions reduction from the ACT. A summary document explaining this point has been included as Appendix G, *Regulatory Adjustment Appendix*, to the proposed CAP. No further response is warranted or required.

Comment B1-15

4. Localized Significance Thresholds (LSTs) May Be Exceeded

Receptor-level exposures are highly sensitive to EMFAC factors. Without Omnibus benefits, localized PM_{2.5}/NO₂ may exceed thresholds, especially in disadvantaged communities.

Response to Comment B1-15

Please refer to Response to Comment B1-3 and Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. No further response is warranted or required.

Comment B1-16

5. Failure to Reassess EJ Burdens

Appendix B maps SB 535 communities but never revisits those findings. CEQA and SB 1000 require disclosure of disproportionate impacts, which are understated here.

Response to Comment B1-16

Please refer to Response to Comment B1-3 and Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Please also refer to Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Public Resources Code § 21083.1 states the Legislature's intention that courts not interpret CEQA or the CEQA Guidelines "in a manner which imposes procedural or substantive requirements beyond those explicitly stated in this division [CEQA] or in the state guidelines." It should also be noted that the litigation that resulted in portions of the 2021 EIR be held to be inadequate did not challenge the adequacy of the environmental review of the Environmental Justice Element. Neither CEQA, the CEQA Guidelines nor SB 1000 require a separate environmental review of the Environmental Justice Element of a general plan. The California doctrines of res judicata, also referred to as claim preclusion, and collateral estoppel, also referred to as issue preclusion, bar relitigation of issues that were, or could have been, litigated in a prior lawsuit. *Ione Valley Land, Air, and Water Defense Alliance, LLC v. County of Amador*, 33 Cal.App.5th 165, 170-171 (2019). No further response is warranted or required.

Comment B1-17

6. Energy and Fuel Consumption Misstated

By assuming accelerated ZEV penetration, the Energy analysis understates fossil fuel use, undermining Appendix F compliance.

Response to Comment B1-17

Please refer to Response to Comment B1-3 and B1-9 as well as Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. As previously discussed, diesel consumption due to decrease in ZEV trucks has been recalculated. No further response is warranted or required.

Comment B1-18

7. Cumulative Impacts Systematically Understated

Section 6.0 relies on the same flawed assumptions, concealing the true severity of basin-wide impacts.

Response to Comment B1-18

Please refer to Response to Comment B1-3 as well as Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. As discussed above in Response to Comment B1-3, with the adjustment, the proposed CAP continues to achieve the 2030 target and makes substantial progress towards the 2045 target. The air quality impacts would remain significant and unavoidable. Additionally, impacts from GHG emissions would remain less than significant with mitigation incorporated. These findings are unchanged from the findings made in the Revised Draft EIR. As such, the alternatives analysis contained in Chapter 6.0, *Project Alternatives*, which provides alternatives to the Project that could potentially address significant and unavoidable impacts of the Project, would still be applicable to the Project. As such, the alternatives analysis is unchanged, and no revisions are warranted or required.

Comment B1-19

Conclusion on Technical Deficiencies

These flaws are not speculative, they are admitted in Appendix B and infect every emissions output. By failing to reconcile its own admission with corrected modeling or even a sensitivity analysis, the RDEIR presents an analysis that is both legally indefensible and technically misleading. CEQA requires recirculation to correct these defects.

Response to Comment B1-19

Please refer to Response to Comment B1-3 as well as Topical Response 2, *Recirculation Not Required for the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. As discussed in Response to Comment B1-3, recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an otherwise adequate EIR. (14 CCR § 15088.5(b)). The ACT adjustment only results in a slight increase in GHG emissions within the 2030 target. It does not result in new significant environmental impacts, a substantial increase in the severity of an environmental impact, or new mitigation measures. Additionally, it only makes insignificant modifications to the proposed CAP's assumptions which were based on current best practices and State models. Thus, recirculation is not required or warranted.

Comment B1-20

X. Conclusion

The City faces a choice: proceed based on phantom regulations that no longer exist, or correct its modeling to reflect the legal and environmental conditions that actually exist. CEQA compels the latter. Given this matter's litigation history and the court's prior findings of CEQA violations, proceeding without addressing these fundamental flaws creates substantial legal exposure for the City. Recirculation of the RDEIR with corrected emissions modeling, energy analysis, and environmental justice disclosures is the only way to provide the public and decision-makers a lawful and transparent record. At a minimum, the City must rerun EMFAC modeling without the invalid regulatory assumptions and circulate that analysis for meaningful public comment.

Response to Comment B1-20

Please refer to Response to Comment B1-9. No further response is warranted or required.

Comment B1-21

Attachment A: CEQA Recirculation Trigger Matrix

CEQA Recirculation Trigger (§15088.5(a))	Description from Guidelines	New Information for MoVal 2040 RDEIR	Why Trigger Applies
(a)(1) – New significant environmental impact	"A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented."	Revocation of ACT & Low NOx Omnibus waivers – removes key regulatory controls assumed in RDEIR's Air Quality & GHG analysis.	Without ACT & Low NOx standards, NOx and PM _{2.5} emissions increase beyond thresholds; new significant air quality impacts occur in operational years previously modeled as below threshold.
(a)(2) – Substantial increase in severity	"A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted..."	Revocation of ACT & Low NOx Omnibus waivers and release of EMFAC2025 – higher emission factors and loss of assumed regulatory benefits.	Increases the severity of already-significant NOx and PM _{2.5} impacts; RDEIR mitigation (AQ-1, AQ-2, GHG-1) cannot offset impacts without invalidated state programs.
(a)(3) – Feasible alternative or mitigation measure declined	"A feasible project alternative or mitigation measure... would clearly lessen the significant environmental impacts... but the project's proponents decline to adopt it."	Use of updated EMFAC2025 modeling and non-regulatory mitigation measures (e.g., electrification incentives, off-site NOx offsets) are feasible but not adopted.	Failure to adopt feasible updated modeling and alternative mitigation deprives decision-makers and the public of a lawful, updated analysis.
(a)(4) – Fundamentally inadequate & conclusory EIR	"...so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded." (<i>Mountain Lion Coalition v. Fish & Game Com.</i>)	Air Quality & GHG sections rely on outdated EMFAC2021 and now-invalid regulations; no disclosure of resulting emissions gap; public review based on obsolete data.	Public and agencies could not meaningfully review air quality conclusions because baseline assumptions are materially wrong.

Response to Comment B1-21

The comment is noted. No environmental issues is raised.

Comment B1-22

H.J. Res.87

Response to Comment B1-22

This comment is noted. No environmental issue is raised.

Letter B2

Chris M. Rice
Representative
Moreno Badlands Conservancy
And Moreno Valley Resident
Received on August 21, 2025

Comment B2-1

We submit this comment on the Revised Draft Program Environmental Impact Report (“RDEIR”) for MoVal 2040. These comments are directed to the recirculated portions of the RDEIR concerning air quality and greenhouse gases as required by CEQA Guidelines §15088.5(f)(2). The RDEIR analysis fails to comply with CEQA’s requirement to use valid, current data, to disclose reasonably foreseeable cumulative impacts, and to provide enforceable mitigation for significant impacts¹. The result is an EIR that materially understates impacts and cannot lawfully be certified without recirculation.

Footnote 1: CEQA Guidelines §15125(a) (baseline must describe existing physical conditions at NOP and normally constitutes the baseline); §15151 (EIR must be prepared with a good-faith effort at full disclosure and sufficient analysis to inform decisionmakers).

Response to Comment B2-1

Please refer to Topical Response 2, *Recirculation Not Required for the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 2 identifies when recirculation is required under CEQA and explains that recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an otherwise adequate EIR. Ultimately, the City’s decision not to recirculate is supported by substantial evidence and consistent with CEQA. CEQA Guidelines §15125(a)(1) states that the baseline should normally be the physical environmental conditions as they exist on the date the notice of preparation of a draft EIR is published, which, for the Project, was July 30, 2024. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment B2-2

I. Reliance on Voided Regulations Undermines EMFAC Modeling

The RDEIR’s emissions modeling is premised on regulatory assumptions that no longer exist. Appendix B acknowledges that the Advanced Clean Trucks (ACT), Advanced Clean Cars II (ACC II), and Low-NOx Omnibus rules were revoked by Congress under the Congressional Review Act in May - June 2025, and that future EMFAC updates may show higher emissions as a result (App. B, p. 21 [pdf p. 14])². Under 5 U.S.C. § 801(f), those revoked rules “shall be treated as though [they] had never taken effect.”³

Despite this, the RDEIR continues to rely on EMFAC 2021, which assumed those rules would take effect, and fails to grapple with the legal invalidity of those assumptions. The problem is compounded by the fact

that CARB released EMFAC 2025 in May 2025, prior to circulation of the RDEIR. That release incorporated the now-revoked rules, rendering both EMFAC 2021 and EMFAC 2025 analytically unstable. CEQA requires agencies to use the “most accurate and up-to-date information” reasonably available. *Berkeley Keep Jets Over the Bay v. Bd. of Port Comm’rs* (2001) 91 Cal.App.4th 1344, 1370; *Vineyard Area Citizens v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 431. By relying on EMFAC models that embed revoked regulations, the RDEIR presents a baseline that is neither accurate nor lawful. This is a fatal analytical flaw requiring recirculation⁴.

Footnote 2: Revised Draft Program EIR, **Appendix B (Air Quality Impact Assessment)**, p. 14 (pdf p. 21) (acknowledging Congressional Review Act disapproval of ACC II, ACT, and Low-NO_x Omnibus and noting implications for EMFAC updates).

Footnote 3: 5 U.S.C. § 801(f) (providing that a rule that does not take effect by reason of the CRA “shall be treated as though such rule had never taken effect”).

Footnote 4: CEQA Guidelines §15144 (EIR must be prepared with a good-faith effort at full disclosure; absolute perfection not required); §15088.5(a)(1) (recirculation required when significant new information reveals that the EIR is fundamentally flawed or impacts would be more severe).

Response to Comment B2-2

On June 12, 2025, President Trump signed three joint resolutions to revoke California Clean Air Act waivers that allowed California to require all new cars and trucks in CA be zero-emissions by 2035 (Advanced Clean Cars II rule), require automakers to meet zero-emissions sales targets for medium and heavy-duty trucks (Advanced Clean Trucks rule), and set limits on NO_x emissions from heavy-duty diesel engines (Heavy-Duty Low NO_x Omnibus rule). The most recent motor vehicle emission model EMFAC2025 (Emissions Factors 2025) released by the CARB included all these rules in order to reduce emissions and meet mandatory air quality emission goals. For this reason, the previous version of the model, EMFAC2021 was used for the Project’s air quality and GHG analysis because it did not incorporate the majority of these emission reductions rules, although it does include reductions from the ACT and an early version of the Heavy-Duty Low NO_x Omnibus rules.

However, based on comments received regarding this topic, adjustment factors were applied to the EMFAC2021 emission rates to remove the emission reductions associated with the ACT and Heavy-Duty Low NO_x Omnibus rules. Please refer to Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, Topical Responses, of the Revised Final EIR. Topical Response 5 discusses the federal regulatory changes that revoked the ACT (2020) and Heavy-Duty Omnibus Low-NO_x Rules (2016) following the release of the Revised Draft EIR. It discusses the methodology utilized to remedy the modeling to accurately forecast emissions without the benefit of these regulations. Ultimately, it concludes that remodeling does not result in any significant changes to the disclosure of emissions in the Revised Draft EIR or its significance findings. Therefore, recirculation is not warranted.

Comment B2-3

II. Failure to Conduct Adequate Localized Significance Threshold (LST) and Health Risk Analyses

Appendix B reproduces SCAQMD's Localized Significance Threshold (LST) tables and defers actual calculations to future project-level CEQA reviews. Likewise, it references a Health Effects and Health Risk Assessment (Appendix H). Still, it provides no representative or bounding Health Risk Assessment (HRA) of toxic air contaminants or diesel particulate matter at the program level.

This approach violates CEQA. A program EIR must still provide **illustrative or bounding analysis** of localized impacts to sensitive receptors. Deferring entirely to future projects prevents meaningful public disclosure. As the Supreme Court held, CEQA requires agencies to disclose "what is, and is not yet, known" about health consequences. *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 519–20. Similarly, *Communities for a Better Environment v. SCAQMD* (2010) 48 Cal.4th 310, 323–25, confirms that agencies cannot avoid analysis of foreseeable localized impacts.

By providing thresholds without conducting any representative LST or HRA screening runs, the RDEIR leaves decision-makers and the public without the tools necessary to evaluate the public health consequences of the 2040 General Plan buildout. This constitutes a failure of disclosure requiring recirculation.

Response to Comment B2-3

This comment is noted, but it is factually incorrect. As stated within the Air Quality Impact Assessment (Appendix B to the Revised Draft EIR) and Section 4.3, *Air Quality*, of the Revised Draft EIR, air quality impacts to sensitive receptors, including disadvantaged communities, are evaluated through analyses of local pollutant concentrations and toxic air contaminants (TACs), which includes an evaluation of both construction and operational health risk. The Project's impacts are evaluated on a programmatic level within the Revised Draft EIR as the Project is a long-term planning document (see Topical Response 3, *The Revised Draft EIR is a Programmatic Document*, in Section 2.1, *Topical Responses*, of this Revised Final EIR). Therefore, while localized emissions are speculative at the programmatic level, future CEQA review would evaluate project-level impacts. The South Coast AQMD developed Localized Significant Thresholds (LSTs) for emissions of NO₂, CO, PM₁₀, and PM_{2.5} generated at new development sites based on South Coast AQMD's LSTs methodology. As concluded in the Project's Air Quality Impact Assessment in Appendix B to the Revised Draft EIR (see page 57 under Section 8.3, Threshold 3: Sensitive Receptors) and page 4.3-40 in the Revised Draft EIR, the Project would implement MM AQ-4, which requires qualifying future development projects to analyze impacts of localized pollutant concentrations at the project-level and apply supplemental project-level mitigation measures if required, and MM AQ-5, which requires qualifying future development projects to conduct a project-specific Health Risk Assessment and apply supplemental project-level mitigation measures if required.

It should also be noted that the Section 4.3.2.3(b) of the Revised Draft EIR and Section 3.0, *Health Effects Analysis*, of the Health Effects and Health Risk Assessment (HEHRA), prepared as Appendix H of the

Revised Draft EIR, discuss the Supreme Court’s opinion in the Sierra Club case mentioned in the comment and explain why a more detailed analysis of the Project’s health effects cannot be provided.

Additionally, the HEHRA includes TACs and diesel particulate matter (DPM) as part of the programmatic operational analysis. A City-wide health risk assessment was performed as discussed in Section 2.0, *Methodologies for Determining Impacts, of the HEHRA*. While project-specific information is unknown for a long-range plan, assumptions were used to calculate stationary sources, on-site equipment, transport refrigeration units (TRUs), diesel trucks, forklifts, and yard trucks. These sources were categorized into five industrial areas of the City, and a discrete receptor grid covered the surrounding area. Table 11, *Carcinogenic Risk Assessment*, of the HEHRA (also Table 4.3-10, *Carcinogenic Risk Assessment*, in Section 4.3, *Air Quality*, of the Revised Draft EIR) shows the maximally exposed individual (MEI) to the area evaluated as either a residential, school, or worker receptor as they have different breathing rates. As reported on pages 35-38 of the HEHRA, the modeling shows that cancer risk associated with the Project would not exceed South Coast AQMD’s 10 in one million threshold. Chronic non-carcinogenic impacts are analyzed by using a chronic hazard index where 1 would represent a significant impact. As modeled in the HEHRA, the highest maximum chronic hazard index associated with DPM emissions from industrial operations within the City is far below the hazard index threshold of 1 (see pages 38-39 of the HEHRA). Regardless, as discussed above, the Project would implement MM AQ-5 and require proposed industrial projects within 1,000 feet of sensitive receptors to conduct an operational HRA. See also Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, Topical Responses, of the Revised Final EIR. Therefore, the analysis in the Revised Draft EIR is sufficient, and no additional analysis is required.

Comment B2-4

III. Mitigation Deferral and Inadequacy

The RDEIR proposes mitigation that is largely programmatic, aspirational, and unenforceable, such as “promoting electrification” or “encouraging” cleaner fleets, without binding performance standards. Measures such as Mitigation AQ-4 and AQ-5 merely require future projects to conduct analyses and consider ZE/NZE fleets if thresholds are exceeded. These are conditions precedent, not enforceable performance standards.

CEQA Guidelines §15126.4 requires enforceable mitigation with specific performance criteria, not vague commitments to consider future improvements. By deferring critical mitigation to later tiering or future planning, the RDEIR violates CEQA’s prohibition against mitigation deferral. *Vineyard Area Citizens*, supra; *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777, 793.

Response to Comment B2-4

Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level

of detail required for the analysis and mitigation in a program EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment B2-5

IV. Faulty AQMP Consistency Analysis

The RDEIR claims consistency with the 2016 and 2022 AQMPs, yet concedes that buildout of the GPU increases vehicle miles traveled (VMT) and results in significant and unavoidable impacts under Criterion 1 (exceeding assumptions) and Criterion 2 (worsening nonattainment conditions).

Reliance on outdated AQMP assumptions is not supported by substantial evidence. *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 717–18. Because the AQMP is premised on lower growth and emissions than the City now projects, the RDEIR cannot reasonably conclude consistency. This further undermines the adequacy of the analysis.

Response to Comment B2-5

The comment is noted but is inaccurate. Section 4.3.8.1, *Topic 1: Air Quality Plan*, in Section 4.3, *Air Quality*, of the Revised Draft EIR concludes that future construction and operational emissions would conflict with implementation of the AQMP even with the implementation of MM AQ-1 through MM AQ-5. Impacts would remain significant and unavoidable (see page 4.3-37 of the Revised Draft EIR). It should be noted that programmatic documents, such as the Project, encourage growth which would increase VMT; however, the policies within the City's 2024 GPU would encourage infill and mixed-use development and focus growth along transit corridors. As discussed further in Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR, at a programmatic level of analysis, there are no feasible mitigation measures that would reduce air quality impacts associated with development facilitated by the Project to a less than significant level. As such, no further response is warranted or required.

Comment B2-6

V. Cumulative Impact and Evacuation Deficiencies

The RDEIR applies SCAQMD's guidance that project-level thresholds double as cumulative thresholds, but fails to disclose or evaluate **reasonably foreseeable cumulative projects**. Just 20 days after circulation, the City issued a Notice of Preparation for the **Rancho Belago Estates project (3,000 units)**. That project will add significant new population to an area already constrained by Gilman Springs Road and SR-60, which the General Plan itself documents as operating at LOS "D." In a wildfire or seismic emergency, this bottleneck would result in prolonged exposure to PM2.5 and toxic air contaminants for residents and emergency responders.

Moreover, Appendix B concedes that cumulative construction health risks are “significant and unavoidable” because “data [are] not available” to quantify overlapping exposures (App. B, p. 3.5-21). CEQA does not allow agencies to avoid cumulative analysis by claiming data limitations; it requires reasonable bounding scenarios. *Kings County Farm Bureau*, supra, at 721.

Because this is a **program-level EIR**, the City cannot defer cumulative analysis to future project-level review. *Sierra Club v. County of Fresno*, supra, 6 Cal.5th at 524–25.

Response to Comment B2-6

This comment is noted for the record. Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 1 provides a background of the CEQA lawsuit that was filed by the Sierra Club in Riverside County Superior Court challenging the validity of the 2021 GPU EIR and Climate Action Plan, the Writ and Statement of Decision issued by the Court, and limited scope of the analysis prepared in the Revised Draft EIR. The Writ and Statement of Decisions asserted that the City violated CEQA by failing to use a valid baseline, which effectively prejudiced the City’s consideration of the Project’s air quality, transportation, energy, and other impacts; and by failing to adequately disclose or mitigate the significant impacts on air quality and GHG emissions produced a wrong determination of the significance of the impacts that could be expected under the 2024 GPU.

To remedy this and establish the 2024 baseline for the Revised Draft EIR, the City updated the list of projects and associated land and acreages from the 2021 GPU EIR to include all development projects that were approved between 2018 and 2024 and constructed and operational by 2024 (see Appendix G, *Methodology for Establishing the Environmental Baseline and Horizon Year Forecast*, to the Revised Draft EIR for further explanation of the how the baseline was established for analysis of the Project). Specifically, the 2040 horizon year forecast was established with a list of projects identified by the City between August 1, 2024, and February 24, 2025, which was used as a cutoff date to prevent a constantly moving target with which to develop the 2040 quantitative analyses. Per personal communications with City staff, the City has confirmed that Rancho Belago Project was not known to the City prior to February 25, 2025⁹, which is the cut-off date identified above (see Appendix D, *Other Supporting Documentation*, to this Revised Final EIR). As such, the proposed Rancho Belago Project is appropriately not included in the projected development built out by 2040. As such, the proposed Rancho Belago Project is appropriately not included in the projected development built out by 2040.

As discussed in 14 CCR § 15130, “an EIR shall discuss cumulative impacts of a project when the project’s incremental effect is cumulatively considerable,” as defined in 14 CCR § 15065(a)(3). Cumulatively considerable means “the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects” (14 CCR § 15065.) The discussion of cumulative impacts is contained within each subsection of the Revised Draft EIR. In general, the cumulative analysis approach is based on either a

⁹ Personal Communication. Danielle Harper-Scott, Senior Planner, Community Development of the City of Moreno Valley. September 15, 2025. See Appendix D to this Revised Final EIR.

summary of projections as specified in 14 CCR § 15030(b)(1)(B) or a list of cumulative projects applicable to the Project. This approach is appropriate due to the programmatic nature of the Project (see also Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR). As explained in the cumulative analysis contained within each section of Chapter 4.0, *Environmental Analysis*, of the Revised Draft EIR, future development would be required to adhere to all relevant local plans, Municipal Code regulations, and proposed policies contained in the updated elements of the 2024 GPU. It should also be noted that the Writ and Statement of Decision did not find that the cumulative impact analysis in the 2021 GPU EIR was inadequate or needed to be revised.

As such, the proposed Rancho Belago Project would be required to analyze consistency with the relevant local plans, Municipal Code, and other applicable policies and regulations in effect at the time the baseline for the proposed Rancho Belago Project is established. As such, no corrections or additions are required in response to this comment, and no further response is warranted or required.

Comment B2-7

VI. Conclusion

The RDEIR rests on invalid regulatory assumptions, fails to use the most current and accurate data, defers localized and health risk analysis, relies on unenforceable mitigation, misstates AQMP consistency, and disregards foreseeable cumulative evacuation and development-related air quality impacts.

Each of these defects independently requires recirculation under 14 Cal. Code Regs. §15088.5; collectively, they underscore the inadequacy of the current draft. Absent recirculation addressing these fundamental analytical defects, certification of the RDEIR would constitute a prejudicial abuse of discretion under Public Resources Code §21168.5.

Response to Comment B2-7

See Responses to Comments B2-1 through B2-6 above. Please refer to Topical Response 2, *Recirculation Not Required for the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 2 identifies when recirculation is required under CEQA and explains that Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an otherwise adequate EIR. Ultimately, the City's decision not to recirculate is supported by substantial evidence and consistent with CEQA. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Letter B3

Chris M. Rice
Representative
Moreno Badlands Conservancy
and Moreno Valley Resident
Received on August 21, 2025

Comment B3-1

I. Introduction

These comments address the **Energy** analysis in the Revised Draft Program EIR (“RDEIR”) (Chapter 4.6; Appendix F). CEQA requires a good-faith, reasoned evaluation of whether the plan would result in wasteful, inefficient, or unnecessary energy consumption; disclosure of foreseeable electricity, natural gas, and transportation fuel demand; and identification of feasible mitigation. (Guidelines §15126.2(b), Appendix F.) The RDEIR does not meet these standards.

Although this is a Program EIR, CEQA does not allow deferring energy analysis to later tiering where the RDEIR already quantifies plan-level usage (e.g., Tables 4.6-9 to 4.6-11). See *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 Cal.App.4th 256; *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502.

Response to Comment B3-1

The comment is noted for the record. See detailed responses in Response to Comments B3-2 through B3-10 below. Please also refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level of detail required for the analysis and mitigation in a program EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment B3-2

II. Unlawful/Unstable Baseline Assumptions (Addressed in CRA Letter)

As detailed in our separate CRA revocation letter (incorporated by reference), the RDEIR relies on transportation assumptions embedded in EMFAC2021 that depend on ACT, ACC II, and the Omnibus Low-NOx programs, regulations now void ab initio under the Congressional Review Act. Treating those programs as effective inflates efficiency gains and depresses fuel demand, undermining Appendix F disclosures. The Energy chapter does not adjust for, or even disclose, this limitation, nor does it provide a sensitivity case (with/without ACT/ACC II/Omnibus). CEQA requires the most accurate, up-to-date information and reasoned disclosure of uncertainty. (*Vineyard Area Citizens; Berkeley Keep Jets.*)

Response to Comment B3-2

The comment is noted for the record. Please refer to Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Topical Response 5 discusses the federal regulatory changes that revoked the Advanced Clean Trucks Regulation (2020) and Heavy-Duty Omnibus Low-NO_x Rules (2016) following the release of the Revised Draft EIR. It discusses the methodology utilized to remedy the modeling to accurately forecast emissions without the benefit of these regulations. Ultimately, it concludes that remodeling does not result in any significant changes to the disclosure of emissions in the Revised Draft EIR or its significance findings.

Additionally, Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of this Revised Final EIR, includes revisions to the Table 2-7, *Existing (2024) Operational Electricity*, energy calculations (page 4 of Appendix F, *Energy Calculations*, to the Revised Draft EIR); Table 2-8, *Existing (2024) Operational Natural Gas* (page 5 of Appendix F); and Table 2-9, *(Revised) Annual Electricity Usage*, and Table 2-10, *(Revised) Annual Natural Gas Usage*, energy calculations (page 10 of Appendix F) to show the revised energy calculations. These tables are also shown below.

Table 2-7 Existing (2024) Operational Electricity					
Operational Electricity					
Land Use	Size	Size Unit	Energy Use Intensity (Gwh/size/year)	Electricity (GWh)	Annual MTCO _{2e}
Residential	53,048	DU	0.0051	272.7	46,359
Commercial/ Retail/Office	7,753,268	1,000 SF	0.000039	301.5	51,254
Industrial	33,746,988	1,000 SF	0.000001	39.9	6,789
Total Residential				272.7	46,359
Total Non-Residential				341.4	58,042
Notes: Du = dwelling unit SF = Square feet Gwh = gigawatt hours MTCO _{2e} = metric tons of carbon dioxide equivalent					

Table 2-8 Existing (2024) Operational Natural Gas					
Operational Natural Gas					
Land Use	Size	Size Unit	Energy Use Intensity (therms/size/year)	Gas (therms)	Annual MTCO _{2e}
Residential	53,048	DU	342.1377	18,149,722.45	96,030
Commercial/ Retail/Office	7,753,268	1,000 SF	0.284116 280	2,202,824.00 2,170,915	11,486
Industrial	33,746,988	1,000 SF	429.50	14,494,432	76,690
Total Residential				18,149,722.45	96,030
Total Non-Residential				2,202,824.00 16,665,348	88,176
Notes: Du = dwelling unit SF = Square feet therms = energy content of approximately 100 cubic feet of natural gas at standard temperature and pressure MTCO _{2e} = metric tons of carbon dioxide equivalent					

Project (2040) Operational Electricity and Natural Gas

Table 2-9 (Revised) Annual Electricity Usage						
Land Use	Size	Size Unit	Electricity Rate (kWh/size/ year)	Annual Electricity Usage (kWh/year)	Annual Electricity Usage (GWh/year)	<u>Annual MTCO_{2e}</u>
Single Family	7,320	dwelling unit	9,339.2	68,362,944	68.36	<u>11,622</u>
Multi-Family	26,542	dwelling unit	6,846.8	181,727,766	181.73	<u>30,894</u>
Total Residential				250,090,710	250.09	<u>42,515</u>
Commercial/ Retail	1,953.2	1,000 sq ft	9,758.4	19,059,765	19.06	<u>3,240</u>
Office	1,921.7	1,000 sq ft	17,443.2	33,521,295	33.52	<u>5,699</u>
Industrial	41,137.5	1,000 sq ft	9,569.1	393,648,526	393.65	<u>66,920</u>
Total Non-Residential				446,229,586	446.23	<u>75,859</u>
Notes: <u>kWh = kilowatt hours</u> rate from Source: CalEEMod, Appendix G-28, Annual Energy Use by Land Use Subtype and EDFZ EDFZ = 11 (Eastern), Source: CalEEMod, Appendix D-5, Analysis of Building Energy Use Data						

Table 2-10 (Revised) Annual Natural Gas Usage						
Land Use	Size	Size Unit	Natural Gas Rate (kBtu/size unit/year)	Annual Electricity-Natural Gas Usage (kBtu/year)	Annual Electricity-Natural Gas Usage (therms/year)	<u>Annual MTCO_{2e}</u>
Single Family	7,320	dwelling unit	35,564.3	260,330,676	2,603,307	<u>13,774</u>
Multi-Family	26,542	dwelling unit	16,970.2	450,423,048	4,504,230	<u>23,832</u>
Total Residential				710,753,724	7,107,537	<u>37,606</u>
Commercial/ Retail	1,953.2	1,000 sq ft	5,922.2	11,567,034	115,670	<u>612</u>
Office	1,921.7	1,000 sq ft	27,586.7	53,014,465	530,145	<u>2,805</u>
Industrial	41,137.5	1,000 sq ft	42,950.3	1,766,866,506	17,668,665	<u>93,485</u>
Total Non-Residential				1,831,448,005	18,314,480	<u>96,902</u>
Notes: <u>kBtu = kilo British thermal units</u> Rate Source: CalEEMod, Appendix G-28, Annual Energy Use by Land Use Subtype and EDFZ EDFZ = 11 (Eastern), Source: CalEEMod, Appendix D-5, Analysis of Building Energy Use Data						

As shown in these tables, annual industrial GHG emissions resulting from electricity consumption would increase by 66,920 equivalent metric tons of CO₂ (MTCO_{2e}) and natural gas by 93,485 MTCO_{2e} over baseline. This includes a conservative estimate as no project-specific mitigation measures are assumed from individual specific plans and projects in the City. See also the revisions to Table 4.6-11, *Moreno Valley Existing and Future Annual Electricity and Natural Gas Use*, in Table 2-11, below.

Table 2-11 (Revised Table 4.6-11)			
Moreno Valley Existing and Future Annual Electricity and Natural Gas Use			
Land Use Sector	Source	Annual Energy Consumption	
		Existing Conditions (2024)	Total 2040 Citywide Consumption
		Electricity (GWh/year)	
Residential	Area ¹	272.70	522.79
	Water ²	17.63	25.59
	Total Electricity	290.33	548.38
Nonresidential			
	Area ¹	341.43	787.73
	Water ²	52.05	113.64
	Total Electricity	393.48	901.37
Citywide Total		683.81	1,449.75
	Natural Gas (therms/year)		
Residential		18,149,722.45	25,257,259.45
		18,149,722	25,257,259
Nonresidential (Commercial/Retail/Office)		2,202,824.00	20,517,304.00
		2,217,915	2,863,730
Nonresidential (Industrial)		14,491,433	32,163,098
		20,352,546.45	45,774,563.45
Citywide Total		34,859,070	60,248,087
1. Existing electricity consumption calculated based on existing consumption data from SCE and MVU. Future electricity data and natural gas based on CalEEMod defaults. Energy consumption values do not account for reductions due to increases in energy efficiency from compliance with future Building Energy Efficiency Standards and updates to CALGreen.			
2. Indoor water consumption and associated electricity consumption for water conveyance based on CalEEMod defaults.			

The revised energy calculations do not change the conclusions in the Revised Draft EIR with respect to energy impacts, which remain less than significant. Accounting for the recent regulatory changes, the revised calculations do not show that a new significant environmental impact or a substantial increase in the severity of an environmental impact would result. As such, no further response is warranted or required.

Comment B3-3

III. Underestimation of Construction and Operational Energy Use

Construction Phase:

Appendix F defaults to generic CalEEMod assumptions for equipment horsepower and load factors without plan-level verification against foreseeable buildout (e.g., large warehouse/logistics construction). CEQA requires disclosure of the magnitude of impacts and a conservative or sensitivity range where inputs are uncertain. (*Sierra Club v. County of Fresno*, 6 Cal.5th at 519–520.)

Response to Comment B3-3

Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the level of detail required for the analysis and mitigation in a program EIR. Additionally, the California Emissions Estimator Model

(CalEEMod) User Guide (2022)¹⁰ (see page 5) states that “the user has control over which defaults are overridden with more accurate, project-specific information, and how changes to those values affect other, linked inputs in the model.” As the Project is programmatic, no individual project-specific construction information is known and defaults were utilized in the Revised Draft EIR modeling. The model outputs and assumptions were reviewed by qualified environmental professionals and are supported by substantial evidence in the administrative record (see Appendix F, *Energy Calculation*, of the Revised Draft EIR). As explained in Section 4.6.3, Methodologies for Determining Impacts, of the Revised Draft EIR, building-related energy use under buildout of the 2024 GPU were estimated utilizing the highest applicable Annual Energy Rates from CalEEMod for single- and multi-family residential uses, commercial/retail use, office use, and industrial use. Transportation-related energy use was analyzed by utilizing EMFAC fuel consumption data and VMT associated with existing conditions and buildout of the 2024 GPU (see page 4.16-13 of the Revised Draft EIR). Additionally, for a more conservative analysis, energy consumption values do not account for reductions due to increases in energy efficiency from compliance with future Building Energy Efficiency Standards and updates to CALGreen (see page 4.6-18 of the Revised Draft EIR). Therefore, as concluded in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment B3-4

Operational Phase:

- **Transportation Energy.**
 - The analysis does not quantify heavy-duty truck activity expected under General Plan buildout, relying instead on light-duty defaults that mask the most energy-intensive use. This omits the dominant driver of diesel consumption and peak demand near logistics corridors.

Response to Comment B3-4

This comment is noted but is not accurate. Appendix F, *Energy Calculations*, of the Revised Draft EIR shows the fleet mix assumed for the 2024 and 2040 scenario (see pages 2 and 8). The modeling assumed all vehicle classes in four categories: passenger auto vehicles, light duty trucks, medium duty trucks, and heavy duty trucks. No further response is warranted or required.

¹⁰ California Emissions Estimator Model (CalEEMod), User Guide for CalEEMod Version 2022.1, <https://www.caleemod.com/user-guide>. Accessed September 13, 2025.

Comment B3-5

- **Water/Energy Intensity.**
 - Appendix F applies a static 6,807 kWh/MG factor without acknowledging variability from drought, pumping head, or imported water mixes; recent regional data indicate higher intensities under stress conditions. The omission understates lifecycle electricity demand.

Response to Comment B3-5

The comment is noted for the record. Please refer to Response to Comment B3-3 above. As the Project is programmatic, no individual project-specific information is known, and defaults were utilized in the Revised Draft EIR modeling. The model outputs and assumptions were reviewed by qualified environmental professionals and are supported by substantial evidence in the administrative record (see page 8 of Appendix F, *Energy Calculations*, to the Revised Draft EIR). No further response is warranted or required.

Comment B3-6

- **Natural Gas Lock-In:**
 - The analysis assumes code-minimum appliances and does not evaluate all- electric pathways or whether gas infrastructure would cause long-term inefficient consumption relative to feasible electrification; an Appendix F question that should be addressed at the program level.

Response to Comment B3-6

The comment is noted for the record. Please refer to Response to Comment B3-3. Regarding the Project's impacts related to natural gas, Table 4.6-11, *Moreno Valley Existing and Future Annual Electricity and Natural Gas Use* on page 4.6-18 of the Revised Draft EIR shows that buildout of the Project would result in an increase in electricity and natural gas usage compared to existing conditions due to anticipated growth. See also the revisions presented in Response to Comment B3-2 and in Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of this Revised Final EIR. As discussed in the Revised Draft EIR, it is assumed that all existing development would remain under the 2040 buildout condition.

As the turnover of existing uses occurs, future development implemented under the Project would be required at a minimum to meet the mandatory energy requirements of CALGreen and the California Energy Code (Title 24, Part 6 of the CCR) in effect at the time of development, and would benefit from the efficiencies associated with these regulations as they relate to building heating, ventilating, and air conditioning (HVAC) mechanical systems, water heating systems, and lighting. Additionally, rebate and incentive programs that promote the installation and use of energy-efficient plug-in appliances and lighting would be available as incentives for future and existing development. California's Energy Efficiency Standards for Residential and Non-Residential Buildings create uniform building codes to reduce California's energy use and provide energy efficiency standards for residential and non-residential buildings. These standards are incorporated within the California Building Code and are expected to

substantially reduce the growth in electricity and natural gas use. 2022 Title 24 standards for new residential and nonresidential buildings focus on encouraging electric heat pump technology and use, promote electric-ready buildings to get owners to use cleaner electric heating, cooking, and vehicle charging, expand solar photovoltaic systems and battery storage systems to reduce reliance on fossil fuel transportation and power plants.

Additionally, the proposed CAP developed a Qualified GHG Reduction Strategy that would meet the 2030 target to reduce per capita GHG emissions by 65 percent below 1990 levels and make substantial progress towards the 2045 target for carbon neutrality. These strategies would serve to reduce GHG emissions associated with building energy, including natural gas. Therefore, energy conservation measures required by applicable energy conservation regulations (e.g., CALGreen, Title 24) and energy conservation policies included in the proposed 2024 GPU, and the CAP would support the minimization of energy consumption from operations associated with future development. Future development allowed under the Project would implement applicable regulations that would ensure development would be energy efficient. Therefore, implementation of the Project would not conflict with or obstruct implementation of CALGreen and the California Energy Code, or with Southern California Edison and Moreno Valley Electric Utility's (MVU) implementation of the California Renewable Portfolio Standard (RPS). As such, the Revised Drafted EIR appropriately concludes that the Project would have a less than significant impact related to energy.

Please also refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. As discussed in Topical Response 3, approval of the Project and certification of its Revised Final EIR does not entitle or environmentally clear any specific development project. All feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. No further response is warranted or required.

Comment B3-7

IV. Failure to Identify Feasible, Enforceable Mitigation

The RDEIR largely relies on existing codes and generalized statements about efficiency, but proposes no enforceable plan-level measures. CEQA requires feasible mitigation with performance standards (Guidelines §15126.4; Appendix F). At the General Plan level, feasible measures include, for example:

- All-electric new construction for warehouse/commercial uses, with EV-ready infrastructure and minimum circuit capacity standards.
- Fleet energy performance standards for tenant trucking (e.g., minimum ZE/NZE percentage by year, shore-power/idle-reduction requirements, on-site charging/fueling plans).
- On-site solar + storage at logistics and commercial centers sized to meet peak load targets and reduce grid stress.

- Water recycling and advanced efficiency requirements aligned with drought-contingency baselines.
- Performance targets exceeding Title 24 by a defined percentage, tied to approval conditions and monitoring.

By omitting these measures, or explaining why they are infeasible, the RDEIR violates CEQA's mitigation mandate and **improperly defers** plan-level choices to project-level review. See *Vineyard Area Citizens; Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777, 793.

Response to Comment B3-7

Please refer to Responses to Comments B3-3 and B3-6 as well as Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. As noted in Topical Response 3, mitigation measures proposed by program EIRs do not need to have the same level of specificity as a project-level analysis and can be more general. However, they do need to provide a reasonable, good-faith analysis of mitigation measures for future projects. (*Communities for a Better Environmental v. City of Richmond* (2010) 184 Cal. App. 4th 70). Moreover, mitigation measures in a program EIR must define specific, measurable, and enforceable performance criteria for mitigating impacts. (14 CCR § 21083.1(b).) As such, the mitigation measures included in the Revised Draft EIR were designed specifically to address the potential impacts identified by the analysis while still being specific enough to be enforceable and feasible.

While additional mitigation measures have been suggested to be included in the Revised Draft EIR, such as the suggestions included in this comment, the City must consider whether (1) there is substantial evidence based on facts, data, or expert opinion showing that the proposed suggestions would substantially reduce significant impacts related to these topical areas; and (2) the mitigation measures suggested are appropriate for a programmatic-document, which requires implementation to all future projects within the City, and as opposed to mitigation that should be applied to project-level analysis of specific development projects. As there is no significant impact related to energy as concluded by the Revised Draft EIR, no mitigation is required to reduce a significant impact. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment B3-8

V. Conclusory “Less-Than-Significant” Finding

The ultimate LTS finding rests on code compliance and “typical” efficiency, without facts and analysis that disclose upper-bound fuel/electricity use (especially for heavy-duty transport) or compare outcomes with/without the revoked programs. CEQA rejects such bare conclusions. *Sierra Club v. County of Fresno*, 6 Cal.5th at 512–513.

Response to Comment B3-8

As clarified in Responses to Comment B3-4 through B3-7 above, the Revised Draft EIR included appropriate transportation fuel estimates, default assumptions as user-specific information were unknown, and an appropriate level of mitigation due to the long-range, programmatic nature of the document. Please see Appendix F, *Energy Calculations*, to the Revised Draft EIR and the revisions made in Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of this Revised Final EIR for the calculations that support the findings in the Revised Draft EIR for a less than significant impact. No further response is warranted or required.

Comment B3-9

VI. Public Notice Context

The City's August 2025 **Notice of Availability** lists several significant and unavoidable impacts but **omits Energy**, despite the court's March 2024 writ directing correction of the Energy analysis. Maintaining a **less-than-significant** Energy conclusion without addressing the defects above indicates the deficiency remains uncured and supports recirculation.

Response to Comment B3-9

Please refer to Topical Response 2, *Recirculation Not Required for the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 2 identifies when recirculation is required under CEQA and explains that recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an otherwise adequate EIR. The omission identified by this comment does not merit recirculation. Additionally, the Revised Draft EIR explicitly notes that Section 4.6, *Energy*, has been revised consistent with the Writ and Statement of Decision, chief among them being an introductory note to reader stating that Section 4.6, *Energy*, sets forth all of the additions and deletions to the original version (see page 4.6-1 of the Revised Draft EIR). The additions and deletions themselves can be found in Section 4.6 in Appendix I, *Strikethrough Version of the Revised Program EIR*, to the Revised Draft EIR. Ultimately, the City's decision not to recirculate is supported by substantial evidence and consistent with CEQA. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment B3-10

VII. Requested Remedy

Recirculate the RDEIR with an Energy analysis that:

1. uses a legally valid baseline (or provides sensitivity scenarios reflecting CRA revocations);
2. quantifies plan-level construction and heavy-duty operational energy demand with conservative ranges; and
3. adopts enforceable, plan-level mitigation consistent with Appendix F and §15126.2(b).

Response to Comment B3-10

Please refer to Response to Comments B3-1 through B3-9 as well as Topical Response 2, *Recirculation Not Required for the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. No further response is warranted or required.

Letter B4

Chris Rice

Resident

Moreno Badlands, Conservancy,

And Moreno Valley Resident

Received on August 21, 2025

Comment B4-1

The Moreno Badlands Conservancy is a group of concerned Moreno Valley residents committed to protecting air quality, public health, and the region's environmental integrity. We submit the following comments on the Draft Climate Action Plan ("Draft CAP"). While we support Moreno Valley's intent to align with California's climate goals, the Draft CAP fails to satisfy CEQA's standards for a "qualified GHG reduction plan" under Guidelines §15183.5. Specifically, the plan relies on speculative assumptions, omits major emissions sources, and lacks enforceable monitoring or corrective mechanisms. These deficiencies prevent the Draft CAP from lawfully supporting CEQA streamlining and undermine its effectiveness in reducing greenhouse gases.

Response to Comment B4-1

The comment provides a summary of Comments B4-2 to B4-8 below. Please see Response to Comments B4-2 to B4-8 below for the specific responses to each comment.

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)).

Moreover, the purpose of the proposed CAP is to provide a roadmap of local policies that are intended to reduce GHG emissions. As such, the proposed CAP includes the following elements: a) an emissions inventory and projection; b) emission targets; c) enforceable GHG control measures; d) implementation; and e) monitoring and reporting of GHG emission levels. The proposed CAP also provides a means for streamlining the analysis of GHG emissions under CEQA for future projects. In other words, the proposed CAP provides the basis for CEQA review of GHG emissions for projects consistent with the 2024 GPU. CEQA Guidelines Section 15183.5 requires "qualified GHG reduction plans" (CAPs) to "specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level." The Guidelines do not require any specific measures, instead they leave the

identification of a specific group of measures to the discretion of the lead agency on a project-by-project basis. In light of the foregoing, no further response to this comment is warranted or required.

Comment B4-2

I. Exclusion of Industrial/Warehouse Sources from Streamlining

The CAP expressly excludes warehouses and industrial projects from CEQA streamlining because industrial point sources were omitted from the inventory, and Southern California Edison could not confirm how warehouse loads are categorized (pp. 27, 140). Given Moreno Valley's rapid expansion of warehouse development and goods- movement infrastructure, this omission is fatal. A Draft CAP that excludes the City's dominant emissions sector cannot reasonably qualify as a citywide CEQA tool.

Moreover, any claimed reductions become misleading to the public when they exclude emissions from the City's primary industry - warehousing - creating an artificially optimistic picture of Moreno Valley's climate progress.

Response to Comment B4-2

The comment is noted for the record. Climate action planning does not have established requirements beyond those contained in CEQA Guidelines § 15183.5 and generally relies upon State guidance and best practices. CEQA Guidelines § 15183.5 details the requirements of a “qualified greenhouse gas (GHG) reduction plan” for the purposes of tiering and streamlining the analysis of GHG emissions. In no way does CEQA Guidelines § 15183.5 include requirements regarding which GHG sectors are to be included or excluded from a qualified GHG reduction plan. Moreover, Public Resources Code (PRC) § 21083.1 states the Legislature's intention that courts not interpret CEQA or the CEQA Guidelines “in a manner which imposes procedural or substantive requirements beyond those explicitly stated in this division [CEQA] or in the state guidelines.”

The Association of Environmental Professionals (AEP) white paper (*Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Actions Plan Targets in California*, 2016, page 65)¹¹, recommends that CAPs include GHG emissions sources over which the City has “direct or indirect jurisdictional control.” For the City of Moreno Valley as the Lead Agency, these GHG emissions include those associated with residential and commercial activities. GHG emissions associated with industrial activities are excluded because they are outside the City's direct and indirect jurisdictional control. Industrial activities are instead regulated by the Federal, State, and regional agencies. This exclusion is consistent with guidance from AEP in *Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Actions Plan Targets in California*, 2016, page 48¹², which states it is common practice to exclude industrial projects from CAPs to avoid duplicating State regulation of those sources. This exclusion is also consistent with California's 2022 Scoping Plan which identifies three priority areas that address the State's largest sources of emissions over which local governments have authority or

¹¹ Association of Environmental Professionals (AEP), *Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Actions Plan Targets in California*, 2016, https://califaep.org/docs/AEP-2016_Final_White_Paper.pdf. Accessed September 15, 2025.

¹² Ibid.

influence: zero-emission transportation, VMT reduction, and building decarbonization. Therefore, the City's proposed CAP includes GHG emissions sources directly and indirectly influenced by activities occurring within the city limits boundary.

The California Public Utilities Commission (CPUC) established the Environmental Data Request Program as part of CPUC Decision (D.) 14-05-016¹³ specifically to protect customer confidentiality. This program requires utilities to aggregate community energy usage data into four specific categories: residential, commercial, industrial, and agricultural, with specific minimum participation requirements. The utilities do not publish how various building types are aggregated. Due to this aggregation, it is impossible to determine how or if warehouses are included in the commercial or industrial sectors. Therefore, as a conservative measure, the Lead Agency has determined that warehouses and industrial projects are not eligible to rely on the CAP for tiering or streamlining of CEQA analysis.

This approach deployed in the proposed CAP is based on available guidance, best practices, and the requirements of the CEQA Guidelines and does not overstate GHG reductions or streamlining applicability. By limiting use of the CEQA GHG Checklist to residential, commercial, and municipal projects, the CAP provides a clear and conservative tool for streamlining while avoiding uncertainty regarding warehouse and industrial emissions.

See Response to Comment B4-1 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment B4-3

II. Failure to Disclose Cumulative Industrial Emissions

The Draft CAP improperly attempts to narrow its cumulative setting by excluding emissions from existing and reasonably foreseeable industrial sources because such facilities are "separately regulated."¹ CEQA does not permit this approach. As the California Supreme Court has made clear, compliance with other regulatory regimes cannot substitute for the obligation to disclose and analyze environmental consequences. (*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 321, 328–329).

Indeed, the courts have repeatedly rejected attempts to sidestep cumulative impact analysis by pointing to external regulation. In Bakersfield Citizens for Local Control v. City of Bakersfield (2004) 124 Cal.App.4th 1184, 1216–1217, the court invalidated an EIR that relied on broad, conclusory statements and omitted meaningful discussion of cumulative air quality and traffic impacts. Similarly, in *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 520–523, the Supreme Court emphasized that cumulative analysis must connect emissions to health and environmental consequences, not rely on regulatory assumptions. And in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 229–231, the Court

¹³ California Public Utilities Commission, Decision 14-05-16 (May 1, 2014), <https://docs.cpuc.ca.gov/publisheddocs/published/g000/m090/k845/90845985.pdf>. Accessed September 15, 2025.

invalidated a greenhouse gas analysis that relied on broad programmatic compliance rather than disclosing actual emissions impacts.

Industrial operations within the Plan Area, including logistics centers, factories, and other stationary sources, plainly contribute both criteria pollutants and greenhouse gases. CEQA requires the City to quantify those emissions reasonably, disclose their contribution to cumulative impacts, and assess whether adoption of the General Plan Update would exacerbate or interact with those effects. By omitting them, the Draft CAP provides decision-makers and the public with an incomplete and misleading picture of cumulative air quality and climate impacts. This omission is especially problematic because CEQA requires disclosure of the whole of the physical environmental setting (Guidelines §15125(a)), and the informational purpose of an EIR is to provide decision-makers and the public with a full picture of environmental impacts (Pub. Res. Code §21061).

Requested Revision: *The City must either (a) include industrial/warehouse sources in the inventory and reduction strategy, or (b) disclaim any intent to use the CAP for CEQA streamlining of citywide projects.*

Footnote 1: City of Moreno Valley Climate Action Plan Draft (July 2025), p. 140, fn. 6 (“*The inventory excludes point source industrial emissions because these emissions activities are generally outside the jurisdictional control of the City and are instead regulated by the State’s Cap-and-Trade program.*”).

Response to Comment B4-3

This comment is noted for the record. The Revised Draft EIR included industrial projects as part of the 2024 environmental baseline and the MoVal 2040 Horizon Year Forecast (see Appendix G, *Methodology for Establishing the Environmental Baseline and Horizon Year Forecast*, to the Revised Draft EIR) for air quality and energy calculations. Therefore, industrial uses were accounted for in the baseline and forecast and evaluated in the Revised Draft EIR. As land use square-footage and trips were the primary inputs into air quality and energy the industrial uses proposed throughout the City were evaluated. Additionally, the health risk analysis includes industrial sources including trucks, transport refrigeration units, cargo handling equipment, forklifts, yard trucks, and emergency generator emissions. As discussed on page 15 of the proposed CAP “Other sectors, like industrial and agricultural emissions, were excluded due to jurisdictional control limitations or State legislation considerations”. Therefore, the CAP is not intended to support streamlining of industrial uses. Therefore, GHG emissions related to industrial sources were quantified separately and provided below.

However, for the GHG analysis the mobile emissions related to industrial was incorporated into the CAP, the point sources (i.e. emergency generators) and energy associated with the building are not included in the CAP emissions inventory for streamlining. Therefore, additional calculations were performed and summarized in Table 2-12, *Generator GHG Emissions* (see data combined in Table 2-11 (Revised Table 4.8-6), *Moreno Valley GHG Emissions Inventories and Efficiency Metrics without CAP Measures*) of Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of this Revised Final EIR), which shows GHG emissions related to the emergency generators as well as in Table 2-13, *Moreno Valley GHG Emissions Inventories* (see data combined in Table 2-11 (Revised Table 4.8-6), *Moreno Valley GHG Emissions Inventories and*

Efficiency Metrics without CAP Measures, of Section 3.0, *Corrections and Additions to the Revised Draft EIR*, to the Final Revised EIR), which shows the City's GHG emissions including industrial building energy and emergency generators from Table 2-13.

Table 2-12 Generator GHG Emissions					
	KSF	Annual Electricity Usage (kWh)	Generators	Gallons per Year	MTCO ₂ e
2024					
Non-WLC (Unrefrigerated)	22,326	102,755,023	29	29,325	299
Non-WLC (Refrigerated)	5,582	122,066,801	35	60,964	621
WLC	0	0	0	0	0
Total Industrial Emissions	27,908	224,821,824	64	90,289	919
2040					
Non-WLC (Unrefrigerated)	28,643	131,827,464	38	37,622	383
Non-WLC (Refrigerated)	7,161	32,956,866	9	16,460	168
WLC	40,400	185,936,960	53	53,064	540
Total Industrial Emissions	76,204	350,721,290	100	107,146	1,091
Notes: Assume 20 percent of industrial space is cold storage. WLC does not include cold storage warehouse. Assume emergency generators used for non-refrigerated space would be smaller and use 20 gallons per hours; larger generators would use 35 gallons per hour.					

Table 2-13 Moreno Valley GHG Emissions Inventories		
	Baseline (2024)	Buildout (2040)
Transportation	758,601	846,207
Building Energy (Non-Industrial)	404,213	385,318
<u>Building Energy (Industrial)</u>	<u>86,479</u>	<u>246,884</u>
Solid Waste	189,721	282,026
Wastewater	1,027	1,400
Water	6,724	903
<u>Emergency generators</u>	<u>919</u>	<u>1,091</u>
Total (MT CO₂e)	<u>1,447,684</u>	<u>1,763,829</u>
Population	205,620	298,440
MT CO₂e Per Capita	6.65	5.31
SOURCE: Rincon, 2025. 1. Total emissions may be off due to rounding. 2. Building Energy includes industrial land uses calculated outside the CAP. 3. Industrial sources not included in CAP. Total includes building energy and emergency generators.		

Please refer to Appendix G, *Methodology for Establishing the Environmental Baseline and Horizon Year Forecast*, to the Revised Draft EIR for a full discussion of the methodology for establishing the MoVal 2040 Environmental Baseline for Industrial use and the 2040 Horizon Year Forecast.

See Response to Comment B4-1 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment B4-4

III. Reliance on Uncertain State Regulations

The Draft CAP credits reductions from the Advanced Clean Trucks (ACT) rule in its adjusted forecast (p. 33, Table 2-3) despite acknowledging “enforcement uncertainty” (p. 154). On June 12, 2025, Congress revoked California’s federal Clean Air Act waivers under the Congressional Review Act, rendering ACT, ACC II, and the Low-NOx Omnibus void from the start.

Under 5 U.S.C. §801(f)2, any rule disapproved under the CRA ‘shall be treated as though such rule had never taken effect.’ Accordingly, ACT, ACC II, and the Low- NOx Omnibus are legally **void ab initio**. This is not merely a regulation subject to appeal; under current law these rules do not exist. While litigation challenging the CRA disapproval is pending, that does not alter the present legal reality: these rules have no force and cannot provide a valid basis for CEQA streamlining.

While California and 23 other states have since filed suit in U.S. District Court to challenge the revocation, the current law is that these rules are legally invalid. This legal limbo means Moreno Valley cannot rely on ACT benefits as enforceable or reasonably foreseeable under CEQA.

If the City Council adopts a CAP that relies on emission reductions from state rules voided by Congress, it would be taking legislative action based on laws that no longer exist. This compounds the evidentiary deficiency with a governance problem: the City would knowingly anchor its climate strategy to legally invalid assumptions.

Requested Revision: *Exclude uncertain state rules from quantified reductions unless the City can demonstrate enforceability or apply conservative adjustment factors.*

Response to Comment B4-4

Please refer to Response to Comment B1-3. As discussed in that response, a conservative adjustment factor has been applied to the proposed CAP and Revised Draft EIR to account for increased air quality and GHG emissions due to the revocation of the ACT. A summary document detailing the data sources and methodology has been included as Appendix G, *Regulatory Adjustment Appendix*, to the proposed CAP and Appendix B of this Revised Final EIR. With the adjustment, GHG reductions from the ACT have been removed from the proposed CAP, and the proposed CAP continues to achieve the 2030 target and makes substantial progress towards the 2045 target. See Response to Comment B4-1 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment B4-5

IV. Use of Outdated Global Warming Potentials (GWPs)

The Draft CAP locks in IPCC AR4 GWPs “for consistency” (p. 9). Yet AR6 assigns methane a 100-year GWP of 27–30, compared to AR4’s 25³, a difference of 8-20%. In methane-heavy sectors such as solid waste and

natural gas leakage, this systematically underestimates emissions, directly biasing the baseline and reduction targets. CEQA requires use of the “best available information,” and reliance on AR4 is outdated and misleading (*Communities for a Better Environment v. SCAQMD*, 48 Cal.4th 310).

Requested Revision: *Update the inventory and forecast to use AR6 GWPs, or apply conservative correction factors to prevent understatement of impacts.*

Footnote 3: Intergovernmental Panel on Climate Change, *Sixth Assessment Report: Climate Change 2021 – The Physical Science Basis*, Table 7.15 (methane 100-year GWP = 27–30, vs. AR4 value of 25).

Response to Comment B4-5

The comment is noted for the record. As previously discussed, climate action planning does not have established requirements beyond those contained in CEQA Guidelines § 15183.5 and generally relies upon state guidance and best practices. CEQA Guidelines § 15183.5 details the requirements of a CEQA “qualified GHG reduction plan” for the purposes of tiering and streamlining the analysis of GHG emissions. In no way do CEQA Guidelines § 15183.5 include requirements regarding the use of specific global warming potential (GWP) values. Moreover, PRC § 21083.1 states the Legislature’s intention that courts not interpret CEQA or the CEQA Guidelines “in a manner which imposes procedural or substantive requirements beyond those explicitly stated in this division [CEQA] or in the state guidelines.” Furthermore, the proposed CAP’s use of IPCC Fourth Assessment Report (AR4) GWP values is consistent with the methodology used by the California Air Resources Board’s Statewide GHG inventory.^{14,15} The Lead Agency’s use of AR4 values provides consistency and comparability across local and State inventories.

See Response to Comment B4-1 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment B4-6

V. Per-Capita Thresholds Mask Growth

Appendix F establishes per-capita thresholds (e.g., 2.04 MTCO₂e per resident, 4.16 per FTE) (App. F, p. F-6). These thresholds allow absolute emissions to rise as long as population or employment grows, masking the City’s true climate impact. This approach is inconsistent with SB 32’s mandate for absolute reductions and CARB’s 2022 Scoping Plan trajectory⁴.

Relying on per-capita thresholds alone also ignores §15064.4(b)(2) and §15064.7, which require substantial evidence that the threshold and methodology meaningfully indicate the project’s GHG significance and progress toward actual reductions.

¹⁴ CARB, Mandatory Reporting of Greenhouse Gases, 40 CFR Part 98 Subpart A, https://ww2.arb.ca.gov/sites/default/files/classic/cc/reporting/ghg-rep/regulation/subpart_a_rule_part98.pdf. Accessed September 15, 2025.

¹⁵ CARB, GHG Global Warming Potentials, <https://ww2.arb.ca.gov/ghg-gwps>. Accessed September 15, 2025.

Requested Revision: *Adopt absolute or hybrid thresholds (per-capita + total) consistent with CARB and SB 32, ensuring real emissions decreases.*

Footnote:4: California Health & Safety Code §38566 (SB 32 requires statewide greenhouse gas emissions to be reduced to 40 percent below 1990 levels by 2030); California Air Resources Board, 2022 Scoping Plan for Achieving Carbon Neutrality (Dec. 2022).

Response to Comment B4-6

CEQA Guidelines § 15183.5 requires “qualified GHG reduction plans” to “establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable.” The CEQA Guidelines do not include requirements on how the level must be established, leaving this determination up to the Lead Agency’s discretion. Moreover, PRC § 21083.1 states the Legislature’s intention that courts not interpret CEQA or the CEQA Guidelines “in a manner which imposes procedural or substantive requirements beyond those explicitly stated in this division [CEQA] or in the state guidelines.” Furthermore, California’s Scoping Plan (2017) recommends that local governments adopt policies and locally appropriate quantitative GHG thresholds consistent with statewide per capita goals.¹⁶ The Scoping Plan also recommends using locally appropriate per capita GHG emissions reduction targets to avoid penalizing cities that are growing at significant rates. The use of per capita targets and thresholds for the City is consistent with this guidance and helps pace reduction efforts in line with the significant population and economic growth projected (see page 99-100).¹⁷

Comment B4-7

VI. Weak Monitoring and Corrective Action

The CAP’s monitoring section states the City “may need to revise” the plan if progress lags and anticipates an update in 2029 (p. 108). This permissive language fails CEQA Guidelines §15183.5(b)(1)-(5), which requires enforceable monitoring and corrective triggers. Without binding mechanisms, the CAP provides no assurance that reductions will occur. Section 15183.5(b) requires a qualified CAP to specify targets, measures and implementing actions by sector, a schedule, and **enforceable** monitoring with corrective triggers. Here, the Draft CAP’s ‘may need to revise’ language lacks those required backstops.

Response to Comment B4-7

The proposed CAP’s Implementation and Monitoring section has been updated to include enforceable language regarding CAP updates. See Section 4, *Climate Action Plan Monitoring and Updates*, of the CAP for the updated language. The proposed CAP now states that the City “will” update the CAP if measurable and sufficient progress toward the 2030 GHG reduction target is not made or if the City’s demographics (i.e., population, housing, and jobs) exceed projected levels. These updates will help maintain the City’s trajectory toward the State’s 2030 and 2045 goals.

¹⁶ CARB, California’s 2017 Climate Change Scoping Plan, https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping_plan_2017.pdf. Accessed September 15, 2025.

¹⁷ Ibid.

See Response to Comment B4-1 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment B4-8

VII. Contingent and Speculative Measures

Several measures rely on funding or ordinances not yet adopted. For example, the CAP assumes 95% compliance with all-electric new construction starting in 2026 (pp. 55, 99), though no such ordinance has been passed. CEQA does not allow credit for reductions from speculative measures (*Vineyard Area Citizens v. Rancho Cordova*, 40 Cal.4th 412).

Requested Revision: *Credit should not be claimed until measures are formally adopted and funded.*

Response to Comment B4-8

This comment suggests that the proposed CAP relies, in part, on speculative measures solely because some measures include actions related to building ordinances and funding that have not yet been adopted. To make this argument, commenter relies upon *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, a 2007 California Supreme Court case looking at the availability of water for projects. The court found that, when looking at future water supplies, there must be a likelihood of proving to be available. (*Vineyard*, 40 Cal.4th 412, 432). Here, unlike in *Vineyard*, the adoption of an ordinance and the securing of funding are within the capacity and authority of the Lead Agency. Additionally, these actions are part of the project, and under CEQA it is not speculative to assess the potential increases or decreases of actions or measures contained within the Project.

Center for Biological Diversity v. California Department of Fish and Wildlife (CDFW) (2015) 224 Cal.App.4th 1105 (Newhall Ranch case) also addressed the use of a CAP under § 15183.5 for streamlining, finding the use of a CAP created under § 15183.5(b) for streamlining of analysis is appropriate, stating:

[A] separate plan to reduce greenhouse gas emissions may, if sufficiently detailed and adequately supported, be used in later project-specific CEQA documents to simplify the evaluation of the project's cumulative contribution to the effects of greenhouse gas emissions (*Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 230, citing Guidelines, § 15183.5, subds. (a), (b), emphasis added.)

More recent cases continue to support the use of a Plan created under § 15183.5(b) for streamlining purposes and agree that each future project must analyze whether it is consistent with §15183.5, the CAP, and identify reduction measures from the plan that apply to the project. If those measures are not otherwise binding, then the future project must include those measures as mitigation (*McCann v. City of San Diego* (2021) 70 Cal.App.5th 51, 97). In *McCann*, the Court reaffirmed that a CAP does not excuse or eliminate future CEQA analysis of GHG impacts but instead provides guidance and establishes measures that individual projects may utilize to focus that analysis and eliminate recreating the process each and every time.

Since publication of the proposed CAP, the City Council adopted a local reach code on August 19, 2025, which supports building electrification by requiring higher-efficiency residential air conditioners consistent with the 2025 California Energy Code.¹⁸ This ordinance provides clear evidence that the City is already implementing building decarbonization strategies, including electrification of buildings with central air conditioning.

Furthermore, consistent with CEQA Guidelines § 15183.5, the City's proposed CAP includes specific measures supported by substantial evidence showing that, **if implemented** on a project-by-project basis, they would collectively achieve the specified emissions level. The proposed CAP also includes a monitoring program, performance standards, and a requirement to update the CAP if measures are not implemented or if community GHG emissions deviate from the reduction trajectory. Therefore, these measures are not speculative but are required elements of the project. No further response is warranted or required.

Comment B4-9

VIII. Conclusion

As drafted, the CAP fails to provide substantial evidence that its measures will achieve the 2030 and 2045 targets, omits critical emission sources, and lacks enforceable monitoring. We respectfully request that the City revise and recirculate the Draft CAP to:

- Incorporate industrial/warehouse sources.
- Remove speculative credit for uncertain state rules.
- Update GWPs to AR6 values.
- Replace per-capita thresholds with absolute or hybrid thresholds.
- Establish binding monitoring triggers.
- Exclude credit for unadopted or unfunded measures.

Absent these revisions, the CAP cannot lawfully serve as a CEQA-qualified plan under §15183.5.

Response to Comment B4-9

This comment provides a summary of Comments B4-2 through B4-8 above. Please refer to the specific Responses to Comments B4-2 through B4-8 for an explanation of the CAP methodology and analyses.

See Response to Comment B4-1 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

¹⁸ Citizen Portal, City Council Adopts 2025 California Energy Code for Residential Air Conditioners, 2025, <https://citizenportal.ai/articles/5604331/Moreno-Valley/Riverside-County/California/City-Council-Adopts-2025-California-Energy-Code-for-Residential-Air-Conditioners/>. Accessed September 16, 2025.

Letter B5

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Received on August 21, 2025

Comment B5-1

Please find attached a letter from CCAEJ responding to the REIR for the MoVal 2040 GPU. A response acknowledging receipt would be appreciated.

Response to Comment B5-1

The comment is noted.

Comment B5-2

This letter is on behalf of the Center for Community Action and Environmental Justice (CCAIEJ) to respond to the Revised Environmental Impact Report for the MoVal 2040: The Moreno Valley General Plan Update (SCH #2020039022) which has been completed and is now available for inspection. CCAIEJ appreciates the opportunity to provide these comments on the plan and analysis. Nevertheless, there are still some concerns which we have identified which need to be addressed before the Plan is finalized.

Response to Comment B5-2

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment B5-3

The first concern is for the impact on air quality that the building out of the Plan would lead to. While it is encouraging to see some Air Quality measures meant to reduce various emissions, several of them do not go far enough. In particular, AQ-4 has good intent but as written, is inadequate as projects often have schedules which slip, potentially leading to a situation where those which might not have met the threshold for completing an LST analysis. Instead, it should be adjusted to better account for that outcome by adding tools to ensure that projects which would fall into the threshold conduct the LST whenever it would happen.

Response to Comment B5-3

The comment is noted. Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level of detail required for the analysis and mitigation in a program EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment B5-4

Another point of concern is for Measure T-4 of the Climate Action Plan. While it is good to see the commitment to implement the California Air Resources Board's (CARB) zero emissions vehicle targets for passenger and commercial vehicles, missing is the commitment to meet CARB's 2022 Scoping Plan goal of a reduction in VMT of 30% by 2030.

Response to Comment B5-4

Measure T-4 of the Climate Action aims to achieve zero emission vehicle adoption rates of 31% for passenger vehicles and 19% for commercial vehicles by 2030 and 100% for both vehicles by 2045. As described on pages 4.8-34 and 4.8-35 in Section 4.8, *Greenhouse Gas Emissions*, of the Revised Draft EIR, future 2024 GPU projects related to transit and active transportation, natural carbon sequestration efforts, building decarbonization, VMT reduction, reduced solid waste production, and reduced water consumption would support the goals of the CARB 2022 Scoping Plan related to use of clean technologies and fuels, reductions in short-lived climate pollutants, and increased action on natural and working lands to sequester carbon. As discussed in Topical Response 3, the Project has incorporated VMT reducing goals and policies to the extent feasible. Specifically, the Project includes Transportation Demand Management (TDM) policies and actions under goals C-2 and C-3 of the 2024 GPU Circulation Element that promote complete streets design to accommodate all transportation modes and encourage connectivity through an integrated network; improve walkability and community integration by providing walkable access to daily needs and special provisions for pedestrians and bicycles; and traffic and parking management plans to utilize travel demand management strategies encouraging transit and other alternatives to single-occupant vehicles. Additionally, TDM policies and actions under goals C-4 and C-5 of the 2024 GPU Circulation Element outline goals and policies for improving transportation in the City by providing convenient and safe connections between neighborhoods and destinations and enhancing transportation operations while reducing VMT. These goals and policies reflect a programmatic approach to reducing VMT impacts in the General Plan Area. Future development projects would be subject to additional analysis and mitigation measures, as applicable, to show a commitment to meet CARB's 2022 Scoping Plan goal of reducing VMT. It should also be noted that the Scoping Plan is not itself a regulation. *Center for Biological Diversity v. California Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 222-223.

Comment B5-5

Additionally, while it is good to see that this process has updated the active transportation plan, it is concerning to see that it appears that the particulars and spirit of SB932 (Portantino, 2022) has been missed as there are still a number of instances where Class II bike lanes or Class III bikeways are proposed for use on corridors which would handily exceed the guidance provided by Caltrans in its Contextual guidance for bicycle facilities (Figure 1) and thus does not seem to meet the goals of the Safe Systems Approach which is endorsed by the legislation as they would instead subject users to environments which continue to present unacceptable risks and creates what amounts to hazards by design.

Response to Comment B5-5

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment B5-6

While we do not recommend that bikes be restricted from routes which do not meet the standards above, it is crucial to recognize that it is possible to do better, particularly in situations where infrastructure is being built out as is the case in a fair portion of the city. We urge the City to adopt bikeway standards which are in line with best practice for safety so that as new build or major reconstruction occurs, the appropriate bikeways would be included automatically. At the same time, other existing locations can be upgraded as part of regular maintenance or via the capital improvement process. This is crucial not only for safety, but also for enabling the City to be able to make a meaningful dent in VMT.

Response to Comment B5-6

This comment does not pertain to any significant environmental issues or impacts or any measures to avoid or mitigate any identifiable significant environmental impact. As such, no response to this comment is warranted or required.

Comment B5-7

Thank you for your time and consideration of these matters. If there are any additional questions, please do not hesitate to reach out for clarification.

Response to Comment B5-7

The comment is noted. No environmental issue is raised.

Comment B5-8

Attachment A

Caltrans Contextual Guidance for Preferred Bicycle Facilities**					
Place Type and Surrounding Land-Use ¹		Posted Speed			
		15-20	25-30	35-45	> 45
Urban Areas & Suburban Main Streets	<2,500	Standard Shoulder or	Standard Shoulder or	Class II or Class IV	Class IV
	2,500-5,000	Shared Lane	Shared Lane	Class II or Class IV	
	5,000-10,000	Class II or Class IV	Class II or Class IV	Class IV	
	>10,000	Class IV	Class IV	Class IV	
Rural Areas (Developing Corridors)	<2,500	15-20	25-30	35-45	> 45
	2,500-5,000	Standard Shoulder (may be designated as a Class III facility):			
	5,000-10,000				
	>10,000				
Rural Main Streets	<2,500	15-20	25-30	35-45	> 45
	2,500-5,000	Standard Shoulder or	Class II	Class II	Class I or IV
	5,000-10,000	Shared Lane		Class II	
	>10,000	Class II		Class I, II, or IV	

¹ Highway Design Manual (HDM) Index 81.3

² HDM, Tables 302.1 and 307.2

** Chart is not a replacement for engineering judgement. Intended for planning purposes, to identify minimum preferred bikeway facility under different place type, volume and speed conditions.

Figure 1. Caltrans contextual guidance for bicycle facilities ¹

Footnote 1: <https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/office-of-smart-mobility-and-climate-change/planning-contextual-guidance-memo-03-11-20-a11y.pdf>

Response to Comment B5-8

The comment is noted. No environmental issue is raised.

Letter B6

Maria Ana Lum

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Received on August 21, 2025

Comment B6-1

I am providing you with a correct map of the San Jacinto Wildlife Area to properly update the General Plan and provide the correct information to the Public.

Response to Comment B6-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment B6-2

In Appendix A. Revised Draft Program EIR Notice of Preparation, Scoping Meeting Materials, and NOP Comments Exhibit 2 Planning Area, (Source City of Moreno Valley ArcGIS, 2018 and 2023), has a totally inaccurate map of the San Jacinto Wildlife Area (SJWA) despite the city having been provided correct versions several times. This problem is not limited to this location, but is inaccurate throughout much of the document. This Exhibit 2 doesn't even show that part of the SJWA is within Moreno Valley City limits. The Scoping Meeting slides of SJWA maps shared as part the meeting as well as part of the public's notice of the Revised General Plan Update 2040 GPU/CAP were inaccurate at the time of the meeting and the city was told so, but are again has included them with other documents related to the notice on this project.

Response to Comment B6-2

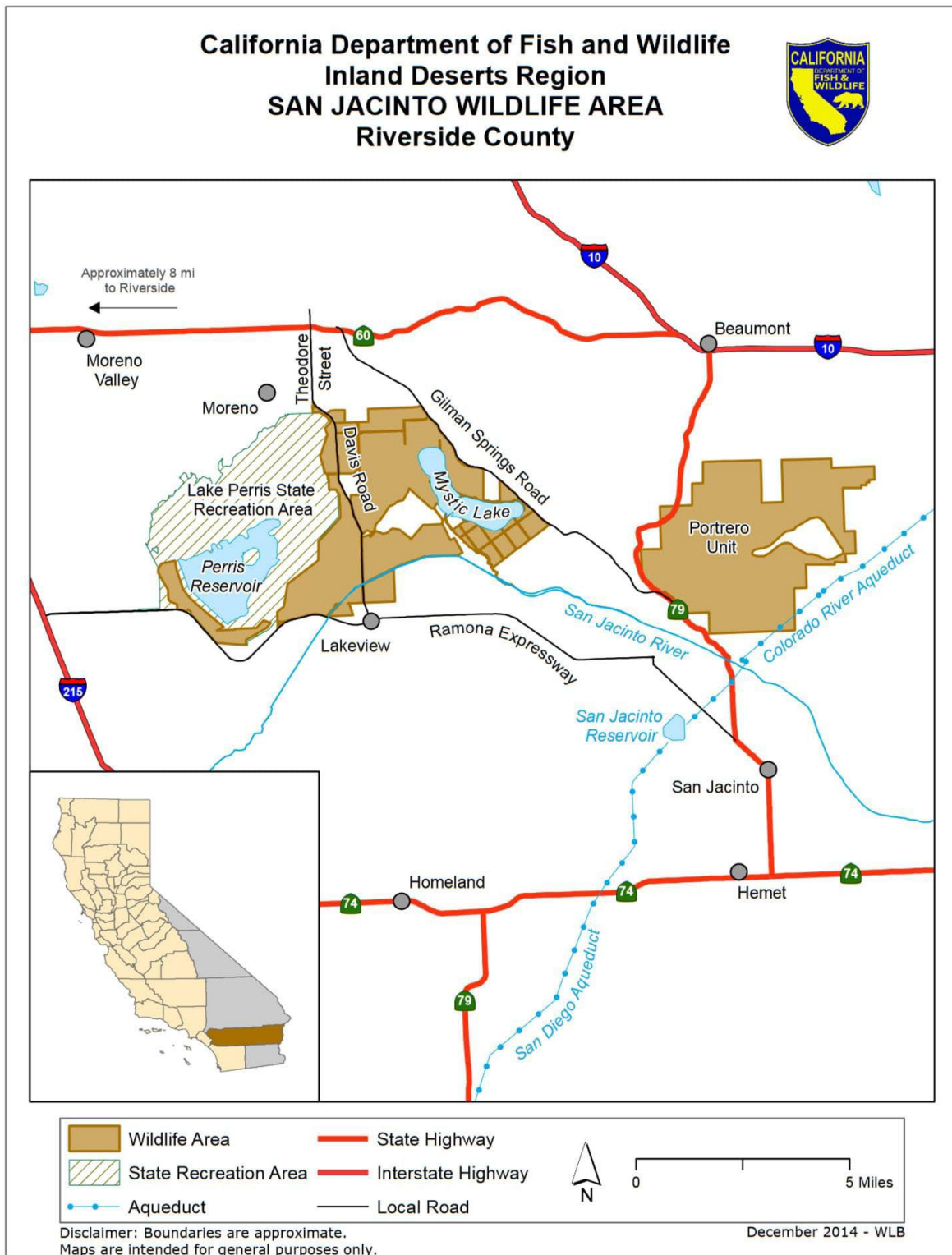
The boundaries of the SJWA provided within the Revised Draft EIR have been adjusted since the Public Scoping Meeting held on Wednesday, August 14, 2024, to accurately reflect the latest available data for the SJWA provided by the CDFW Public Access Lands Dataset.¹⁹ As such, no further response is warranted or required.

¹⁹ California Department of Fish and Wildlife (CDFW), CDFW Public Access Lands, <https://apps.wildlife.ca.gov/lands/>. Accessed September 12, 2025.

Comment B6-3

Attached is the correct map of the SJWA and Surround Conserved Lands as of June 2025 (GreenInfo Network).





If you need further assistance, reach out to Scott Sewell, Senior Supervisor and Wildlife Area Manager, San Jacinto Wildlife Area at scott.sewell@wildlife.ca.gov.

Response to Comment B6-3

See Response to Comment B6-2.

Comment B6-4

This comment is a screenshot of the City of Moreno Valley 2040 Project website and attachments to the comment letter.

Response to Comment B6-4

This comment is noted. No environmental issue is raised.

Letter B7

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Received on August 21, 2025

Comment B7-1

On behalf of the Sierra Club, please find a comment letter regarding the Revised Draft Environmental Impact Report for the **MoVal General Plan 2040/Update project**.

Thank you for your review of these comments and including this letter in your record of the proposed project.

Response to Comment B7-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment B7-2

On behalf of the Sierra Club-San Geronio Chapter, please accept these comments regarding the Revised Environmental Impact Report ("REIR") for the MoVal 2040: Comprehensive General Plan Update and Climate Action Plan Project ("the General Plan Update" or "the Project"). This Project proposes a major update to the City's General Plan.

The REIR concludes that the buildout of the General Plan Update will result in significant, unavoidable impacts associated with agriculture and forestry resources, air quality, biological, cultural and Tribal resources, noise and transportation. However, the REIR fails to propose all feasible mitigation for significant Project impacts in violation of the California Environmental Quality Act ("CEQA"); mitigation measures that are proposed are illusory or permissive; and, in some cases, the conclusions of the REIR are not supported by substantial evidence.

Response to Comment B7-2

The comment is noted. On or about October 28, 2021, the Sierra Club filed a First Amended Petition for Writ of Mandate and Complaint for Declaratory Relief ("Petition") against the City, alleging violations of

CEQA and the CEQA Guidelines and challenging the City Council's approval of the 2040 GPU's related zoning designations and zoning atlas (map). On or about March 5, 2024, Hon. Judge Firetag of Riverside County Superior Court ("Court") issued a Statement of Decision (see Appendix A of the Revised Draft EIR attached as part of the Notice of Preparation), which granted the Petition on the issues of "inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses," but denied the Petition on the issue of "land use analysis." The Court followed up the Statement of Decision with the Peremptory Writ of Mandate ("Writ"), dated May 6, 2024, that ordered the City to set aside the approval of the 2040 GPU and CAP and rescind certification of the 2021 GPU EIR. Furthermore, while the Court also ordered the City to set aside the 2040 GPU's "associated zoning" amendments, it is important to note that the Statement of Decision indicates the Petition was denied on the "issues of zoning." In light of the foregoing, no changes in land use designations are being considered with the exception of any that are required pursuant to legislation adopted since certification of the 2021 GPU EIR.

Furthermore, please note that the purpose of the proposed CAP is to provide a roadmap of local policies that are intended to reduce GHG emissions. As such, the proposed CAP includes the following elements: a) an emissions inventory and projection; b) emission targets; c) enforceable GHG control measures; d) implementation; and e) monitoring and reporting of GHG emission levels. The proposed CAP also provides a means for streamlining the analysis of GHG emissions under CEQA for future projects. In other words, the proposed CAP provides the basis for CEQA review of GHG emissions for projects consistent with the 2024 GPU. CEQA Guidelines § 15183.5 requires "qualified GHG reduction plans" (CAPs) to "specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level." The Guidelines do not require any specific measures, instead they leave the identification of a specific group of measures to the discretion of the Lead Agency on a project-by-project basis.

Finally, please also refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level of detail required for the analysis and mitigation in a program EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. In light of the foregoing, no further response to this comment is warranted or required.

Comment B7-3

AGRICULTURAL IMPACTS

The General Plan Update will significantly impact agricultural resources including Prime Farmland and Farmland of Local Importance. Notably, the REIR does not evaluate the full buildout of the General Plan in terms of the potential to convert agricultural properties across the City to non-agricultural uses; rather

it is asserted that the 2006 General Plan and associated EIR already evaluated those resources, therefore, the current analysis is confined to development within the General Plan Update's "Concept Areas" (see, Figure 3-1 "Concept Areas"; compare, Figure 4.2-1 "FMMP Important Farmlands"). Hence, the full impacts of buildout of the General Plan Update are not disclosed and evaluated, which is improper under CEQA. As can be seen from Figure 4.2-1, the City has many areas of mapped farmland that are not evaluated pursuant to the REIR. Even so, the REIR fails to discuss any potential feasible mitigation for the loss of valuable agricultural lands as a result of development of the Concept Areas. The Concept Areas contain areas of Prime Farmland and Farmland of Local Importance along State Route 60 (east of Moreno Beach Drive) that will be re-zoned to the new designation of "Highway Office/Commercial (HO/C)" (Figure 4.2-2).

Before the City can adopt a "statement of overriding considerations" for significant agricultural impacts, it is obligated under CEQA to evaluate feasible mitigation measures that minimize the conversion of agricultural lands to urban uses.

Once an EIR has identified a potentially significant environmental effect, it must propose and describe mitigation measures. (§§ 21002.1, subd. (a), 21100, subd. (b).) Specifically, CEQA requires the EIR to 'include a detailed statement setting forth...[m]itigation measures proposed to minimize significant effects on the environment ... (§ 21100, subd. (b)(3).) Mitigation is defined as an action that minimizes, reduces, or avoids a significant environmental impact or that rectifies or compensates for the impact. (Guidelines, § 15370 [I].) (*King & Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814, 851-852.)

The REIR does not evaluate any potential feasible mitigation for the loss of important agricultural farmland. According to the State of California¹, the conversion of agricultural land represents a permanent reduction in the State's agricultural land resources. *Conservation easements are an available mitigation tool.*" (emphasis added) As discussed in *King, supra*, mitigation can include conservation easements ("ACE"), purchase of conservation credits, and restoration of agricultural lands. (See also².) Conservation easements³ are contemplated by CEQA as appropriate mitigation for the loss of agricultural resources. (State CEQA Guidelines, § 15370 (e); see, *V Lions Farming, LLC v. County of Kern* (2024) 100 Cal.App.5th 412.)

Footnote 1: [https://www.conservation.ca.gov/dlrp/Pages/CA-Environmental-Quality-Act-\(CEQA\)-.aspx](https://www.conservation.ca.gov/dlrp/Pages/CA-Environmental-Quality-Act-(CEQA)-.aspx)

All hyperlinks and their contents are fully incorporated herein by reference and the information is summarized in the body of this letter.

Footnote 2: <https://calandtrusts.org/wp-content/uploads/2014/03/conserving-californias-harvest-web-version-6.26.14.pdf>

Footnote 3: <https://www.nrcs.usda.gov/programs-initiatives/ale-agricultural-land-easements>

Response to Comment B7-3

The comment is noted for the record; however, please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 1 provides a background of the CEQA lawsuit that was filed by the Sierra Club in Riverside County Superior Court challenging the validity of the 2021 GPU EIR and CAP, the Writ and Statement of Decision issued by the Court, and limited scope of the analysis prepared in the Revised Draft EIR. The Court did not find any inadequacy in the 2021 GPU EIR's analysis of Agriculture and Forestry Resources, and it denied the Sierra Club's arguments regarding the issues of "land use analysis" and "zoning" and left intact the City's California HCD-certified October 2022 Housing Elements. Only comments that specifically address the revisions made will receive a detailed response in the Revised Final EIR. However, all comments made on the Revised Draft EIR will be included in the administrative record and provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment B7-4

The City of Carlsbad, Ca has an agricultural mitigation fee program.⁴ When agricultural uses are converted, Carlsbad imposes a fee on the developer that is paid to a fund for agricultural mitigation, and these funds to award grants to support agricultural restoration projects.⁵ This type of fund or funding should be considered feasible mitigation here. The City of Davis has similar a mitigation program for the loss of agricultural lands which includes the purchase of off-site agricultural lands for conservation easements.⁶ The purchase of off-site lands should be considered feasible mitigation here. Other cities have or are in the process of developing similar mitigation programs.^{7 8} The REIR, however, does not consider any "programmatic" mitigation for the loss of important agricultural farmland even though the General Plan Update is a comprehensive plan for the development of the city. Because future implementing projects will rely on the REIR on a programmatic basis, it is imperative that the City explore and adopt all feasible mitigation.

Footnote 4: <https://www.carlsbadca.gov/city-hall/grants-assistance/agricultural-mitigation-fee-grant-program>

Footnote 5: <https://www.carlsbadca.gov/Home/Components/News/News/1659/5?npage=5>

Footnote 6: <https://www.cityofdavis.org/city-hall/community-development-and-sustainability/open-spaceprogram/acquisitions/agricultural-mitigation-requirements>

Footnote 7:

https://www.visalia.city/depts/community_development/planning/agricultural_mitigation_program.asp

Footnote 8:

<https://www.countyofmonterey.gov/home/showpublisheddocument/131721/638503222010570000>

Response to Comment B7-4

The comment is noted. Please refer to Response to Comment B7-3. No further response is warranted or required.

Comment B7-5

AIR QUALITY IMPACTS

An EIR's central purpose is to identify a project's significant environmental effects and then evaluate ways of avoiding or minimizing them. (Cal. Public Resources Code, §§ 21002.1(a), 21061.) The Project results in significant air quality impacts under both air quality significance thresholds. First, the Project will not be consistent with the South Coast AQMD's Air Quality Management Plan (AQMP) due to significant transportation impacts related to Vehicle Miles Traveled (VMT) as well as the Project's contribution to air quality violations and delays in attainment of AQMD standards. (REIR p. 4.3-21- 22.) Second, the Project will result in cumulatively significant emissions per SCAQMD's significance thresholds for criteria pollutants. (REIR, Table 4.3-9.)

Despite causing significant air quality impacts, ***the REIR proposes not a single operational air quality measure***. This is woefully inadequate given that buildout of the General Plan Update will significantly contribute to harmful air emissions as well as non-attainment of criteria pollutant standards. The City must therefore adopt any feasible mitigation measure that can substantially lessen the Project's significant air quality environmental impacts, including on a cumulative basis. (Public Resources Code § 21002; CEQA Guidelines, § 15002(a)(3).) The REIR summarily asserts that "at the programmatic level there are no feasible mitigation measures that would reduce air quality impacts associated with development facilitated by the 2024 GPU." (p. S-10) At the same time, the REIR suggests that many implementing residential development projects may be exempt from CEQA review, thus these projects may evade air quality mitigation requirements entirely. There are many mitigation measures available that should be mandatory requirements of implementing projects to ensure that future projects - residential, commercial, and industrial - mitigate their air quality impacts to the fullest extent possible.

The General Plan Update should require that all future industrial projects, and commercial projects as applicable, establish fleet efficiency requirements for vehicle fleets. This should include, at a minimum, requirements that industrial users shall use exclusively zero emission light and medium-duty delivery trucks and vans; and shall use near-zero and zero-emission technologies in heavy-duty applications such as "last mile delivery." As the State moves toward its goal of zero emission goods movement, the City must ensure that the Project is in line with this important objective by also requiring that future projects include a plan for the *phase-in* of zero emission or clean technology for *heavy duty* trucks as well. According to the California Air Resources Board ("CARB"), actions to deploy both zero emission and cleaner combustion technologies will be essential to meet air quality goals in California particularly with respect to goods movement.⁹ Additional, feasible mitigation for operational air quality impacts includes the phase-in of electric, hybrid electric, hydrogen electric, or battery operated (*i.e.*, non-diesel) trucks. The Project should ensure that future implementing industrial projects be conditioned to adopt a "Diesel Minimization Plan" whereby zero emission trucks are phased in on a reasonable schedule, e.g., 25% of

truck fleets shall use zero emission technology by 2030, and increase that percentage by 10% per year, until 100% of trucks operating on sites are zero emission. A mitigation measure is feasible if it can be achieved in a reasonable period of time. (Guidelines, § 15364.) Given the “programmatic” nature of the General Plan Update, it is precisely at this time that the City shall commit to longer-term measures. At a bare minimum, the City should commit to regular review of whether clean fleet technology is feasible, and should commit to requiring zero emission fleets when they are deemed “feasible.”

The City should require implementing projects to utilize the cleanest available vehicle technologies in terms of on-site cargo equipment as well. Zero emission service equipment such as forklifts are commercially available and routinely utilized in industrial projects throughout southern California. In accordance with CEQA, the City must fully investigate, promote, and adopt all feasible mitigation through the REIR that promotes the use of the cleanest available vehicle technologies.

Footnote 9: <https://ww3.arb.ca.gov/planning/sip/2016sip/2016mobsrc.pdf>

Response to Comment B7-5

The comment is noted. Please refer to Response to Comment B7-2 that both describes the purpose of the proposed CAP as well as CEQA Guidelines § 15183.5, which specifies that the Lead Agency has the discretion to determine measures on a project-by-project basis that would collectively achieve the specified emissions. Response to Comment B7-2 also directs the commenter to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR.

As acknowledged by the commenter, the Project is a programmatic document. As such, the City’s process for evaluation of future development would include a project-level environmental review pursuant to CEQA. This includes an analysis of consistency with the goals, policies, and recommendations of the 2024 GPU, as well as the evaluation of future development projects air quality impacts using South Coast AQMD guidelines, regional emissions thresholds, and LSTs. Projects that would exceed the South Coast AQMD significance thresholds would be required to implement project-level reduction measures to reduce potential impacts. Additionally, applicable GPU and CAP policies would apply during subsequent environmental review.

Moreover, as discussed in Section 4.3, *Air Quality*, of the Revised Draft EIR, while at a programmatic level of analysis there are no feasible mitigation measures that would reduce the significant and unavoidable air quality impacts associated with development facilitated by the 2024 GPU to a less than significant level, the Project would still implement MM AQ-1 through MM AQ-5, which are feasible at the programmatic level and would reduce impacts. Particularly MM AQ-1, MM AQ-4, and MM AQ-5 reduce operational air quality impacts through requiring additional project-level analysis to evaluate potential impacts due to future projects. Particularly, MM AQ-5 requires a project-specific health risk assessment for future industrial projects within 900 feet of sensitive receptors. The analysis would follow South Coast AQMD thresholds and guidance protocol.

Regarding criteria pollutants, analysis within the Revised Draft EIR notes that according to South Coast AQMD guidance on general plans, the South Coast AQMD and CARB have strong, comprehensive regulatory programs for new and existing sources of air pollution (See Section 4.3, page 4.3-25). However, it must be acknowledged that South Coast AQMD significance thresholds for criteria pollutants do not distinguish between project-level EIRs and program EIRs, such as the Revised Draft EIR. Therefore, the application of the South Coast AQMD thresholds for individual project-level impacts to a Citywide land use plan within a program-level EIR is highly conservative. Furthermore, local policies can enhance the effectiveness of these programs by addressing cumulative impacts in local areas. MM AQ-5, in addition to the 2024 GPU goals and policies, would reduce air pollutant emissions. The conditions and policies covering topics such as expansion of the pedestrian and bicycle networks, promotion of public and active transit, and support to increase building energy efficiency and energy conservation would also reduce criteria air pollutants within the City.

Regarding operational health risk, the HEHRA in Appendix H to the Revised Draft EIR uses dispersion modeling to quantify the potential carcinogenic and non-carcinogenic health risks associated with operation of the Project. As reported in the HEHRA (Appendix H, Section 4.2, pages 35 -38), modeling shows that cancer risk associated with the Project would not exceed South Coast AQMD's 10 in one million threshold. Chronic non-carcinogenic impacts are analyzed by using a chronic hazard index where 1 would represent a significant impact. As modeled in the HEHRA, the highest maximum chronic hazard index associated with DPM emissions from industrial operations within the City is far below the hazard index threshold of 1 (Appendix H, Section 4.3, pages 38-39). Regardless, as discussed above, the Project would implement MM AQ-5, which exceeds the requirements of AB 98 and requires proposed industrial projects within 1,000 feet of sensitive receptors to conduct an operational HRA and apply project-level mitigation as applicable. As concluded in the Revised Draft EIR, Section 4.3.9.3, implementation of General Plan policies, compliance with AB 98, and MM AQ-5 would reduce localized impacts from future development in the City. Additionally, per South Coast AQMD Rule 1401, applicable land uses would be required to obtain a permit from the South Coast AQMD and install the best available control technology.

Additionally, the commenter should note that State requirements for phasing in of low and zero emission trucks and vehicles would be implemented within the City regardless of a specific mitigation measure or policy. Other projects within the City will phase in the State's clean truck technology in accordance with mandated timelines. The requirement to phase in low or zero emission technologies is already being mandated at the State level and would be implemented in the City in accordance with State timelines. While some current regulations and rules may be withdrawn federally, CARB and South Coast AQMD are proposing amendments to adopt additional vehicle regulations in the State of California. As such, no further response is warranted or required.

Comment B7-6

As further feasible mitigation, the City should commit to installing air monitoring equipment to track the Project's emissions over the next 30 years. These monitors shall track significant emissions in upwind/downwind areas, downwind residences, and residences and schools along routes anticipated to have the heaviest truck usage and congestion. The City shall commit to the necessary funding for the

installation and set-up of the monitoring equipment, and the operation of the equipment for a reasonable period of time.

Response to Comment B7-6

The comment is noted for the record. Please refer to Response to Comment B7-5. As further discussed in Response to Comment B7-5, future projects would implement MM AQ-1, which requires proposed development projects that are not exempt from CEQA to analyze construction and operational air quality impacts analyzed using the latest available air emissions model, or other analytical method determined in conjunction with the South Coast AQMD as well as MM AQ-4 and MM AQ-5, which requires cumulative health risk analysis for projects in close proximity to each other and a project-level health risk analysis for nearby sensitive receptors. The results of the air quality and health risk impact analysis shall be included in the development project's CEQA documentation and would give project-by-project insights to individual projects contributions to air quality.

Additionally, air monitoring is already conducted on a national level by the USEPA which operates and maintains the AirData Air Quality Monitors application, which is a mapping application available on the web and mobile devices that displays monitor locations and monitor-specific information.²⁰ AirNow is another example of existing monitoring programs that reports air quality using the official U.S. Air Quality Index (AQI) and is operated in partnership of the USEPA, National Oceanic and Atmospheric Administration (NOAA), National Park Service, National Aeronautics and Space Administration (NASA), Centers for Disease Control, and Tribal, state, and local air quality agencies.²¹ These monitoring sources are publicly available. As such, it does not appear that this suggestion is necessary.

It is not clear from this comment how monitoring would result in reducing air quality impacts, especially in light of the fact that air quality monitoring already occurs, as discussed above. Moreover, the commenter does not provide any evidence that installing citywide air monitoring equipment is feasible as defined by CEQA, specifically whether it is economically feasible.

Furthermore, the Project would be required to implement MM GHG-1, which requires the City to monitor the implementation of the CAP and periodically update the CAP to add or enhance actions or measures to achieve City-specific reduction goals in line with SB 32 and AB 1279. Specifically, MM GHG-1 requires the City to: 1) calculate GHG emission reductions annually and monitor progress towards achieving the performance targets of each Action and Measure and 2) update the City-wide GHG emissions inventories and targets aligned with SB 32 and AB 1279 every two to three years, in alignment with the five-year cycle. As such, the City is already required to monitor GHG emissions on an annual basis. On a project-level, MM GHG-2 requires project subject to CEQA to document their consistency with the CAP and incorporate the appropriate GHG reduction measures to achieve their proportion of GHG emission reductions consistent with the assumptions of the CAP. The proposed CAP developed a Qualified GHG Reduction Strategy that

²⁰ United States Environmental Protection Agency (USEPA), Interactive Map of Air Quality Monitors, <https://www.epa.gov/outdoor-air-quality-data/interactive-map-air-quality-monitors#:~:text=The%20AirData%20Air%20Quality%20Monitors,national%20parks%20and%20wilderness%20areas>). Accessed September 16, 2025.

²¹ AirNow. Interactive Map of Air Quality, <https://gispub.epa.gov/airnow/?contours=none>. Accessed September 16, 2025.

would reduce GHG emissions to align with the State’s goals and recommendations. However, it should be noted that impacts related to GHG emissions are found to be less than significant with the proposed mitigation contained in the Revised Draft EIR, and as such, no further mitigation is necessary.

In regard to funding, the City (like many other local jurisdictions) relies on development impact fees to fund infrastructure improvements (mitigation) necessitated by development planned for in the 2024 GPU. Because the 2024 GPU identifies infrastructure improvements that are necessary to accommodate new development, the 2024 GPU forms the foundation for development impact fees. In summary, the policies contained in the 2024 GPU establish the rationale for the imposition of development impact fees that may be “used to minimize the impacts of the GPU buildout on the local community,” which include funding public transit, water quality and supply, schools, parks, sewage treatment, police and fire, public art, housing, childcare, roads, and libraries. Should air quality monitoring be determined by the City to be necessary and feasible, it may be considered for inclusion by the Lead Agency in subsequent CAP updates. In light of the foregoing, no further response to this comment is warranted or required.

Comment B7-7

As further feasible mitigation, the City should establish a community benefit foundation or fund as a means to collect fees from future implementing projects with funds used to minimize the impacts of the General Plan Update buildout on the local community. The fund may be used for activities such as monitoring of ongoing truck activity, development of mitigation programs, administration of grants for community benefit projects, and home upgrades to individual homeowners to address air quality and noise impacts. This type of “programmatic” solution should be explored here.

Response to Comment B7-7

The comment is noted for the record. Please refer to Response to Comment B7-5. The 2024 GPU identifies capital and infrastructure projects needed to support development anticipated in the 2024 GPU. These projects will be carried through the design and funding phases as part of the City’s Capital Improvement Program (CIP). The CIP must be reviewed by Planning on an annual basis for consistency with the general plan. (California Government Code Section 65401).

Please also refer to Response to Comment B7-6 above, which describes how the policies contained in the 2024 General Plan Update establish the rationale for the imposition of development impact fees that may be “used to minimize the impacts of the General Plan Update buildout on the local community,” which include funding public transit, water quality and supply, schools, parks, sewage treatment, police and fire, public art, housing, childcare, roads, and libraries. In light of the foregoing, no further response to this comment is warranted or required.

Comment B7-8

In addition to any electric vehicle (EV) charging units that may be installed at public and/or private locations pursuant to future studies and potential partnerships and/or pursuant to CalGreen/Title 24 requirements (see, CAP, Table 4-1.), the Project should also be conditioned to require EV charging units

for heavy duty and medium duty trucks at all *industrial* projects that will be serviced by these vehicles. Level 3/DC Fast (or Quick) Chargers (DCFC) should be required ¹⁰ (see id. [big rig truck with battery size of 550kw and range of 250 miles take approximately 24 hours to charge with a Level 2 charger].) This comment also applies to “medium duty” vehicles such as delivery vans. (See ¹¹ [FedEx vans charge in hours with DC quick charger/Level 3].) Chargers must be required that are able to charge the battery of a Class 8 (heavy duty/big rig) truck as well as have the battery range needed to ensure these trucks could meet a “two shift” or even a “one shift” schedule. These chargers are feasible and available on the commercial market.¹² As one example of a “programmatic” measure, the Antelope Valley AQMD has an Electric Vehicle Charging Station Program whereby local entities are encouraged to install EV charging units in exchange for partial cost reimbursement.¹³ The City could commit to developing a similar cost-reimbursement program here.

Footnote 10: <https://blog.evbox.com/level-3-charging-speed>

Footnote 11: <https://www.carscoops.com/2018/11/fedex-adds-1000-china-built-chanje-f8100-electric-vans-fleet/>

Footnote 12: <https://polb.com/port-info/news-and-press/charging-station-to-power-electric-trucks-in-port-11-30-2023/>

Footnote 13: <https://www.avaqmd.ca.gov/electric-vehicle-charging-station-program>

Response to Comment B7-8

This comment has been noted, and the inclusion of this measure and others will be considered by the Lead Agency in subsequent CAP updates. Please refer to Response to Comment B7-2 that both describes the purpose of the proposed CAP as well as CEQA Guidelines § 15183.5, which specifies that the Lead Agency has the discretion to determine measures on a project-by-project basis that would collectively achieve the specified emissions. Please also refer to Response to Comment B7-6 above, which describes how the policies contained in the 2024 GPU establish the rationale for the imposition of development impact fees that may be “used to minimize the impacts of the General Plan Update buildout on the local community,” which include funding public transit, water quality and supply, schools, parks, sewage treatment, police and fire, public art, housing, childcare, roads, and libraries.

As described, the 2022 Scoping Plan provides the primary mechanisms for transitioning medium- and heavy-duty vehicles to near-zero and zero-emission technologies, while local measures provide feasible complementary support (Chapter 4: Key Sectors, Transportation Sustainability, Sector Transition; page 185).²² In particular, the proposed CAP includes measures that build off the California Transportation Commission’s Clean Freight Corridor Efficiency Assessment,²³ facilitating the development of medium- and heavy-duty ZEV refueling depots along the SR 60 corridor to meet freight transport demand and

²² CARB, 2022 Scoping Plan for Achieving Carbon Neutrality, 2022, <https://ww2.arb.ca.gov/sites/default/files/2023-04/2022-sp.pdf>. Accessed September 16, 2025.

²³ California Transportation Commission, SB 671 Clean Freight Corridor Efficiency Assessment, 2023, <https://catc.ca.gov/-/media/ctc-media/documents/programs/sb671/092523-sb671-draft-assessment-a11y.pdf>. Accessed September 16, 2025.

support decarbonization goals. The City's proposed CAP reflects this framework and focuses on actions within the City's jurisdiction.

Additionally, as discussed in Response to Comment B7-5, State requirements for phasing in of low and zero emission trucks and vehicles would be implemented within the City regardless of a specific mitigation measure or policy. Other projects within the City will phase in the State's clean truck technology in accordance with mandated timelines. The requirement to phase in low or zero emission technologies is already being mandated at the State level and would be implemented in the City in accordance with State timelines. While some current regulations and rules may be withdrawn federally, CARB and South Coast AQMD are proposing amendments to adopt additional vehicle regulations in the State of California. As such, no further response is warranted or required.

Comment B7-9

The following building design and operational measures should be required of industrial projects, and commercial projects, as applicable:

Construct buildings' roofs with "light colored roofing materials." Cool roofs retain less heat and reflect more sunlight, thus lowering energy demand and reducing the "heat island" effect of a building. Project shall be conditioned to use roofing materials with a solar reflectance index ("SRI") of 78 for at least 75% of the roof surface (portions not covered in solar), consistent with USGBC standards. To provide measurable environmental benefit, the roofing material must be at the highest possible rating. (See ¹⁴ ; *see also, Riverside County Climate Action Plan Measure R2-L2* ¹⁵.)

- Obtain LEED certification to the most current USGBC16 rating system for industrial buildings, where such certification would require the applicant to implement sustainability measures that provide environmental benefits and off-set impacts.
- Install concrete, preferably white concrete, in all commercial and industrial parking areas. Light-colored concrete is more reflective of sunlight, thus employing concrete in all parking areas will reduce the "heat island" effect of the Project. 17 18 Among other benefits, cooler surfaces and air reduce the need for air conditioning in vehicles. (*See, id. Riv. County Climate Action Plan Measure R2-L2.*)
- Install landscaping in all commercial and industrial parking areas to provide 50% shade coverage within 10 years of operations. This can also reduce "heat island" effects and reduce the need for air conditioning, and thus reduce GHG impacts. *See, id. Riv. County Climate Action Plan R2-L1*
- Install and utilize solar power for 100% of an industrial facility's total electricity demand including electric vehicle charging stalls in parking areas and automation within buildings.
- Require all trucks that access industrial sites to have 2014 or newer engines. This requirement will align *with* the Port of Long Beach's requirement that any new registered drayage trucks must be model year 2014 or newer.¹⁹
- Incorporate the California Attorney General's list of best practices for all industrial warehouse developments²⁰: These include:

- Requiring that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on-site demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring all heavy-duty vehicles entering or operated on the project site to be zero-emission beginning in 2030.
- Requiring on-site equipment, such as forklifts and yard trucks, to be electric only with the necessary electrical charging stations provided. Mitigation Measure GHG-9 should be revised to state that only electric cargo-handling equipment shall be allowed (no natural gas or other fuels). The Draft EIR states the Project will operate four natural gas powered cargo handling equipment in truck court areas (p. 5.3-27).
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than two minutes and requiring operators to turn off engines when not in use.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
- Constructing electric truck charging stations proportional to the number of dock doors at project sites.
- Constructing electric light-duty vehicle charging stations proportional to the number of parking spaces at project sites.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity, such as equal to the building's projected energy needs.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- Achieving certification of compliance with LEED green building standards.
- Providing meal options onsite or shuttles between the facilities and nearby meal destinations.
- Improving and maintaining vegetation and tree canopy for residents in and around project areas.
- Requiring that every industrial tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB- approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.

Footnote 14: <https://www.energy.gov/sites/prod/files/2013/10/f3/coolroofguide.pdf>

Footnote 15: <https://planning.rctlma.org/sites/g/files/aldnop416/files/migrated/Portals-14-CAP-2019-2019-CAP-Update-Full.pdf>

Footnote 16: <https://www.usgbc.org/leed>

Footnote 17: <https://coolcalifornia.arb.ca.gov/cool-pave-how>

Footnote 18: <https://heatisland.lbl.gov/coolscience/cool-pavements>

Footnote 19: <https://polb.com/environment/clean-trucks/#program-details>

Footnote 20: <https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/warehouse-best-practices.pdf>

Response to Comment B7-9

This comment has been noted. Please refer to Response to Comment B7-2 that both describes the purpose of the proposed CAP as well as CEQA Guidelines § 15183.5, which specifies that the Lead Agency has the discretion to determine measures on a project-by-project basis that would collectively achieve the specified emissions. See also Response to Comment B7-6 regarding why no further mitigation is necessary.

Furthermore, on a project-level, MM GHG-2 requires projects subject to CEQA to document their consistency with the CAP and incorporate the appropriate GHG reduction measures to achieve their proportion of GHG emission reductions consistent with the assumptions of the CAP. The proposed CAP developed a Qualified GHG Reduction Strategy that would reduce GHG emissions to align with the State's goals and recommendations. However, it should be noted that impacts related to GHG emissions are found to be less than significant with the proposed mitigation contained in the Revised Draft EIR, and as such, no further mitigation is necessary. In light of the foregoing, no further response to this comment is warranted or required.

Comment B7-10

It is imperative that the City adopt all feasible mitigation at this time, and make the measures mandatory and enforceable. The REIR's Mitigation Measures AQ-2 and AQ-3 state that future project applicants shall follow a list of construction air quality measures "to the extent technically and logistically feasible and applicable." This permissive language allows future projects to avoid the measure. MM AQ-5 is inherently uncertain where it states that a Health Risk Assessment (HRA) shall be submitted to the City Planning Department prior to issuance of building permits for *any future discretionary* residential or residential mixed use project. Residential projects may no longer be considered "discretionary projects" due to a recent change in the law, thereby creating uncertainty as to whether an HRA must be submitted to the City at all. Also, the measures listed in AQ-5 are triggered only if the HRA shows that a project will exceed significance thresholds. We submit that each of the listed air quality measures under MM AQ-5 should be considered feasible mitigation for significant air quality impacts of the General Plan Update buildout. All

implementing industrial projects should be required to, for instance, use only zero emission/electric forklifts and/or yard trucks.

Response to Comment B7-10

This comment has been noted; however, this comment misrepresents the air quality mitigation included in the Revised Draft EIR. MM AQ-2 and AQ-3 do not allow a project to avoid either measure because requiring that a mitigation measure be “feasible” means that it must be “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” (CEQA Guidelines § 15364). Additionally, MM AIR-5 is applicable to all future development projects that would generate TACs within 1,000 feet of sensitive receptors, not solely residential projects (see the Executive Summary of the Revised Draft EIR, page S-12). Additionally, residential projects that are exempt from CEQA are exempt because they are anticipated to not result in any significant impacts under CEQA, which would include air quality and GHG impacts. See also Response to Comment B7-6 regarding why no further mitigation is necessary.

Regarding recent changes in the law as it relates to residential projects, Assembly Bill 130 (2025) streamlines the environmental review for residential projects smaller than 20 acres, or 5 acres if subject to SB 330. Residential projects of this size are not anticipated to generate significant air quality impacts. Similarly, Senate Bill 131 would require a full quantitative analysis that addresses the impact thresholds in Appendix G of the CEQA Guidelines for any impact area that is not consistent with the applicable exemption. As such, recent legislation related to residential development is not anticipated to significantly impacts air quality within the City.

Moreover, as the commenter suggests, the Revised Draft EIR contains a HEHRA (Appendix H to the Revised Draft EIR) that evaluated the operational health risk associated with the Project. The modeling shows that both carcinogenic and non-carcinogenic risk associated with the buildout of the Project would not be significant. Nonetheless, MM AQ-5 in addition to other mitigation and goals, policies, and actions included in the 2024 GPU would be implemented. As such, the mitigation included in the Revised Draft EIR is both feasible and appropriate for a programmatic document. As such, no further response is warranted or required.

Comment B7-11

Finally, the operational air quality analysis, REIR Table 4.3-9, appears to understate the air emissions associated with the buildout of the General Plan planning area. The table purports to disclose operational criteria pollutant emissions in lbs/per day. For example, NO_x emissions (due to diesel exhaust) are calculated at 3,890 lbs per day from mobile sources (present day), and in year 2040, NO_x emissions are estimated at 2,509 lbs per day from mobile sources.

Response to Comment B7-11

This comment is noted for the record but misrepresents Table 4.3-9 in the Revised Draft EIR. Table 4.3-9 shows the existing (2024) NO_x emissions, 2040 emissions, and net change. It is unclear how presenting

lbs/per day data would understate the air emissions. The mobile emissions modeling (as discussed in detail in Section 4.0 of Appendix B) includes mobile emissions based on traffic modeling and EMFAC2021 emission factors. No revisions are required based on the comment. No further response is warranted or required.

However, the commenter should note that on June 12, 2025 President Trump signed three joint resolutions to revoke California Clean Air Act waivers that allowed California to require all new cars and trucks in CA be zero-emissions by 2035 (Advanced Clean Cars II rule), require automakers to meet zero-emissions sales targets for medium and heavy-duty trucks (Advanced Clean Trucks rule), and set limits on NO_x emissions from heavy-duty diesel engines (Heavy-Duty Low NO_x Omnibus rule). EMFAC2021 was used to model the Project's air quality and GHG emissions analysis because it did not incorporate the majority of these emission reductions rules, although it does include reductions from the Advanced Clean Trucks rule (ACT) and an early version of the Heavy-Duty Low NO_x Omnibus rules.

In response to this regulatory change that has occurred since the release of the Revised Draft EIR, adjustment factors were applied to the EMFAC2021 emission rates to remove the emission reductions associated with the ACT and Heavy-Duty Low NO_x Omnibus rules. Please refer to Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, Topical Responses, of the Revised Final EIR. Topical Response 5 discusses the federal regulatory changes that revoked the ACT (2020) and Heavy-Duty Omnibus Low-NO_x Rules (2016) following the release of the Revised Draft EIR. It discusses the methodology utilized to remedy the modeling to accurately forecast emissions without the benefit of these regulations. Ultimately, it concludes that remodeling does not result in any significant changes to the disclosure of emissions in the Revised Draft EIR or its significance findings.

Please refer to Response to Comment B7-2 that both describes the purpose of the proposed CAP as well as CEQA Guidelines § 15183.5, which specifies that the Lead Agency has the discretion to determine measures on a project-by-project basis that would collectively achieve the specified emissions. No further response is warranted or required.

Comment B7-12

The City has approved a multitude of industrial warehouse projects, consisting of more than 50 million square feet of industrial development in the last fifteen years or so. Table 4.3-9 suggests that the City's collective NO_x emissions are less than even the NO_x emissions of the World Logistics Center project, which, according to the EIR prepared for that massive industrial campus project, will generate NO_x emissions of at least 3,064 lbs/day, due to more than 15,000 daily vehicle trips. Thus, alone, WLC is expected to exceed the City's total estimated NO_x emissions in year 2040 according to REIR Table 4.3-9.²¹ The Project's Air Quality Assessment, Table 3, appears to vastly understate the "existing emissions", particularly NO_x. From the Air Quality Assessment (REIR, Appendix B), it is not clear how the existing emissions were calculated. There is a list of projects included in the appendix to the AQ Assessment, but there are no quantitative measurements of air emissions, and it appears that the World Logistics Center

is not on this list. Overall, the air emissions associated with the buildout of the General Plan must be appropriately calculated and disclosed at the “cumulative” level.

Footnote 21: The NOx emissions associated with the Moreno Valley Logistics Center’s EIR 718 lbs per day according to that EIR.

Response to Comment B7-12

Please refer to Response to Comment B7-2, which directs the commenter to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. As the Revised Draft EIR is a programmatic document, no specific development project is proposed as part of the Project. Therefore, the methodology of the analysis for a specific plan (such as the WLC) and a city-wide long-range general plan (such as the Project) are different as non-project specific analyses, and they do not have detailed user information. Therefore, assumptions were made based on South Coast AQMD, CARB, and CalEEMod methodology and guidance documents. Specifically, Appendix B, *Air Quality Impact Assessment*, to the Revised Draft EIR discloses the mobile emission inputs (see page 107 of Appendix B) and the fleet mix used to model the mobile emissions along with EMFAC2021 emission factors (see pages 108 and 109 of Appendix B). These calculations are based on traffic data provided in both daily trips and VMT for the Project. While WLC was an industrial specific plan, the Revised Draft EIR evaluates a City with primarily residential and commercial land uses (generated by passenger vehicles and not trucks). Please also refer to Response to Comment B7-11 which explains that since release of the Revised Draft EIR, two regulations included in EMFAC2021 were waived by the federal government. The adjusted mobile emissions are included in Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR.

Moreover, WLC was appropriately considered in the forecast for buildout of the Project. Appendix G, *Methodology for Establishing the Environmental Baseline and Horizon Year Forecast*, to the Revised Draft EIR, contains the methodology for establishing the forecast for the Project. Specifically, WLC is included in Attachment B, *Approved but not Built Project*, of Appendix G. As confirmed in Appendix G, WLC is included in the quantitative modeling for the Revised Draft EIR. Moreover, Table 3-3, *Citywide Buildout Summary*, in Section 3.2.3.2, *Buildout Summary* of the Revised Draft EIR, compares the existing residential units and employment square footage in 2024 with 2040 projections. The square footage of the WLC is included in the Light Industrial assumptions for the 2040 buildout of the Project. The WLC Specific Plan implements all applicable elements of the General Plan and includes detailed information about the area’s infrastructure improvements such as roads, water, sewer, utilities, and flood control facilities.

As discussed in 14 CCR § 15130, “an EIR shall discuss cumulative impacts of a project when the project’s incremental effect is cumulatively considerable,” as defined in 14 CCR § 15065(a)(3). Cumulatively considerable means “the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects” (14 CCR § 15065.) The discussion of cumulative impacts is contained within each subsection of the Revised Draft EIR. In general, the cumulative analysis approach is based on either a

summary of projections as specified in 14 CCR § 15030(b)(1)(B) or a list of cumulative projects applicable to the Project. The Revised Draft EIR utilizes a summary of projects as discussed above. This approach is appropriate due to the programmatic nature of the Project (see also Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR). As explained in the cumulative analysis contained within each section of Chapter 4.0, *Environmental Analysis*, of the Revised Draft EIR, future development would be required to adhere to all relevant local plans, Municipal Code regulations, and proposed policies contained in the updated elements of the 2024 GPU. It should also be noted that the Writ and Statement of Decision did not find that the cumulative impact analysis in the 2021 GPU EIR was inadequate or needed to be revised. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment B7-13

ENERGY

The REIR concludes that energy impacts are less than significant because the Project will not result in the wasteful use of energy due to compliance with Title 24 and other regulations.

State CEQA Guidelines Appendix F provides that “[t]he goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include: (1) decreasing overall per capita energy consumption; (2) *decreasing* reliance on fossil fuels such as coal, natural gas and oil, and (3) *increasing* reliance on renewable energy sources.” (emphasis added) Appendix F puts “particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.” The Project must mitigate its energy impacts and must consider renewable energy mitigation measures. (Public Resources Code, § 21100 (b)(3)) The REIR does not propose any mitigation for transportation energy impacts (i.e., fuel consumption). Sole reliance on Title 24 is insufficient as Title 24 does not address transportation energy resources. (*See, Calif. Clean Energy Committee v. City of Woodward* (2014) 225 Cal.App.4th 173, 210.)

Response to Comment B7-13

The comment correctly states that energy impacts were found to be less than significant. As concluded in Section 4.6.7, Significance of Impacts before Mitigation, of the Revised Draft EIR, energy conservation measures required by applicable energy conservation regulations (e.g., CALGreen, Title 24) and energy conservation policies included in the proposed 2024 GPU, and the CAP would support the minimization of energy consumption from operations associated with future development. Therefore, implementation of the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources.

Moreover, a future increase in VMT and energy consumption over the existing baseline condition does not inherently imply that the project would result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Further, through implementation of the energy-related GHG reduction measures included in the CAP as well as increasingly energy-efficient building code (Title 24 and CALGreen) requirements, future

construction would be more energy efficient than existing buildings. Therefore, as existing uses are turned over and redeveloped in accordance with current energy efficiency standards, Citywide energy consumption would be reduced. Table 4.6-11 (see page 4.6-18 of the Revised Draft EIR) summarizes the projected energy use within the City under existing conditions and under buildout of the proposed 2024 GPU land use plan. Additionally, the proposed CAP contains numerous GHG reduction measures that focus on energy conservation. The proposed CAP is a Qualified GHG Reduction Strategy, and future development project would be required to demonstrate compliance with the CAP measures. No further response is warranted or required.

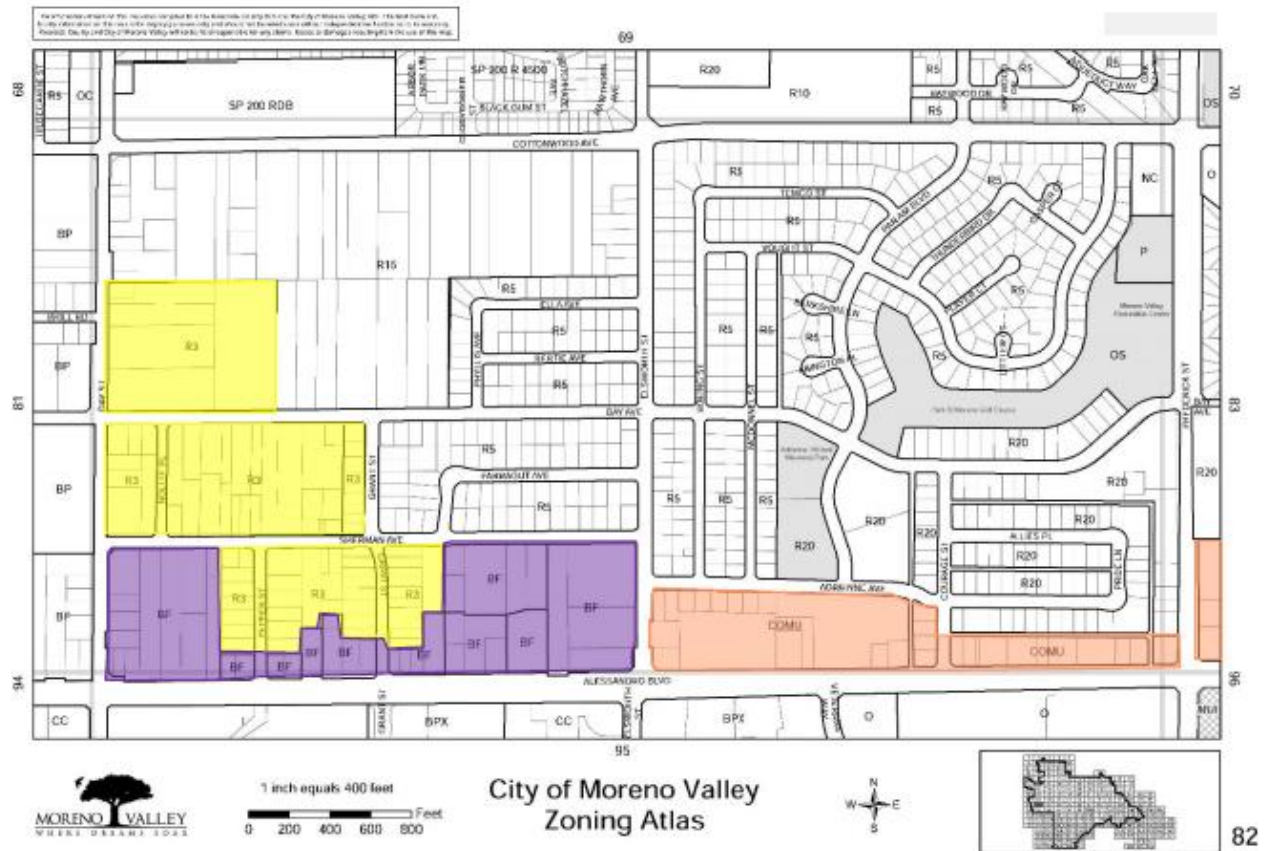
Comment B7-14

LAND USE IMPACTS

The REIR does not properly disclose the land use impacts associated with the land use amendments proposed by the General Plan Update. There is a lack of sufficient information provided, and conclusions of the REIR are not based on substantial evidence.

For instance, the RDEIR does not fully disclose the changes proposed with respect to the new “Business Flex” Zone in and around the Edgemont community, a residential area generally located between Alessandro and Cottonwood Avenue. This new zone would allow industrial warehousing in and around the existing residential community but the changes that would allow industrial uses by right in this area have not been properly evaluated through the REIR. This area is already burdened by industrial development.

The General Plan Update contains a list of Permitted Uses (see, General Plan Update Appendix - “Draft Zoning Documents”) that will be authorized with approval of the General Plan Update (Exhibit B – Permitted Uses Table 9.02.020). With respect to “Wholesale, Storage, and Distribution” uses within the Business Park and Industrial zones, these are allowed without mandating any setback from adjacent residential or other sensitive uses. For example, in the proposed new zoning designation of Business Flex, warehousing would be allowed in areas adjacent to existing residences (see, General Plan Update Figure 3-2), without requiring any setback from sensitive uses. All requirements of Assembly Bill 98²² shall be specified in the new list of permitted uses and required as a part of development review process of future implementing projects, particularly if there is any doubt whether CEQA review will be required of certain projects in the future. (See, Gov’ Code Section 65098.1 [requiring, *e.g.*, a minimum 300-foot separation from property line of nearest receptor to the nearest truck loading bay of any logistics building 250,000 square feet or more].)



(proposed General Plan Update, Zoning Atlas Amendment, Figures pp. 81-82).

The Project would rezone the above purple shaded properties from Commercial and Residential to Business Flex, thereby allowing intense industrial operations in areas immediately adjacent to and nearby to residential zones and existing sensitive uses in the community of Edgemont. (See, Air Quality Study, Figure 1.) This is a Disadvantaged Community that already suffers under extreme “pollution burden” according to the Project’s Air Quality Assessment. (REIR Appendix B, Figure 7, Figure 3, Figure 8). The proposed zone change to allow more industrial operations in this area must be considered in terms of all area of potential environmental impact including cumulative impacts, land use, and environmental justice, with appropriate development conditions and/or mitigation measures adopted to ensure they are carried forward to future implementing projects.

Noticeably, the proposed General Plan Update’s Land Use and Community Character Element does not contain a single policy or goal pertaining to industrial (warehouse) development. The absence of any policies aimed at ensuring the orderly and compatible development of industrial (warehouse) development within the Business Park and Industrial designations, including the new “Business Flex” zone, must be appropriately addressed. The City has approved more than 50 million square feet of industrial development in the last 15 years, and there are several pending warehouse projects in the planning pipeline according to the City’s planning website²³. The General Plan Update creates further opportunities for millions more square feet of industrial development. The City should acknowledge and adopt policies

through its General Plan that address this acutely impactful form of development, particularly where new industrial development will be permitted adjacent to existing residential uses per the new General Plan land use map.

Footnote 22: <https://legiscan.com/CA/text/AB98/id/3020126>

Footnote 23: <https://www.moreno-valley.ca.us/cdd/documents/about-projects.html>

Response to Comment B7-14

The comment is noted. Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 1 provides a background of the CEQA lawsuit that was filed by the Sierra Club in Riverside County Superior Court challenging the validity of the 2021 GPU EIR and CAP, the Writ and Statement of Decision issued by the Court, and limited scope of the analysis prepared in the Revised Draft EIR. The Court did not find any inadequacy in the 2021 GPU EIR's analysis of Land Use/Planning, and it denied the Sierra Club's arguments regarding the issues of "land use analysis" and "zoning" and left intact the City's HCD-certified October 2022 Housing Elements. The California doctrines of res judicata, also referred to as claim preclusion, and collateral estoppel, also referred to as issue preclusion, bar relitigation of issues that were, or could have been, litigated in a prior lawsuit. *Ione Valley Land, Air, and Water Defense Alliance, LLC v. County of Amador*, 33 Cal.App.5th 165, 170-171 (2019). As such, there was no requirement that the environmental impacts of the Project on land use or zoning be analyzed in the Revised Draft EIR. Therefore, only comments that specifically address the revisions made will receive a detailed response in the Revised Final EIR.

Additionally, please also refer to Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Topical Response 4 discusses how environmental justice is addressed within the Revised Draft EIR and the Project's consistency with the requirements of SB 535, SB 1000, and AB 98. It also identifies the analysis within the Revised Draft EIR that evaluates the Project's impact on sensitive receptors, including disadvantaged communities, and the mitigation that would be implemented to address these impacts. As further discussed in Topical Response 4, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required.

Additionally, the commenter should note that the lead agency must evaluate comments on a draft EIR and prepare written responses that describe the disposition of any "significant environmental issues" raised by commenters, for inclusion in its final EIR. (PRC §21091(d); 14 CCR §§15088, 15132, 15204). Some of the items discussed in this comment do not identify any significant environmental issues related specifically to the Project but instead focuses on the proposed land uses and densities and the content of the various elements of the General Plan, as reasons why the Project should be denied. Notwithstanding, the lead agency is committed to making a decision on the Project, based on its merits taking into consideration all comments received, including those which do not make or include any statements about the Revised Draft EIR's analysis or environmental issues. No further response is warranted or required.

Comment B7-15

The proposed amendment to the Municipal Code would significantly alter the review process for such projects within the airport zones in terms of ensuring consistency with ALUCP as well as eliminating requirements for mitigation of hazards. However, these changes are not evaluated in the REIR. For example, under the existing Section 9.07.060 D 1, a conditional use permit is required for uses that are not permitted uses within the underlying district. This requirement would be eliminated under the proposed amendment. In addition, the current code in Section 9.07.060 D 2 provides a list of uses that “shall be prohibited in the AICUZ overlay district,” including, “single and multiple family dwellings.” The proposed changes would eliminate this prohibition on uses, so that all uses are permitted in the overlay zone. Moreover, only certain categories of projects would be referred to the ALUCP for review; all other projects that are not “subject to ALUC review as described in Sections E-G” would be reviewed by the City only (section H). Furthermore, the new code would eliminate the requirement of the existing code that “appropriate conditions shall be applied to each project to mitigate flight and safety hazards, excessive noise levels and other public safety or welfare concerns.” Essentially under the new code provisions, almost all types of site-specific development would be allowed in the airport zone. This represents a major change, and the resulting land use impacts, including potential safety impacts, must be fully evaluated under CEQA. The City is currently reviewing at least one development project located in the ALUCP zone of the March Air Reserve Base, and the General Plan Update notes that a new designation called Business Flex has been planned within the airport land use zone (p. 4.11-30), which would allow for even more intense development in this area.

Response to Comment B7-15

The comment is noted. Issues concerning the ALUCP were never raised in the prior litigation although they could have been. Please refer to Response to B7-14. No further response is warranted or required.

Comment B7-16

Furthermore, the REIR’s land use analysis does not discuss environmental justice impact, i.e., the disproportionate impacts that will be borne by disadvantaged communities through build-out of the General Plan Update, particularly as to the new “Business Flex” zone. The REIR should propose mandatory mitigation measures of implementing projects to reduce the impacts of warehousing and other intense industrial development on sensitive populations, especially the air quality impacts of warehouse distribution projects on disadvantaged populations. This could include for instance, mandatory noticing of all property owners and residents when a project is proposed; requirements for public engagement by the applicant; mandatory site design controls such as incorporating setbacks, berms, walls to shield residences from harmful operations (beyond AB 98 requirements); or funding of community-based programs or home upgrades.

Response to Comment B7-16

The comment is noted. Issues concerning environmental were never raised in the prior litigation. Please refer to Response to Comment B7-14. Moreover, PRC § 21083.1 states the Legislature’s intention that courts not interpret CEQA or the CEQA Guidelines “in a manner which imposes procedural or substantive

requirements beyond those explicitly stated in this division [CEQA] or in the state guidelines.” Neither CEQA nor the CEQA Guidelines requires the analysis of environmental justice-related impacts. No further response is warranted or required.

Comment B7-17

The REIR does not adequately address the Southern California Association of Government’s Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)/Connect SoCal plan²⁴. Under this plan, potential mitigation for transportation impacts includes PMM TRA-2, a recommendation that Transportation Demand Management (TDM) strategies should be incorporated into new projects” (p. A-42 – A-43). In addition, Connect SoCal’s PMM AQ-1 lists a number of Air Quality mitigation measures (measures (s) - (u), (y), (z), (aa), and (cc)) that should be explored here, ²⁵ including the recommendation that projects within 500 feet of a freeway or other sources should consider installing in sensitive receptors high-efficiency or enhanced filtration units, such as MERV-13. SCAG has also identified a list of GHG mitigation measures (PMM GHG-1) (p. A-27). These include the “deployment of zero- and/or near zero emission technologies (GHG-1 d ii)) as well as TDM measures (GHG-1 (e)-(q)). The REIR does not discuss these measures that are recommended by the regional land use planning agency to reduce GHG emissions. However, it is precisely at this time of “high level review” that programmatic measures must be explored and adopted to ensure they are carried forward to implementing projects. In short, the REIR must discuss and evaluate measures proposed by applicable land use plans such as the Connect SoCal plan.

Footnote 24: https://scag.ca.gov/sites/default/files/2024-05/exhibit_a_mmrp_508_final.pdf,

Footnote 25: https://scag.ca.gov/sites/default/files/2024-05/exhibit_a_mmrp_508_final.pdf

Response to Comment B7-17

The comment is noted but represents the analysis included in the Revised Draft EIR. Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. As discussed in Topical Response 3, the Project has incorporated VMT reducing goals and policies to the extent feasible. Specifically, the Project includes Transportation Demand Management (TDM) policies and actions under goals C-2 and C-3 of the 2024 GPU Circulation Element that promote complete streets design to accommodate all transportation modes and encourage connectivity through an integrated network; improve walkability and community integration by providing walkable access to daily needs and special provisions for pedestrians and bicycles; and traffic and parking management plans to utilize travel demand management strategies encouraging transit and other alternatives to single-occupant vehicles. Additionally, TDM policies and actions under goals C-4 and C-5 of the 2024 GPU Circulation Element outline goals and policies for improving transportation in the City by providing convenient and safe connections between neighborhoods and destinations and enhancing transportation operations while reducing VMT. Specifically, these policies and actions promote the development of high-speed transit linkages and express routes, improving access and connectivity to key destinations, establishing a Transit Center/Mobility Hub in the Downtown Center, ensuring sidewalks and pedestrian safety in new developments, expanding transit facilities into newly developed areas,

encouraging bicycling and other non-automotive modes and implementing TDM strategies on a project-level. These goals and policies reflect a programmatic approach to reducing VMT impacts in the General Plan Area. While these policies would be implemented in future development, on a programmatic level, it is not anticipated that VMT reductions associated with proposed TDM measures would be large enough to guarantee that significant impacts could be fully mitigated.

Please also refer to Response to Comment B7-5, which notes that the Revised Draft EIR contains a HEHRA (Appendix H to the Revised Draft EIR) that evaluated the operational health risk associated with the Project. The modeling shows that both carcinogenic and non-carcinogenic risk associated with the buildout of the Project would not be significant. Nonetheless, MM AQ-5 in addition to other mitigation and goals, policies, and actions included in the 2024 GPU would be implemented. MM AQ-5 requires proposed industrial projects within 1,000 feet of sensitive receptors to conduct an operational HRA. See also Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Approval and certification of the Project and the Revised EIR would not prevent future projects from implementing additional mitigation on a project-level. Therefore, the analysis in the Revised Draft EIR is sufficient, and no additional analysis is required. No further response is warranted or required.

Comment B7-18

Last, the REIR does not discuss the specific goals or strategies of the California Air Resources Board (“CARB”) 2022 Scoping Plan for Achieving Carbon Neutrality (“2022 Scoping Plan”) ^{26 27}. The 2022 Scoping Plan is designed to achieve the emission reduction requirements of AB 1279. The REIR must be revised with analysis that demonstrates Project consistency with the Scoping Plan strategies.²⁸ This includes strategies for VMT reduction including “increase[ing] public access to public transit...” (p. 11).

Footnote 26: <https://ww2.arb.ca.gov/sites/default/files/2023-04/2022-sp.pdf>

Footnote 27: <https://ww2.arb.ca.gov/sites/default/files/2023-04/2022-sp-es.pdf>

Footnote 28: <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf>

Response to Comment B7-18

Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Section 4.3, *Air Quality*, of the Revised Draft EIR discusses State regulations referred to in the 2022 CARB Scoping Plan which is not itself a regulation. *Center for Biological Diversity v. California Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 222-223. As discussed in Section 4.8.5.1 of the Revised Draft Program EIR, the 2024 GPU including the CAP, would be consistent with the 2022 Scoping Plan emissions GHG emissions reduction goals. However, as discussed in Section 4.8, *Greenhouse Gas Emissions*, of the Revised Draft EIR (see page 4.8-34) the City has limited control over vehicle emissions as these are primarily regulated by the State and federal government. Future 2024 GPU projects related to transit and active transportation, natural carbon sequestration efforts, building decarbonization, VMT reduction, reduced solid waste production, and reduced water consumption would

support the goals of the CARB 2022 Scoping Plan related to use of clean technologies and fuels, reductions in short-lived climate pollutants, and increased action on natural and working lands to sequester carbon.

Additionally, Section 4.8 of the Revised Draft EIR explains that it is not currently possible for the City to demonstrate how the City-applicable 2045 target can be achieved through the CAP because the City does not have direct jurisdictional control over all activities or emissions sources. However, the CAP includes specific implementation and monitoring procedures that require the City to achieve increasingly effective long-term reductions over time and demonstrate substantial progress on the pathway towards the long-term 2045 goal. As discussed in the Implementation, Monitoring, and Reporting chapter of the CAP, the City would identify new or modified local measures to complement future State actions needed to achieve the State's 2045 goal through future CAP updates. Moreover, the City would update the CAP following specific State actions, such as future updates to the Scoping Plan or new interim post-2040 targets, which would be needed to demonstrate how achievement of the State's longer-term 2045 goal would be feasible and, in turn, the role of local government agencies in complementing the State's regulatory actions." However, per MM GHG-1, the City would monitor implementation of the CAP and periodically update to achieve City-specific reduction targets per AB 1279. Therefore, the analysis in the Revised Draft EIR is sufficient, and no additional analysis is required. No further response is warranted or required.

Comment B7-19

GREENHOUSE GAS EMISSIONS

State Assembly Bill 1279 requires the state to achieve net zero greenhouse gas emissions (GHG) as soon as possible, but no later than 2045, and to achieve and maintain net negative greenhouse gas emissions thereafter. The bill also requires California to reduce statewide GHG emissions to at least 85 percent below 1990 levels. According to the REIR and the CAP, the General Plan Update Project will not meet the State 2045 goals of carbon neutrality. This is a significant Project impact, contrary to the REIR's conclusion (REIR p. S-22).

The proposed Climate Action Plan ("CAP") calculates carbon emission reductions that Moreno Valley must meet through local action to achieve State-mandated GHG emission reduction targets. The CAP lists strategies that the City will implement to achieve the 2030 target and to make "substantial progress" towards the 2045 target of carbon neutrality (see CAP p. 24).

The CAP notes that the 2045 GHG emission reductions estimated in the technical report are not currently enough to meet the City's 2045 target of carbon neutrality. Accordingly, the conclusion of the REIR that GHG impacts are less than significant with mitigation is not supported.

Response to Comment B7-19

This comment is noted but incorrectly states the significance finding for impacts related to GHG emissions in the Revised Draft EIR. As concluded in Section 4.8, *Greenhouse Gas Emissions*, of the Revised Draft EIR (see page 4.8-37), the proposed CAP identifies strategies, measures, and actions that would be implemented to reduce GHG emissions consistent with State legislative goals. Therefore, with the

adoption and implementation of the proposed CAP, GHG emissions generated by the Project would be reduced to meet State GHG reduction goals. Therefore, the Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of GHGs, and impacts would be less than significant with MM GHG-1 and MM GHG-2 incorporated.

MM GHG-1 would require that the City monitor the implementation of the proposed CAP and provides specific actions the City would take to achieve these targets (see page 4.8-36 of the Revised Draft EIR). Furthermore, MM GHG-2 would require each discretionary project that is subject to (and not exempt from) CEQA to produce additional assessments and incorporate appropriate reduction measures and provides specific actions required for discretionary projects subject to and not exempt from CEQA to take to address impacts related to GHG emissions (see page 4.8-36 of the Revised Draft EIR). The implementation of these mitigation measures would reduce GHG emissions consistent with State legislative goals. Therefore, the Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Therefore, the analysis in the Revised Draft EIR is sufficient, and no additional analysis is required. No further response is warranted or required.

Comment B7-20

Generally, the CAP is based on measures that require the City to study and monitor progress towards climate reduction goals, as well as explore partnerships and collaborations with private entities and other agencies, which does not guarantee any emission reductions. (See, GHG-1.) Also, many of the “Actions and Measures” to “close any ‘reduction gaps’” are permissive in nature or nonbinding on future implementing projects. For instance, CAP Strategy BE: Building Energy, Measure BE-6, could be made enforceable and therefore quantifiable in terms of GHG emission reductions if private projects are required to “increase generation and storage of local energy to increase the availability and resilience of renewable power.” BE-6 is “supportive” of emission reductions targets, but it provides no quantifiable reductions, since it does not actually require any projects to incorporate renewable energy systems. *Requiring* new building construction – particularly in the industrial warehouse sector – to install and use solar PV systems for a certain percentage of building energy needs, ideally for 100% of energy demand, could provide measurable benefit.

CAP Strategy T: Transportation, Measure T-4, calculates a large emission reduction based on the implementation of 100% “zero emission vehicle adoption rates of passenger and commercial vehicles” by 2045 (Table 8). Yet the “local actions” needed to achieve 100% transition to zero emission vehicles are not sufficient. Action T-4b requires the City to ensure compliance with the “minimum number of EV chargers based on CalGreen Tier 2 requirements.” As this measure is already a legal requirement, it should not be credited towards emissions reductions. Action T-4c should be strengthened by requiring “private” commercial and industrial projects to install EV chargers, beyond current Title 24 requirements – both Level 2 for passenger vehicles and Level 3 for medium and heavy duty vehicles – as part of building development. As written, the City will endeavor to create private partnerships to provide for the

installation of Level 2 chargers, which is not adequate. In short, meeting the State’s ambitious goal will require aggressive mitigation efforts.

Response to Comment B7-20

The comment is noted for the record. However, under CEQA Guidelines § 15183.5, a “qualified GHG reduction plan” may rely on a mix of enforceable measures, supportive strategies, and partnerships, provided it demonstrates a reasonable pathway to achieve State goals. The Guidelines do not specify enforceable measures that must be included. This comment has been noted and the inclusion of these measure and others will be considered by the Lead Agency in subsequent CAP updates.

As explained in the AEP *Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California* (2016) White Paper²⁴, not every individual action must be binding or quantifiable so long as the CAP, taken as a whole, is consistent with the Scoping Plan trajectory and supported by substantial evidence. The City’s CAP includes enforceable requirements alongside supportive measures designed to close reduction gaps as technology, funding, and regulatory frameworks evolve. Accordingly, the CAP’s structure is consistent with CEQA and provides substantial evidence to support the Revised Draft EIR’s conclusions. Moreover, Measure T-4 is substantiated by the installation of publicly accessible electric vehicle chargers. Action T-4b is supportive of this measure by providing local enforcement of State requirements and is not double counting GHG emissions reduction. See Appendix D to the proposed CAP for further information. No further response to this comment is warranted or required.

Comment B7-21

The City must require future implementing projects to operate at, or set reasonable goals to achieve, “net zero” consistent with State’s goal of carbon neutrality by 2045.²⁹ The implementing measures may be a mix of on-site reduction measures (such as generating on-site renewable energy through solar power) and community investments to reduce GHG emissions and offsets. The City as the lead agency must be proactive about exploring solutions to off-set the immense GHG emissions generated by this Project. The fact that the Project fails to incorporate any requirements for renewable energy production is a failure to comply with the mandate of CEQA to adopt all feasible mitigation for significant Project impacts.

Footnote 29: <https://ci.ca.gov/climate/carbon-neutrality.html>

Response to Comment B7-21

Please refer to Response to Comment B7-20 above. CEQA does not require individual projects or CAPs to include any specific measures, instead it leaves the identification of a specific group of measures to the discretion of the Lead Agency. This comment has been noted and the inclusion of this measure and others

²⁴ AEP, Final White Paper *Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California*, 2016, https://califaep.org/docs/AEP-2016_Final_White_Paper.pdf. Accessed September 15, 2025.

will be considered by the Lead Agency in subsequent CAP updates. No further response to this comment is warranted or required.

Comment B7-22

With respect to future industrial and warehouse uses, all implementing projects should be required through the General Plan Update to establish fleet efficiency requirements. This should include, at a minimum, requirements that all future commercial and industrial projects shall use exclusively zero emission light and medium-duty delivery trucks and vans, and they shall use only zero emission service cargo handling equipment such as forklifts. According to the California Air Resources Board (CARB), actions to deploy both zero emission and cleaner combustion technologies will be essential to meet air quality goals in California. See, <https://ww3.arb.ca.gov/planning/sip/2016sip/2016mobsrc.pdf>. Accordingly, the City should incorporate the policies and goals of the State's Zero Emission Vehicle (ZEV) Action Plan and Executive Order B-48-18 (setting a target of 5 million ZEVs in California by 2030) into General Plan policies and goals related to transportation and air quality for both public and private projects. This should include tangible measures to increase, through new project development, the availability of charging and refueling stations and other zero-emission vehicle infrastructure *including direct current fast chargers*. This also should include incorporating the use of near-zero and zero-emission technologies into *heavy-duty applications such as transit buses and "last mile delivery."* The City should fully investigate and evaluate all zero emission vehicle measures, policies, and plans of regional and State agencies to ensure that the General Plan Update includes aggressive measures to advance the State's goals with respect to zero emission goods movement. Overall, there is a lack of any enforceable mitigation pertaining to zero emission truck applications and EV infrastructure beyond compliance with existing requirements. The City should at a minimum commit to assessing whether clean technologies are feasible, at regular intervals, over the life of the Project.

Response to Comment B7-22

Please refer to Response to Comment B7-20 above. The CAP's Implementation and Monitoring section has been updated to include enforceable language: the City will update the CAP if measurable and sufficient progress toward the 2030 GHG reduction target is not achieved or if the City's population, housing, or employment exceed projected levels. These updates will maintain the City's trajectory toward achieving the State's 2030 and 2045 carbon neutrality goals. This approach is consistent with requirements of CEQA Guidelines § 15183.5(b) to "establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels." No further response to this comment is warranted or required.

Comment B7-23

As the transportation sector is the largest source of GHG emissions in the City, the City must incorporate transportation measures through the General Plan Update that are designed to reduce fuel use in cars and trucks. The City should explore programmatic Vehicle Miles Traveled (VMT) reduction measures, such as establishing a mitigation fund for future implementing projects that can be used to fund projects that will help to address VMT impacts. The City of Lancaster has adopted a VMT mitigation program whereby

individual projects with significant VMT impacts contribute a per-acre fee to a program.³⁰ The City of Escondido has adopted a similar program.³¹ The program will implement projects designed to reduce VMT at the city-wide level such as transit, pedestrian, bicycle, ride-to-work, carpool and similar “TDM” projects. This type of city-wide program is appropriate for consideration and inclusion connection with the programmatic General Plan Update which will result in significant transportation impacts.

Footnote 30:

https://library.municode.com/ca/lanaster/codes/code_of_ordinances?nodeId=TIT15BUCO_CH15.67VEMITRIMFE_15.67.060EX

Footnote 31: <https://www.escondido.gov/DocumentCenter/View/2117/VMT-Exchange-Program-PDF>

Response to Comment B7-23

The comment is noted. Please refer to Response to Comment B7-17 as well as Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. As discussed in Topical Response 3, the Project has incorporated VMT reducing goals and policies to the extent feasible. These goals and policies reflect a programmatic approach to reducing VMT impacts in the General Plan Area. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment B7-24

SCAG’s Connect SoCal 2024 plan contains programs to reduce the impacts of goods movement. (Connect SoCal 2024, p. 134³²). SCAG states it will “leverage the Last Mile Freight Program to develop and implement operation concepts with a core focus on last-mile delivery strategies across urban and rural communities.” SCAG’s plan calls for the agency to work with local jurisdictions on coordination and implementation of this program. The REIR mitigation program does not discuss this strategy, or any last mile delivery measures. (See, SCAG’s Last Mile Freight (LMFP) Program at: <https://scag.ca.gov/LMFP>). The LMFP is considered an “implementation strategy” (p. 132)³³.

Footnote 32: <https://scag.ca.gov/sites/default/files/2024-05/23-2987-connect-socal-2024-final-ch-03-our-plan-040424.pdf>

Footnote 33: <https://scag.ca.gov/sites/default/files/2024-05/23-2987-tr-goods-movement-final-040424.pdf>

Response to Comment B7-24

The comment is noted. Please refer to Response to Comment B7-17 as well as Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. It should be noted that Western Riverside Council of Governments (WRCOG) of which the City is a member agency, has identified the following key strategies for TDM based on SCAG’s 2024 RTC/SCS

(see page 4.16-13) as most appropriate in the WRCOG subregion: diversifying land use; improving pedestrian networks; implementing traffic calming infrastructure; building low-stress bicycle network improvements; encouraging telecommuting and alternative work schedules; and providing ride-share programs. The Project incorporate goals and policies as outlined in Section 4.16, *Transportation*, of the Revised Draft EIR designed to be consistent with these strategies.

Comment B7-25

SCAG also identifies the “implementation and transition to near-zero and zero-emission technologies for medium-and heavy-duty vehicles and supporting infrastructure” as an “implementation strategy”. (*Id.*) The REIR does not propose any measures relating to the transition to near-zero and zero-emission technologies apart from the installation of Level 2 EV chargers. Measures must be adopted and required of implementing projects that require EV infrastructure, such as mandatory wiring for future EV truck charging, and requiring Level 3 DC chargers that are capable of charging light, medium and heavy duty electric trucks.

Response to Comment B7-25

The comment is noted. CEQA Guidelines § 15183.5 requires qualified GHG reduction plans to identify a suite of measures that collectively achieve GHG emissions reductions but does not require local agencies to mandate specific technologies for all private projects. As described, the 2022 Scoping Plan provides the primary mechanisms for transitioning medium- and heavy-duty vehicles to near-zero and zero-emission technologies, while local measures provide feasible complementary support (Chapter 4: Key Sectors, Transportation Sustainability, Sector Transition; page 185).²⁵ In particular, the proposed CAP includes measures that build off the California Transportation Commission’s Clean Freight Corridor Efficiency Assessment,²⁶ facilitating the development of medium- and heavy-duty zero-emission vehicle refueling depots along the SR 60 corridor to meet freight transport demand and support decarbonization goals. The City’s CAP reflects this framework and focuses on actions within the City’s jurisdiction. This comment has been noted and the inclusion of this measure and others will be considered by the Lead Agency in subsequent CAP updates. No further response to this comment is warranted or required.

Comment B7-26

SCAG also has a list of Transportation Demand Strategies (TDM) “aimed at increasing the efficiency of the transportation system, reducing vehicle miles traveled and greenhouse gas emissions through alternative modes of travel.”³⁴ SCAG’s TDM Strategic Plan includes a “toolbox” of strategies that should be adopted through the General Plan Update’s mitigation program: <https://scag.ca.gov/sites/default/files/2024-05/23-2987-tr-tdm-toolbox-strategies.pdf>

²⁵ CARB, 2022 Scoping Plan for Achieving Carbon Neutrality, 2022, <https://ww2.arb.ca.gov/sites/default/files/2023-04/2022-sp.pdf>. Accessed September 16, 2025.

²⁶ California Transportation Commission, SB 671 Clean Freight Corridor Efficiency Assessment, 2023, <https://catc.ca.gov/-/media/ctc-media/documents/programs/sb671/092523-sb671-draft-assessment-a11y.pdf>. Accessed September 16, 2025.

SCAG also has a program called Active Transportation³⁵ to help address diverse transportation needs. The Active Transportation “toolkit” is available to help local government agencies develop active transportation plans in disadvantaged areas. The City must investigate opt as appropriate these measures.

Footnote 34: <https://scag.ca.gov/TDM>

Footnote 35: <https://scag.ca.gov/active-transportation>

Response to Comment B7-26

The comment is noted. The comment is noted. Please refer to Response to Comment B7-17 as well as Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Please also refer to Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR.

As previously discussed, CEQA Guidelines § 15183.5 allows CAPs to rely on a suite of feasible measures that collectively achieve GHG emissions reductions. The Guidelines do not specify measures to include. The CAP does include Action T-3b, which directs the City to maintain a list of recommended TDM strategies for employers to adopt. The City will consider SCAG’s TDM and Active Transportation recommendations in the implementation of this TDM list. The CAP focuses on measures within the City’s jurisdiction that are feasible and implementable, and this approach is consistent with CEQA, demonstrating a reasonable pathway to achieve the City’s 2030 GHG target and make substantial progress toward 2045 carbon neutrality. This comment has been noted and the inclusion of this measure and others will be considered by the Lead Agency in subsequent CAP updates. No further response to this comment is warranted or required.

Comment B7-27

As another example of so-called “programmatic mitigation,” SCAG recommends “urban greening” as an “important tool” to reduce the heat island effects of projects on urban populations. Increased tree canopy and cooler temperatures lead to increases in biking and pedestrian activities; urban greening also reduces the need for air conditioning due to increased shading providing by a greater tree canopy. According to SCAG, “carbon emissions captured by California’s street trees equate to taking 120,000 cars off the road annually” (pp. 45-46). Thus the REIR should propose a plan to increase the City’s tree canopy (“urban trees”) to mitigate GHG emissions. For example, the City of San Diego’s Climate Action Plan, Strategy 5, sets goals to increase the city’s tree canopy cover to reduce GHG emissions by implementing an Urban Tree Planting Program, which would achieve 15% urban tree canopy coverage by 2020 and 35% urban tree coverage by 2035³⁶ (p. 30, 41). The City should explore an urban forest program to reduce levels of GHG emissions.^{37 38} The City of Riverside has implemented a successful tree planting program (“Tree Power”).^{39 40} The City of Los Angeles has a tree planting program (“City Plants LA”) that provides free trees to residents⁴¹ Thus, these types of programs are feasible and appropriate for adoption at the programmatic level of the General Plan Update.

Footnote 36: https://www.sandiego.gov/sites/default/files/final_july_2016_cap.pdf

Footnote 37:

https://www.fs.usda.gov/psw/topics/urban_forestry/products/CUFR_778_UrbanFor_ArbNews_2008_12.pdf

Footnote 38: <https://www.epa.gov/heatislands/benefits-trees-and-vegetation>

Footnote 39: <https://www.ca-ilg.org/case-story/riverside-tree-program-grows>

Footnote 40: <https://www.riversideca.gov/utilities/residents/rebates/tree-power>

Footnote 41: <https://www.cityplants.org/our-programs/>

Response to Comment B7-27

The comment is noted. As previously discussed, CEQA Guidelines § 15183.5 allows lead agencies to include programmatic measures in a qualified GHG reduction plan. Urban greening and tree planting programs provide co-benefits such as shade, heat island mitigation, and enhanced walkability. The CAP acknowledges urban greening as a feasible and beneficial strategy and quantifies the GHG emissions reduction from the planned increase in tree canopy through Measure CS-2, which directs the City to preserve mature trees and plant 200 new trees annually starting in 2026, develop an Urban Forest Master Plan, maintain the Tree Care Ordinance, and engage the community through the “Keep MoVal Beautiful” program. The quantified reductions are included in the CAP’s overall GHG reduction targets, making urban greening both a supportive and measurable contributor to Moreno Valley’s climate goals. This comment has been noted and the inclusion of this measure and others will be considered by the Lead Agency in subsequent CAP updates. No further response to this comment is warranted or required.

Comment B7-28

According to the 2022 CARB Scoping Plan⁴²

[c]ontrary to popular belief, zero-emission vehicles (ZEV) alone are not enough to solve the climate crisis. The 2022 Scoping Plan illustrates that despite cleaner vehicles and low- carbon fuels, the path to carbon neutrality by 2045 also depends on reducing per capita VMT (the total passenger vehicle miles driven by an average person in California on any given day). To meet the carbon neutrality goal, the Scoping Plan proposes reducing VMT from 24.6 miles per day in 2019 to 18.4 miles by 2030 (a 25 percent reduction) and to 17.2 miles per day by 2045 (a 30 percent reduction).

To reduce VMT consistent with State, regional and local plans, the Project should adopt enforceable measures applicable to future commercial and industrial projects aimed at reducing VMT, including: providing carpool incentives to employees, such as free parking, preferred parking or implementing a reward program for carpooling; providing free, low-cost monthly transit passes to employees ; creating an online ridesharing program that matches potential carpoolers through e-mail; encouraging the development of a commuter trip reduction plan; incorporating transit stops; and promoting accessibility to public transit such as providing a shuttle service to transit service for employees.⁴³ The Project should

incorporate safe and accessible bike lanes as well as reasonable access to public transit. Similarly, the California Air Pollution Control Officers Association's Handbook for *Analyzing Greenhouse Gas Emission Reductions, et al.*⁴⁴ contains a list of transportation control measure that should be considered feasible and applicable to the Project, and should be made mandatory conditions of future implementing commercial and industrial projects to address both VMT and GHG impacts:

- T-7 "Provide Ridesharing Program" including providing an app or website for
- coordinating rides among employees.
- T-8 "Implement Subsidized or Discounted Transit Program" where the employer
- provides subsidies for employees to use public transit.
- T-9 "End-of-Trip Bicycle Facilities" that includes bike parking, showers, and
- personal lockers.
- T-10 "Provide Employer-Sponsored Vanpool" that provides groups of 5 to 15
- employees with a cost-effective and convenient rideshare option for commuting.
- T-13 "Provide Electric Vehicle Charging Infrastructure" that provides EV charging
- stations beyond what is required by CalGreen/Title 24.
- T-17 "Provide Pedestrian Network Improvement" that increases sidewalk coverage.
- T-18-A "Construct or Improve Bike Facility" that constructs or improves a single
- bicycle facility that connects to a larger bicycle network.
- T-19 "Expand Bikeway Network" that would increase the length of the City's
- bikeway network.
- T-24 "Expand Transit Network Coverage" to expand the local transit network by
- adding or modifying existing transit service.

Footnote 42: <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-e-sustainable-and-equitable-communities.pdf>

Footnote 43: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/capcoa-quantifying-greenhouse-gas-mitigation-measures.pdf>

Footnote 44:

https://www.airquality.org/ClimateChange/Documents/Handbook%20Public%20Draft_2021-Aug.pdf

Response to Comment B7-28

The comment is noted. Please refer to Response to B7-17. As discussed above, the City's process for evaluation of future development that would be implemented would include environmental review pursuant to CEQA. This includes an analysis of consistency with the goals, policies, and recommendations of the 2040 Genal Plan, as well as the evaluation of future development projects transportation impacts using VMT methodology and apply mitigation measures, such as the ones identified by the commenter, as applicable on the project-level. The Project includes a number of TDM goals, policies, and actions that would support VMT reductions; however, anticipated VMT reductions associated with proposed TDM measures would not be large enough to reduce VMT to below all significance thresholds.

Additionally, CEQA Guidelines § 15183.5 allows CAPs to rely on a set of feasible measures that, if implemented collectively, achieve the specified GHG emissions reductions. While the CAP does not mandate specific VMT-reduction measures for future commercial and industrial projects, the CAP includes a range of strategies to reduce transportation-related GHG emissions (i.e., Measures T-1 through T-5) consistent with State and regional guidance, including the 2022 Scoping Plan. The CAP's approach represents a reasonable and feasible pathway to achieve the City's 2030 GHG target and make substantial progress toward 2045 carbon neutrality. This comment has been noted and the inclusion of this measure and others will be considered by the Lead Agency in subsequent CAP updates. No further response is warranted or required.

Comment B7-29

Together, proposed Mitigation Measure GHG-1 and GHG-2 are inadequate as they do not represent a certain and enforceable plan of mitigation that guarantees emission reductions that are necessary to achieve State goals. GHG-1 requires the City to monitor the City's progress towards 2030 and 2045 emission reduction targets, and update the CAP as needed. By itself, this measure does not reduce GHG emissions. GHG-2 states that applicants ***"for each discretionary project subject to and not exempt from CEQA"*** shall impose measures such as incorporating appropriate GHG reduction measures to achieve GHG emission reductions. The CAP's implementing "Measures and Actions" largely apply to residential projects, and it is known that many urban residential projects will be exempt from CEQA going forward due to a recent change in the law. Thus GHG-2 may be illusory and it does not address the absence of any enforceable measures as to industrial/warehouse development, despite the proliferation of such development in Moreno Valley (more than 50 million square feet in the last 15 years). For example, the "Level 2 EV chargers" that are arguably required under the CAP apply to multi-family residential projects.

Response to Comment B7-29

Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Specific projects within the City such as WLC include project-specific mitigation such as non-diesel generators and cleaner trucks. The Revised Draft EIR is programmatic and does not have specific user information to enable specific mitigation. The General Plan does include policies in the Environmental Justice element to reduce pollution exposure and improve community health through specific policies (see Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR). However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment B7-30

Finally, the REIR continues to show the City's lack of commitment to meeting the 2030 and 2045 GHG standards where it is stated that, "[h]owever, if Moreno Valley does not make measurable and sufficient progress toward its GHG emissions reduction targets by the next GHG emissions inventory, the City *may* need to revise the CAP to establish new or more ambitious measures and associated actions." (p. 111) The City must require regular analysis, tracking, reporting and updates every two or three years to "ensure

accountability in meeting the City's adopted targets" (p. 111). The statement that "[r]egardless, by 2029, the City is *expected* to initiate a comprehensive CAP update to address GHG emissions reduction beyond 2030 and prepare for achieving the 2045 carbon neutrality target" (p.111) is not a requirement that anything be done. Also, Appendix B's 2019 "Greenhouse Gas Emissions Inventory" is seven years old. This is unacceptable and must be revised to include current conditions for a base year, including all cumulative projects.

Response to Comment B7-30

The comment is noted for the record. The CAP's Implementation and Monitoring section has been updated to include enforceable language: the City will update the CAP if measurable and sufficient progress toward the 2030 GHG reduction target is not achieved or if the City's population, housing, or employment exceed projected levels. These updates will maintain the City's trajectory toward achieving the State's 2030 and 2045 carbon neutrality goals. This approach is consistent with requirements of CEQA Guidelines § 15183.5(b) to "establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels." CEQA Guidelines § 15183.5(b) requires a "qualified GHG reduction plan" to "quantify GHG emissions, both existing and projected over a specified time period." The Guidelines do not prescribe a specific baseline year or methodology for determining a year. The proposed CAP uses 2019 as the baseline year because it represents the most complete and reliable data available without impact from the COVID-19 pandemic that would underestimate GHG emissions. No revisions are required and no further response is warranted or required.

Comment B7-31

Sierra Club urges the City to propose further mitigation through the Final EIR to address the long-term impacts of Project buildout. Thank you for your consideration of these comments.

Response to Comment B7-31

The comment is noted. No environmental issue is raised.

Letter C1

George Hague

gbhague@gmail.com

Received on August 1, 2025

Comment C1-1

The following contains General Plan Update (GPU) information - on which you will need to vote in the coming months:

Our city does need high density housing, but it should be where we have sidewalks everywhere, bus transit, safe bike lanes and within walking distance of shops/jobs which is not in NE Moreno Valley.

Response to Comment C1-1

The lead agency must evaluate comments on the draft EIR and prepare written responses that describe the disposition of any “significant environmental issues” raised by commenters, for the inclusion in the final EIR. (PRC § 21091(d); 14 CCR §§ 15088, 15132, 15204). As such, since this comment does not identify any significant environmental issues related specifically to the City’s Housing Element, but instead focuses on the proposed land uses, densities and/or policies of the Housing Element, no response is warranted or required.

Notwithstanding, it should be noted that in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of “inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses,” but denied the Petition on the issue of “land use analysis” and “issues of zoning” which the comment is focused upon. Moreover, in November 2021, the City submitted its approved Housing Element (6th Cycle spanning the 2021-2029 time period) to the California HCD for review. On February 7, 2022, HCD provided a letter to the City identifying the changes or modifications that were necessary to bring the City's Housing Element into compliance with state law. In response to HCD’s comments and in compliance with state law, the City revised its Housing Element (6th Cycle) in October 2022. In October 2022, the City adopted Resolution No. 2022-67 which incorporated additional determinations (as directed by HCD) related to non-vacant sites and the likelihood of redevelopment within the pertinent 6th Cycle Planning Period. In response, on October 11, 2022, HCD sent a letter to the City stating that: (a) the City's October 2022, Housing Element, as modified, is in full compliance with State Housing Element Law (Article 10.6 of the Government Code); (b) the adopted Housing Element, as modified, addressed all the statutory requirements described in HCD's February 7, 2022, letter; and (c) HCD considered the City's additional findings and determinations made in Resolution No. 2022-67. It is important to note that the City's adoption of Resolution No. 2022-67 in October 2022, approving the City's current Housing Element, as modified in response to HCD’s comments, was not subject to any legal challenge. Although the Sierra Club directly attacked the adequacy of the City’s Housing Element, it did not challenge the version approved in October 2022, which incidentally earned the City the prestigious designation as a Pro-housing jurisdiction by HCD. Both the Sierra Club and the Attorney General agreed that they “have not challenged the revised Housing Element and associated resolution 2022-67, and

consequently, seek no relief against the operable, certified Housing Element.” (Petitioners’ Joint Response to City’s Objections to Statement of Decision, page 6, line 24, to page 7, line 1, filed 3/29/2024).

In light of the limited scope of the Court’s Writ and Statement of Decision, the Moreno Valley City Council in response to the Writ, that was served on the City on May 20, 2024, unanimously adopted Resolution No. 2024-37 (on June 25, 2024), which rescinded its prior approval of MoVal 2021 GPU, CAP, and Final Program Environmental Impact Report, subject to keeping its Housing Element, as approved in October 2022, intact and operative.

Comment C1-2

With Aquabella’s 15,000 high density units approved late last year, 1,600 apartments approved in June 2023 for the Moreno Valley Mall redevelopment and 800 units recently approved in the Town Center at Moreno Valley plus other projects approved in the last couple of years our city no longer needs the 10 units per acre (R-10) in the NE to meet its Regional Housing Needs Assessment (RHNA) numbers. **The R-10 in the proposed Revised General Plan Update (GPU) in NE Moreno Valley needs to be removed and replaced with R-2 which is our current zoning because of the court’s judgement.**

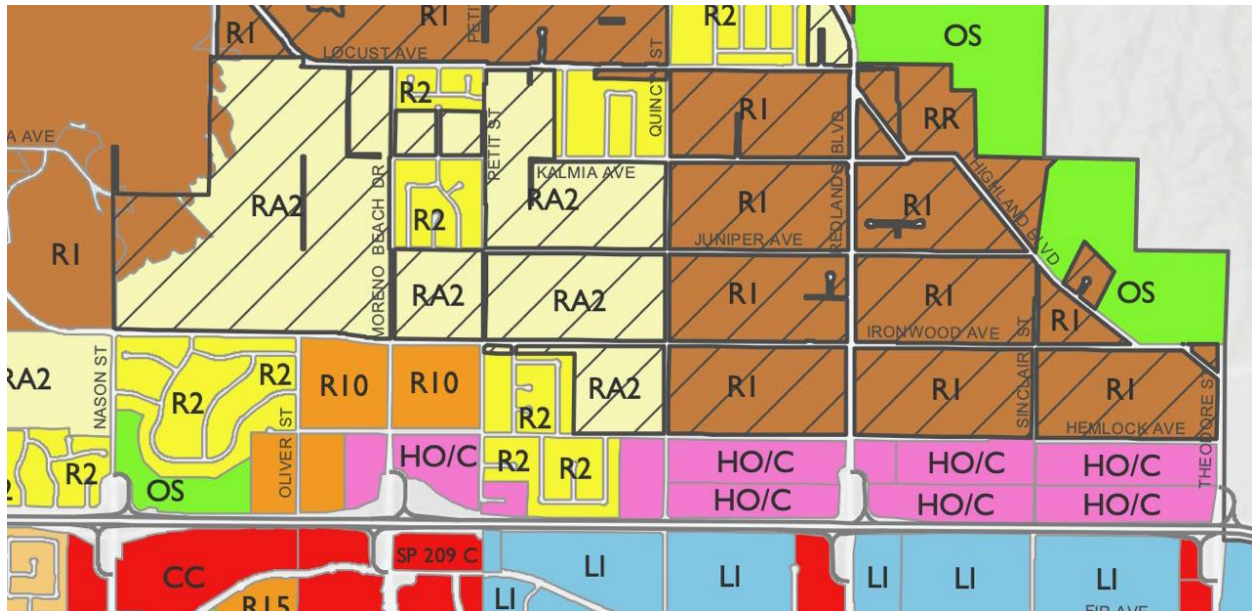
Because of the start of Covid in 2020/2021 NE Moreno Valley residents didn’t have the regular GPU meetings as did other parts of the city and their council member died which left them without representation prior/during the votes on the 2021 GPU. Do not accept that R-10 was already approved — NO Council member was in office to represent NE Moreno Valley — because they had died as did the desires of those in the NE Moreno Valley.

The zoning map found below is from the 2021 General Plan that the Courts told the city they had to set aside and not use. **You will soon be asked to simply rubber stamp the same 2021 zoning map again for General Plan Update (GPU).** As you can see the Orange R-10 (ten units/acre) is north of SR-60 and south of Ironwood Ave - on both sides of Moreno Beach Dr. R-1 is one unit per acre and R-2 is two units per acre. They also added C in pink for Commercial north of SR-60 which will significantly impact the R-2 homes in the middle of them — it was and currently is O for Office which has many fewer impacts on families.

The zoning map found below was what the court told the city to set aside, but the city is now going to

Recommend you to approve it in the coming months — even though the NE residents did not have a council

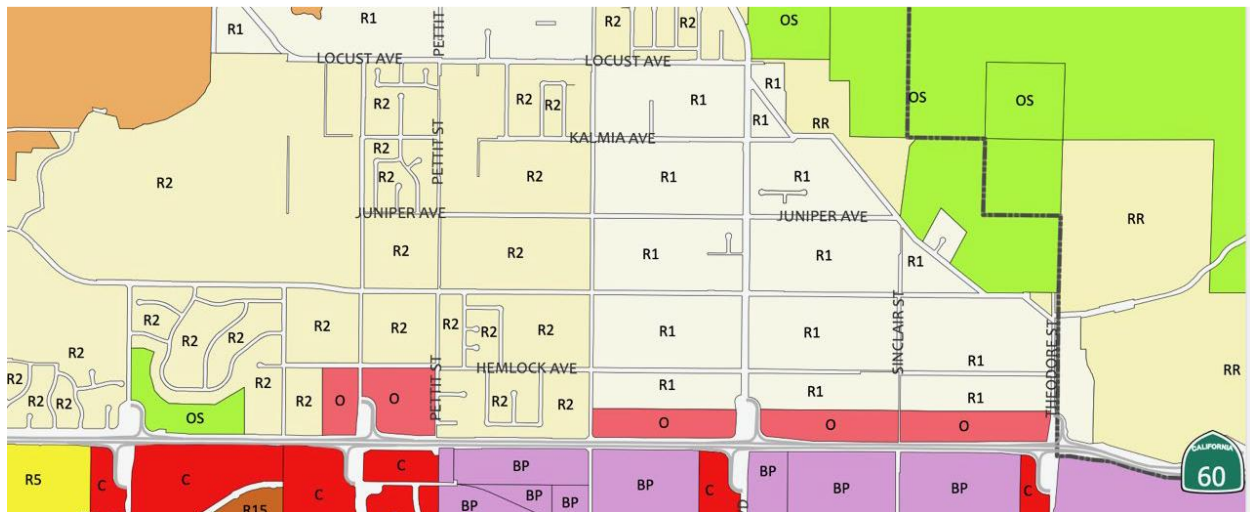
Member when first approved and do not want it. It is also no longer needed because of all the high density approvals.



S

Look closely to read ...Moreno Beach Dr Redlands Blvd SR -60 above the blue
 "U"
 street names like Ironwood Ave in the brown

Because the courts told the city to set aside the 2021 zoning we again **enjoy the zoning found below.** There is currently no R-10 in the NE and only O for Office just north of SR-60 which will impact existing families on R-2 in the middle much less than C for Commercial.



The above is the current Zoning in NE Moreno Valley which most in that area are in favor of maintaining. The map at the top was pushed Through In 2021 when NE Moreno Valley families had NO council member representing them because she had died. Please do Not Accept that it was approved by those representing the NE area.

Thank you for taking time to read this information and please save it for later review,
George Hague

P.S. Our city needs High Density Housing and the city has already approved more than 18,000 high density units since the previous 2021 General Plan Update (GPU) which far exceeds our required RHNA numbers. They need to be on bus routes, have sidewalks extending in all directions, safe bike lanes, and shops within walking distance which is not NE Moreno Valley.

Response to Comment C1-2

See Response to Comment C1-1. Also, the lead agency must evaluate comments on a draft EIR and prepare written responses that describe the disposition of any “significant environmental issues” raised by commenters, for inclusion in its final EIR. (PRC § 21091(d); 14 CCR §§ 15088, 15132, 15204). This comment, however, does not identify any significant environmental issues related specifically to the Project, but instead focuses on the proposed land uses and densities, in addition to political, social and economic issues addressed in various elements of the General Plan, as reasons why the Project should be denied. As such, no response is warranted or required. Notwithstanding, it should be noted that in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of “inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses,” but denied the Petition on the issue of “land use analysis” and “issues of zoning” which the comment is focused upon. Notwithstanding, the lead agency is committed to making a decision on the Project, based on its merits taking into consideration all comments received, including those which do not make or include any statements about the Revised Draft EIR’s analysis or environmental issues.

Letter C2

George Hague

gbhague@gmail.com

Received on August 8, 2025

Comment C2-1

A little later this year you will be provided everything found below my name on our General Plan Update (GPU) and Climate Action Plan (CAP). Right now people in Moreno Valley are also reading these and submitting comments.

Please make sure you click on “Draft Climate Action Plan” in the first paragraph. This is where our city is reducing greenhouse gas emissions (GHG) emissions which is one of the main causes of climate change — the impacts of which we see on TV every day with increased temperatures, fires, floods and hurricanes along with their increase in severity. We need to do our part to reduce GHG.

Reading some of these links now will save you a great deal of effort later. Very little will change when the city provides them with only a week or hopefully two for reading prior to your vote.

Hope this helps you.

Response to Comment C2-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm’n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov’ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document’s identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment C2-2

This comment is a screenshot of the City of Moreno Valley 2040 Project website.

Response to Comment C2-2

This comment is noted. No environmental issue is raised.

Letter C3

Shelly Lindekugel

ReMax One

Reliable Property Management

Certified Residential Broker (CRB)

DRE #01045878/02221164

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Received on August 11, 2025

Comment C3-1

I have read the City Council's Proposed Revised General Plan and would like to register my dismay and disapproval to approve R-10 lots to be built in the NE portion of Moreno Valley. As you must be aware, the NE quadrant of Moreno Valley has long traditionally been ½ acre lots or more. I question the intentions of the City Counsel to allow up to 10 homes on a acre to be built in this area. Every city needs housing choices. High density housing is one choice. Homes on large lots is another. A third might be to live in a large homeowner's association like Sunnymead Ranch. What is the point of destroying the rural area of NE MV with houses on small lots? Why not preserve some area of MoVal for "elbow room" and a different choice in housing? Building high density homes in NE Moreno Valley is a recipe for disaster for those who live there now. It will destroy current housing values, it will eat up the open spaces with ugly tracts of homes piled on top of each other.

Response to Comment C3-1

The lead agency must evaluate comments on the draft EIR and prepare written responses that describe the disposition of any “significant environmental issues” raised by commenters, for the inclusion in the final EIR. (PRC § 21091(d); 14 CCR §§ 15088, 15132, 15204). As such, since this comment does not identify any significant environmental issues related specifically to the City’s Housing Element, but instead focuses on the proposed land uses, densities and/or policies of the Housing Element, no response is warranted or required.

Notwithstanding, it should be noted that in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of “inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses,” but denied the Petition on the issue of “land use analysis” and “issues of zoning” which the comment is focused upon. Moreover, in November 2021, the City submitted its approved Housing Element (6th Cycle spanning the 2021-2029 time period) to the California HCD for review. On February 7, 2022, HCD provided a letter to the City identifying the changes or modifications that were necessary to bring the City's Housing Element into compliance with state law. In response to HCD’s comments and in compliance with state law, the City revised its Housing Element (6th Cycle) in October 2022. In October 2022, the City adopted Resolution No. 2022-67 which incorporated additional determinations (as directed by HCD) related to non-vacant sites and the likelihood of redevelopment within the pertinent 6th Cycle Planning Period. In response, on October 11, 2022, HCD sent a letter to the

City stating that: (a) the City's October 2022, Housing Element, as modified, is in full compliance with State Housing Element Law (Article 10.6 of the Government Code); (b) the adopted Housing Element, as modified, addressed all the statutory requirements described in HCD's February 7, 2022, letter; and (c) HCD considered the City's additional findings and determinations made in Resolution No. 2022-67. It is important to note that the City's adoption of Resolution No. 2022-67 in October 2022, approving the City's current Housing Element, as modified in response to HCD's comments, was not subject to any legal challenge. Although the Sierra Club directly attacked the adequacy of the City's Housing Element, it did not challenge the version approved in October 2022, which incidentally earned the City the prestigious designation as a Pro-housing jurisdiction by HCD. Both the Sierra Club and the Attorney General agreed that they "have not challenged the revised Housing Element and associated resolution 2022-67, and consequently, seek no relief against the operable, certified Housing Element." (Petitioners' Joint Response to City's Objections to Statement of Decision, page 6, line 24, to page 7, line 1, filed 3/29/2024).

In light of the limited scope of the Court's Writ and Statement of Decision, the Moreno Valley City Council in response to the Writ, that was served on the City on May 20, 2024, unanimously adopted Resolution No. 2024-37 (on June 25, 2024), which rescinded its prior approval of MoVal 2021 GPU, CAP, and Final Program Environmental Impact Report, subject to keeping its Housing Element, as approved in October 2022, intact and operative.

Comment C3-2

It will require the City to install sewer and the City will likely require existing homeowners to connect to sewer, a very expensive proposition.

Response to Comment C3-2

The lead agency must evaluate comments on a draft EIR and prepare written responses that describe the disposition of any "significant environmental issues" raised by commenters, for inclusion in its final EIR. (PRC § 21091(d); 14 CCR §§ 15088, 15132, 15204). This comment, however, does not identify any significant environmental issues related specifically to the Project, but instead focuses on the proposed land uses and densities, in addition to political, social and economic issues addressed in various elements of the General Plan, as reasons why the Project should be denied. As such, no response is warranted or required. Notwithstanding, it should be noted that in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of "inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses," but denied the Petition on the issue of "land use analysis" and "issues of zoning" which the comment is focused upon. Notwithstanding, the lead agency is committed to making a decision on the Project, based on its merits taking into consideration all comments received, including those which do not make or include any statements about the Revised Draft EIR's analysis or environmental issues.

Comment C3-3

I think the city council has done enough to destroy the east end of Moreno Valley with the warehouses that have been built. After reading the proposed new General Plan, it appears that MV will have more

than 17,000 new (high density) house tracts, ***do we really need more R-10 properties in NE Mo Val?*** I moved to Moreno Valley in 1982 into one of the first R-6 tracts that was built here. Take a look around the homes on Cottonwood and Patti Lynn (Woodhaven Cottages). Take a drive thru the housing tract know as Dream Street on Ironwood. Have you visited the "Copper Hill" tract of homes just south of Sunnymead Ranch on Heacock? Those R-6 tracts are now mostly rentals, no grass in yards, cars parked in yards, lots of crime and theft. Is this what we want for NE Moreno Valley?

Response to Comment C3-3

See Response to Comment C3-1.

Comment C3-4

I live in NE Moreno Valley and have lived in 92555 since 1998. I have sold real estate here in Moreno Valley since 1989. I understand housing values and housing trends much better than the average person. Please, don't destroy the nicest, most desirable, highest value area of the city by allowing builders to build R-10 homes in our midst.

Response to Comment C3-4

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Letter C4

Charles Horn

28012 White Sand Trl,

Moreno Valley, CA 92555

kristyhorn88@gmail.com

Received on August 16, 2025

Comment C4-1

I am sending you this letter regarding the lot between Moreno Beach Blvd. and Pettit St., South of Ironwood. This lot is in consideration to be changed from R2 to R10. This would be a mistake for Moreno Valley.

Response to Comment C4-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment C4-2

The council for Moreno Valley over the last 30 years has done a good job cleaning up the city. The proposed change would increase crime, decrease neighbor hood quality, and ultimately reduce the median price of existing homes in a good area.

I receive reports in East Moreno Valley of all thefts, vandalism, and crimes reported to the Sherif. These reports provide me the area of the event and 95% of these reports are from South of I – 60 in the congested areas of Moreno Valley.

Response to Comment C4-2

The comment is noted. The lead agency must evaluate comments on a draft EIR and prepare written responses that describe the disposition of any "significant environmental issues" raised by commenters, for inclusion in its final EIR. (PRC §21091(d); 14 CCR §§15088, 15132, 15204). This comment, however, does not identify any significant environmental issues related specifically to the Project, but instead focuses on the proposed land uses and densities, in addition to political, social and economic issues addressed in various elements of the General Plan, as reasons why the Project should be denied. As such, no response is warranted or required.

Notwithstanding, it should be noted that in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of “inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses,” but denied the Petition on the issue of “land use analysis” and “issues of zoning” which the comment is focused upon. Notwithstanding, the lead agency is committed to making a decision on the Project, based on its merits taking into consideration all comments received, including those which do not make or include any statements about the Revised Draft EIR’s analysis or environmental issues.

Comment C4-3

We purchased a home in this area for a reason and putting R10 homes across the street from my neighborhood would eliminate the comfort and lack of congestion we have here. Homes in the Graham Street area would not be considered by anyone who purchased a home in our neighborhood, which surrounds the proposed lot.

Response to Comment C4-3

The comment is noted. No environmental issue is raised.

Comment C4-4

I am one of many who would put their home for sale if this change took place. The increased inventory would reduce prices and hurt the area. I understand R2 properties are a premium and it would be difficult for a developer to make a profit, so let’s compromise and do R4. Quarter acre lots are still very desirable and would be a good compromise.

Response to Comment C4-4

The comment is noted. Please refer Response to Comment C4-2. As discussed, only comments pertaining to “inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses” will receive a detailed response in the Revised Final EIR. This comment focuses the proposed land use pattern of the Project; however, the issue of “land use analysis” and “issues of zoning” were not found to be inadequate and will not be responded to further. However, the lead agency is committed to making a decision on the Project, based on its merits taking into consideration all comments received, including those which do not make or include any statements about the Revised Draft EIR’s analysis or environmental issues.

Letter C5

Belinda Cramer

ashley3lee@gmail.com

Received on August 19, 2025

Comment C5-1

RE: OPPOSITION TO ZONING CHANGES ALLOWING MULTIIFAMILY HOUSING and Commercial Zoning in the 2040 general plan. (THESE CHANGES WILL AFFECT North East Moreno Valley Rural area) This is an open letter expressing opposition to the changes in zoning. I have lived in Moreno Valley since 1985 and enjoyed living in the North East end of town. But, after reviewing the 2040 general plan to rezone, I do have a lot of concerns that you are not mentioning or taking into to consideration in the rural areas with the new development plan. While there appears to be more talk about the impact of a big expansion of businesses and commercial buildings, I am more concerned about the affects it will have on the rural areas. The questions I have are as follows.

Response to Comment C5-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm’n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov’ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document’s identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment C5-2

1. Where is the data that that shows that people want R-10 zoning in North East Moreno valley who was included in this data? Where is the data from the people in this area that does not approve?

Response to Comment C5-2

Please refer to Response to Comment C5-1. The lead agency must evaluate comments on the draft EIR and prepare written responses that describe the disposition of any “significant environmental issues” raised by commenters, for the inclusion in the final EIR. (PRC §21091(d); 14 CCR §§15088, 15132, 15204). This comment, however, does not identify any significant environmental issues related specifically to the Project, but instead focuses on the proposed land uses and densities, in addition to political, social and economic issues addressed in various elements of the General Plan, as reasons why the Project should be denied. As such, no response is warranted or required.

Notwithstanding, it should be noted that in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of “inadequate baseline, air quality/climate changes

(GHG emissions)/energy use analyses,” but denied the Petition on the issue of “land use analysis” and “issues of zoning” which the comment is focused upon. Notwithstanding, the lead agency is committed to making a decision on the Project, based on its merits taking into consideration all comments received, including those which do not make or include any statements about the Revised Draft EIR’s analysis or environmental issues.

Comment C5-3

2. Where is the data on the impact that it would have on the wild burros and the effects with the farm animals in the area with the rezoning?

Response to Comment C5-3

The comment is noted. Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 1 identifies the limited scope of the analysis prepared in the Revised Draft EIR. Only comments that specifically address the revisions made in response to the Court’s Writ and Statement of Decision will receive a detailed response in the Revised Final EIR. The Court did not find any inadequacy in the 2021 GPU EIR’s analysis of Agriculture and Forestry Resources or Biological Resources. However, all comments made on the Revised Draft EIR will be included in the administrative record and provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment C5-4

3. Please explain by having more commercial buildings east of Moreno Beach which is actually on both sides of family homes near will have less noise, pollution and traffic? How does the commercial buildings effect the property values of these homes? What is the long term impact? This needs to be in the final EIR in order to inform decisions makers prior to voting.

Response to Comment C5-4

The comment is noted. As discussed in Response to Comment C5-3, only comments that specifically address the revisions made in response to the Court’s Writ and Statement of Decision will receive a detailed response in the Revised Final EIR. While the Statement of Decision also did not find any inadequacies in the 2021 GPU EIR’s analyses of Noise and Transportation, these sections have also been revised to show compliance and consistency with quantitative models (e.g., the Riverside County Transportation Model [RIVCOM]) which were adopted since 2021. However, the analysis of noise and transportation was not found inadequate.

The Executive Summary of the Revised Draft EIR provides a summary of the impact discussion for each threshold evaluated as well as the mitigation measures that would be applied regarding the impact (if applicable) and its level of significance after mitigation. Traffic noise impacts are significant and unavoidable for existing sensitive land uses due to the lack of retrofit programs. MM NOS-1 and MM NOS-2 require new developments to comply with interior noise standards. Construction noise controls include restricted hours, equipment maintenance, and alternative low-noise methods. Projects near fragile

structures require noise and vibration analyses to ensure compliance with Federal Transit Administration thresholds. However, at a programmatic level of analysis, there are no feasible mitigation measures that would reduce noise impacts associated with development facilitated by the Project to a less than significant level.

Regarding air quality or pollution, the Project would implement MM AQ-1 through MM AQ-5, which requires development projects, when identified, to assess and mitigate air quality impacts during construction and operation to comply with regulatory thresholds and protect public health. This includes analyzing air emissions, controlling fugitive dust, reducing construction emissions, coordinating concurrent projects, and conducting Health Risk Assessments for toxic air contaminants near sensitive receptors based on specified thresholds. The Revised Draft EIR also found that future construction and operational emissions associated with development projects would conflict with the implementation of the AQMP. However, at a programmatic level of analysis, there are no feasible mitigation measures that would reduce air quality impacts associated with development facilitated by the Project to a less than significant level. With the implementation of MM AQ-1 through MM AQ-5, the Project would still result in significant and unavoidable impacts to air quality.

Regarding traffic, the Project would implement roadway and circulation improvements, new bicycle and pedestrian facilities, as well as the policies and actions listed under goals C-1 through C-3 in order to improve the circulation network through project buildout in 2040. Therefore, the Project would not conflict with a plan, ordinance, or policy addressing the circulation system, and impacts would be less than significant. The General Plan includes policies and actions described above that would ensure future transportation facilities would not introduce hazards onto the circulation network, and future development and redevelopment would also be designed consistent with all safety requirements pertaining to ingress and egress onto the circulation network. Therefore, the project would not substantially increase hazards, and impacts would be less than significant. However, Implementation of the Project would result in an increase in VMT based on several metrics. As a result of some metrics that exceeded the significance criteria based on certain analysis methodology, impacts would be significant. The project includes TDM goals, policies, and actions that would support VMT reductions; however, anticipated VMT reductions associated with proposed TDM measures would be large enough to guarantee that significant impacts could be fully mitigated.

Finally, as discussed, in Response to Comment C5-2, comments on economic and social issues will not receive detailed responses in the Revised Final EIR. No further response is warranted or required.

Comment C5-5

The change to zoning will effect a very large area not far from my house and in return will eventually effect North East Moreno Valley. The only alternative to these changes would be not rezone.

I would also, like to be informed of all future documents and meetings.

Response to Comment C5-5

This comment does not pertain to any significant environmental issues or impacts or any measures to avoid or mitigate any identifiable significant environmental impact. As such, no response to this comment is warranted or required. Notwithstanding, as requested, the commenter will be added to the list of contacts that the lead agency will send any additional Project information that may have not been available at the time of this response.

Letter C6

Dusan Stancic

d_stancic@hotmail.com

Received on August 20, 2025

Comment C6-1

I've reviewed the outline on the [Moreno Valley General Plan 2040 Public Draft](#) and the [revised EIR coping meeting](#), we need more details. Please provide detailed information on how this project will prevent climate impacting GHG. Also, please provide details on the GHG analysis for these large buildings. Details are needed, and a simple "comment noted" does not inform the public on what we are being exposed to or what the details are. The EIR's programmatic nature enables broad, less specific scrutiny and potentially bypasses vital site-level reviews. This generality allows developers to avoid detailed assessments and enforceable mitigation, undermining CEQA's intent to provide transparency and environmental safeguards.

Response to Comment C6-1

Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level of detail required for the analysis and mitigation in a program EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment C6-2

I've seen this city grow and I'm well aware of the ongoing within our northeastern region of Moreno Valley, which has long been characterized by open, rural landscapes. I'm against the idea of introducing high-density structures and commercial zones would significantly alter the existing rural ambiance, fragment open space, and potentially disrupt wildlife habitats (especially those adjacent to the Badlands and protected areas).

Response to Comment C6-2

The lead agency must evaluate comments on the draft EIR and prepare written responses that describe the disposition of any "significant environmental issues" raised by commenters, for the inclusion in the final EIR. (PRC §21091(d); 14 CCR §§15088, 15132, 15204). As such, since this comment does not identify any significant environmental issues related specifically to the City's Housing Element, but instead focuses on the proposed land uses, densities and/or policies of the Housing Element, no response is warranted or required.

Notwithstanding, it should be noted that in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of “inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses,” but denied the Petition on the issue of “land use analysis” and “issues of zoning” which the comment is focused upon. Moreover, in November 2021, the City submitted its approved Housing Element (6th Cycle spanning the 2021-2029 time period) to the California HCD for review. On February 7, 2022, HCD provided a letter to the City identifying the changes or modifications that were necessary to bring the City's Housing Element into compliance with state law. In response to HCD's comments and in compliance with state law, the City revised its Housing Element (6th Cycle) in October 2022. In October 2022, the City adopted Resolution No. 2022-67 which incorporated additional determinations (as directed by HCD) related to non-vacant sites and the likelihood of redevelopment within the pertinent 6th Cycle Planning Period. In response, on October 11, 2022, HCD sent a letter to the City stating that: (a) the City's October 2022, Housing Element, as modified, is in full compliance with State Housing Element Law (Article 10.6 of the Government Code); (b) the adopted Housing Element, as modified, addressed all the statutory requirements described in HCD's February 7, 2022, letter; and (c) HCD considered the City's additional findings and determinations made in Resolution No. 2022-67. It is important to note that the City's adoption of Resolution No. 2022-67 in October 2022, approving the City's current Housing Element, as modified in response to HCD's comments, was not subject to any legal challenge. Although the Sierra Club directly attacked the adequacy of the City's Housing Element, it did not challenge the version approved in October 2022, which incidentally earned the City the prestigious designation as a Pro-housing jurisdiction by HCD. Both the Sierra Club and the Attorney General agreed that they “have not challenged the revised Housing Element and associated resolution 2022-67, and consequently, seek no relief against the operable, certified Housing Element.” (Petitioners' Joint Response to City's Objections to Statement of Decision, page 6, line 24, to page 7, line 1, filed 3/29/2024).

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Pursuant to CEQA Guidelines Section 15204(a), comments on the Revised Draft EIR should focus on the sufficiency of the identification and analysis of potentially significant environmental impacts and the adequacy of mitigation measures that have been designed to avoid or mitigate those impacts. This comment, however, does not raise or pertain to any such potential impacts or mitigation measures. In light of the foregoing, no further response is warranted or required.

Comment C6-3

As a lifelong Moreno Valley resident (over 40 years), I'm concerned about the public feedback and court rulings that reflect a broader pattern: large-scale developments are often approved with insufficient environmental review or meaningful public input. The Union of Sierra Club and AG rulings have forcibly rolled back prior approvals under the 2040 plan, underscoring the repeated failure to comply with CEQA standards.

Response to Comment C6-3

Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR.

Comment C6-4

I live in the North East side of Moreno Valley near the Riverside County Line. All of our homes in these parts are on septic and this is a rural area with horses and livestock. This area lacks fundamental services such as public sewer systems, nearby groceries, pharmacies, and reliable transit access. Without these basics, high-density housing may degrade, not enhance, the daily lives of future residents. The idea to convert land use North of the 60 freeway and East of Moreno Beach Drive to R10, and to sandwich homes between commercial is not part of our current zoning and must be approved by both the Planning Commission and the City Council.

Response to Comment C6-4

Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR.

Comment C6-5

I also feel the proposed development places high-density housing in areas inherently unsafe. Concerns include proximity to earthquake fault lines and wildfire-prone zones, coupled with **limited emergency evacuation routes** and scant infrastructure. Developers seem to be prioritizing density over safety, effectively putting vulnerable populations at risk.

Response to Comment C6-5

Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, and Topical Response 3, *The Revised Draft EIR is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. As noted therein, approval of the Project and certification of its Revised Final EIR does not entitle or environmentally clear any specific development project. Future development may be subject to additional analysis and mitigation measures as applicable.

Comment C6-6

The revised EIR for northeast Moreno Valley underscores a complex, multifaceted opposition. The development's risks span environmental threats, health and safety concerns, infrastructure deficiencies, and procedural shortcomings. Without significant revisions, grounded in transparent analysis, enforceable mitigation, and equitable community engagement, the proposal lacks the ethical and practical foundation needed to move forward.

Please notify me of all future documents and meetings.

Response to Comment C6-6

Pursuant to CEQA Guidelines Section 15204(a), comments on the Revised Draft EIR should focus on the sufficiency of the identification and analysis of potentially significant environmental impacts and the adequacy of mitigation measures that have been designed to avoid or mitigate those impacts. This comment, however, does not raise or pertain to any such potential impacts or mitigation measures; rather it simply demands more data and additional studies. A lead agency is not required to conduct every test or perform all research, studies, or experimentation that may be sought by commenters. (PRC § 21091(d)(2)(B); 14 CCR § 15204(a)). Notwithstanding, sufficient information related to mitigation measures has been included throughout the MoVal 2040 Revised Draft EIR and has been summarized in Table S-1: Summary of Environmental Impacts of the Executive Summary. Additionally, sufficient information about the 2021 MoVal Process, Ruling, and the MoVal 2040 Revised Draft EIR has been included in Chapter 2.0, *Environmental Setting*, of the Revised Draft EIR. In light of the foregoing, no further response is warranted or required. Notwithstanding, as requested, the commenter will be added to the list of contacts that the lead agency will send any additional Project information that may have not been available at the time of this response.

Letter C7

Linda Jimenez

glmgj@roadrunner.com

Received on August 20, 2025

Comment C7-1

My name is Linda Jimenez, I moved to my home in the Sterling Ranch 1/2 acre lot tract in 1998. Our family moved here because we had lived in a R8 housing tract in central MV and we wanted more room and a quiet neighborhood.

Response to Comment C7-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment C7-2

Proposed housing near Ironwood and Moreno Beach Dr. doesn't make much sense to me. There are several high density housing projects that have already approved with the city. It's not needed to have more R10 housing for RHNA directive.

Response to Comment C7-2

The lead agency must evaluate comments on the draft EIR and prepare written responses that describe the disposition of any "significant environmental issues" raised by commenters, for the inclusion in the final EIR. (PRC §21091(d); 14 CCR §§15088, 15132, 15204). As such, since this comment does not identify any significant environmental issues related specifically to the City's Housing Element, but instead focuses on the proposed land uses, densities and/or policies of the Housing Element, no response is warranted or required.

Notwithstanding, it should be noted that in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of "inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses," but denied the Petition on the issue of "land use analysis" and "issues of zoning" which the comment is focused upon. Moreover, in November 2021, the City submitted its approved Housing Element (6th Cycle spanning the 2021-2029 time period) to the California HCD for review. On February 7, 2022, HCD provided a letter to the City identifying the changes or modifications that were necessary to bring the City's Housing Element into compliance with state law. In response to

HCD's comments and in compliance with state law, the City revised its Housing Element (6th Cycle) in October 2022. In October 2022, the City adopted Resolution No. 2022-67 which incorporated additional determinations (as directed by HCD) related to non-vacant sites and the likelihood of redevelopment within the pertinent 6th Cycle Planning Period. In response, on October 11, 2022, HCD sent a letter to the City stating that: (a) the City's October 2022, Housing Element, as modified, is in full compliance with State Housing Element Law (Article 10.6 of the Government Code); (b) the adopted Housing Element, as modified, addressed all the statutory requirements described in HCD's February 7, 2022, letter; and (c) HCD considered the City's additional findings and determinations made in Resolution No. 2022-67. It is important to note that the City's adoption of Resolution No. 2022-67 in October 2022, approving the City's current Housing Element, as modified in response to HCD's comments, was not subject to any legal challenge. Although the Sierra Club directly attacked the adequacy of the City's Housing Element, it did not challenge the version approved in October 2022, which incidentally earned the City the prestigious designation as a Pro-housing jurisdiction by HCD. Both the Sierra Club and the Attorney General agreed that they "have not challenged the revised Housing Element and associated resolution 2022-67, and consequently, seek no relief against the operable, certified Housing Element." (Petitioners' Joint Response to City's Objections to Statement of Decision, page 6, line 24, to page 7, line 1, filed 3/29/2024).

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Comment C7-3

I hope this can come to a more appropriate resolution for this area's existing environment.

The city plan should stay as it is.

High density housing should be near bus lines, sidewalks and walkability to stores. That would not be here.

Thank you for hearing me.

Linda

Response to Comment C7-3

See Response to Comment C7-2.

Comment C7-4

With Aquabella's 15,000 high density units approved late last year, 1,600 apartments approved in June 2023 for the Moreno Valley Mall redevelopment and 800 units recently approved in the Town Center at Moreno Valley plus many other high density housing units approved in the last couple of years our city no longer needs the 10 units per acre (R-10) in the NE to meet its Regional Housing Needs Assessment (RHNA) numbers. **The**

Response to Comment C7-4

See Response to Comment C1-2.

Letter C8

Mike McCarthy, PhD

Riverside, 92508

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Received on August 20, 2025

Comment C8-1

Attached please find comments on the recirculated Draft EIR for the Moreno Valley General Plan (MoVal 2040). Please add me to any future notifications for documents and hearings on this project via email notification.

Response to Comment C8-1

This comment does not pertain to any significant environmental issues or impacts or any measures to avoid or mitigate any identifiable significant environmental impact. As such, no response to this comment is warranted or required. Notwithstanding, as requested, the commenter will be added to the list of contacts that the lead agency will send any additional Project information that may have not been available at the time of this response.

Comment C8-2

Thank you for the opportunity to comment on the City of Moreno Valley General Plan Update (MoVal 2040) – SCH# 2020039022 Draft Environmental Impact Report (DEIR). As a resident of Riverside, I am keenly interested in the regional development of the 215/60 corridor and the long-term planning in the region. The oversaturation of warehouses in the 215/60 corridor is degrading our quality of life through the negative externalities of air pollution, noise, congestion, poor economic opportunity, and infrastructural damage. I submitted comments on the Notice of Preparation and incorporate those by reference here.

Response to Comment C8-2

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment C8-3

Assembly Bill 98 was signed into law in 2024 and is noted in the air quality section of the recirculated DEIR. However, the 2040 truck routes and sensitive receptors (map C-6) within the City of Moreno Valley and

proposed circulation network show multiple incompatibilities with the language and intent of truck routes in 65098.2.7 where roadways for truck routes should be arterial roads, collector roads, major thoroughfares, and local roads that predominantly serve commercial uses.

The 2040 truck routes are incompatible with AB 98 definitional truck route requirements for the following segments. Each of these segments are either not an arterial or not primarily commercial/industrial routes in these segments. Diverting trucks through these areas that are predominantly sensitive receptors will encourage trucks to avoid the overcrowded 60 and 215 freeways.

- Alessandro Blvd. east of Perris Blvd. and west of Merwin Street.
- Moreno Beach Drive – south of Auto Mall Drive
- Heacock Blvd North of Ironwood Drive
- Redlands Blvd North of SR-60
- Frederick Street (entire segment north of Alessandro)
- Additional, Alessandro Blvd should not be a truck route through the high-density, bikable, walkable, mixed-use destination portion of town that is being considered for the City Center concept area. Trucks from the WLC should not be using downtown as a bypass to avoid SR-60 as described in AB 98 routing requirements.

Response to Comment C8-3

Please refer to Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Topical Response 4 discusses how environmental justice is addressed within the Revised Draft EIR and the Project's consistency with the requirements of SB 535, SB 1000, and AB 98. It also identifies the analysis within the Revised Draft EIR that evaluates the Project's impact on sensitive receptors, including disadvantaged communities, and the mitigation that would be implemented to address these impacts. As further discussed in Topical Response 4, all feasible mitigation appropriate for a programmatic document are included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment C8-4

The proposed bike routes map do not indicate conformity to key safety requirements for cyclists adjacent to heavy heavy-duty trucks and light heavy-duty trucks on truck routes.

- Keep bike routes separated from any truck routes (Class I or Class IV) and avoid Class II and III bike routes along truck routes. Key problem segments.
 - Alessandro Blvd (currently Class II or proposed Class II)
 - Heacock Street (Class II)
 - Cactus Avenue (Class II)
 - Moreno Beach Dr (remove the truck route as it is unnecessary)

- Frederick Street (remove the truck route as it is incompatible with adjacent sensitive receptors and there is no industrial)

Response to Comment C8-4

The comment is noted. Please refer to Response to Comment C8-5, which directs the commenter to Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. As discussed in Topical Response 4, within the City, truck routes are designated along arterial roadways. Arterials serve two primary functions: to move vehicles into and through the City and to serve adjacent commercial land uses. The City's adopted Bicycle Master Plan as well as the 2024 GPU Circulation Element identify that existing high traffic volume arterials and truck routes can conflict with existing and proposed bicycle routes throughout the City, and as such, have identified parallel east-west corridors (Neighborhood Collectors) to provide low-stress alternatives to riding on arterials as part of the layered network. The City still provides bicycle facilities on most major arterials and additional buffers/protection is recommended on high speed/volume roadways, especially along truck routes to limit conflicts. Additional bicycle infrastructure in congested areas, such as bicycle signal heads, traffic signal bicycle detection, green bicycle lanes, and two-stage turn queue boxes can further enhance bicycle facilities on high-stress corridors.

Additionally, the 2024 GPU Circulation Element would implement goals, policies, and actions to improve bicycle and pedestrian circulation. The 2024 GPU implements several policies within the 2024 GPU Circulation Element, including Policy C.2-2, which directs the City to implement a layered network approach by prioritizing conflicting modes, such as trucks and bicyclists, on alternative parallel routes to provide safe facilities for each mode. Specifically, Goal C.4 and C.5 of the 2024 GPU Circulation Element also address this potential conflict. The Project would also implement future pedestrian and bicycle facilities as shown in Figure 4.16-1 on page 4.16-7 in Section 4.16, *Transportation*, of the Revised Draft EIR. Therefore, the Revised Draft EIR determined that the Project would not conflict with a plan, ordinance, or policy addressing pedestrian and bicycle circulation, and impacts would be less than significant. See Section 4.16, *Transportation*, of the Revised Draft EIR for additional analysis. No further response is required.

Comment C8-5

Land Use Plan

- On July 28, 2025, the City of Moreno Valley released an NOP for the 1,820 acre Rancho Belago Estates project (SCH #2025071280) that indicates an annexation and land development plan for 819 acres of medium-high density residential, 53.3 acres of mixed use, 79.1 acres of road, 210 acres of golf course, and 659 acres of open space. This occurred during the 45 day comment period for MoVal 2020 General Plan update (July 9 to August 21). This is in direct conflict with Figure 3-2 planned sphere of influence land use for the same area which indicates Rural Residential and Commercial use in that area. The City planning had to be aware that the Rancho Belago estates projects proposed land use is in conflict with Figure 3-2 prior to the release of the

DEIR and should have updated the NOP proposed land uses for Figure 3-2 planned land use map and subsequent analysis. Full buildout is expected by 2035.

- Rural residential is the lowest density allowable in the city and it is being upzoned to allow approximately 3,150 housing units at ~4 du/acre.
- 53 acres of mixed-use is substantially different than the 581 acres of commercial development in the Figure 2-3 and Table 3-1 horizon land use summary.
- This is significant new information and needs to be included in a recirculated EIR analysis to understand the circulation, air quality, and greenhouse gas impacts of these changes.

Response to Comment C8-5

The comment is noted. Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 1 provides a background of the CEQA lawsuit that was filed by the Sierra Club in Riverside County Superior Court challenging the validity of the 2021 GPU EIR and CAP, the Writ and Statement of Decision issued by the Court, and limited scope of the analysis prepared in the Revised Draft EIR. The Writ and Statement of Decisions asserted that the City violated CEQA by failing to use a valid baseline, which effectively prejudiced the City's consideration of the Project's air quality, transportation, energy, and other impacts; and by failing to adequately disclose or mitigate the significant impacts on air quality and GHG emissions produced a wrong determination of the significance of the impacts that could be expected under the 2024 GPU.

To remedy this and establish the 2024 baseline for the Revised Draft EIR, the City updated the list of projects and associated land and acreages from the 2021 GPU EIR to include all development projects that were approved between 2018 and 2024 and constructed and operational by 2024 (see Appendix G, *Methodology for Establishing the Environmental Baseline and Horizon Year Forecast*, to the Revised Draft EIR for further explanation of the how the baseline was established for analysis of the Project). Specifically, the 2040 horizon year was established with a list of projects identified in the City between August 1, 2024, and February 25, 2025, which was used as the cutoff date to prevent a constantly moving target with which to develop the 2040 quantitative analyses. Additionally, per personal communications with City staff, the City has confirmed that Rancho Belago Project was not known to the City prior to February 25, 2025²⁷, which is the cut-off date identified above (see Appendix D, *Other Supporting Information*, of this Revised Final EIR). As such, the proposed Rancho Belago Project is appropriately not included in the projected development built out by 2040.

As discussed in 14 CCR § 15130, "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable," as defined in 14 CCR § 15065(a)(3). Cumulatively considerable means "the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of

²⁷ Personal Communication. Danielle Harper-Scott, Senior Planner, Community Development of the City of Moreno Valley. September 15, 2025. See Appendix D of this Revised Final EIR.

probable future projects” (14 CCR § 15065.) The discussion of cumulative impacts is contained within each subsection of the Revised Draft EIR. In general, the cumulative analysis approach is based on either a summary of projections as specified in 14 CCR § 15030(b)(1)(B) or a list of cumulative projects applicable to the Project. This approach is appropriate due to the programmatic nature of the Project (see also Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR). As explained in the cumulative analysis contained within each section of Chapter 4.0, *Environmental Analysis*, of the Revised Draft EIR, future development would be required to adhere to all relevant local plans, Municipal Code regulations, and proposed policies contained in the updated elements of the 2024 GPU. It should also be noted that the Writ and Statement of Decision did not find that the cumulative impact analysis in the 2021 GPU EIR was inadequate or needed to be revised.

As such, the proposed Rancho Belago Project would be required to analyze consistency with the relevant local plans, Municipal Code, and other applicable policies and regulations in effect at the time the baseline for the proposed Rancho Belago Project is established. As such, no corrections or additions are required in response to this comment, and no further response is warranted or required.

Comment C8-6

Air Quality

- The SCAQMD basin fails to note the full designations of nonattainment on p.4.3-34. The basin is designated as
 - o Extreme nonattainment for 8-hr ozone (2015)
 - o Serious nonattainment for PM2.5 (2012)
- The CA SR-60 within the SCAQMD Basin is designated as nonattainment for NOx by the State and that is omitted from the analysis. Since it is reasonable to assume that Moreno Valley trips will impact the SR-60 nonattainment area, it needs to be included.¹

Footnote 1: https://ww2.arb.ca.gov/sites/default/files/2024-10/State_2023_NO2.pdf

Response to Comment C8-6

See Table 5 on page 23 of Appendix B of the Revised Draft EIR which shows the full designations for both State and Federal standards. For the Revised Draft EIR, the specific designation of nonattainment was not included. However, typographical edits to page 4.3-34 of Section 4.3, *Air Quality*, of the Revised Draft EIR will be made in Section 3.0, *Corrections and Additions to the Revised Draft EIR*, to include the following detail:

The Basin is designated as a nonattainment area for State standards for O₃, PM₁₀, and PM_{2.5}. For federal standards, the Basin is designated as a partial nonattainment area for lead, ~~and extreme~~ nonattainment for O₃, and serious nonattainment for 24-hour standard and moderate

nonattainment for annual standard for PM2.5, attainment and serious maintenance for federal PM10 standards, and unclassified or attainment for all other pollutants.

The comment regarding SR 60 being designated as nonattainment for NO₂ (not NO_x as the commentor states) can not be verified with the link provided by the commenter. The entire State is in attainment for NO₂. Therefore, no further response is warranted or required.

Comment C8-7

The project fails to list cumulative warehouse projects that are within a short commute distance of the Moreno Valley Planning area. These are cumulatively considerable for air quality, GHG, and traffic impacts and have not been considered as part of the program EIR. A list of projects was provided to the City under the NOP comment period and this request was ignored. It is necessary for the city under §15130 to consider other 'related impacts' that are cumulatively considerable. Riverside County has over 200 million square feet of warehouses either approved or undergoing CEQA review outside of the City of Moreno Valley. These projects need to be included as part of a cumulative impacts analysis. Notable mega-projects include:

- Beaumont Point (5.0M sf) approved – Beaumont
- Legacy Highlands Specific Plan (20M sf) under review – Beaumont
- Stoneridge Commerce Center (7.9M sf) under review – Nuevo – unincorporate Riverside County
- San Jacinto Commerce Center (7.0M sf) – under review – San Jacinto
- Beaumont Heights Business Centre project (5.2M sf) – under review – Beaumont
- Harvest Landing – (5.5M sf) – under review - Perris
- New Perris Commerce Center Project – (3.7M sf) under review – Perris
- Mesa Verde Specific Plan (4.4M sf) under review – Calimesa
- Freeway Corridor Specific Plan – (4.6M sf) under review

Figure 1 shows warehouse existing and planned development around Moreno Valley in Beaumont, Perris, and other areas. Warehouses don't exist just within Moreno Valley and the industrial land use in the region will cause regional air quality, traffic, GHG, and low-quality jobs problems.

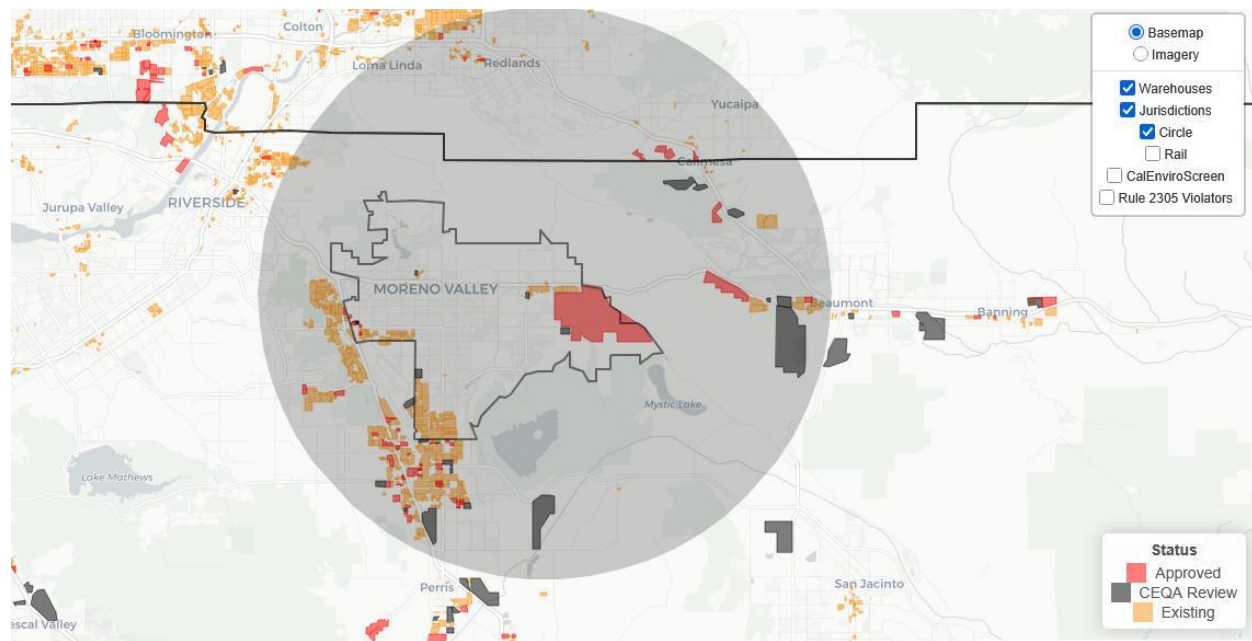


Figure 1. The City of Moreno Valley and surrounding areas within 20 km with warehouses and potential future warehouse projects. Data from Warehouse CITY v1.23 (Phillips and McCarthy, 2024).

Response to Comment C8-7

Please refer to *Response to Comment C8-5* above, which describes how cumulative impacts were analyzed in the Revised Draft EIR. Please also refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level of detail required for the analysis and mitigation in a program EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment C8-8

Additionally, the programmatic EIR includes almost no attempts at widescale electrification of either residential, industrial, or commercial projects as part of the EIR. Air quality problems in the basin are largely driven by the goods movement industry and its diesel emissions across trucks, hostlers, forklifts, trains, and ocean-going vessels. The City can require ambitious electrification targets as part of any new project as demonstrated by settlement agreements on recent warehouse projects. Please identify why no electrification targets are required for discretionary industrial projects under the EIR.

Response to Comment C8-8

Please refer to Response to Comment C8-7 above, which directs the commenter to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. As detailed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. No further response is warranted or required.

Comment C8-9

Greenhouse Gas Emissions

The years of 2023 and 2024 have been the hottest years in human history and greenhouse gas emissions need to be reduced to ensure a livable future for residents of the region and the world. The City of Moreno Valley should include best practices for reducing GHG emissions within the city. Specifically, the City of Moreno Valley should require electrification of mobile sources and industrial developments wherever possible, in addition to requiring solar panels on all new developments to provide a resilient and stable grid.

Response to Comment C8-9

Please refer to Response to Comment C8-7 above, which directs the commenter to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. As detailed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. The Project would implement MM GHG-1 and MM GHG-2 would commit the City to ongoing monitoring, annual reporting, and periodic updates of its CAP to meet GHG reduction targets aligned with SB 32 (2016) and AB 1279 (2022), including preparing a fully updated CAP by 2030 and every five years thereafter. Additionally, discretionary projects under CEQA must complete a GHG Emissions Analysis Compliance Checklist, incorporate or propose suitable GHG reduction measures, or demonstrate that they will not hinder the City's emission reduction goals, ensuring consistent progress toward the 2040 and 2045 targets. The analysis in the Revised Draft EIR concluded that implementation of these mitigation measures would result in less than significant impacts related to GHG emissions. No further response is warranted or required.

Comment C8-10

Moreover, the city should investigate battery storage as a land-use to ensure that the solar energy generated in the City's utility can be stored and provided locally without requiring expensive and high maintenance transmission lines. Please include land-use required for energy storage as a part of the GHG emissions strategy.

Response to Comment C8-10

The comment is noted. No environmental issue is raised. As discussed in Response to Comment C8-2, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid

or mitigate any identifiable significant environmental impacts, and as such, will not receive a detailed response in this Revised Final EIR. In light of the foregoing, no further response to this comment is warranted or required.

Comment C8-11

CETAP west and Cajalco Road Improvement Project are the same footprint and project, just a 4-lane versus 6-lane version. Please do not include both as that is double counting.

Response to Comment C8-11

Upon review of this comment, the list of regional transportation projects has been modified to clarify that these projects have the same alignment in the description of the circulation network on page 4.16-17 of Section 4.16, *Transportation*, of the Revised Draft EIR. This clarification is made in Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of this Revised Final EIR. This change does not impact the analysis of the Project's potential to conflict with a plan, ordinance, or policy addressing the circulation system. As such, no further response is required.

Comment C8-12

Lastly, the city and RCTC have made no commitment to expanding transit accessibility or perform any major transit facilities within and beyond the City in the project list. This is needed to mitigate and reduce GHGs and improve connectivity as Moreno Valley densifies over the next 15 years. There needs to be a commitment to light-rail or bus-rapid transit or some means of getting the 85% of Moreno Valley residents outside of the city to their jobs without relying exclusively on cars. Given that the City of Moreno Valley and the City of Riverside are closely intertwined for economic development and travel needs, it would make sense to commit to investigate transit options in coordination with the City of Riverside for improving regional accessibility within and between the two largest cities in the County.

Response to Comment C8-12

The comment is noted. Please refer to subsection b. Pedestrian and Bicycle Network of Section 4.16, *Transportation*, of the Revised Draft EIR, which details the goals, policies, and actions that guide future development of transit facilities. For example, General Plan Update Circulation Policies C.4-1 and C.4-3 direct the City to support the development of highspeed transit linkages and a Transit Center/Mobility Hub in the Downtown Center. Additionally, Actions C.4-C and C.4-D direct the City to continue ongoing coordination with transit authorities toward the expansion of transit facilities into newly developed areas and work with major employers, the hospital complexes, and Moreno Valley College to study alternatives to conventional bus systems, such as smaller shuttle buses (micro-transit), on-demand transit services, or transportation networking company services that connect neighborhood centers to local activity centers with greater cost efficiency. As such, no further response is required.

Comment C8-13**Inaccurate Baseline Conditions**

The City relies on the RIVCOM for its 2024 baseline estimates. However, RIVCOM estimates of 2024 population and households are inexplicably low relative to US census and CA Department of Finance estimates. It is not clear how project 2040 values will be affected by a baseline shift of +2-4% in the initial population and household numbers. Nonetheless, it appears that RIVCOM cannot be trusted to forecast the future if it can't model the present baseline with reasonable precision. Please explain why RIVCOM numbers are inaccurate and essentially identical to the 2018 baseline population and household numbers as shown in Table 1 from Appendix E.

Response to Comment C8-13

The City of Moreno Valley *Transportation Impact Analysis Preparation Guide for Vehicle Miles Traveled and Level of Service Assessment* identifies the Riverside County Transportation Model (RIVCOM Model) as the appropriate tool for conducting VMT analysis for land use projects in the City. The RIVCOM Model analyzes population, households, and employment data to analyze VMT at the Transportation Analysis Zones (TAZ) level, polygons similar to census block groups used to represent areas of homogenous travel behavior. The latest RIVCOM model (Version 4.0.1) was released in January 2024 and is utilized to estimate VMT for the analysis using a more detailed network and zone system model compared to the Riverside County Transportation Analysis Model (RIVTAM). RIVCOM uses a 2018 base year and a 2045 future year, which were updated to provide a 2024 baseline and 2040 future year, respectively, as described below.

To update RIVCOM's base year conditions (2018) to align more closely with the Project's Existing Baseline (2024), Kimley-Horn collected data on development projects constructed and operational between 2018 and 2024. The City identified these projects based on records of project approvals. Therefore, the RIVCOM household and population estimates for the 2018 Base Year are based on the latest version of RIVCOM Model while the 2024 Baseline Year numbers are based on summation of the household and population estimates from the 2018 base year conditions and the identified development projects constructed and operational by 2024 as described in Appendix G of the Revised Draft EIR. Population data was collected directly from the U.S. Census Bureau or the California Department of Finance but is not utilized in VMT analysis as this data does not offer information at the TAZ level, which makes it difficult to assess VMT and population for the 2024 baseline and the 2040 future year. Therefore, the data provided by RIVCOM and supplemented by the City's records of project approvals present the most accurate baseline data to use for 2024.

Comment C8-14

Additionally, please explain the wild shifts in office and commercial/retail employment between 2018 and 2024 in the RIVCOM. There is no explanation of how Moreno Valley employment jumped by 50% post-pandemic between 2018-2024, almost exclusively due to a commercial/retail sector that has been adversely affected by the growth of eCommerce. There is no explanation of why office employment declined by 75% from 2018.

Metric	2024 GPU Baseline (RIVCOM)	US Census (2024 or 2023)	CA Dept of Finance Table E-1 and E-5	2040 Plan
Population	205,620	213,919	211,389	298,440
Household	53,048	57,473	58,713	86,860

Response to Comment C8-14

See Response to Comment C8-13 above. As discussed in Appendix E, *VMT Assessment*, to the Revised Draft EIR, the RIVTAM model was replaced by the RIVCOM model after the 2021 EIR was approved (refer to the VMT Assessment for a discussion of VMT analysis methodology). The latest RIVCOM model (Version 4.0.1) was released in January 2024 and is utilized to estimate VMT for the analysis using a more detailed network and zone system model compared to RIVTAM.

It should also be noted that a lower baseline (2024) presents a more conservative analysis as part of the 2024 GPU because the forecasted growth between the baseline and horizon year (2040) would be larger. Nevertheless, the analysis was performed during the post-COVID-19 pandemic conditions while using the baseline (2024) year and future (2040) year models developed during pre-COVID-19 conditions. The COVID-19 response has dramatically changed human activities and associated travel patterns. Performing more activities from home was already a growing trend due to the internet, but COVID-19 accelerated transitions to working and shopping from home, leading to the decrease in office employment and a shift towards commercial/retail or industrial employment. Additionally, e-commerce growth is captured as part of the industrial sector due to the increased demand for warehouses and fulfillment centers, as well as commercial/retail shops which offered delivery or pickup services. Therefore, the shifts in office, commercial/retail, and industrial employment between 2018 and 2024 in the RIVCOM model can be attributed to post-COVID-19 pandemic conditions, which resulted in more work from home and a shift to e-commerce as people shopped less in person.

Comment C8-15

Table 1 – RIVCOM Model Inputs for General Plan Scenarios

Land Use	2018 Base Year ¹	2024 Baseline ²	2040 Proposed GP ^{3,4}	2040 PGP - 2024 BY Delta ⁵
Population	205,183	205,620	298,440	92,820
Household	52,920	53,048	86,860	33,812
Commercial/Retail Employment	23,365	47,020	59,621	12,601
Office Employment	5,825	1,410	7,233	5,823
Industrial Employment	13,875	16,873	37,442	20,569
Total Employment ⁶	43,140	65,378	104,371	38,993

Note:

1. Household and Population estimates for the 2018 Base Year are based on the latest version of RIVCOM Model

2. Household and Population estimates for the 2024 Baseline Year

3. Households for proposed GP reflects a 94% occupancy rate of available housing units

4. Proposed GP = MoVal 2040

5. MoVal 2040 and 2024 Baseline Year delta

6. Total employment is the sum of Commercial/Retail, Office, Industrial, and Agriculture (not presented in table)

The model does not seem stable or reliable for estimating population, households, or employment. Given that the model requires a \$5,000 license to access the underlying input information, it is not possible to identify or validate the model by independent residents or organizations without significant resources. It is unclear how to evaluate the projected VMT numbers, because they can't be independently validated and the inputs are unreliable and inaccurate on basic information that parameterizes the present and future values.

Response to Comment C8-15

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts, as such a detailed response is not required (see Response to Comment C8-2). See also, Response to Comment C8-14, regarding the RIVCOM model. No further response to this comment is warranted or required.

Comment C8-16

Summary

I appreciate the ability to comment on this regionally important project. Moreno Valley is accommodating significant regional growth and a plan to mitigate the environmental impacts through long-term planning actions is extremely important.

Response to Comment C8-16

The comment is noted. No environmental issue is raised.

Letter C9

George Hague

georgebrucehague@icloud.com

Received on August 21, 2025

Comment C9-1

Please find my comments on Revised Draft Program Environmental Impact Report (“EIR”) for the proposed MoVal 2040 Project, which consists of the 2024 General Plan Update (“2024 GPU”), associated Zoning Text Amendments to Title 9 (Planning & Zoning) and Zoning Atlas Amendments, and 2024 Climate Action Plan (“CAP”).

Please confirm you have received them in a timely manner and could open the attachments. I have also included a second attachment which contains the Comapss Danbe Centerprointe settlement. It should have the entire settlement with the landscape plan which is more than what the city requires and which could have been even more if it was done at the time the buildings sizes were agreed upon. None the less they provide more trees and therefore more sequestration which should be a goal for the city.

Response to Comment C9-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm’n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov’ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document’s identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment C9-2

I appreciate this opportunity to share some concerns and observation on the General Plan Update (GPU) and Climate Action Plan (CAP) as well as zoning. I look forward to reading the full and complete answers provided in the Final Documents. Based on the diversity of our residents all documents needed to be in Spanish to fulfill the purpose of the California Environmental Quality Act (CEQA).

Response to Comment C9-2

The comment is noted. California Constitution, Article III, Section 6, designates English as the official state language for California and prohibits the State from diminishing or ignoring the role of the English as the common language of the State of California. In addition, neither CEQA nor the CEQA Guidelines requires that an EIR must be presented in Spanish. PRC § 21083.1 states the Legislature’s intention that courts not interpret CEQA or the CEQA Guidelines “in a manner which imposes procedural or substantive requirements beyond those explicitly stated in this division [CEQA] or in the state guidelines.” Moreover,

due to the voluminous amount of material related to the Project and the environmental review of the Project, which includes numerous technical studies, state regulations, case opinions, etc. which were drafted in English, it would require an extraordinary amount of time, resources and cost to effectively and efficiently translate every document to Spanish and/or any other language that may be requested by any other group similarly situated with respect to their level of proficiency with the English language.

Notwithstanding, the City has implemented Wordly, an AI-powered translation service that provides real time, audio-to-text translation support at public meetings including those that will be held for review and consideration of the Project and the Revised Final EIR. This user-friendly technology provides access to instant translations in multiple languages without the need for human interpreters. Wordly's easy-to-use, seamless, AI-driven application allows residents to follow meetings in their preferred language through their smartphones, tablets, or computers, making civic participation more accessible than ever. This relatively new system has been recognized as a valuable tool in bridging communication gaps and strengthening civic involvement. With Wordly in place, the City continues to lead the way in utilizing innovative solutions to serve its diverse and dynamic community. In conclusion, since the City is not obligated by either the State Constitution or CEQA to provide Project materials in any language other than English, and in light of the logistical challenges, the City will not be translating any of the Project materials or related environmental documents to any other language. As such, no further response to this comment is warranted or required.

Comment C9-3

EXHIBIT 2 Planning Area (Source City of Moreno Valley ArcGIS, 2018 and 2023) has a totally inaccurate map of the San Jacinto Wildlife Area (SJWA) despite the city having been provided correct versions several times. This problem is not limited to this location, but is inaccurate throughout much of the document. This Exhibit 2 doesn't even show that part of the SJWA is within Moreno Valley City limits.

The Scoping Meeting slides of SJWA maps shared as part the meeting as well as part of the public's notice of the Revised General Plan Update 2040 GPU/CAP were inaccurate at the time of the meeting and the city was told so, but are again has included them with other documents related to the notice on this project.

Appendix A has NOP comments for this project and contains my August 7, 2024 letter with a correct Department of Fish and Wildlife map of the SJWA which is rarely used throughout the documents for the public. In fact, it is used right after the correct one in my NOP letter as if it is a comment.

The fact that these and other inaccurate SJWA maps are throughout much of the documents will cause people to provide their own inadequate/incomplete comments and/or not make some comments because they have been misled.

The Revised General Plan Update 2040 GPU/CAP needs to be corrected and recirculated with accurate maps throughout all environmental documents that the public and can rely on for accuracy

Response to Comment C9-3

The boundaries of the SJWA provided within the Revised Draft EIR have been adjusted since the Public Scoping Meeting held on Wednesday, August 14, 2024, to accurately reflect the latest available data for the SJWA provided by the CDFW Public Access Lands Dataset.²⁸ As such, no further response is warranted or required.

Please refer to Topical Response 2, *Recirculation Not Required for the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 2 identifies when recirculation is required under CEQA and explains that Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an otherwise adequate EIR. Ultimately, the City's decision not to recirculate is supported by substantial evidence and consistent with CEQA. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment C9-4

Pages 4-26/4-27 Map C-5/C-6 Heacock St is proposed as a toxic diesel truck route passing several schools/playgrounds/parks/childcare which is counter to intent of Assembly Bill 98 (AB 98) — Perris Blvd has similar problems with impacts to sensitive receptors by diesel from city designated trucks routes. This is totally unacceptable to the students and staff of impacted schools/playgrounds as well as other sensitive receptors as defined by AB 98. Will the city's required truck plan under AB 98 to be available by Jan 2026 be in these documents? Has the City reached out to community groups like the Center for Community Action and Environmental Justice (CCA EJ) and the Sierra Club to provide input in the truck route? Failure to do so puts the city at odds with AB 98. Ej.1-9 reads that Designate truck routes that avoid sensitive land uses, where feasible, but as shown above the city is not doing this because according to these documents it must not "be feasible". Shame on the city for impacting the health of our children and school staff while they are in school learning and on the playgrounds enjoying themselves. Children's lungs are much smaller and can more easily be impacted by diesel pollution from warehouse trucks. Based on our city's full build out and approval of all warehouses mentioned below there must be a detailed analysis done on the health impacts to children as well as staff and all sensitive receptors along designated truck routes or the final documents will be inadequate. Moreno Valley also fails to require a condition of approval on warehouses that requires moving towards all classes of trucks being electric prior to state guidelines as is required in the Compass Danbe Centerpointe settlement shown below.

Maps of the city with all sensitive receptors indicated as defined by AB 98 must be shown in both text and a map in the Final EIR or it will be inadequate and incomplete. We also must be able to tell what type of sensitive receptor is being indicated on the map.

²⁸ CDFW, CDFW Public Access Lands, <https://apps.wildlife.ca.gov/lands/>. Accessed September 15, 2025.

Response to Comment C9-4

Please refer to Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Topical Response 4 discusses how environmental justice is addressed within the Revised Draft EIR and the Project's consistency with the requirements of SB 535, SB 1000, and AB 98. It also identifies the analysis within the Revised Draft EIR that evaluates the Project's impact on sensitive receptors, including disadvantaged communities, and the mitigation that would be implemented to address these impacts.

Under AB 98, a sensitive receptor is defined by one or more of the following: a residence, including, but not limited to, a private home, apartment, condominium unit, group home, dormitory unit, or retirement home; a school, including, but not limited to, a preschool, prekindergarten, or school maintaining kindergarten or any of grades 1 to 12, inclusive; or a daycare facility, including, but not limited to, in-home daycare. AB 98 does not require a jurisdictions' circulation element, such as the 2040 GPU Circulation Element, to map all sensitive receptors as defined under AB 98. Nevertheless, the Air Quality Impact Assessment prepared for the Project, included in Appendix B, *Air Quality Impact Assessment*, to the Revised Draft EIR, includes Figure 1, Existing Air Quality Sensitive Populations Map, and Figure 2, Future Air Quality Sensitive Populations Map with MoVal 2040, which clearly illustrate the locations of child care, hospital and clinics, residential care, and K-12 schools as defined by the South Coast AQMD. Additionally, the Air Quality Impact Assessment (see Appendix B to the Revised Draft EIR) identified the SB 535 disadvantaged communities within the City on Figure 7, *SB 535 Disadvantaged Communities*. As such, sufficient information regarding the location of sensitive receptors is provided in the Revised Draft EIR. No further response is warranted or required.

Comment C9-5

There is no need for Theodore/WLC St north of SR-60 to be designated a truck route because garbage trucks travel all over the city and do not need specially designated roads. The only reason is the city's plan to eventually put warehouses in that area which is totally unacceptable and must be addressed now in this GPU/CAP.

Several warehouses still going through environmental review like the following five:

#1 -The Bay and Day warehouse in the Environmental Justice (EJ) Community of Edgemont - next to homes

#2 Moreno Valley Business Park Building 5 Project 220,309 sq ft whose truck route immediately upon leaving the warehouse passes family homes.

#3 Merwin Properties 991,047 sq warehouse — Across the street from family homes and on land zoned for homes.

#4 Heacock Commerce Center two warehouses totaling 873,967 sq ft next to homes

#5 First Industrial Warehouse at Day Street Project 164,968 sq ft

Those five plus others that are approved, but not built like the following:

#6 Moreno Valley Business Center next to family homes in the Environmental Justice (EJ) Community of Edgemont

#7 Compass Danbe Centerpointe – Settlement agreement conditions found below or better need to be required by the city on all future warehouses – including the five warehouses listed above.

#8 Cottonwood & Edgemont twin warehouses next to homes in the Environmental Justice (EJ) Community of Edgemont

#9 World Logistic Center (WLC) 40 million sq ft across several streets from many homes.

With the city only denying one warehouse project in the last 20 years it is expected that most warehouses listed above will be approved.

The Final EIR needs to have text as well as a map that shows all existing warehouses, all approved warehouses and all of those who have submitted applications for processing a warehouse such as, but not limited to the first five listed above. The public and decision makers deserve this.

That same map mentioned above showing all warehousing also needs to be clearly marked to make it easy for the public understand all areas of our city where zoning under this proposed Revised GPU/CAP would allow warehousing without a zone change. There also needs to be both text and numbers to explain how many acres will be available to permit additional warehousing within our city or the documents will be inadequate for decision makers/public.

Response to Comment C9-5

The comment is noted. Pursuant to CEQA Guidelines § 15204(a), comments on the Revised Draft EIR should focus on the sufficiency of the identification and analysis of potentially significant environmental impacts and the adequacy of mitigation measures that have been designed to avoid or mitigate those impacts. This comment, however, does not raise or pertain to any such potential impacts or mitigation measures; rather it simply demands more data and additional studies. A lead agency is not required to conduct every test or perform all research, studies, or experimentation that may be sought by commenters. (PRC § 21091(d)(2)(B); 14 CCR § 15204(a)).

Notwithstanding, sufficient information related to warehouses and industrial land uses is included in Appendix G, *Methodology for Establishing the Environmental Baseline and Horizon Year Forecast*, to the Revised Draft EIR to analyze impacts related to industrial development. As noted therein, Appendix G identifies areas designated as Industrial and Business Park areas using satellite images as of August 2024 within Attachment C to Appendix G of the Revised Draft EIR. Additionally, Attachment B of Appendix G includes projects, including warehouse and industrial projects, that have approved entitlements applications but have not yet been constructed or have received their Certificate of Occupancy. The data

sets provided within Appendix G include the square footages of the warehouse and the general locations in the City of Moreno Valley. In light of the foregoing, no further response is warranted or required.

Comment C9-6

The city has a very poor record of protecting Environmental Justice (EJ) communities from the health impacts of warehouse projects. In the past couple of years, they have placed warehouses next to EJ family homes so they share a common property line. In the current EJ section of the GPU Page 8-9 Ej.1-3 must also reverse where you read sensitive receptors (families/schools/parks) would not be built next to toxic air contaminants like warehouses, but the reverse is needed so warehouses are not built next to sensitive receptors as defined under AB 98. I and the rest of Moreno Valley needs to read that not only will the city not place sensitive receptors next to warehouses, but warehouses will not be placed next to or across the street from sensitive receptors and their diesel trucks will not pass sensitive receptors. This also needs to be in the health section of the GPU where it must acknowledge that many of our residents already suffer from poor health. The GPU/CAP and Zoning map must reduce the pollution burdens on these residents, but what is shared in these documents will actually increase those burdens to many – especially in the EJ communities. The Final EIR and other documents must have requirements to reduce pollution burdens on Moreno Valley residents Page 8-9 The city must use words that are measurable and enforceable to reduce air pollution in our non-attainment area — especially in already impacted census tracts (page 8-4/8-5). On page 8-9 you will read words like Coordinate, Cooperate, Collaborate, Support, Study, Work with, Consider, and Study.

None are measurable or enforceable. Using words like Require, Must, and Shall would help. The EJ section of the GPU use of weak words produces few requirements that are measurable or enforceable which will make it impossible for **ongoing evaluation/assessment and readjustment/modifications of the CAP every 2 to 3 years to keep our City on target to meet carbon neutrality by 2045.**

Response to Comment C9-6

Please refer to Response to Comment C9-4 above, which directs the commenter to Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. As discussed in Topical Response 4, because the Project is analyzed at a programmatic level, the specific location, types, and timings of the industrial or warehouse developments are unknown. Therefore, the Project would implement MM AQ-5, which requires that development of future sensitive receptors within 1,000 feet of industrial sources or the development of industrial sources within 1,000 feet of sensitive receptors would require a more detailed site-specific analysis of TAC impacts, referred to as Health Risk Assessment, pursuant to recommendations set forth in the CARB Air Quality and Land Use Handbook.²⁹ Under CEQA, mitigation measures are requirements that are placed on a project to reduce or eliminate environmental impacts that will be caused by building the

²⁹ CARB, Air Quality and Land Use Handbook, <https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf>. Accessed September 15, 2025.

project. In this case, MM AQ-5 will be enforced by the City in order to approve and entitle future industrial development as applicable.

Moreover, the commenter should note that the Revised Draft EIR contains a Health Effects and Health Risk Assessment (HEHRA) in Appendix H to the Revised Draft EIR that evaluated the operational health risk associated with the Project. As reported in the HEHRA (Appendix H), modeling shows that cancer risk associated with the buildout of the Project would not exceed South Coast AQMD's 10 in one million threshold. Chronic non-carcinogenic impacts are analyzed by using a chronic hazard index where 1 would represent a significant impact. As modeled in the HEHRA, the highest maximum chronic hazard index associated with DPM emissions from industrial operations within the City is far below the hazard index threshold of 1. Nonetheless, MM AQ-5 in addition to other mitigation and goals, policies, and actions included in the 2024 GPU would be implemented.

Issues concerning environmental justice were never raised in the prior litigation. The California doctrines of res judicata, also referred to as claim preclusion, and collateral estoppel, also referred to as issue preclusion, bar relitigation of issues that were, or could have been, litigated in a prior lawsuit. *Ione Valley Land, Air, and Water Defense Alliance, LLC v. County of Amador*, 33 Cal.App.5th 165, 170-171 (2019). As such, there was no requirement that the environmental impacts of the Project on environmental justice be analyzed in the Revised Draft EIR. Moreover, PRC § 21083.1 states the Legislature's intention that courts not interpret CEQA or the CEQA Guidelines "in a manner which imposes procedural or substantive requirements beyond those explicitly stated in this division [CEQA] or in the state guidelines." Neither CEQA nor the CEQA Guidelines requires the analysis of environmental justice-related impacts. No further response is warranted or required.

Comment C9-7

The Edgemont area of Moreno Valley is an area that Attorney General of California was quite concerned about when he provided the press release found below. There are many families living in that area, but the city has made/forced them into a nonconforming use and is still permitting warehousing so close that they share a common property line. In fact, several of the warehouses listed above fall into that category with at least one currently going through environmental review. Based on this proposed GPU/CAP and zoning map Attorney General Bonta could write the same press release. The city must reduce pollution burdens, but is failing to do so. The Final EIR must explain how this new 2025 version of the GPU/CAP and zoning map makes what he wrote below in 2022 no longer valid.

Attorney General Bonta: Moreno Valley General Plan Would Exacerbate Pollution Burden in Environmental Justice Communities

1. [Press Release](#)

2. *Attorney General Bonta: Moreno Valley General Plan Would Exa...*



Thursday, June 30, 2022

Contact: (916) 210-6000, agpressooffice@doj.ca.gov

OAKLAND – California Attorney General Rob Bonta today intervened in a lawsuit challenging Moreno Valley’s 2040 General Plan for violations of the California Environmental Quality Act (CEQA). The General Plan, which is the city’s primary document for long-term land use planning, sets out to increase development in Moreno Valley, particularly in western Moreno Valley, which is already home to dozens of large scale warehouses and some of the worst air pollution in the state. In the petition, Attorney General Bonta argues that Moreno Valley’s environmental review did not adequately analyze, disclose, and mitigate the air pollution that would be generated from buildout of the 2040 General Plan as required by CEQA.

“Moreno Valley should be working to address existing environmental inequities in the city’s western region. Instead, its 2040 General Plan exacerbates them,” said Attorney General Bonta. “Communities in Moreno Valley experience some of the highest levels of air pollution in the state. We’re intervening today so that those communities do not continue to bear the brunt of poor land use decisions that site warehouses outside their doors. At the California Department of Justice, we’re fighting day in and day out for communities who live at the intersection of poverty and pollution. Economic development and

environmental justice are not mutually exclusive, and we're committed to helping local governments find a sustainable path forward.”

Moreno Valley is an Inland Empire city of over 210,000 people located in the western portion of Riverside County. The city’s population is approximately 85% people of color, and a disproportionate percentage of the city’s Hispanic and Latino population resides in the west side of Moreno Valley, where much of the current industrial development is concentrated. According to CalEnviroScreen, Moreno Valley ranks among the highest in the state for ozone pollution. Ozone exposure — smog — is associated with decreases in lung function, worsening of asthma, increases in hospital admissions, and a higher death rate.

In the petition, Attorney General Bonta argues that Moreno Valley did not fully account for and mitigate the environmental and public health consequences of its General Plan. Specifically, Moreno Valley fails to:

- Compare the General Plan’s air quality impacts against a proper environmental baseline, which is typically defined as “the physical environmental conditions as they exist at the time” of project approval;
- Evaluate whether the General Plan would lead to a significant, cumulative increase in pollutants like ozone and particulate matter, which impacts whether the region can meet state and federal air quality standards; and
- Consider whether the General Plan would increase pollution near schools, hospitals, and other sensitive sites or otherwise negatively impact the surrounding communities.

Moreno Valley’s Climate Action Plan also contains unenforceable measures that fall short of what is required to mitigate the General Plan’s anticipated greenhouse gas impacts.

Earlier this year, Attorney General Bonta secured an innovative settlement in the neighboring town of Fontana to address CEQA violations associated with the Slover and Oleander warehouse project. As part of the settlement, the city of Fontana [adopted an ordinance setting stringent environmental standards](#) for all future warehouse development in Fontana. Requirements for new warehouse projects include site designs to keep trucks away from sensitive sites such as schools and hospitals, promotion of zero-emission vehicles for on-site operations, landscaped buffers, installation of solar panels, and use of environmentally friendly building materials. This settlement is a model for how local governments can support development in their region while also considering — and working to mitigate — impacts to local communities.

Attorney General Bonta is committed to fighting environmental injustices throughout the state of California and being a voice for frontline communities who are all too often under-resourced and overburdened. On April 28, 2021, Attorney General Bonta announced the expansion of the California Department of Justice’s Bureau of Environmental Justice. The Bureau of Environmental Justice has reviewed a substantial number of warehouse projects across the state and collected best practices and mitigation measures to assist local governments in complying with CEQA and to promote

environmentally-just warehouse development across California. These best practices are available here. More information on the Bureau and its work is available here.

A copy of the Moreno Valley petition can be found [here](#).”

Response to Comment C9-7

This comment is noted for the record. Please refer to Response to Comments C9-4, C9-5, and C9-6 above as well as Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Additionally, the Measures included in the proposed CAP are enforceable and include specific actions, substantial evidence, and quantification to achieve Moreno Valley’s (City) 2030 target and make substantial progress towards the longer-term 2045 target (see Appendix D, *Greenhouse Gas Emissions Reduction Technical Appendix*, to the proposed CAP). Moreover, subsequent CAP updates will put the City on track to achieve the 2045 target. The proposed CAP Measures will be legally binding following adoption of the CAP by City Council. The proposed CAP is intended to be adopted through a legal and public adoption process. As such, no further response is warranted or required.

Comment C9-8

In the Economic Development section on page 3-5 it reads about “establishing advanced manufacturing operations in Moreno Valley”. This is a fairly new concern along with warehousing. There needs to be a map that shows where such projects can be built without any General Plan Amendments (GPA) and/or zone changes which is easily understood by the general public as required by CEQA.

Response to Comment C9-8

The comment is noted; however, the commenter should note that the lead agency must evaluate comments on a draft EIR and prepare written responses that describe the disposition of any “significant environmental issues” raised by commenters, for inclusion in its final EIR. (PRC §21091(d); 14 CCR §§15088, 15132, 15204). This comment, however, does not identify any significant environmental issues related specifically to the Project, but instead focuses on the proposed land uses and densities, in addition to political, social and economic issues addressed in various elements of the General Plan, as reasons why the Project should be denied. As such, no response is warranted or required. Notwithstanding, it should be noted that in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of “inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses,” but denied the Petition on the issue of “land use analysis” and “issues of zoning” which the comment is focused upon. Notwithstanding, the lead agency is committed to making a decision on the Project, based on its merits taking into consideration all comments received, including those which do not make or include any statements about the Revised Draft EIR’s analysis or environmental issues. No further response is warranted or required.

Comment C9-9

With Aquabella's 15,000 high density units approved late last year, 1,600 apartments approved in June 2023 for the Moreno Valley Mall redevelopment and 800 units recently approved in the Town Center at Moreno Valley plus many other high density housing units approved in the last couple of years our city no longer needs the 10 units per acre (R-10) in the NE to meet its Regional Housing Needs Assessment (RHNA) numbers. **The R-10 in the proposed Revised General Plan Update (GPU) in NE Moreno Valley needs to be removed and replaced with R-2 which is our current zoning because of the court's judgement.**

Response to Comment C9-9

Please refer to Response to Comment C9-8 above. Since this comment does not identify any significant environmental issues related specifically to the City's Housing Element, but instead focuses on the proposed land uses, densities and/or policies of the Housing Element, no response is warranted or required. Notwithstanding, it should be noted that in November 2021, the City submitted its approved Housing Element (6th Cycle spanning the 2021-2029 time period) to the California HCD for review. On February 7, 2022, HCD provided a letter to the City identifying the changes or modifications that were necessary to bring the City's Housing Element into compliance with State law. In response to HCD's comments and in compliance with state law, the City revised its Housing Element (6th Cycle) in October 2022. In October 2022, the City adopted Resolution No. 2022-67 which incorporated additional determinations (as directed by HCD) related to non-vacant sites and the likelihood of redevelopment within the pertinent 6th Cycle Planning Period. In response, on October 11, 2022, HCD sent a letter to the City stating that: (a) the City's October 2022, Housing Element, as modified, is in full compliance with State Housing Element Law (Article 10.6 of the Government Code); (b) the adopted Housing Element, as modified, addressed all the statutory requirements described in HCD's February 7, 2022, letter; and (c) HCD considered the City's additional findings and determinations made in Resolution No. 2022-67.

It is important to note that the City's adoption of Resolution No. 2022-67 in October 2022, approving the City's current Housing Element, as modified in response to HCD's comments, was not subject to any legal challenge. Although the Sierra Club directly attacked the adequacy of the City's Housing Element, it did not challenge the version approved in October 2022, which incidentally earned the City the prestigious designation as a Pro-housing jurisdiction by HCD. Both the Sierra Club and the Attorney General agreed that they "have not challenged the revised Housing Element and associated resolution 2022-67, and consequently, seek no relief against the operable, certified Housing Element." (Petitioners' Joint Response to City's Objections to Statement of Decision, page 6, line 24, to page 7, line 1, filed 3/29/2024). In light of the limited scope of the Court's Writ and Statement of Decision, the Moreno Valley City Council in response to the Writ, that was served on the City on May 20, 2024, unanimously adopted Resolution No. 2024-37 (on June 25, 2024), which rescinded its prior approval of MoVal 2021 GPU, CAP, and Final Program Environmental Impact Report, subject to keeping its Housing Element, as approved in October 2022, intact and operative. As such, no further response is warranted or required.

Comment C9-10

The final documents need to show how many units has the city approved since the last Regional Housing Needs Assessment (RHNA) numbers. The Revised Final needs to have a list of all projects and the number of approved units of each project since your RHNA was last approved. This should also include the proposed 3,125 unit Rancho Belago Estates currently moving forward in planning.

How far is the city currently ahead of their share of Regional Housing Needs Assessment (RHNA) numbers based on all approved units? This information must be in the Final EIR to help both decision makers and the public.

Response to Comment C9-10

Please refer to Response to Comment C9-9 above. No further response is warranted or required.

Comment C9-11

You must show all the data/emails/public comments you have where people expressed, they do not want R-10 zoning or any high density in the NE Moreno Valley and especially on both sides of Moreno Beach Dr. This includes the questionnaires the public responded to in 2021 where the city purposely left off any reference to warehouses.

Response to Comment C9-11

Please refer to Response to Comment C9-8 and C9-9 above. While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The record will contain the items required by PRC § 21167.6. No further response to this comment is warranted or required.

Comment C9-12

Explain how Commercial along the freeway east of Moreno Beach Dr which is proposed on both sides of established family homes with Hemlock Ave connecting them going through the neighborhood will impacts the homes with noise, vibration, traffic, light and air pollution. What can be done to protect these families as people drive through their quiet neighborhood from one fast food restaurant to another? This must be in the final EIR to inform decision makers prior to voting.

Response to Comment C9-12

Please refer to Response to Comment C9-8 and C9-9 above as well as Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 1 identifies the limited scope of the analysis prepared in the Revised Draft EIR. Only comments that specifically address the revisions made in response to the Court's Writ and Statement of Decision will receive a detailed response in the Revised Final EIR. The Court did not find any inadequacy in the 2021 GPU EIR's analysis of aesthetics (e.g., light). While the Statement of Decision also did not find any inadequacies in the 2021 GPU EIR's analyses of Noise and Transportation, these sections have also been

revised to show compliance and consistency with quantitative models (e.g., the Riverside County Transportation Model [RIVCOM]) which were adopted since 2021. However, the analysis of noise and transportation was not found inadequate.

The Executive Summary of the Revised Draft EIR provides a summary of the impact discussion for each threshold evaluated as well as the mitigation measures that would be applied regarding the impact (if applicable) and its level of significance after mitigation. Traffic noise impacts are significant and unavoidable for existing sensitive land uses due to the lack of retrofit programs. MM NOS-1 and MM NOS-2 require new developments to comply with interior noise standards. Construction noise controls include restricted hours, equipment maintenance, and alternative low-noise methods. Projects near fragile structures require noise and vibration analyses to ensure compliance with Federal Transit Administration thresholds. However, at a programmatic level of analysis, there are no feasible mitigation measures that would reduce air quality impacts associated with development facilitated by the Project to a less than significant level.

Regarding air quality or pollution, the Project would implement MM AQ-1 through MM AQ-5, which requires development projects, when identified, to assess and mitigate air quality impacts during construction and operation to comply with regulatory thresholds and protect public health. This includes analyzing air emissions, controlling fugitive dust, reducing construction emissions, coordinating concurrent projects, and conducting Health Risk Assessments for toxic air contaminants near sensitive receptors based on specified thresholds. The Revised Draft EIR also found that future construction and operational emissions associated with development projects would conflict with the implementation of the AQMP. However, at a programmatic level of analysis, there are no feasible mitigation measures that would reduce air quality impacts associated with development facilitated by the Project to a less than significant level. With the implementation of MM AQ-1 through MM AQ-5, the Project would still result in significant and unavoidable impacts to air quality.

Regarding traffic, the Project would implement roadway and circulation improvements, new bicycle and pedestrian facilities, as well as the policies and actions listed under goals C-1 through C-3 in order to improve the circulation network through project buildout in 2040. Therefore, the Project would not conflict with a plan, ordinance, or policy addressing the circulation system, and impacts would be less than significant. The General Plan includes policies and actions described above that would ensure future transportation facilities would not introduce hazards onto the circulation network, and future development and redevelopment would also be designed consistent with all safety requirements pertaining to ingress and egress onto the circulation network. Therefore, the Project would not substantially increase hazards, and impacts would be less than significant. However, Implementation of the Project would result in an increase in VMT based on several metrics. As a result of some metrics that exceeded the significance criteria based on certain analysis methodology, impacts would be significant. The project includes TDM goals, policies, and actions that would support VMT reductions; however, anticipated VMT reductions associated with proposed TDM measures would be large enough to guarantee that significant impacts could be fully mitigated.

Comment C9-13

The Zoning Atlas Amendments pages have plenty of room to explain in full words what is now only letters like the following: CEMU, RMU, HO, MUC, COMU, VOR, VCR and many others. These all need to be spelled out on each page as to what they truly mean and represent. There also needs to be a page at the beginning which explains fully what each one of those combinations of letters will allow/permit in order for the public to understand and make meaningful comments.

Response to Comment C9-13

Please refer to Response to Comment C9-8 and C9-9 above. While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. No further response to this comment is warranted or required.

Comment C9-14

Circulation reads “Rethinking Moreno Valley’s roads as Complete Streets will allow people to safely walk, bicycle, drive, and take transit, sharing the street with other users.” (page 4-5). The Final EIR must have a map of what roads the city will be working to make complete streets. Shading and buffers need to be a priority when agreeing with developers on how to construct sidewalks. Do not just allow cheap sidewalk to curb without trees between pedestrians and traffic. The trees will also provide important sequestration.

Response to Comment C9-14

Please refer to Response to Comment C9-8 and C9-9 above. While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. No further response to this comment is warranted or required.

Comment C9-15

The section of Ironwood Ave that curves with nearby homes between Steeplechase Dr/Vista De Cerros Dr and Nason St is designated as an improved two-lane road on some documents, but must be shown on all maps as such. This area south of Ironwood Ave to SR-60 has also always been R-2 lots/housing and larger. There is no logic for it to be R-5 and I encourage those who are reading this to use to look at the area on your computer and change what is being proposed in zoning for this area.

Response to Comment C9-15

Please refer to Response to Comment C9-8 and C9-9 above. While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. No further response to this comment is warranted or required.

Comment C9-16

Climate Action Plan (CAP)

Within the CAP on page 6 it points out how in 2021 all that was done for “Community Engagement and Outreach”, but fails to mention how some important meetings with NE residents were canceled because of COVID and their City Council member died prior to completing public hearings and left them with no representative at the final vote to approve the GPU/CAP as well as the misplaced R-10 and commercial zoning.

Response to Comment C9-16

The comment is noted for the record. CEQA Guidelines § 15183.5 requires that a CAP be adopted through a public review process. The proposed CAP meets this requirement through its 45-day public review period, during which the document was posted online for community input. It also meets this requirement by being presented at public Planning Commission and City Council hearings. CEQA does not require or specify additional community engagement events beyond this public review process. The City has provided opportunities for public input through these mechanisms, which fulfill CEQA’s requirements. Please also refer to Section 2.1.4, *2021 MoVal Process*, of the Revised Draft EIR for a full description of the outreach conducted for the Project, including the CAP. No further response to this comment is warranted or required.

Comment C9-17

The 2021 CAP ended with a court’s judgement against it. It is therefore important to have new community engagement and outreach to develop and explain the 2025 CAP, but the city has failed to do that as they should — except for the poorly attended Notice of Preparation (NOP) meeting and the few community responses to the NOP. Organizations like the Center for Community Action and Environmental Justice (CCA EJ), Sierra Club as well as others with long connections with Moreno Valley and knowledge of CAP’s should have had meetings with city staff to provide input prior to producing what is now available for public review. Other community groups should have had an independent informed presentation about CAP’s and then provided input to the city about the 2025 CAP. If they had, then the CAP would have strong required ongoing evaluation/assessment and readjustment/modifications of the CAP every 2 to 3 years to keep our city on target to meet carbon neutrality by 2045.

Response to Comment C9-17

The comment is noted for the record. Please refer to Response to Comment C9-16 and CEQA Guidelines § 15183.5. Additionally, the commenter should note that the proposed CAP also includes an *Implementation and Monitoring* section that establishes requirements for ongoing tracking, reporting, and updates to ensure accountability toward meeting the City’s GHG reduction targets. The proposed CAP’s Implementation and Monitoring section was updated to include enforceable language that the City “will” update the CAP if and when measurable and sufficient progress toward the 2030 reduction target is not made, or if Moreno Valley’s demographics (population, housing, or jobs) exceed projected levels. In addition, the proposed CAP commits the City to initiate a comprehensive update by 2029 to maintain

continued progress toward the 2045 carbon neutrality goal. These provisions establish an ongoing process for evaluation and revision consistent with CEQA requirements. It also directs the City to appoint an Implementation Coordinator and a City Climate Action Team to implement and monitor progress on the CAP. Accordingly, the proposed CAP meets CEQA's requirements, and no revisions are warranted or required.

Comment C9-18

The CAP needs to explain the funding source for these very important ongoing assessments, recommended CAP revisions to prove we are back on track to meet the state goals and if not, implementing additional measures to make it a reality. The funding must be in the city's budget and not rely on grants or developers

Response to Comment C9-18

The comment is noted for the record. Please refer to Response to Comment C9-17, which states that CEQA Guidelines § 15183.5 requires that a Qualified GHG Reduction Plan includes mechanisms for monitoring and updates but does not require identification of specific funding sources. Funding for implementation may come from a variety of sources, including City budgets, State and Federal programs, and developer contributions, and will be determined during the implementation phase. The absence of a specified funding source does not affect the adequacy of the proposed CAP under CEQA Guidelines requirements. No further response is warranted or required.

Comment C9-19

During the next 20 years many things will change and the city needs to have an established process to implement needed changes in the CAP to make sure we meet our carbon neutrality by 2045 as well as meet the state's 2030 goal of GHG emission levels 40% below 1990 levels. This can only be accomplished by ongoing monitoring/evaluations/assessments followed by regular modifications/changes/updates in CAP's business as usual.

While Table 4.1 on page 80 mentions Monitoring and Funding there is no requirement to every few years to redo the CAP to meet 2030 and 2045 state goals and prevent the city from continuing to fall so far behind that there is no chance to meet the state goals.

Response to Comment C9-19

The comment is noted for the record. Please refer to Response to Comments C9-17 and C9-18. As previously discussed, CEQA Guidelines § 15183.5 requires a Qualified GHG Reduction Plan to "establish a mechanism to monitor the plan's progress toward achieving the [GHG reduction target] level and to require amendment if the plan is not achieving specified levels." The proposed CAP's Implementation and Monitoring section was updated to include enforceable language that the City "will" update the CAP if and when measurable and sufficient progress toward the 2030 reduction target is not made, or if the City's demographics (population, housing, or jobs) exceed projected levels. In addition, the proposed CAP commits the City to initiate a comprehensive update by 2029 to maintain continued progress toward the

2045 carbon neutrality goal. These provisions establish an ongoing process for evaluation and revision consistent with CEQA requirements. As such, no further response is warranted or required.

Comment C9-20

There is misleading information in the CAP such as on page 13 of Appendix A where they mention the 40 million sq ft World Logistic Center (WLC) warehouse project that will generate at least 12,000 Daily Diesel truck trips and at least 50,000 daily trips by other vehicles. You can read in the CAP on page 13 of Appendix A about the WLC aka "Center" the following:

*"The Center also adopted several policies to mitigate GHG emissions at the Center and within the community. **These include installing the maximum amount of on-site solar generation, providing EV chargers, and using zero- or low-emission off-road equipment at the Center.** The policies also include funding grants for the purchase of electric heavy-duty trucks, medium-duty trucks, delivery trucks, and passenger vehicles within the community; funding outreach, education, and training on zero-emission vehicles and maintenance; and funding a regional approach to encourage solar generation"*

The above that reads "include installing the maximum amount of on-site solar generation" may true only because the Moreno Valley Utility (MVU) controlled by the city restricts the amount of Solar large buildings may install to meet their energy demands. Even though the WLC and other warehouse developers want more solar the MVU has a history of limiting the amount of Solar to 50% of the building's energy demands. The Final CAP must justify any restrictions on projects being able to install enough solar to meet their total energy demands. The CAP and other related documents must explain what are the current restrictions the MVU places on solar for large buildings/projects energy demands — inside and outside operations. Will those percentages remain what they are in 2025 or how will they change between now and 2045? The final CAP must be show those increases in solar allowed by MVU and when/what they will be between 2025 and 2045? These must part of the 2-to-3-year update/revision of the CAP to meet the 2030 and 2045 state goals. How much GHG and other forms of pollution are caused by all the warehousing/large buildings that has and will be limited by MVU vs being allowed to have 100% of their energy needs met with solar— inside and outside of building?

"BE-1: Procure 70% of Moreno Valley Electric Utility electricity from renewable energy sources by 2030 and 100% of electricity from renewable energy sources by 2045."

This could be done within Moreno Valley instead of buying renewable energy from outside the city if all the warehousing and other large buildings approved were required/allowed to have enough solar to meet their energy demands – inside and outside operations. The Final EIR needs to explain how much renewable energy will be produced within our city and how much will be purchased from outside our city for both the 2030 and 2045 goals. What will it cost us to not have it produced locally vs outside out city.

Response to Comment C9-20

This comment has been noted, and the inclusion of this measure and others will be considered by the Lead Agency in subsequent CAP updates. CEQA Guidelines § 15183.5 allows CAPs to rely on a suite of

feasible measures that collectively achieve GHG emissions reductions. However, the CEQA Guidelines do not specify exact measures to be included. The CAP does include actions focused on identifying how MVU will increase renewable electricity (e.g., BE-1a) and increasing local renewable energy generation and storage on nonresidential buildings (e.g., Action BE-6c). The City will consider MVU's solar generation requirements in the implementation of these actions. The CAP focuses on measures within the City's jurisdiction that are feasible and implementable, consistent with CEQA, demonstrating a reasonable pathway to achieve the City's 2030 GHG target and make substantial progress toward 2045 carbon neutrality. No further response to this comment is warranted or required.

Comment C9-21

It is interesting to note that almost everything written above from page 13 to mitigate GHG is the result of a litigation settlement between the WLC and the environmental community. The City approves almost every warehouse that a developer submits, but fails to require significant GHG reduction as conditions of approval — that only happens with litigation by environmental/community groups. The CAP needs to explain why the city does not require conditions of approval on warehouse and other large projects to significantly reduce GHG similar to the settlements on several warehouse projects —like the Compass Danbe Centerpointe warehouse found below.

Response to Comment C9-21

The comment is noted for the record. The CAP provides a programmatic, community-wide approach to reducing GHG emissions consistent with State goals and CEQA Guidelines §§ 15183.5 and 15183.5(b)(1)(F). The CAP does not replace project-level review of future discretionary projects subject to (and not exempt from) CEQA. The CAP has specifically excluded warehouses and other industrial projects from using the CEQA GHG Compliance Checklist to streamline CEQA analysis. Instead, the City will continue to apply environmental review through CEQA on a case-by-case basis to review future projects. Subsequent, discretionary projects that are subject to (and not exempt from) CEQA must demonstrate consistency with the CAP or implement project-level mitigation where required to reduce potentially significant impacts. In addition, conditions of approval can be imposed through discretionary review based on CEQA findings and substantial evidence. Litigation settlements reflect agreements in individual legal challenges, not City policy. By adopting the CAP, the City establishes a consistent framework for achieving communitywide GHG reductions. As such, no further response is warranted or required.

Comment C9-22

Page 75 of Carbon Sequestration reads that trees in parks (city is at a 150-acre shortage of parks), tree-lined streets (our major streets are not tree-lined unless you count some palm trees which helps very little with carbon sequestration) and open space (very little exists except open lots waiting for development) would help. Much more needs to be done especially with about half of our city classified as disadvantaged. The city's solution is not to cut down existing trees, but developers are almost always able to have their way in removing any tree they wish. The city's very weak plan is to plant less than one tree for each 1,000 residents each year or "200" beginning in 2026 is unacceptable — especially in the EJ communities. They should plant that many per month to truly develop an urban forest. What species of trees will be planted

and how tall/wide will they reach? How will trees with biogenic emissions be factored into selection of species? How much sequestration is expected with each tree at time of planting and what proof will you share in this Final EIR? What will the maximum amount of sequestration each tree will provide and how many years of growth will it take to achieve that? The Final EIR must explain how doubling the very little setback the city currently requires of projects from roadways and requiring more as well as larger trees could provide additional sequestration. The Planning Commission needs to review landscape plans so projects have something similar to what is in the Compass Danbe Centerpointe settlement. They should not just rubber stamp what the developer/planners recommend, but think of our city 30 years from now and require more and better.

The Tree Equity Score needs to be further explained in the Final EIR for the general public. Since projects like Aquabella and Town Center at Moreno Valley are able to pay money in place of providing parks, the public needs to know how much money we currently have available to acquire parks to make up for the 150-acre shortage based on our standard.

Response to Comment C9-22

Please refer to Response to Comment C9-20 above. CEQA Guidelines § 15183.5 do not require carbon sequestration measures or tree plantings. The City has included Measure CS-2 which includes minimum levels for tree planting, determined feasible by the City as the Lead Agency. The measure includes Action CS-2a, which directs the City to use the Tree Equity Score or conduct an urban tree canopy study to establish a baseline of current canopy coverage by census block, set a percentage coverage goal for each census block, and identify priority planting areas to plant a minimum of 200 new trees per year beginning in 2026. The action also states priority planting areas shall include disadvantaged communities. The comment has been noted for the record and the recommendations for tree planting goals, species consideration, and environmental justice will be considered during implementation of Action CS-2a. The use and explanation of the Tree Equity Score will be considered during development of the Urban Forest Master Plan. Additionally, Appendix D, *Greenhouse Gas Emissions Reduction Technical Appendix*, of the CAP provides the carbon sequestration factor assumed for each tree planting and the source. No modifications to the CAP or the CEQA analysis are required, and no further response is warranted or required.

Comment C9-23

Throughout the GPU/CAP documents one reads the same thing as in 2021 where they use words that do not require anything, but appear to do so. While the document on the page following page 111 and prior to Appendix A reads "Regular tracking, reporting, and updates will ensure accountability in meeting the city's adopted targets. To this end, the city will conduct routine community GHG emissions inventories in alignment with established protocols and climate commitments every two to three years." This regular tracking every two or three years is "essential" since the city has already approved several massive multi-year projects like the 40 million sq ft World Logistic Center (WLC) warehouse project and the 15,000-unit Aquabella housing project approved last year that will add more than 40,000 people to our city. Neither project has constructed their first building and their impacts on GHG will be substantial over time. The

city is also currently accepting comments on the Rancho Belago Estates Specific Plan Notice of Preparation (NOP) with more than 3,000 housing units and more than 150,000 sq ft of commercial uses, hotel uses and elementary school. This project prejudices this GPU/CAP effort and along with those approved projects not built shows how what is quoted above on regular tracking, analysis and reporting every 2 or 3 years will be necessary/essential as well as required for the life of this GPU/CAP to meet our 2045 goals. The city however on that same page just below page 111 and prior to Appendix A writes as follows: If the next GHG emissions inventories demonstrate that the city is on track to meet the 2030 targets, further adjustments to CAP strategies may not be necessary. This shows the city is not committed to regular tracking, analysis, reporting and adjusting to meet the CAP emission inventory— even though major projects are still being constructed and processed which will directly as well as indirectly impact GHG emissions for years to come.

Response to Comment C9-23

The comment is noted for the record. Please refer to Response to Comment C9-17 through C9-19 above. The proposed CAP establishes a program of regular community GHG inventories, analysis, and reporting every two to three years to measure progress toward the City's 2030 and 2045 targets. These provisions will be met throughout the lifetime of the CAP. The proposed CAP clearly commits the City to update measures if progress toward targets is not sufficient, providing enforceable accountability consistent with CEQA.

Additionally, as discussed in Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Response*, of this Revised Draft EIR, to establish the 2024 baseline for the Revised Draft EIR, the City updated the list of projects and associated land and acreages from the 2021 GPU EIR to include all development projects that were approved between 2018 and 2024 and constructed and operational by 2024 (see Appendix G, *Methodology for Establishing the Environmental Baseline and Horizon Year Forecast*, to the Revised Draft EIR for further explanation of the how the baseline was established for analysis of the Project). Specifically, the 2040 horizon year forecast was established with a list of Projects identified by the City between August 1, 2024, and February 24, 2025, which was used as a cutoff date to prevent a constantly moving target with which to develop the 2040 quantitative analyses.

Regarding the WLC, as indicated in Appendix G, *Methodology for Establishing the Environmental Baseline and Horizon Year Forecast of the Revised Draft EIR*, the WLC is not included as part of the MoVal 2040 Environmental Baseline (2024) as the WLC was neither constructed nor operational at the time the 2024 baseline was established. See CEQA Guidelines §15125(a)(1) which states that the baseline should normally be the environmental as they exist on the date the notice of preparation of a draft EIR is published which, for the Project, was July 30, 2024. As indicated in Table 3-3 in Chapter 3.0, *Project Description*, of the Revised Draft EIR, the Citywide buildout would include an additional 41,137,466 square feet, which includes the 40.6 million square feet of building area approved for WLC. As such, the WLC was considered as part of the 2040 Forecast. This has also been clarified as part of Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of the Revised Final EIR under Chapter 3.0, *Project Description*, which adds footnote 2 to Table 3-3.

Regarding the proposed Rancho Belago Project, per personal communications with City staff, the City has confirmed that the Rancho Belago Project was not known to the City prior to February 25, 2025³⁰, which is the cut-off date identified above. As such, the proposed Rancho Belago Project is appropriately not included in the projected development built out by 2040.

As discussed in 14 CCR § 15130, “an EIR shall discuss cumulative impacts of a project when the project’s incremental effect is cumulatively considerable,” as defined in 14 CCR § 15065(a)(3). Cumulatively considerable means “the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects” (14 CCR § 15065.) The discussion of cumulative impacts is contained within each subsection of the Revised Draft EIR. In general, the cumulative analysis approach is based on either a summary of projections as specified in 14 CCR § 15030(b)(1)(B) or a list of cumulative projects applicable to the Project. This approach is appropriate due to the programmatic nature of the Project (see also Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR). As explained in the cumulative analysis contained within each section of Chapter 4.0, *Environmental Analysis*, of the Revised Draft EIR, future development would be required to adhere to all relevant local plans, Municipal Code regulations, and proposed policies contained in the updated elements of the 2024 GPU. It should also be noted that the Writ and Statement of Decision did not find that the cumulative impact analysis in the 2021 GPU EIR was inadequate or needed to be revised.

As such, the proposed Rancho Belago Project would be required to analyze consistency with the relevant local plans, Municipal Code, and other applicable policies and regulations in effect at the time the baseline for the proposed Rancho Belago Project is established. Further, because the approval process for the Rancho Belago project has just gotten underway, the final results of that process – in terms of the project’s size and make up itself and the mitigation measures imposed on it – are speculative at this point. (14 CCR § 14145). As such, no corrections or additions are required in response to this comment, and no further response is warranted or required.

Comment C9-24

The Final EIR must provide evidence that **ongoing evaluation/assessment and readjustment/modifications of the CAP every 2 to 3 years to keep our city on target to meet carbon neutrality by 2045 will be implemented through 2045 or it will be inadequate.**

This document continues to show the city’s lack of commitment to meeting the 2030 and 2045 GHG standards by also having the following on the page below page 111 prior to Appendix A “However, if Moreno Valley does not make measurable and sufficient progress toward its GHG emissions reduction targets by the next GHG emissions inventory, the City **may** need to revise the CAP to establish new or more ambitious measures and associated actions.” The city has to be required to do what they write in having regular analysis, tracking, reporting and updates every two or three years to “ensure accountability in meeting the City’s adopted targets” (same page following page 111 and prior to Appendix A). The city

³⁰ Personal Communication. Danielle Harper-Scott, Senior Planner, Community Development of the City of Moreno Valley. September 15, 2025. Communication is provided in Appendix D of this Revised Final EIR.

needs to do this in late 2027 or early 2028 as well as 2029 to ensure our city is on target for both the 2030 and 2045 GHG targets. The city, however, writes the following: "Regardless, by 2029, the city is expected to initiate a comprehensive CAP update to address GHG emissions reduction beyond 2030 and prepare for achieving the 2045 carbon neutrality target." (same page following 111 and prior to Appendix A) which again requires nothing to be done.

The public must be notified every two to three years when the city is doing their essential tracking, analysis, reporting and updates for its commitment to meeting their 2030 and 245 GHG emission standards. We also need to be giving opportunities to provide input during the entire process. Consider this my request to be so notified.

Response to Comment C9-24

The comment is noted for the record. Please refer to *Response to Comment C9-19* above. The proposed CAP establishes enforceable requirements for ongoing evaluation, assessment, and updates every two to three years to maintain progress toward the City's 2030 and 2045 targets. The CAP has been updated to clearly state that the City will update the CAP if measurable and sufficient progress toward these targets is not made, ensuring that adjustments occur on schedule, including in late 2027–2028 and 2029, as appropriate. These updates will include public notification and opportunities for community input, consistent with CEQA's public review requirements. No further response is warranted or required.

Comment C9-25

"Appendix B's 2019 Greenhouse Gas Emissions Inventory" first page reads the inventory used for this report is seven years old and the data used is probably even older. This is unacceptable and must be revised to current conditions for a base year. The following also needs to change as you produce a more current and valid GHG emissions inventory: "**Other sectors, such as industrial and agriculture emissions, were excluded** due to jurisdictional control constraints or considerations related to State legislation." (Same first page) The city must include industrial or its data is inadequate as will any conclusions towards meeting the 2030 and 2045 GHG goals.

Response to Comment C9-25

The comment is noted for the record. CEQA Guidelines § 15183.5(b) requires that a Qualified GHG Reduction Plan "quantify GHG emissions, both existing and projected over a specified time period, for activities within the defined geographic area." The proposed CAP uses 2019 as the baseline year because it represents the most complete and reliable data available at the time of completion and predates COVID-19-related disruptions that could underestimate GHG emissions. Using 2019 as the inventory year is, thus, a conservative measure to avoid underestimating GHG emissions in the City.

Additionally, while industrial and agricultural emissions are excluded from the CAP's community-wide inventory, this exclusion is consistent with CEQA guidance and established best practices, as these sectors are regulated by State and Federal agencies outside the Lead Agency's direct and indirect jurisdictional control. The CAP focuses on sources that the City can directly or indirectly influence, ensuring that the

plan's measures are enforceable and effective in achieving local GHG reductions. This approach provides a conservative and implementable framework for achieving the City's 2030 and 2045 GHG reduction targets without overstating the CAP's efficacy. As such, no further response is warranted or required.

Comment C9-26

The CARB's Final 2022 Scoping Plan found below needed to be adopted as a model which has not been done in the GPU/CAP documents shared with the public for this review. While some portions have been included the city keeps using words that require little and are not measurable as well as provides them an out from following through ever few years with monitoring, analysis, tracking, adjusting— such as no stable funding source as explained below. Because of these weak/ineffective words in places where the documents supposedly provide "Assertions" and "Evidence" much is not actually required to take place after 2030.

https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents?utm_medium=email&utm_source=govdeliver. Final 2022 CARB 2022 Scoping Plan

Final 2022 Scoping Plan Update and Appendices

The 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) lays out a path to achieve targets for carbon neutrality and reduce anthropogenic greenhouse gas (GHG) emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279. The actions and outcomes in the plan will achieve: significant reductions in fossil fuel combustion by deploying clean technologies and fuels, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands to reduce emissions and sequester carbon, and the capture and storage of carbon.

- [Executive Summary](#) (December 2022)
- [Final 2022 Scoping Plan](#) (December 2022)
 - [Appendix A: Public Process](#)
 - [Appendix B: Final Environmental Analysis](#)
 - [Response to Comments on the Draft Environmental Analysis](#)

- [Supplemental Response to Comments on the Environmental Analysis](#)
- [Attachment A to Proposed Resolution 22-21: Findings and Statement of Overriding Considerations](#)
- [Notice of Decision](#)
- [Appendix C: AB 197 Measure Analysis](#)
- [Appendix D: Local Actions](#)
- [Appendix E: Sustainable and Equitable Communities](#)
- [Appendix F: Building Decarbonization](#)
- [Appendix G: Public Health](#)
- [Appendix H: AB 32 GHG Inventory Sector Modeling](#)
- [Appendix I: Natural and Working Lands Technical Support Document](#)
- [Appendix J: Uncertainty Analysis](#)
- [Appendix K: Climate Vulnerability Metric](#)
 - [Attachment A: Census Tract CVM Estimates](#)
- **Modeling Information**
 - [AB 32 GHG Inventory Sectors Modeling Data Spreadsheet](#)
 - [AB 32 GHG Inventory Sectors Air Quality and Health Analysis Data Spreadsheet](#)
 - [Natural and Working Lands Modeling Data Spreadsheet](#)
- [Resolution 22-21](#)

The following comes from CARB's 2022 Scoping Plan;

"(A) Quantify greenhouse gas emissions, both existing and projected specified period, resulting from activities within a defined geographic area;

(B) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;

(C) Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;

(D) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;

(E) Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels;"

What is shared in the GPU/CAP doesn't fully meet their directions and guidelines written above (A-E) as you can read below:

A) Where are the current GHG emissions and not that prior to Covid - both existing and projected over a specified period by these activities? What are the defined geographic areas and does it include the more than 3,000 units of the Rancho Belago Estates in our sphere of influence as well as the very NW adjacent area which hasn't been in our city?

B). Using an old 2019 document on which to establish a base level and not including Industrial below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable is not acceptable and the Final EIR must be establish a level. based on current substantial evidence or is will be inadequate.

C). I am still not sure of the geographic area or the identification and analysis of the GHG emissions resulting from specific actions or categories of actions anticipated based on the current documents for review. As you can read above there are many warehouses approved and proposed with the expectations of approval. I do not see their expected cumulative and growth inducing impacts analyzed and shared.

D). Where are the performance standards that substantial current evidence demonstrates if implemented on a project-by-project basis, would collectively achieve the specified emissions level? These must include measures and/or a group of measures without using words that do not require anything and cannot be measured.

E). The GPU/CAP before us doesn't have a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels; As written within these comments the city uses words to allow them not to be required to monitor or amendments and/or adjustments to the plan in order to achieve the specified levels. In fact, the city has no clue as to how to fund this very critical CAP to allow necessary adjustments to meet the 2030 could benefit from a weaker CAP to inds of questions about the validity and quality of the CAP.

Response to Comment C9-26

The comment is noted for the record. The proposed CAP meets requirements (A) through (E) of the CEQA Guidelines § 15183.5 to be a Qualified GHG Reduction Plan. The following items provide clarifications to the questions raised in the comments.

- A. The proposed CAP quantifies existing GHG emissions in the 2019 GHG inventory and projected GHG emissions through 2045 in the GHG forecast associated with GHG emissions activities over which the City has direct and indirect jurisdictional control. These GHG emissions include those within the geographic area of the city limits boundary.

- B. The CAP uses the 2019 community-wide GHG inventory as the baseline year because it represents the most complete and reliable dataset available to quantify GHG emissions and predates COVID-19-related activity reductions, which could underestimate GHG emissions. This baseline provides a conservative foundation for planning.
- C. Please see item A) above for clarification on the geographic area.

In accordance with the guidance from the AEP (*Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Actions Plan Targets in California*, 2016, page 65),³¹ the proposed CAP quantifies existing GHG emissions (in the 2019 GHG inventory) and projected GHG emissions (in the GHG forecast) for GHG emissions sources over which the City has “direct or indirect jurisdictional control.” For the City, these GHG emissions include those associated with residential and commercial activities. GHG emissions associated with industrial activities are excluded because they are outside the City’s direct and indirect jurisdictional control. Industrial activities are instead regulated by the Federal, State, and regional agencies. This exclusion is consistent with guidance from AEP (*Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Actions Plan Targets in California*, 2016, page 48)³² which states it is common practice to exclude industrial projects from CAPs to avoid duplicating State regulation of those sources. This exclusion is also consistent with California’s 2022 Scoping Plan which identifies three priority areas that address the State’s largest sources of emissions over which local governments have authority or influence: zero-emission transportation, VMT reduction, and building decarbonization (page 9).³³

GHG emissions associated with VMT, solid waste disposal, water use, and wastewater treatment from commercial warehouses within the City limits are included in the proposed CAP’s GHG inventory and forecast (page 15). However, due to data aggregation required by California Public Utilities Commission (CPUC), GHG emissions associated with energy use from commercial warehouses (i.e., electricity and natural gas usage) within city limits is vague. The CPUC established the Environmental Data Request Program as part of CPUC Decision (D.) 14-05-016 to protect customer confidentiality.³⁴ This program requires utilities to aggregate community energy usage data into four specific categories: residential commercial, industrial, and agricultural, with specific minimum participation requirements. The utilities do not publish how various building types are aggregated. Due to this aggregation, it is impossible to determine how warehouses are included in the commercial or industrial energy sectors. Warehouse energy use categorized as commercial data is included in the proposed CAP GHG inventory and forecast (page 15). To conservatively implement the CEQA streamlining provisions detailed in CEQA Guidelines §

³¹ AEP, *Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Actions Plan Targets in California*, 2016, https://califaep.org/docs/AEP-2016_Final_White_Paper.pdf. Accessed September 15, 2025.

³² Ibid.

³³ CARB, 2022 Scoping Plan, Appendix D Local Actions, 2022, <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf>. Accessed September 15, 2025.

³⁴ California Public Utilities Commission, Decision 14-05-016: Decision Adopting Rules To Provide Access To Energy Usage And Usage-Related Data While Protecting Privacy Of Personal Data, <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M090/K845/90845985.PDF>. Accessed September 15, 2025.

15183.5, the Lead Agency determined that both industrial and warehouse projects are excluded from tiering our streamlining their GHG analysis under CEQA.

For information on which projects and plans are included in projected GHG emissions within the city limits (i.e., in the proposed CAP's GHG forecast), see Appendix G, *Environmental Baseline and Horizon Year Forecast*, to the Revised Draft EIR. Projected GHG emissions cover all projects and plans approved by July 30, 2024.

Appendix D to the CAP details the substantial evidence that substantiates how the CAP's measures and actions will achieve the City's 2030 target and make substantial progress towards the 2045 target, once implemented. Please refer to *Response to Comment C9-30* on the measure and actions language. Implementation of the measures and actions will be assessed using the key performance indicators in the *CAP's Implementation and Monitoring* section and through GHG inventory updates.

The proposed CAP's Implementation and Monitoring section has been updated to include enforceable language regarding CAP updates. See Section 4, *Climate Action Plan Monitoring and Updates* for updated language. The proposed CAP now states that the City "will" update the CAP if measurable and sufficient progress toward the 2030 GHG reduction target is not made or if City's demographics (i.e., population, housing, and jobs) exceed projected levels. These updates will help maintain City's trajectory toward the State's 2030 and 2045 goals. Please refer to the *Response to Comment C9-18* on CAP monitoring and funding sources.

Additionally, in terms of cumulative analysis of the impacts related to GHG emissions, Section 4.8.6, Cumulative Analysis, of the Revised Draft EIR explains that the issue of global climate change is inherently a cumulative issue, as GHG emissions of individual projects cannot be shown to have a material effect on global climate change. Project impacts would be cumulative in nature if they lead to a substantial increase in GHG emissions, when combined with other developments. As discussed, the framework for assessing GHG emissions in the State has been created through AB 32, SB 32, EO S-3-05, AB 1279, and the 2022 Scoping Plan. If a project demonstrates that it is sufficiently reducing its overall GHG emissions consistent with statewide goals, the project's impact can be determined not to be cumulatively considerable as it would contribute to the State's GHG emission reduction goals. As discussed in Section 4.8.9 of the Revised Draft EIR, the CAP identifies strategies, measures, and actions that would be implemented to reduce GHG emissions consistent with State legislative goals. Therefore, with the adoption and implementation of the proposed CAP, GHG emissions generated by the Project would be reduced to meet State GHG reduction goals with the incorporation of MM GHG-1 and MM GHG-2. The City would update GHG inventories, evaluate the performance of individual strategies, evaluate progress toward the City's reduction targets, and make revisions to strategies, as necessary, to ensure that the City will achieve its targets. As such, no further response is warranted or required.

Comment C9-27

Section 4 on Implementation and monitoring on page 78 raises additional concerns on having regular tracking, analysis, reporting and adjusting every two or three years. This section makes it appear they may

do these if and when the city has money for this effort. The following confirms my concerns: "A successful CAP requires adequate funding to successfully implement its measures and actions. While some initiatives may be low-cost or supported by existing City resources, many actions require dedicated funding to implement. Moreno Valley will primarily rely on grants and public-private partnerships as key funding mechanisms to implement the CAP while minimizing the fiscal burden on the City." There will be many cities/counties seeking the same funding from grants and the city cannot have them as a primary source of funds to implement the CAP. The Final EIR must identify other regular sources that can be there when grants are not approved. There is also a serious concern that private-public partnerships could result in tainted data to please the private source of money. Such money may be given in order to have certain analysis done or not done as well as modifying adjustments that are needed to keep the city on track to meet its 2030 and 2045 GHG goals. Based on the timeline as well as funding sources provided there are very serious concerns that **ongoing evaluation/assessment and readjustment/modifications of the CAP every 2 to 3 years to keep our city on target to meet carbon neutrality by 2045 will take place between 2030 and 2040/2045.**

Response to Comment C9-27

Please refer to Response to Comment C9-18. As previously discussed, CEQA Guidelines § 15183.5 requires a Qualified GHG Reduction Plan to include a mechanism to monitor progress and update the plan if targets are not being achieved; however, they do not require funding sources to be identified. The proposed CAP's *Implementation and Monitoring* section establishes a framework for regular tracking, analysis, and reporting every two to three years. The proposed CAP identifies multiple possible funding mechanisms, including City resources, grants, and partnerships, to implement and maintain CAP actions. All monitoring and reporting activities are subject to public review and City oversight to ensure independence, transparency, and accountability. This framework provides a feasible and enforceable mechanism to maintain progress toward the City's 2030 and 2045 GHG reduction targets, consistent with CEQA requirements. As such, no further response is warranted or required.

Comment C9-28

The private sector mentioned in Action C-id on page 81 reads: "Identify potential private sector-project sponsors, such as the Ports of Los Angeles and Long Beach, warehouse owners and operators, utilities, truck stops and fuel station owners, private charging station networks, and ZEV truck manufacturers (that have expressed intent to invest in ZEV infrastructure), to understand future demand of ZEV infrastructure, pursue financing opportunities, and facilitate development/implementation". There are several interests listed that will likely have an interest in making sure the city doesn't require certain measures to reach their 2030 and 2045 GHG. These include, but are not limited to warehouse owners and operators, utilities, truck stops and fuel station owners. Therefore, a regular source of money from the city must be identified without relying on these private sector sources as well as grants. Without money from the city regular two- and three-year tracking, analysis, reporting and adjusting which is "essential" will not take place without begging for money from special interests which is unacceptable for a valid CAP that we can all accept.

Response to Comment C9-28

The comment is noted for the record. Please refer to Response to Comment C9-27. Additionally, Action C-1d identifies potential private sector partners to support ZEV infrastructure implementation. However, the proposed CAP will not rely solely on private funding for essential CAP monitoring, tracking, and updates. The City retains primary responsibility for ongoing implementation and that regular two- to three-year tracking, analysis, reporting, and adjustments will occur regardless of private sector participation. This approach maintains accountability and supports progress toward the 2030 and 2045 GHG reduction targets. As such, no further response is warranted or required.

Comment C9-29

Hydrogen Fuel refueling areas must include the GHG impacts over entire life of the fuel which includes its extraction and production or its GHG impacts will be invalid. Green Hydrogen must also be the only type permitted.

Response to Comment C9-29

This comment has been noted for the record. The GHG inventories will account for GHG emissions from the refueling depots following best practices and State guidance from CARB. Green hydrogen will be considered in the feasibility studies and planning for the refueling depots. Therefore, no revisions to the proposed CAP are warranted or required.

Comment C9-30

Beginning on page 83 with Measure BE-1 most of the words used cannot be measured so you can monitor the results. Those words include the following: Review, Indicate, works with, facilitate, form strategies, educate, partner, promote, explore, identify, investigate, include, as well as others. These are used throughout the GPU/CAP which require very little and makes it difficult to adjust to meet the 2030 and 2045 goals. More use of words like Mandate, Require, Enforce, Shall and Must need to be used to replace those other words that require little or nothing in order to allow the city to monitor, track, analyze and adjust every 2 or three years – especially after 2030 Measure T-3 on page 101 reads “implement programs to increase the work-from-home rate from 3% to 15% in 2030 and 25% in 2045 to reduce commuter vehicle miles traveled.” There is no plan to increase work from home by five times its current rate in the next five years or to have one fourth of Moreno Valley working from home in the next 20 years. The Final EIR needs to have more specifics to prove the “assertion” of 9% reduction in passenger VMT and associated GHG emissions by 2030. (page 36 CAP appendices) Including the Covid years (2019 to 2023) to show a trend in work from home is not valid and in fact many places are now requiring employees to return to work or a hybrid plan.

Response to Comment C9-30

This comment has been noted, and the inclusion of the recommended measures will be considered by the Lead Agency in subsequent CAP updates. As previously discussed, under CEQA Guidelines § 15183.5, a Qualified GHG Reduction Plan may rely on a mix of enforceable measures and supportive strategies,

provided it demonstrates a reasonable pathway to achieving State goals. The Guidelines do not specify what measures must be included and leaves that, instead, to the discretion of the Lead Agency. Measures are supported by substantial evidence as outlined in Appendix D, *Greenhouse Gas Emissions Reduction Technical Appendix*, of the proposed CAP. Progress made by the measures will also be tracked through the metrics and GHG inventory updates identified in the CAP's *Implementation and Monitoring* section. If tracking indicates sufficient progress is not being made, additional action will be added to these measures to reach the measure goals or new measures will be added to the CAP to make up the GHG emissions in other sectors. As such, no revisions or further response is warranted or required.

Comment C9-31

Measure SW-1 on page 106 on reducing waste has not been done by our city when approving new businesses like gas or refueling stations as well as other businesses. Rarely does the city require the refueling stations to have recycling by the pumps and elsewhere. Maybe because the gas/oil companies make money by selling product for plastic.

Response to Comment C9-31

The comment is noted and will be considered by the Lead Agency during implementation of the measure and in subsequent CAP updates. Measure SW-1 establishes a framework for implementing waste reduction and recycling programs citywide, including for new commercial development. The CAP provides enforceable guidance for future projects to incorporate waste diversion measures. These measures are consistent with SB 1383 (2022) requirements and are intended to be applied during project review to reduce GHG emissions associated with solid waste. As such, no further response is warranted or required.

Comment C9-32

Through the GPU/CAP documents one reads "Pursue Funding Opportunities" (Action SW-1g page 107) and apply for grants. Who will be on the team to do this all the time for the next 20 years to allow the city to reach the 2045 GHG goals and other important goals?

Response to Comment C9-32

The comment is noted; however, CEQA Guidelines § 15183.5 does not require "qualified GHG reduction plans" to specify staffing for grant applications. The CAP's Implementation and Monitoring section directs the City to appoint an Implementation Coordinator and a City Climate Action Team. These personnel may support grant efforts. No further response is warranted or required.

Comment C9-33

"T-2: Work with the Riverside Transit Agency to increase public and multimodal transportation modeshare from about 1% to 2.7% by 2030 and to 10% by 2045". The bus stops in our city must be a priority which they currently are not. Other cities have much better bus stops and plan for shade in our increasingly very hot climate. There also need to be curb cuts to allow buses to move out of the flow of traffic to serve passengers which the city doesn't require as much as they should. Without such places for busses to move out of the flow of traffic the result cause other vehicles to back up and idle in place adding pollution in

our non-attainment area. The Final EIR need to explain how the above problems with our transit will be fixed to meet having 10 times the passengers in 20 years or it will be inadequate.

Response to Comment C9-33

This comment has been noted and will be considered during implementation of this assessment and will be considered by the Lead Agency in subsequent CAP updates. Please refer to Response to Comment C9-20. Additionally, the commenter should note that Action T-2a directs the City to work with the Riverside Transit Agency to assess current public transit infrastructure. As such, no further response is warranted or required.

Comment C9-34

"T-4: Achieve zero-emission vehicle adoption rates of 31% for passenger vehicles and 19% for commercial vehicles by 2030 and 100% for both vehicle types by 2045." The Final EIR on the GPU/CAP must factor in President Trumps administration's crack down on zero emission vehicles and their impact on this as well as to whether this needs to be revised. The "Assertions" of just providing EV charging infrastructure will be all that is needed must be revisited in the Final EIR in light of reduced incentives to buy zero emission vehicles. Our city allowing developers to build massive warehouses and other major projects without requiring EV charging equipment in place – not just infrastructure-- has been unacceptable and now must go beyond state mandates. Moreno Valley also fails to require all electric buildings or at the very minimum all electric HVAC systems; all classes of trucks as is shown in the 2024 Compass Danbe Centerpointe warehouse settlement found below. So much GHG and pollution could and can be removed if the city would have been requiring more of developers and thinking more of the health of its residents – especially the EJ community. The city should be reducing the pollution burdens of all residents, but this GPU/CAP fails to do so by using many of the same words they did in 2021 which require very little and cannot be measured as well as not having a stable funding source in the city's budget.

Response to Comment C9-34

The comment has been noted for the record and will be considered during subsequent CAP updates. In response to the federal legislative changes made by the Trump Administration, a conservative adjustment factor has been incorporated into the proposed CAP to account for additional GHG emissions due to the revocation of the Advanced Clean Trucks Regulation. A summary document detailing the data sources and methodology has been included as Appendix G, Regulatory Adjustment Appendix, to the proposed CAP. The result did not result in significant changes to projected GHG emissions warranting no update to Measure T-4. Please refer to Topical Response 5, *Federal Implications to the EMFAC2021 Forecasts Utilized in the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Topical Response 5 discusses the federal regulatory changes that revoked the Advanced Clean Trucks Regulation (2020) and Heavy-Duty Omnibus Low-NO_x Rules (2016) following the release of the Revised Draft EIR. It discusses the methodology utilized to remedy the modeling to accurately forecast emissions without the benefit of these regulations. Ultimately, it concludes that remodeling does not result in any significant changes to the disclosure of emissions in the Revised Draft EIR or its significance findings.

Additionally, the CAP includes enforceable measures to increase charging infrastructure, encourage all-electric residential and non-residential construction, and encourage all central air conditioning installations and replacements to be electric via a heat pump. The City already adopted a residential air conditioning to heat pump reach code that was included in the proposed CAP as an action. While Federal incentives and policy changes can influence these measures and actions, the CAP provides a measurable framework for local implementation and includes monitoring and reporting provisions. These provisions will allow the City to add actions to reach measure goals or add new measures to make up the GHG emissions in other sectors, if tracking shows the City is not making sufficient progress towards the targets. Please also refer to the Response to Comment C9-30 regarding the CAP language and the Response to Comment C9-28 regarding monitoring and funding.

Finally, please also refer to Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Topical Response 4 discusses how environmental justice is addressed within the Revised Draft EIR and the Project's consistency with the requirements of SB 535, SB 1000, and AB 98. As further discussed in Topical Response 4, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment C9-35

Exhibit 1 Project Mitigation

(This comment is a Term Sheet provided as part of the *Center for Community Action and Environmental Justice v. City of Moreno Valley* Settlement Agreement.)

Response to Comment C9-35

The comment is noted. No environmental issue is raised.

Comment C9-36

The Moreno Valley Compass Danbe Centerpointe (CDC) settlement was signed by the developer in late 2024 and was deemed feasible by them after many months of discussion. Therefore, Moreno Valley needs to apply what is in the settlement or even better conditions on all future warehouses/other large developments – including the five shared above. This Final EIR must show how much pollution and GHG is reduced by requiring conditions of approval on warehouses like those above from CDC vs the city's normal conditions of approval which favor developers over the health of residence and the environment. This must include the landscape plan with many more trees.

Please keep informed of all meetings and documents related to this GPU/CAP and zoning.

Response to Comment C9-36

The comment is noted. Please refer to Topical Response 1, *Scope of the Revised Draft EIR*; Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*; and Topical Response 4, *Environmental*

Justice-related Legislation Applicable to the Project, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. This comment does not pertain to any significant environmental issues or impacts or any measures to avoid or mitigate any identifiable significant environmental impact. As such, no response to this comment is warranted or required. Notwithstanding, as requested, the commenter will be added to the list of contacts that the lead agency will send any additional Project information that may have not been available at the time of this response.

Comment C9-37

SETTLEMENT AGREEMENT

Center for Community Action and Environmental Justice v. City of Moreno Valley

Riverside Superior Court Case No. CVR12200683

Response to Comment C9-37

The comment is noted. No environmental issue is raised.

Letter C10

George Hague

georgebrucehague@icloud.com

Received on August 21, 2025

Comment C10-1

In addition to having inaccurate maps to the San Jacinto Wildlife Area (SJWA) you fail to address the impacts the

Revised Draft Program Environmental Impact Report (“EIR”) for the proposed MoVal 2040 Project, which consists of the 2024 General Plan Update (“2024 GPU”), associated Zoning Text Amendments to Title 9 (Planning & Zoning) and Zoning Atlas Amendments, and 2024 Climate Action Plan (“CAP”) will have on this very special place with endangered and threatened species. I expect a complete section on this in the Final EIR. That must include the “Horse Ranch” Inholding along Davis Road south of most of the city and the proposed Rancho Belago Estates.

Response to Comment C10-1

The boundaries of the SJWA provided within the Revised Draft EIR have been adjusted since the Public Scoping Meeting held on Wednesday, August 14, 2024, to accurately reflect the latest available data for the SJWA provided by the CDFW Public Access Lands Dataset.³⁵ The comment is effectively a challenge to the adequacy of the analysis of the Project’s impacts on biological resources. The lawsuit challenging that analysis did not find that analysis in the 2021 EIR to be inadequate. The California doctrines of res judicata, also referred to as claim preclusion, and collateral estoppel, also referred to as issue preclusion, bar relitigation of issues that were, or could have been, litigated in a prior lawsuit. *Lone Valley Land, Air, and Water Defense Alliance, LLC v. County of Amador*, 33 Cal.App.5th 165, 170-171 (2019). As such, there was no requirement that the environmental impacts of the Project on biological resources be analyzed in the Revised Draft EIR. As such, no further response is warranted or required.

³⁵ CDFW, CDFW Public Access Lands <https://apps.wildlife.ca.gov/lands/>. Accessed September 15, 2025.

Letter C11

Lindsay Robinson

Northeast Community Resident

lr92555@gmail.com

Received on August 21, 2025

Comment C11-1

My letter opposing your severely flawed revised EIR is attached. Please include it in the public record and address all my questions and requests.

Response to Comment C11-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment C11-2

I am writing as a long time Northeast Moreno Valley resident and active community member to formally submit my opposition to the revised draft EIR and GPU as currently presented. Your revised document is even more severely flawed than the previous version and contains very flawed data as well as important data missing or misleading. Garbage in, Garbage out! High staff turnover exacerbates bad planning decisions too. Paid consultants and staff have had unlimited time to work on the revisions but we're only given 45 days which isn't nearly enough time to dissect the documents thoroughly while continuing with our everyday survival. Previous requests for extensions have been denied as the city really doesn't want our participation so we've learned not to bother asking.

Response to Comment C11-2

Please refer to Response to Comment C11-1.

Comment C11-3

The city did a superb job of ignoring the voice of the residents in the Northeast Community. We had no council person and no voice on the Gutierrez committee of only his friends and financial benefactors. There were no meeting minutes of their closed meetings and with covid we had NO meeting on our end of town where other areas of the city had meetings before the shutdown. Those of us who actually live in the area and will suffer the severe negative impacts should be the major decision makers! When the

courts struck down the 2021 GPU we truly believed our new leaders and staff would actually redo the GPU honestly and ethically. Sadly, we were disappointed once again.

Response to Comment C11-3

Please refer to Response to Comment C11-1.

Furthermore, on or about October 28, 2021, the Sierra Club filed a First Amended Petition for Writ of Mandate and Complaint for Declaratory Relief (“Petition”) against the City, alleging violations of CEQA and the State CEQA Guidelines and challenging the City Council’s approval of the 2040 GPU’s related zoning designations and zoning atlas (map). On or about March 5, 2024, Hon. Judge Firetag of Riverside County Superior Court (“Court”) issued a Statement of Decision which granted the Petition on the issues of “inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses,” but denied the Petition on the issue of “land use analysis.” The Court followed up the Statement of Decision with a Peremptory Writ of Mandate (“Writ”), dated May 6, 2024, that ordered the City to set aside the approval of the 2040 GPU and CAP and rescind certification of the 2021 GPU EIR. Furthermore, while the Court also ordered the City to set aside the 2040 GPU’s “associated zoning” amendments, it is important to note that the Statement of Decision indicates the Petition was denied on the “issues of zoning.” In light of the foregoing, no changes in land use designations are being considered with the exception of any that are required pursuant to legislation adopted since certification of the 2021 GPU EIR. Nevertheless, the City, as the Lead Agency, is committed to making a decision on the Project, based on its merits taking into consideration all comments received, including those which do not make or include any statements about the Revised Draft EIR’s analysis or environmental issues.

Comment C11-4

Community and Regional Planning

Community character is an important aspect of areas throughout the city and a general plan update is required to protect community character. A very glaring omission in the city’s document is the absence of the Northeast in your discussion of community character. **Why did the city neglect to include the Northeast community in their document?** The obvious answer is so you wouldn’t have to protect our area from high density housing and commercial if you pretended, we aren’t a community. We are a community of large lots and animal keeping. We have our own facebook page as well as an email list of our residents.

Our area is defined in the Municipal Code as the area east of Laselle, west of Theodore, south of county line down to Cottonwood. We are a PAKA overlay area. Failure to protect our community character violates the rules of GPU and should void the inclusion of R10 and commercial in the Northeast.

Please explain why you think it’s ok to omit the Northeast Community in your document and analysis.

“5/6/2021 9.07.080 Primary animal keeping overlay (PAKO).
qcode.us/codes/morenovalley/view.php?topic=9-9_07-i-9_07_080&frames=on 1/1 Moreno Valley
 Municipal Code Up Previous Next Main Search Print No Frames Title 9 PLANNING AND ZONING Chapter

9.07 SPECIAL DISTRICTS Article I. Special Districts in General 9.07.080 Primary animal keeping overlay (PAKO). A. Purpose and Intent. The primary purpose of the primary animal keeping overlay district is to maintain animal keeping and the rural character of the areas noted within the overlay district and designate a portion of the parcel for medium and large animal keeping. B. Applicability. The primary animal keeping overlay (PAKO) district and standards shall apply to animal keeping activities in the RR (rural residential), R1 (residential-1) and RA2 (residential agricultural-2) land use districts only within an area bounded by Nason Street to the west, Theodore Street to the east, the city limit line to the north and Cottonwood Avenue to the south. C. Zoning Map Designation.

The primary animal keeping overlay district shall be designated on the zoning map by the symbol "PAKO." D. Development Standards. 1. Lots within the designated animal keeping overlay district shall include a primary animal keeping area (PAKA) of three thousand (3,000) square feet. The PAKA may be located in the rear, side or front yard, subject to the standards within this section. PAKAs within the front yard will only be allowed when the main habitable structure maintains a minimum setback of seventy-five (75) feet from the front property line. PAKAs on individual lots shall be grouped together and placed immediately adjacent to those located on an adjoining lot. If unique site constraints exist on a lot, the PAKA may be located on another portion of the lot as approved by the community and economic development director. 2. No non- animal related structures shall be allowed in the PAKA. Animal-related structures located within the PAKA shall not exceed forty (40) percent of the PAKA. 3. A dedicated primary animal keeping area (PAKA) shall be recorded on each newly created lot and included within the project CC&Rs if applicable. 4. All PAKAs shall have a twenty (20) foot minimum setback from any habitable structure. 5. All PAKAs shall be located on flat usable land with a slope no greater than four percent. 6. A minimum width of fifteen (15) feet shall be provided for vehicle access on one side of the lot, with clear access to the PAKA. 7. PAKAs that are developed at a lower or higher grade than the residence pad shall include an access ramp with a slope no greater than twenty-five (25) percent, and a minimum travel width of twelve (12) feet. 8. Lots within the PAKO shall adhere to the minimum lot standards within the underlying zoning district, including planned unit developments (PUDs). 9. Developments within the PAKO shall include feeder trails on one side of the street. 10. The above standards only apply to newly created residential subdivisions within the primary animal keeping overlay (PAKO) district. Specific primary animal keeping areas (PAKAs) shall be designated on all tentative maps and recorded on all final subdivision maps. (Ord. 731 § 3.2, 2007) View the mobile version."

Clearly R10 and commercial do not fit our community character and need to be removed. Dividing our community is also considered a severe negative impact which R10 and commercial both do.

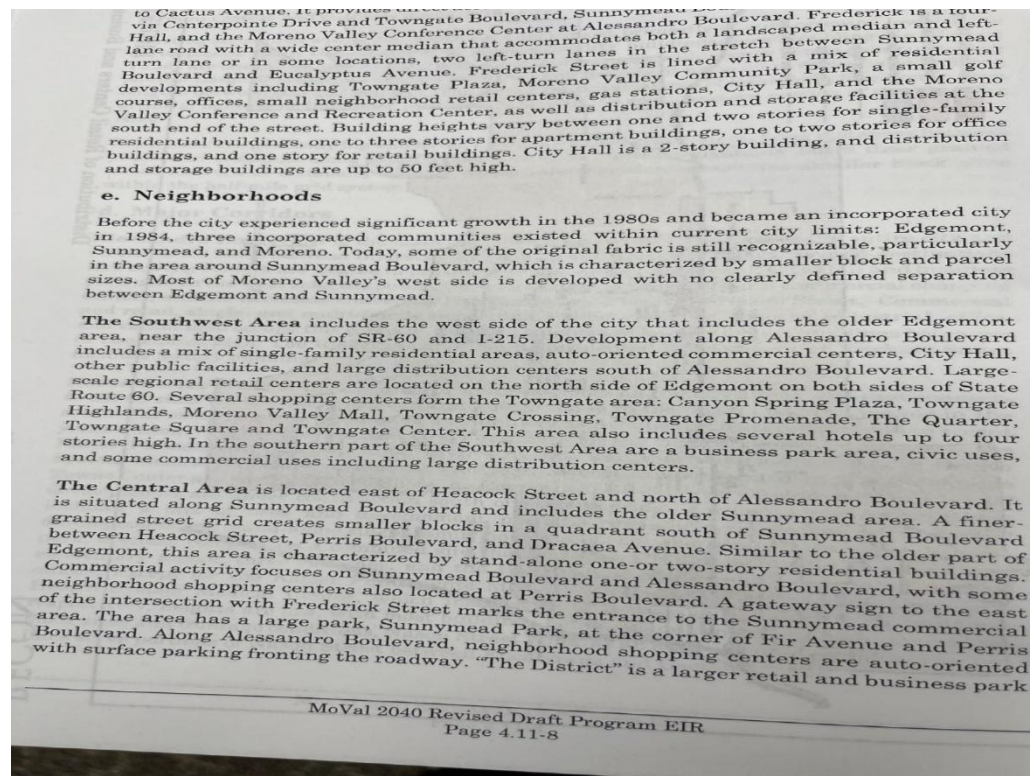
Response to Comment C11-4

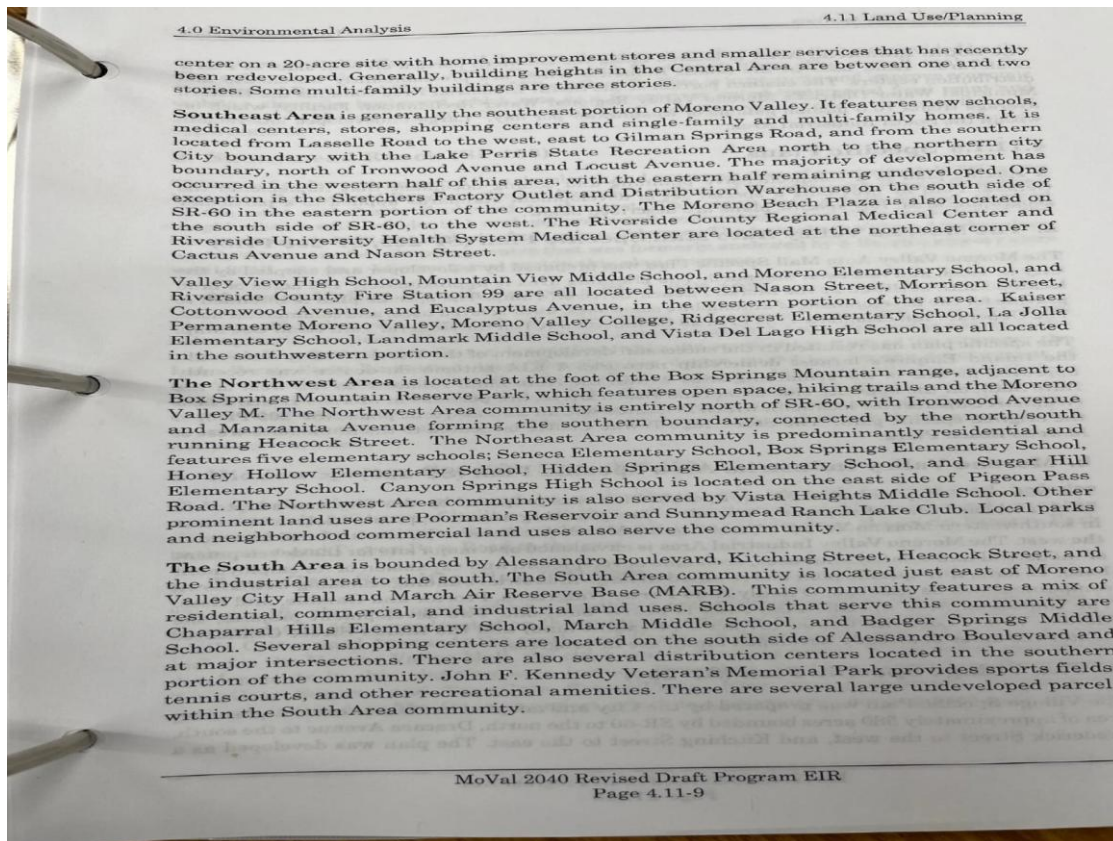
Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Additionally, it should be noted that the lead agency must evaluate comments on a draft EIR and prepare written responses that describe the disposition of any "significant environmental issues" raised by commenters, for inclusion in its final EIR. (PRC §21091(d); 14 CCR §§15088, 15132, 15204). This comment, however, does not identify any significant environmental issues related specifically to the Project, but instead focuses on the proposed land uses and densities addressed

in various elements of the General Plan, as reasons why the Project should be denied or makes a suggested revision to the content of the 2024 GPU. As such, no response is warranted or required.

Notwithstanding, it should be noted that in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of “inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses,” but denied the Petition on the issue of “land use analysis” and “issues of zoning” which the comment is focused upon. Nevertheless, the City, as the Lead Agency, is committed to making a decision on the Project, based on its merits taking into consideration all comments received, including those which do not make or include any statements about the Revised Draft EIR’s analysis or environmental issues.

Comment C11-5





Failure to include the Northeast as a community neighborhood should make this entire revised document invalid.

This revised EIR/GPU is basing its EIR analysis on very outdated data. It knowingly includes the Town Center, Aquabella and Mall all of which have already been through the planning approval process and were approved before this document was printed. Aquabella's housing element increased from 2900 senior units to 15,000 market rate apartments, the Mall 1600 apartments and 900 units for the Town center therefore the revised EIR is invalid and needs to be redone to reflect these numbers in the housing element, traffic, pollution, noise etc.

We've exceeded our RHNA during the last cycle and will far exceed for cycles to come. Even your own analysis without the above numbers shows that RHNA will be exceeded therefore there is no need to place R10 (for Nelson Chung profit) in the Northeast. High density is not needed there; it divides the community and destroys our community character in violation of the rules for GPU.

Please also read the following article and analysis of the housing market down trend that further shows we don't need high-density housing in the Northeast.

Housing: The Pain Is Just Beginning

Aug. 18, 2025 6:11 PM ET

**Bret Jensen**

<https://seekingalpha.com/article/4814640?gt=9be99d1dcc61869b>

Summary

- The housing market remains moribund, with home affordability near historical lows.
- Existing home sales are at their lowest levels since 1995, and home builders are having to offer ever larger incentives to move inventory.
- Home contract signings in July were lower than they were during the housing bust in 2008 and 2009.
- Several emerging trends will likely dump millions of additional homes on an already struggling market.

Response to Comment C11-5

This comment is noted for the record. Please refer to Response to Comment C11-4 and to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. In November 2021, the City submitted its approved Housing Element (6th Cycle spanning the 2021-2029 time period) to the California HCD for review. On February 7, 2022, HCD provided a letter to the City identifying the changes or modifications that were necessary to bring the City's Housing Element into compliance with state law. In response to HCD's comments and in compliance with state law, the City revised its Housing Element (6th Cycle) in October 2022. In October 2022, the City adopted Resolution No. 2022-67 which incorporated additional determinations (as directed by HCD) related to non-vacant sites and the likelihood of redevelopment within the pertinent 6th Cycle Planning Period. In response, on October 11, 2022, HCD sent a letter to the City stating that: (a) the City's October 2022, Housing Element, as modified, is in full compliance with State Housing Element Law (Article 10.6 of the Government Code); (b) the adopted Housing Element, as modified, addressed all the statutory requirements described in HCD's February 7, 2022, letter; and (c) HCD considered the City's additional findings and determinations made in Resolution No. 2022-67. It is important to note that the City's adoption of Resolution No. 2022-67 in October 2022, approving the City's current Housing Element, as modified in response to HCD's comments, was not subject to any legal challenge. Although the Sierra Club directly attacked the adequacy of the City's Housing Element, it did not challenge the version approved in October 2022, which incidentally earned the City the prestigious designation as a Pro-housing jurisdiction by HCD. Both the Sierra Club and the Attorney General agreed that they "have not challenged the revised Housing Element and associated resolution 2022-67, and consequently, seek no relief against the operable, certified Housing Element." (Petitioners' Joint Response to City's Objections to Statement of Decision, page 6, line 24, to page 7, line 1, filed 3/29/2024).

Regarding the Town Center project and Aquabella project, Attachment D, General Plan Amendment Projects for Forecast, of Appendix G, *Methodology for Establishing the Environmental Baseline and Horizon Year Forecast*, of the Revised Draft EIR lists the Town Center Specific Plan Amendment (PEN25-0007) and Aquabella Project Specific Plan Amendment (PEN23-0127) as General Plan Amendment

projects considered in the MoVal 2040 Forecast. As indicated in Attachment D, the Moreno Valley Town Center Specific Plan Amendment included a total of 800 dwelling units and 210,000 square feet of commercial space, compared to the 2021 GPU which accounted for only 617 dwelling units. Therefore, the delta of 183 dwelling units and 210,000 square feet of commercial space are considered as General Plan Amendment projects in the MoVal 2040 horizon year buildout. Similarly, the Aquabella Specific Plan Amendment includes a total of 15,000 dwelling units and 50,000 square feet of commercial uses compared to the 2021 GPU which accounted only for 3,000 dwelling units. Therefore, the delta of 12,000 dwelling units is considered in the MoVal 2040 horizon year buildout.

Regarding the Moreno Valley Mall Redevelopment, Attachment B in Appendix G, lists the Moreno Valley Redevelopment Plan as approved but not built and therefore is considered in the MoVal 2040 Forecast. The Moreno Valley Mall is discussed on page 3-11 within Section 3.0, *Project Description*, of the Revised Draft EIR. The Moreno Valley Mall Redevelopment Project was approved in 2023 and included a Specific Plan Amendment to the Towngate Specific Plan (see Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of this Revised Final Draft EIR).

Comment C11-6

As described in Chapter 3, buildout of the 2024 GPU would result in development of approximately 33,812 new homes, which is greater than the RHNA allocation assigned to the City of 13,627 new homes. This exceedance of the RHNA allocation would provide a buffer in all income categories to ensure the City can navigate the no net loss provisions of the State Housing Element law and have continued ability to meet the RHNA by income group throughout the planning period. As described in Chapter 3, Project Description, the Housing Element was certified by the State of California's Housing and Community Development Department on October 11, 2022 and is not being amended as part of this Project.

Chapter 3 also documented that buildout of the 2024 GPU would result in approximately 86,860 households in 2040, which would be greater than the 2040 SCAG household projection

Aquabella's 15,000 homes exceeds the 13,627 RHNA allocation by itself which further supports our claim that R10 or other high-density housing is not needed in the Northeast Community.

The city makes claims of needing all housing types for varying lifestyles, yet eliminates Hillside Residential, Estate and large lot animal keeping lots in this report. How do you justify these eliminations as they are all desirable housing elements to many? We need to preserve what's left of our large lot, equestrian area and promote it not destroy it.

Why have you eliminated the Estate housing element for our area, but now promote it for Benzeevi's Rancho Belago Estates?

If you truly believe what you claim about needing all types of housing, then no R10 belongs in our R2 neighborhood and we will far exceed the RHNA without high density in the Northeast.

Response to Comment C11-6

See Response to Comment C11-4 and C11-5.

Comment C11-7

Your traffic and noise data are also inadequate. The few streets you did in the vicinity of Moreno Beach show significant impacts that won't be mitigated. It's very disturbing that you neglected to include some of the streets that will be even more severely impacted by R10 and commercial along Moreno Beach. Please explain why Oliver from Ironwood to the 60 fwy, Pettit from Ironwood to the 60 fwy, Walfred, Darlene, Carol, Hemlock, Hinson and Fenimore were not included in this analysis. Hemlock is not currently a through street, but will have severe negative impacts with noise, traffic, air pollution and crime should it be punched through to Theodore. Pettit, Hinson and Fenimore within the Sterling Ranch development will also suffer the same severe negative impacts as will the residents and streets along Oliver. The severe negative impacts that can't be mitigated should stop R10 and commercial and analysis of these areas needs to be done before proceeding further.

Your failure to study the noise and traffic along the most affected roads/residences demonstrates that this is not a fair, impartial and independent document as including this data will prove the severity of the negative impacts that can't be mitigated.

Why doesn't this revision do a proper job of mitigating all of these negative impacts? Removing R10 and commercial and retaining the 2006 gpu for this neighborhood is the honest, fair and ethical action to take.

Response to Comment C11-7

This comment is noted for the record. Pursuant to CEQA Guidelines Section 15204(a), comments on the Revised Draft EIR should focus on the sufficiency of the identification and analysis of potentially significant environmental impacts and the adequacy of mitigation measures that have been designed to avoid or mitigate those impacts. This comment, however, does not raise or pertain to any such potential impacts or mitigation measures; rather it simply demands more data and additional studies. A lead agency is not required to conduct every test or perform all research, studies, or experimentation that may be sought by commenters. (PRC § 21091(d)(2)(B); 14 CCR § 15204(a)). Notwithstanding, sufficient information related to noise is included in Chapter 4.13, *Noise*, of the MoVal 2040 Revised Draft EIR.

Also, please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level of detail required for the analysis and mitigation in a program EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

As discussed within Chapter 4.13, *Noise*, of the MoVal 2040 Revised Draft Program EIR, noise measurement sites were selected to be representative of the existing noise exposure within the Planning Area. Please refer to Table 4.13-2, *Existing Noise Measurement Locations and Measurements*, in the Revised Draft EIR for a list of locations and noise measurement data. Additionally, the Revised Draft EIR includes an analysis of 405 roadway segments located within the Planning Area (see Table 4.13-8).

The Executive Summary of the Revised Draft EIR provides a summary of the impact discussion for each threshold evaluated as well as the mitigation measures that would be applied regarding the impact (if applicable) and its level of significance after mitigation. Traffic noise impacts are significant and unavoidable for existing sensitive land uses due to the lack of retrofit programs. MM NOS-1 and MM NOS-2 require new developments to comply with interior noise standards. Construction noise controls include restricted hours, equipment maintenance, and alternative low-noise methods. Projects near fragile structures require noise and vibration analyses to ensure compliance with Federal Transit Administration thresholds. However, at a programmatic level of analysis, there are no feasible mitigation measures that would reduce noise impacts associated with development facilitated by the Project to a less than significant level.

Regarding air quality or pollution, the Project would implement MM AQ-1 through MM AQ-5, which requires development projects, when identified, to assess and mitigate air quality impacts during construction and operation to comply with regulatory thresholds and protect public health. This includes analyzing air emissions, controlling fugitive dust, reducing construction emissions, coordinating concurrent projects, and conducting Health Risk Assessments for toxic air contaminants near sensitive receptors based on specified thresholds. The Revised Draft EIR also found that future construction and operational emissions associated with development projects would conflict with the implementation of the AQMP. However, at a programmatic level of analysis, there are no feasible mitigation measures that would reduce air quality impacts associated with development facilitated by the Project to a less than significant level. With the implementation of MM AQ-1 through MM AQ-5, the Project would still result in significant and unavoidable impacts to air quality.

Regarding traffic, the Project would implement roadway and circulation improvements, new bicycle and pedestrian facilities, as well as the policies and actions listed under goals General Plan Update Circulation Goals C-1 through C-3 in order to improve the circulation network through project buildout in 2040. Therefore, the Project would not conflict with a plan, ordinance, or policy addressing the circulation system, and impacts would be less than significant. The General Plan Update includes policies and actions described above that would ensure future transportation facilities would not introduce hazards onto the circulation network, and future development and redevelopment would also be designed consistent with all safety requirements pertaining to ingress and egress onto the circulation network. Therefore, the Project would not substantially increase hazards, and impacts would be less than significant. However, Implementation of the Project would result in an increase in VMT based on several metrics. As a result of some metrics that exceeded the significance criteria based on certain analysis methodology, impacts would be significant. The Project includes TDM goals, policies, and actions that would support VMT

reductions; however, anticipated VMT reductions associated with proposed TDM measures would be large enough to guarantee that significant impacts could be fully mitigated.

Comment C11-8

There are numerous severe negative impacts for our Northeast Neighborhood associated with the wlc that won't be mitigated. This revision should include the cumulative effects.

Please provide an analysis of the cumulative impact of all the severe negative non-mitigated health, noise, traffic, air and light pollution issues that the Northeast Community will suffer from the wlc and why wasn't that included in this revision?

I request updated and more inclusive traffic and noise studies and a more realistic analysis of the cumulative traffic and noise impacts associated with high density housing and commercial in our R2 neighborhood especially as it's compounded by the unmitigated severe negative impacts we will suffer from the wlc. Please include truck traffic and how the city will do a much better job of keeping trucks out of our neighborhoods.

Response to Comment C11-8

Regarding the WLC, as indicated in Appendix G, Methodology for Establishing the Environmental Baseline and Horizon Year Forecast of the Revised Draft EIR, the WLC is not included as part of the MoVal 2040 Environmental Baseline (2024) as the WLC was neither constructed nor operational at the time the 2024 baseline was established. See CEQA Guidelines §15125(a)(1) which states that the baseline should normally be the environmental as they exist on the date the notice of preparation of a draft EIR is published which, for the Project, was July 30, 2024. As indicated in Table 3-3 in Chapter 3.0, *Project Description*, of the Revised Draft EIR, the Citywide buildout would include an additional 41,137,466 square feet, which includes the 40.6 million square feet of building area approved for WLC. As such, the WLC was considered as part of the 2040 Forecast. This has also been clarified as part of Section 3.0, *Corrections and Additions to the Revised Draft EIR*, of the Revised Final EIR under Chapter 3.0, *Project Description*, which adds footnote 2 to Table 3-3.

Regarding cumulative analyses, a cumulative analysis of each environmental issue is incorporated in all sections of the Revised Draft EIR. Therefore, no further response is warranted. Please refer to Response to Comment C11-8 for additional information on noise, air quality, and transportation.

Regarding truck traffic, the Project would implement Circulation Policies C.2-2 and C.2-7 to improve the circulation network and impact of truck traffic as discussed within Section 4.16, *Transportation*, of the Revised Draft EIR. While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA 4th 966, 1020). Moreover, the CEQA Guidelines provide that comments

on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)).

Pursuant to CEQA Guidelines Section 15204(a), comments on the Revised Draft EIR should focus on the sufficiency of the identification and analysis of potentially significant environmental impacts and the adequacy of mitigation measures that have been designed to avoid or mitigate those impacts. This comment, however, does not raise or pertain to any such potential impacts or mitigation measures; rather it simply demands more data and additional studies. A lead agency is not required to conduct every test or perform all research, studies, or experimentation that may be sought by commenters. (Public Resources Code § 21091(d)(2)(B); 14 California Code of Regulations § 15204(a)). Notwithstanding, sufficient information related to air quality, noise, and traffic are included in Section 4.3, *Air Quality*; Section 4.13, *Noise*; and Section 4.16, *Transportation*, has been provided in the Revised Draft EIR to analyze impacts related to Air, Noise, and Transportation, respectively, and apply feasible mitigation to address these impact. In light of the foregoing, no further response is warranted or required.

Comment C11-9

4.13.9.1 Topic 1: Increase in Ambient Noise

a. Traffic Noise

Impacts to existing sensitive land uses located in areas that would experience a significant increase in ambient noise levels exceeding the applicable land use and noise compatibility level would be significant and unavoidable at this program level of review.

a. Traffic Noise

Increase in Ambient Noise

Long-term traffic noise that affects sensitive land uses would be considered substantial and constitute a significant noise impact if the 2024 GPU would:

- Increase noise levels by 5 dB or more where the “no project” noise level is less than 60 CNEL;
- Increase noise levels by 3 dB or more where the “no project” noise level is 60 CNEL to 65 CNEL; or

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Location	Indian St to Ferris Blvd	1,207	57.1	680	70.3	10.2
Moreno Beach Dr	Locust Ave to Juniper Ave	2,741	59.3	3,362	69.6	10.3
Moreno Beach Dr	Juniper Ave to Ironwood Ave	2,707	59.2	3,230	77.2	17.9
Moreno Beach Dr	Ironwood Ave to SR 60	9,296	68.3	13,533	77.2	8.9

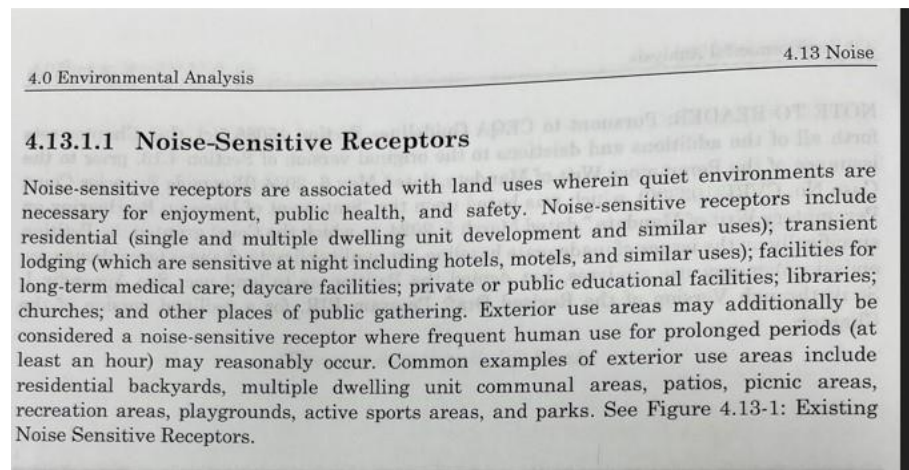
Your proposal to add commercial north of the freeway will create too much ambient noise and traffic that will severely affect the health and quality of life for the residents in the Northeast Neighborhood and especially Sterling Ranch and Davis Ranch as it will decrease our ability to fully enjoy our homes and backyards with any sense of peace and quiet. **The current zoning for office is the proper zoning as they are generally 8-5 and no excessive noise. Honor your own rules and remove R10 and commercial from the Northeast.**

Response to Comment C11-9

Regarding noise, as stated in Section 4.13, *Noise*, of the Revised Draft EIR, future development would be required to comply with MM NOS-1, which requires applicants to demonstrate whether projects would have the potential to exceed noise standards by preparing a Noise Analysis, and MM NOS-2, which requires new developments prepare a noise and vibration analysis to assess and mitigate potential noise and vibration impacts.

Furthermore, the comment cites information from the Revised Draft EIR and expresses concern about the proposed land use plan, but does not raise an issue with regard to the adequacy of analysis. The lead agency must evaluate comments on a draft EIR and prepare written responses that describe the disposition of any “significant environmental issues” raised by commenters, for inclusion in its final EIR. (PRC §21091(d); 14 CCR §§15088, 15132, 15204). This comment, however, does not identify any significant environmental issues related specifically to the Project, but instead focuses on the proposed land uses and densities, in addition to political, social and economic issues addressed in various elements of the General Plan, as reasons why the Project should be denied. As such, no response is warranted or required. Notwithstanding, it should be noted that in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of “inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses,” but denied the Petition on the issue of “land use analysis” and “issues of zoning” which the comment is focused upon. Notwithstanding, the lead agency is committed to making a decision on the Project, based on its merits taking into consideration all comments received, including those which do not make or include any statements about the Revised Draft EIR’s analysis or environmental issues.

Comment C11-10



Please provide better data and analysis on the severe negative effects that the children at Calvary Chapel will be exposed to on a daily basis. Seeing such high numbers that the city is accepting at the school is very troubling. We already have some of the worst air in the state so our children deserve better.

Commercial adds additional severe negative impacts that weren't properly addressed. Businesses that run 24/7 again add severe negative impacts with noise, traffic, light pollution, bring crime and trucks using non-truck routes through our residential neighborhoods. We currently have trucks illegally using our streets daily with no enforcement. Your report promises relief but experience shows us it won't happen.

The noise can't be mitigated if commercial is allowed. We have more than enough commercial south of the freeway and more coming to the Town Center. Using words like envisions, could be, might etc. makes it sound nice but unless it says "will" than it will only be warehouses, fast food, car washes- low paying jobs not some nice walk around gateway to the city as the fancy brochure describes. Benzeevi has already told a Theodore property owner that warehouses have been approved up to Ironwood and reading this statement seems to indicate it's true.

Response to Comment C11-10

As described in Section 4.13.1.1 within Section 4.13, *Noise*, of the Revised Draft EIR, schools are considered noise sensitive receptors and were considered in the noise analysis of the Revised Draft EIR. Pursuant to CEQA Guidelines Section 15204(a), comments on the Revised Draft EIR should focus on the sufficiency of the identification and analysis of potentially significant environmental impacts and the adequacy of mitigation measures that have been designed to avoid or mitigate those impacts. This comment, however, does not raise or pertain to any such potential impacts or mitigation measures; rather it simply demands more data and additional studies. A lead agency is not required to conduct every test or perform all research, studies, or experimentation that may be sought by commenters. (PRC § 21091(d)(2)(B); 14 CCR § 15204(a)). Notwithstanding, sufficient information related to noise included in Section 4.13, *Noise*, has

been provided in the Revised Draft EIR to analyze impacts related to sensitive receptors and apply feasible mitigation to address this impact. In light of the foregoing, no further response is warranted or required.

Comment C11-11

A very serious error is the description of Highway office/commercial- Office and commercial were only supposed to go to Hemlock. Why does this say south of Ironwood and not south of Hemlock? Is this another behind closed doors change to what we were told? Please explain how an error of that magnitude was in the city document. Benzeevi has told property owners on Theodore that it's already approved for warehouses to go in up to Ironwood so once again it's difficult to trust the city. Extreme errors such as this one show that this revised EIR/GPU needs to be thrown out and done the right way.

Highway Office/Commercial. The Highway Office/Commercial Concept Area is proposed in the northeastern portion of the City, north of SR 60, south of Ironwood Avenue, west of World Logistics Parkway, and east of Moreno Beach Drive. The Highway Office/Commercial Concept Area envisions the creation of an inviting gateway of retail, commercial, office, and other uses (e.g., employment campus; educational campus). Office buildings, business commercial, and professional uses are "normally acceptable" with noise levels up to 70 CNEL and "conditionally acceptable" with noise levels up to between 75 and 80 CNEL.

Future vehicle traffic noise levels adjacent to roadways in this area would mostly range from 55 to 75 CNEL. Noise sensitive uses located closest to SR 60 could be exposed to noise levels over 85 CNEL. Noise compatibility impacts at the Highway Office/Commercial Concept Area would be potentially significant.

Response to Comment C11-11

Regarding development along Ironwood, as indicated in Attachment D, General Plan Amendment Projects for Forecast within Appendix G, *Methodology for Establishing the Environmental and Horizon Year Forecast of the Revised Draft EIR*, the District Specific Plan Amendment, located on the southeast corner of Heacock Street and Ironwood Avenue would include 220,390 square feet of industrial development. As noted therein, the District Specific Plan Amendment project includes a request for a General Plan Amendment and Specific Plan Amendment in order to construct the requested industrial development. As indicated in Attachment D, as of February 24, 2025, the District Specific Plan Amendment had not been approved, but was considered as part of the 2040 Horizon forecast.

Comment C11-12

The document claims the city will work with the residents on the noise issues but we know that's not true as we were ridiculed and ignored regarding the sleep depriving noise from the Solaris Paper company. We went from quiet days and nights to severe noise 24/7 with people needing to keep windows closed to try to get some noise relief, and we would be awakened at 1 and 3 am when they cleaned their improperly placed tubes.

What will the city do differently to mitigate 24/7 noise that disturbs residents sleep and their ability to enjoy their homes to the fullest as well as feel safe as traffic and crime increase?

Response to Comment C11-12

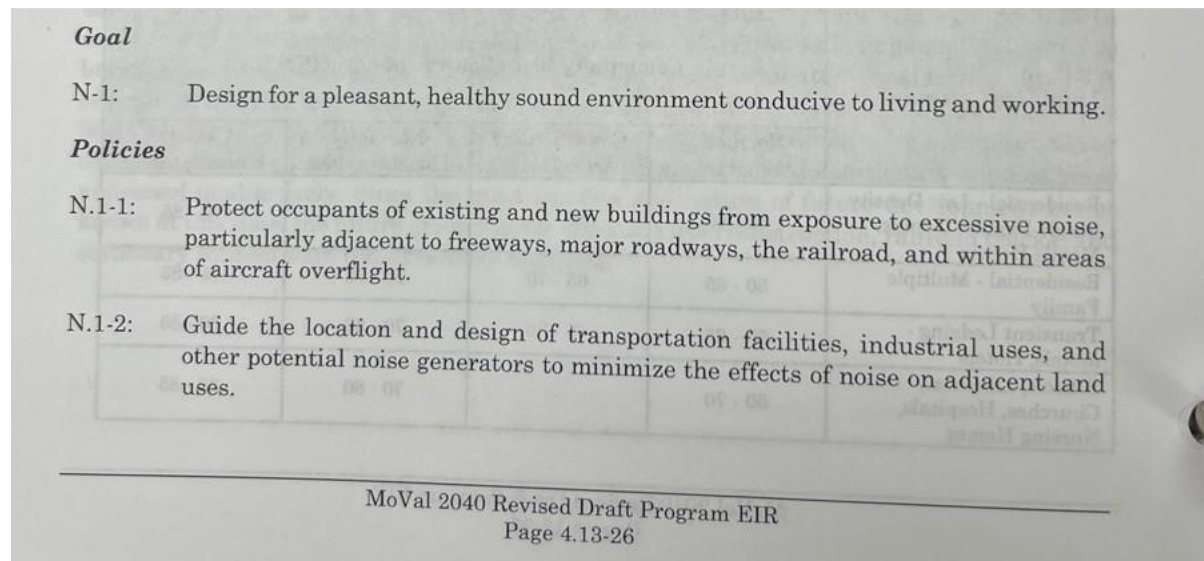
This comment is noted. Section 4.13, *Noise*, of the Revised Draft EIR includes MM NOS-1 and MM NOS-2 to address impacts related to construction noise and impacts related to construction vibration. Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level of detail required for the analysis and mitigation in a program EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment C11-13

Light pollution also needs to be more adequately addressed- our 2006 general plan protects our night skies. What will the city do to limit the glare and light pollution? Again 24/7 businesses aren't needed north of the freeway.

Response to Comment C11-13

Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 1 provides a background of the CEQA lawsuit that was filed by the Sierra Club in Riverside County Superior Court challenging the validity of the 2021 GPU EIR and CAP, the Writ and Statement of Decision issued by the Court, and limited scope of the analysis prepared in the Revised Draft EIR. The comment is effectively a challenge to the adequacy of the analysis of the Project's impacts on aesthetics. Issues concerning aesthetics were never raised in the prior litigation. The California doctrines of res judicata, also referred to as claim preclusion, and collateral estoppel, also referred to as issue preclusion, bar relitigation of issues that were, or could have been, litigated in a prior lawsuit. *Ione Valley Land, Air, and Water Defense Alliance, LLC v. County of Amador*, 33 Cal.App.5th 165, 170-171 (2019). As such, there was no requirement that the environmental impacts of the Project on aesthetics be analyzed in the Revised Draft EIR. Only comments that specifically address the revisions made will receive a detailed response in the Revised Final EIR. However, all comments made on the Revised Draft EIR will be included in the administrative record and provided to City decision-makers for their review and consideration.

Comment C11-14**b. Operation**

Buildout of the 2024 GPU would generate operational emissions that would exceed SCAQMD's regional significance thresholds and cumulatively contribute to the nonattainment designations of the Basin. Mitigation Measure AQ-5, in addition to the 2024 GPU goals and policies, would reduce air pollutant emissions. The conditions and policies covering topics such as expansion of the pedestrian and bicycle networks, promotion of public and active transit, and support to increase building energy efficiency and energy conservation would also reduce criteria air pollutants within the City. However, impacts would remain significant and unavoidable due to the magnitude of the overall land use development associated with the implementation of the 2024 GPU. Impacts would remain significant and unavoidable.

Response to Comment C11-14

This comment is noted. No environmental issue is raised.

Comment C11-15

Public Safety- we are one of the safest if not the safest community within the city. The proposed changes will drastically change that with no explained attempt to protect us.

What will the city do differently in our Northeast neighborhood to protect the existing residents from the crime that will follow 24/7 commercial businesses and high-density housing?

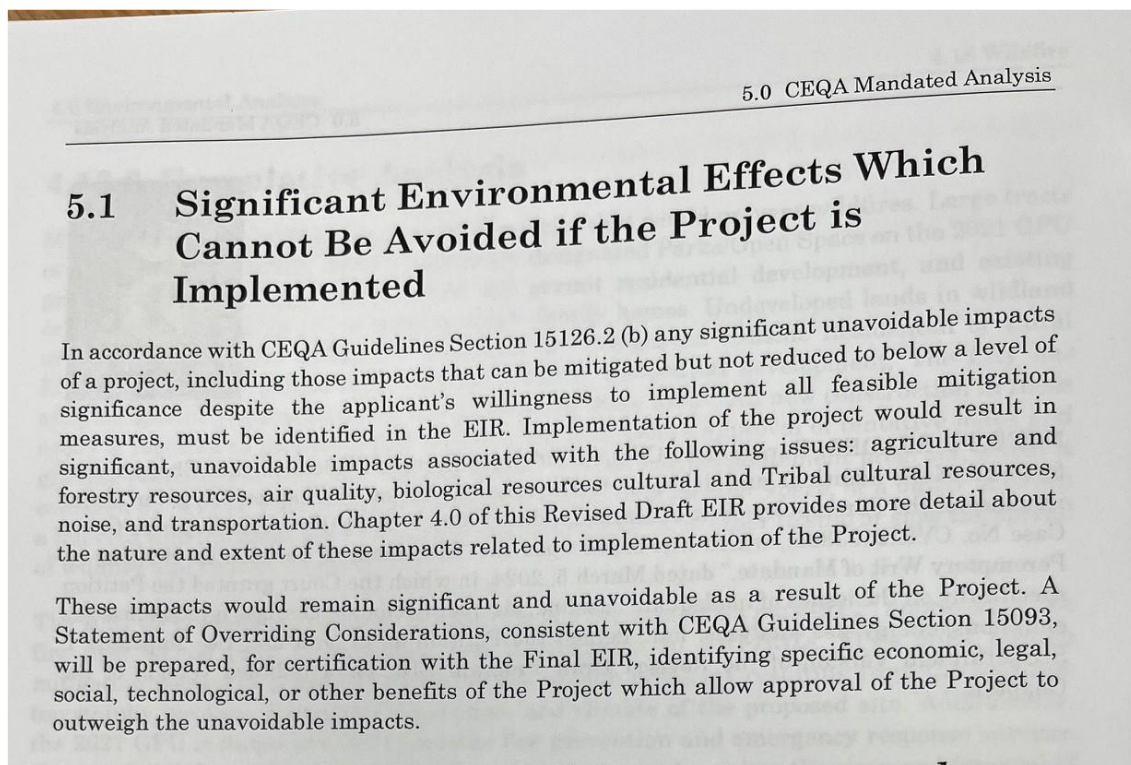
Opening Hemlock to through traffic severely impacts the safety of the residents of Sterling Ranch. What is currently a safe neighborhood to walk, bike and jog will suddenly be subject to high-speed traffic and trucks. It's also a very safe neighborhood with only 2 entrances/exits. Our calls for police assistance can go unanswered for over 24 hours- how will that change with high density and commercial?

The R10 seen throughout the city are huge homes on small lots. These homes don't have to provide adequate parking for all the extra people that will be living there; thus, they will be crowding our residential areas with parked cars that will invite more car break ins and thefts. Sufficient parking onsite needs to be required.

As any scientist knows you can skew data to say whatever you want especially if you ignore the most important data points such as our Northeast Neighborhood Community Character, neglect to collect data on the most severely affected streets, use outdated housing data, use inadequate traffic data etc. Therefore, I am requesting that the entire process be redone and actually allow the Northeast residents to be part of the committee. Retaining our 2006 zoning is the appropriate action and the residents who actually live here and will suffer the severe negative impacts that won't be mitigated should have more say than campaign donors Nelson Chung and Iddo Benzevi who stand to financially profit at the expense of our health, quality of life and wellbeing.

Playing Russian Roulette with our health and quality of life is just wrong. People who don't live here and won't suffer the severe negative impacts have been given too much control and silence our voices. R10- and Commercial are not needed nor wanted on the Northeast end of the city. Let the residents have a voice.

Through your own admission there will be severe negative impacts on noise, traffic, air pollution etc. that will affect the residents in the Northeast. In the interest of transparency, **please provide that data and information immediately and not force us to wait for your final EIR.**



Response to Comment C11-15

Please refer to Response to Comment C11-7 and Response to Comment C11-9.

Comment C11-16

This revised EIR fails to truly explore a reduced scale alternative. We've exceeded housing requirements already, and certainly have enough warehouses/industrial buildings in other areas of the city. The Northeast Community deserves to retain its unique attributes and not become just like the rest of the city.

Forty five days isn't enough time to analyze and comment on the entire document, thus you are spared my comments on greenhouse gas etc. The comments I've provided should be enough to halt this GPU/EIR that is attempting to destroy our Northeast Community.

This has not been an honest and ethical revision and the city should not promote nor approve this without doing a more complete analysis with adequate data that truly shows how the Northeast Community will suffer.

The project, in its current form, poses significant risks to the environmental quality, health and well being to the Northeast Community. The revised draft EIR doesn't adequately address these impacts nor offer sufficient mitigation measures. Please revise the revision and recirculate the Draft EIR with better and stronger analysis and community protections for our Northeast Community.

Please notify me of any future meetings.

Response to Comment C11-16

Chapter 6.0, *Project Alternatives*, of the Revised Draft EIR analyzes a Reduced Growth Alternative, which would reduce the amount of employment growth compared to the 2024 GPU. Please refer to Section 6.4 of the Revised Draft EIR for a discussion of the Reduced Growth Alternative.

The City made the Revised Draft EIR available for a 45-day public review period from July 7, 2025, to August 21, 2025). A 45-day period for review of a draft EIR is required when the EIR must be reviewed by state agencies through the State Clearinghouse. (14 CCR §15105(a)). Neither CEQA nor the CEQA guidelines require a lead agency to extend a draft EIR public review period upon request from commenters; rather, the decision whether to extend the review period is at the discretion of the lead agency. The City has determined that 45 days is an appropriate review public review period for the Revised Draft EIR for the Project since in the Writ and Statement of Decision issued by Hon. Judge Firetag, the Court granted the Petition on the issues of "inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses," but denied the Petition on the issue of "land use analysis" and "issues of zoning." As such, this has significantly narrowed the scope of the environmental review of the Project to only the issues noted in both the Writ and Statement of Decision in addition to any changes in the built environment that has taken place since the initial EIR was certified in 2021. In light of the foregoing, no further response is warranted or required.

Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 3 describes the programmatic nature of the Revised Final EIR given that the Project consists of long-term plans that will be implemented as policy documents guiding future development activities and related City actions. It also describes the level of detail required for the analysis and mitigation in a program EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment C11-17

My comments from 2021 still are valid even though they were ignored before:

The remainder of this comment comprises the commentor's previous public comment letter submitted for the 2021 MoVal 2040 EIR.

Response to Comment C11-17

These comments were addressed in Response to Comments 383-387 (Pages 384-387) of the 2021 MoVal 2040 Final EIR.

Letter C12

Oscar Alvarez

oscaree@aol.com

Received on August 21, 2025

Comment C12-1

Attached please find comments on the subject matter documents as requested on your Notice of Availability dated July 3, 2025. Please acknowledge receipt of comments.

Response to Comment C12-1

While this comment is noted for the record, the comment does not pertain to any significant environmental issues or impacts, nor any measures to avoid or mitigate any identifiable significant environmental impacts. The lead agency need not respond to all comments on a draft EIR but only to the significant environmental issues presented. (14 CCR §§15088(c), 15132(d), 15204(a); *Citizens for E. Shore Parks v State Lands Comm'n* (2011) 202 CA 4th 549. See also *Bay Area Citizens v Association of Bay Area Gov'ts* (2016) 248 CA4th 966, 1020). Moreover, the CEQA Guidelines provide that comments on an EIR should focus on the sufficiency of the document's identification and analysis of significant environmental impacts, and measures to avoid or mitigate those impacts. (14 CCR §15204(a)). In light of the foregoing, no further response to this comment is warranted or required.

Comment C12-2

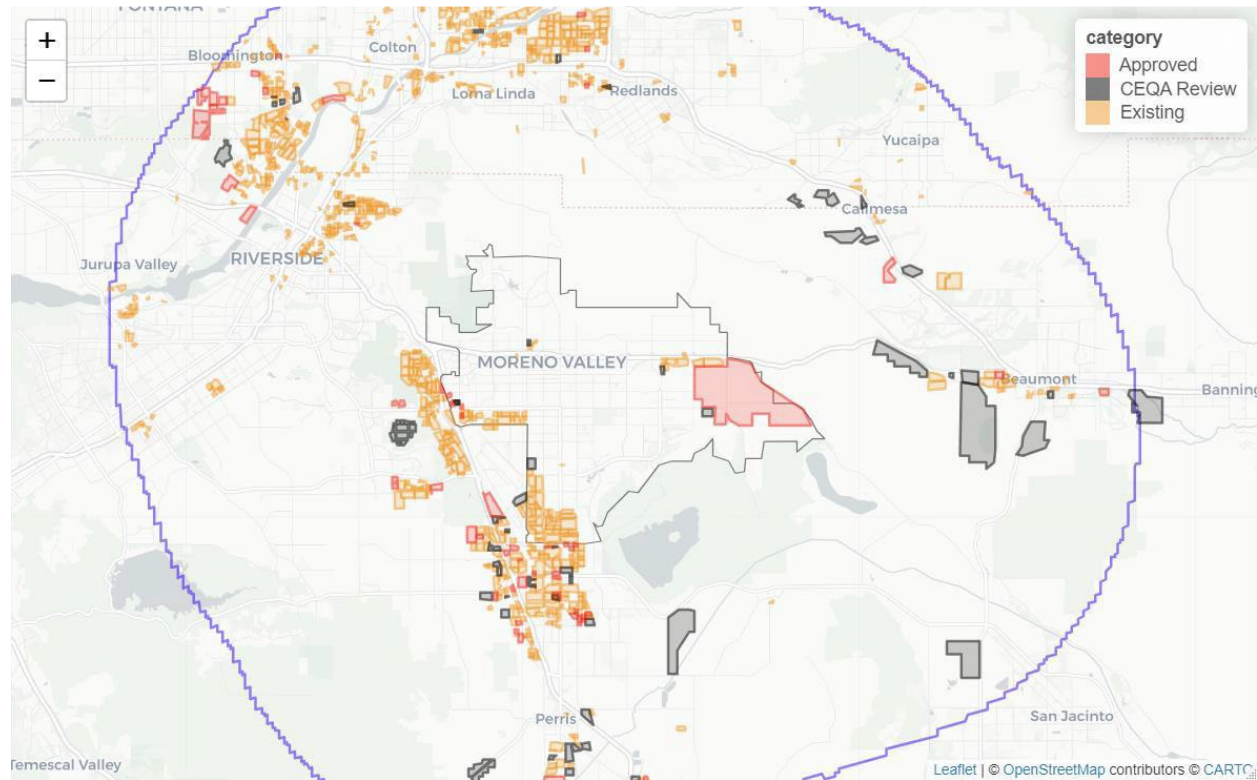
1. GHG Emissions Baseline and Forecast - Figure 2-4 of the Draft CAP shows the Moreno Valley (MV) GHG Reduction Target Pathway and Gap Analysis (p. 25) is very useful. Table 3-1 shows the MV GHG Reduction Measures Summary (pps. 30-32) indicating that the emission gap to be closed by Moreno Valley will consist of actions directly related to Building Energy, (mainly passenger) Transportation, Solid Waste, and Carbon Sequestration (compost and existing trees maintenance and new trees).

These actions are expected to be enough to meet the goals of reaching the City's share to the State-wide goals of reducing GHG emissions to 40% below 1990 by 2030 (SB32 - 2016), and net-zero emissions no later than 2045 (and keeping net negative emissions thereafter) and reducing GHG emissions by at least 85% below 1990 by 2045 (AB1279 - 2022).

(a) This draft CAP does not clearly explain how the actions proposed to close the gap will fully reverse the existing and new amount of GHG emissions that come from approximately "1076 existing warehouses covering 13,000 acres ... and about 190,000 daily truck trips ... 64 approved warehouse projects ... and 71,000 truck trips ... and 58 warehouse projects under CEQA review ... and 87,000 truck trips." (My underlines, see Fig. 1 below and Mr. McCarthy comments, August 26, 2024) that will impact the Moreno Valley area. Please explain clearly and in sufficient detail in the body of the report your assumptions, modelling and treatment of these existing and upcoming GHG overwhelming emissions, and why such assumptions and treatment are valid. The current pollution and warehouses have already affected our air

quality and our health for years (with impacts clearly and emphatically explained in your draft EIR, digital pps. 142-144), and have caused traffic nightmares along the 60 and 215 freeways.

Fig. 1 Warehouses in MoVal and Other Areas within 15km (from 8/26/24 Comments)



Response to Comment C12-2

In accordance with the guidance from the AEP (*Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Actions Plan Targets in California*, 2016, page 65)³⁶, the proposed CAP quantifies existing GHG emissions (in the 2019 GHG inventory) and projected GHG emissions (in the GHG forecast) for GHG emissions sources over which the City has “direct or indirect jurisdictional control.” For the City, these GHG emissions include those within the geographic area of the city limits and those associated with residential and commercial activities. GHG emissions associated with industrial activities are excluded because they are outside the City’s direct and indirect jurisdictional control. Industrial activities are instead regulated by the Federal, State, and regional agencies. This exclusion is consistent with guidance from the AEP (*Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Actions Plan Targets in California*, 2016, page 48)³⁷, which states it is common practice to exclude industrial projects from CAPs to avoid duplicating State regulation of those sources. This exclusion is also consistent with California’s 2022 Scoping Plan which identifies three priority areas that address the State’s largest sources of emissions over which local governments have authority or

³⁶ AEP, *Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Actions Plan Targets in California*, 2016, https://califaep.org/docs/AEP-2016_Final_White_Paper.pdf. Accessed September 15, 2025.

³⁷ Ibid.

influence: zero-emission transportation, VMT reduction, and building decarbonization (see page 9 of CARB's 2022 Scoping Plan, Appendix D).³⁸

GHG emissions associated with VMT, solid waste disposal, water use, and wastewater treatment from commercial warehouses within Moreno Valley's city limits are included in the proposed CAP's GHG inventory and forecast (see page 15 of CARB's 2022 Scoping Plan, Appendix D).³⁹ However, due to data aggregation required by CPUC, GHG emissions associated with energy use from commercial warehouses (i.e., electricity and natural gas usage) within city limits is vague. The CPUC established the Environmental Data Request Program as part of CPUC Decision (D.) 14-05-016 to protect customer confidentiality.⁴⁰ This program requires utilities to aggregate community energy usage data into four specific categories: residential commercial, industrial, and agricultural, with specific minimum participation requirements. The utilities do not publish how various building types are aggregated. Due to this aggregation, it is impossible to determine how warehouses are included in the commercial or industrial energy sectors. Warehouse energy use categorized as commercial data is included in the proposed CAP GHG inventory and forecast. Warehouse energy use categorized as industrial data is excluded from the proposed CAP GHG inventory and forecast (see page 15 of CARB's 2022 Scoping Plan, Appendix D).⁴¹ To conservatively implement the CEQA streamlining provisions detailed in CEQA Guidelines § 15183.5, the Lead Agency determined that both industrial and warehouse projects are excluded from tiering our streamlining their GHG analysis under CEQA.

For information on which projects and plans are included in projected GHG emissions within the city limits (i.e., in the proposed CAP's GHG forecast), see Appendix G, *Environmental Baseline and Horizon Year Forecast*, to the Revised Draft EIR. Projected GHG emissions cover all projects and plans approved by July 30, 2024.

The proposed CAP includes measures that are supported by substantial evidence to mitigate residential and commercial GHG emissions within the City limits (See Appendix D, *Greenhouse Gas Emissions Reduction Technical Appendix*, to the proposed CAP). These measures will be implemented and monitored according to the Implementation and Monitoring section of the proposed CAP. The proposed CAP meets the requirements from CEQA Guidelines § 15183.5(b) for quantifying GHG emissions and follows best practices for setting the geographic area and covered activities of the quantification. As such, no revisions to the proposed CAP or Revised Draft EIR are required, and no further response is warranted or required.

Moreover, the purpose of the proposed CAP is to provide a roadmap of local policies that are intended to reduce GHG emissions. As such, the proposed CAP includes the following elements: a) an emissions inventory and projection; b) emission targets; c) enforceable GHG control measures; d) implementation;

³⁸ CARB, 2022 Scoping Plan, Appendix D Local Actions, 2022, <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf>. Accessed September 15, 2025.

³⁹ Ibid.

⁴⁰ California Public Utilities Commission, Decision 14-05-016: Decision Adopting Rules To Provide Access To Energy Usage And Usage-Related Data While Protecting Privacy Of Personal Data, <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M090/K845/90845985.PDF>. Accessed September 15, 2025.

⁴¹ CARB, 2022 Scoping Plan, Appendix D Local Actions, 2022, <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf>. Accessed September 15, 2025.

and e) monitoring and reporting of GHG emission levels. The proposed CAP also provides a means for streamlining the analysis of GHG emissions under CEQA for future projects. In other words, the proposed CAP provides the basis for CEQA review of GHG emissions for projects consistent with the 2024 GPU. CEQA Guidelines Section 15183.5 requires “qualified GHG reduction plans” (CAPs) to “specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level.” The Guidelines do not require any specific measures, instead they leave the identification of a specific group of measures to the discretion of the Lead Agency on a project-by-project basis. In light of the foregoing, no further response to this comment is warranted or required.

Comment C12-3

2.Implementation, Monitoring and Reporting of Progress in GHG Emissions Reductions - This draft CAP Section correctly states that “[o]ngoing monitoring and assessment of Moreno Valley’s progress are essential for achieving communitywide GHG emissions reductions. Regular tracking, reporting, and updates will ensure accountability in meeting the City’s adopted targets” (p. 112). Having the City conduct “routine community GHG emissions inventories in alignment with established protocols and climate commitments every two to three years” (p. 112) will be very helpful, along with the willingness to consider adjustments to CAP if the City is not on track to meet the 2030 and 2045 targets.

(a) To properly monitor emissions Moreno Valley needs to have a combination of direct and indirect measurement techniques, which definitely needs to include the current CA Statewide Mobile Monitoring Initiative (see item 4 below), and may also

include deploying sensors on towers, utilizing aircraft and satellites, additional analysis of air samples in laboratories, and others, coupled with GHG inventories (with emission factors to estimate total emissions). Explain clearly and with sufficient detail in the body of the report what combination of direct and indirect measurement techniques MV uses now and expects to use in the future to fully justify its existing and future GHG emission quantification and strategies, including: identifying major sources, tracking progress on emissions reduction targets, and recommending policy decisions to our City Council.

(b) There are existing agreements with projects already approved or under construction (e.g. World Logistics Center GHG and its Pollutant Emissions Reduction measures) that will also require monitoring their progress on their emission reduction measures. Please explain the role of the City with respect to compliance with implementation of all contracts’ emission mitigation measures, who will be responsible for such implementation, what penalties will be applied (monetary or other otherwise) for non-compliance, and why your approach is appropriate and justified. Also provide a list of all contracts and agreements with committed reduction measures in the City, and include a description of the mitigation measures of the applicable sections.

Response to Comment C12-3

CEQA Guidelines § 15183.5(b) requires “qualified greenhouse gas (GHG) reduction plans” to “establish a mechanism to monitor the plan’s progress toward achieving the [specified GHG emissions] level.” The

Guidelines do not specify what type of mechanism should be used to monitor and leaves the development of the monitoring program to the Lead Agency. While air quality and GHG emissions are often discussed together, they represent distinct environmental issues with different scales of impact.

Air quality refers to the concentration of pollutants like ozone, particulate matter, and nitrogen oxides in the atmosphere. While the proposed CAP is specifically designed to address GHG emissions (e.g., carbon dioxide [CO₂], methane [CH₄], and nitrous oxide [N₂O]) through targeted mitigation strategies that reduce the City's contribution to global climate change, it also recognizes and incorporates the co-benefits to local air quality that result from many of these actions. For example, transitioning to clean energy and reducing vehicle emissions not only lower GHGs but also improve air quality, delivering immediate health and environmental benefits to the region. Although air quality is related and improving air quality is considered a co-benefit of the proposed CAP, monitoring associated with the proposed CAP will specifically be related to implementation of specific actions and completing regular GHG emissions inventories using current data to track progress towards the plan's targets. As stated in the proposed CAP, *"the City will conduct routine community GHG emissions inventories in alignment with established protocols and climate commitments every two to three years (see page 112 of the proposed CAP)."*

Project applicants are required to comply with the specific mitigation measures identified during the approval of their project. These measures are designed to reduce environmental impacts and ensure consistency with the proposed CAP. Compliance with these mitigation requirements will be tracked through a Mitigation Monitoring and Reporting Plan (MMRP), included as Section 4.0 of the Revised Final EIR, which is coordinated with the City separately from the proposed CAP as part of ongoing permitting and approval processes to track accountability and transparency throughout project implementation.

See also Response to Comment C12-2 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment C12-4

3. Moreno Valley Utility - The Table 3-3, Measure BE-1 of the draft CAP calls for the MV utility to procure or offset 70% of its retail "electricity from renewable energy sources by 2030 and 100% of electricity from renewable energy sources by 2045" (p. 39), and specifically requests for "comprehensive electrification, infrastructure and capacity studies" (ibid) to assess the viability to transition the MVU to 100% renewable energy by 2045.

The overall complementary feasibility study required by Table 3-3 includes: (i) Electric energy and demand forecasts to plan of necessary infrastructure upgrades and inform the scale of new renewable energy sources required, (ii) Assessing long-term energy contracts to replace non-renewable sources with renewable power or Renewable Energy Credits (RECs), (iii) Creating an Integrated Resource Plan (IRP) to forecast future energy needs and renewable energy targets through 2045, and (iv) Formalizing an electric capital improvement plan, focusing renewable energy infrastructure and distribution needs, evaluating potential barriers, funding sources, and impacts on electricity rates.

Response to Comment C12-4

This comment is noted. No environmental issue is raised.

Comment C12-5

(a) The currently approved MVU IRP (April 2025) has renewable energy targets of 60% by 2030, and renewable and zero carbon target (carbon free) of 100% by 2045 (MVU IRP p. 2 and p. 29). The overall feasibility study described above in the draft CAP requires to cover the 70% goal by 2030 instead of only 60%. This should be addressed in a new study.

(b) Furthermore, publicly-owned utilities are already studying the possibility of reaching a renewable energy goal of 100% by 2035 (e.g. Los Angeles Department of Water and Power), and MV should look into reaching 100% by 2035, the technology is available, and the prices reasonable. Thus, the feasibility study referenced above should include infrastructure and energy resource needs (such as solar and battery storage and/or others - City-owned or contracted-), and capital improvements to achieve this 100% by 2030 goal, and our City leaders should be provided with the study findings so they can make an informed decision.

(c) The feasibility study should also provide an analysis and case study that consider in its demand forecast the tech industry's push for Artificial Intelligence (AI) data centers. These centers can push the demand for electricity between 4-12% within the next 3 years beyond what is usually analyzed, and Amazon and others are key factors in this expected demand increase because they are expanding into the energy business. This will require "expensive upgrades to the electric grid, a cost that will be shared with residents and smaller businesses through higher rates unless state regulators and lawmakers force tech companies to cover those expenses" (The Press-Enterprise, Aug. 18, 2025, p. A8). This information is key for our City leaders, so they can make informed decisions, and should be provided to them.

(d) The MVU should also assess the feasibility of accelerating the installation of charging infrastructure beyond the current MVU IRP proposal; the California Energy Commission recently made available \$55 million of incentives to build fast-charging infrastructure (Fast Charge California Project), and this is consistent with various CA State agencies recent recommendation to accelerate Zero-Emission Vehicle deployment that "support public health, climate action, and economic resilience, especially in communities most affected by pollution" (Report to the Governor ... on ZEV Deployment, Aug. 19, 2025, p. 1).

(e) When will this additional and complementary study (Feasibility #1 Study), which would cover additional infrastructure, energy resource needs, and capital improvement program, be completed? Or, if no additional studies are needed, explain clearly why in light of these comments provided.

Table 3-3 (p. 2, also calls for a plan and feasibility study to convert all customers within the Moreno Valley City Limits to MVU.

(f) It will be important that the City study whether it should also create its own workforce for utility operations instead of depending on the contracted force that generally has been very expensive to the

City (that was a recommendation provided by the MVU Commission in 2018). Revisiting this issue is worth it if we still have it.

(g) When will this (Feasibility #2 Study) be completed and available to the public? If it is not going to be conducted, please explain clearly why and justify your answer.

Response to Comment C12-5

The comment has been noted for the record and will be considered when the work scope is developed for the feasibility studies during implemented by the Lead Agency. The comment does not raise a new environmental issue or require further analysis pertaining to the Revised Draft EIR or proposed CAP. No revisions are necessary, and no further response is warranted or required.

Comment C12-6

The MVU has a power percentage limit on solar installation for large building loads.

(h) Please provide an explanation (technical and/or otherwise) on why such a limit is required, and what is the MVU doing to maximize such a limit. It is important that large warehouses and other buildings are allowed to cover close to 100% of their power needs, due to the air quality crisis experienced in Moreno Valley.

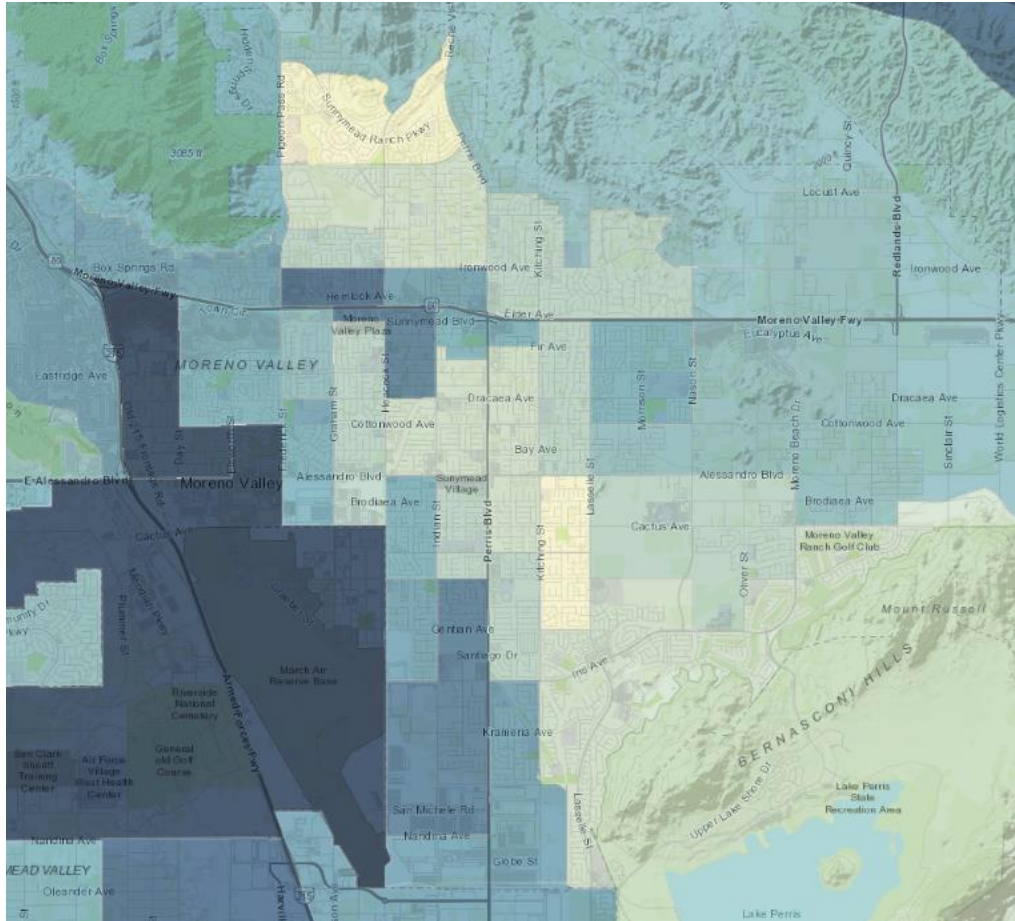
Response to Comment C12-6

This comment has been noted for the record. This comment is not directly related to the scope of the proposed CAP or the adequacy of the analysis contained in the Revised Draft EIR. See also Response to Comment C12-2 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment C12-7

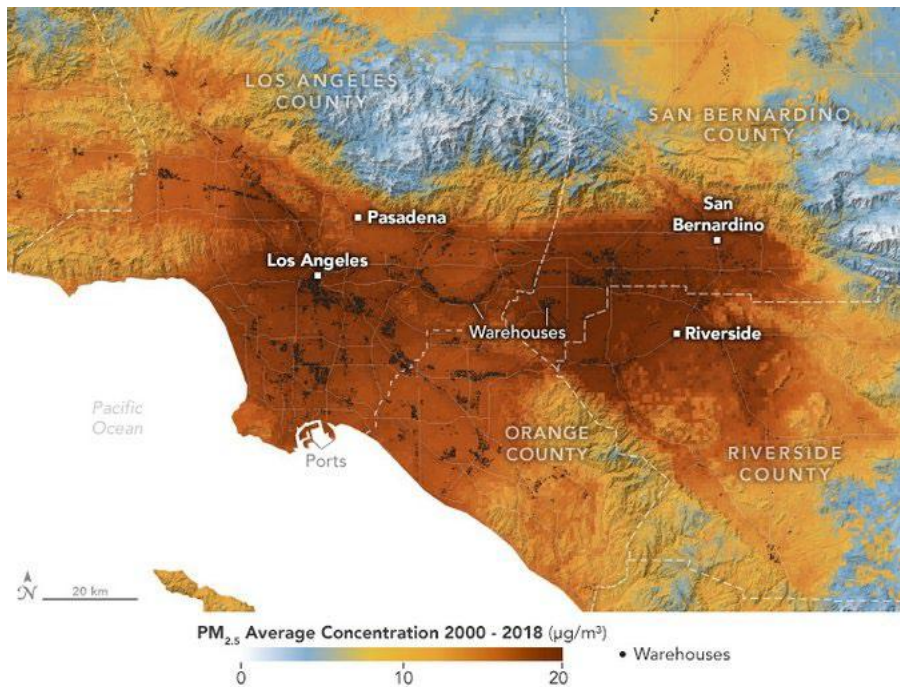
4. Environmental Justice - It is well chronicled in the news that the Inland Empire has one of the worst air qualities in the country, the American Lung Association gives routinely an F for air quality reports, and "Inland residents suffer higher rates of asthma and other ailments linked to air pollution" (The Press-Enterprise, July 30, 2025, p. 6). Although the logistics industry brings needed jobs to the Inland Empire, the pollution from diesel exhaust created by big trucks and freight trains connecting to warehouses is contributing to our failing air quality and health. Fig. 2 below shows the pollution burden percentile for Moreno Valley - you can see that more than 50% of the City has a burden of 50% or higher, which indicates an area that is heavily impacted by pollution and environmental burdens due to its "proximity to highways, industrial operations, and the nearby Air Force base" (MV IRP, p.43)

Fig. 2 Pollution Burden Percentile by Census Block in Moreno Valley (MV IRP, p. 44)



Furthermore, Fig. 3 below confirms what we already know, that "areas with large warehouses, or a large number of warehouses, ha[ve] higher levels of airborne contaminants than those with fewer or smaller warehouses" (The Press-Enterprise, July 30, 2025, p. A6). This proliferation of warehouses and its associated truck and freight rails are the "primary sources of pollutants like nitrogen oxides (NOx) and Particulate matter (PM), which disproportionately impact nearby [Disadvantaged Communities]", and there are already too many of those in the State.

Fig. 3 Earth Observatory Website (accessed 8/12/25) - Where Warehouses are Built, Air Pollution Follows



But there is an initiative that provides additional hope. The CA Statewide Mobile Monitoring Initiative (SMMI) can help significantly to achieve environmental justice by providing very- specific-local air quality data in communities that have historically suffered the worst of pollution disparities. This initiative collects data block-by-block by identifying real, on the ground pollution levels with sensor-equipped vehicles and mobile laboratories that can gather comprehensive air quality information, to better support actions to protect public health, in populations with low-income communities and households. This CARB project puts a particularly important piece in place to empower residents with high resolution data so that they are better protected, policymakers will have in their hands readily information that will allow them to be more responsive, and in the end our communities will be healthier.

Response to Comment C12-7

Please refer to Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of the Revised Final EIR. Topical Response 4 discusses how environmental justice is addressed within the Revised Draft EIR and the Project's consistency with the requirements of SB 535, SB 1000, and AB 98. It also identifies the analysis within the Revised Draft EIR that evaluates the Project's impact on sensitive receptors, including disadvantaged communities, and the mitigation that would be implemented to address these impacts. As further discussed in Topical Response 4, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration.

Issues concerning environmental justice were never raised in the prior litigation. The California doctrines of res judicata, also referred to as claim preclusion, and collateral estoppel, also referred to as issue preclusion, bar relitigation of issues that were, or could have been, litigated in a prior lawsuit. *Ione Valley*

Land, Air, and Water Defense Alliance, LLC v. County of Amador, 33 Cal.App.5th 165, 170-171 (2019). As such, there was no requirement that the environmental impacts of the Project on environmental justice be analyzed in the Revised Draft EIR. Moreover, PRC § 21083.1 states the Legislature’s intention that courts not interpret CEQA or the CEQA Guidelines “in a manner which imposes procedural or substantive requirements beyond those explicitly stated in this division [CEQA] or in the state guidelines.” Neither CEQA nor the CEQA Guidelines requires the analysis of environmental justice-related impacts. No further response is warranted or required.

Comment C12-8

(a) Add to your GP EJ Section an explanation as to what extent is the City of Moreno Valley participating in this effort, how the detailed information obtained will be used to better protect our health on our environmental justice neighborhoods. Please make sure Moreno Valley is part of this program.

(b) The CA Statewide Mobile Monitoring Initiative is expected to be completed by the Summer of 2026. Please make available to the public the data obtained and any analysis tools developed in the project, and conduct informational workshops for the public on the progress and additional strategies developed as part of your Moreno Valley GHG mitigation program, even if the City is not participating in the project.

Response to Comment C12-8

The comment is noted for the record. Please see Response to Comment C12-7. The remaining portion of the comment does not specifically pertain to any significant environmental issues or impacts or any measures to avoid or mitigate any identifiable significant environmental impacts. The commenter should note that comments on the content of the General Plan elements will not receive a detailed response in this Final Revised EIR as the lead agency is only required to evaluate comments on a draft EIR and prepare written responses that describe the disposition of any “significant environmental issues” raised by commenters, for inclusion in its final EIR, not the content of merit of the Project in and of itself (PRC §21091(d); 14 CCR §§15088, 15132, 15204). No further response to this comment is warranted or required.

Comment C12-9

As we all know and as noted above, the current impact of GHG emissions and other pollutants in the Moreno Valley area has had an adverse impact on the health of its residents, and with the worst effects on our Disadvantaged Communities and Low-income Communities.

(c) With the current technology improvements and initiatives, it is time for Moreno Valley to consider a temporary moratorium on warehouses to have additional time to determine at a more localized level and through appropriate sensors the actual conditions of air quality and its true impacts to our community, and plan additional strategies to better support and protect public health, especially in communities with low-income and disadvantaged areas. This is what environmental justice is all about. Many cities have considered and implemented a warehouse moratorium while studying the accumulated pollution impact of warehousing on their communities, and others have outright rejected warehouse projects for certain

areas due to concerns of traffic, pollution, and lowering property values. During the last six years the following cities have taken such action(s) (that I am aware of): Chino, Pomona, Colton, Riverside, Redlands, Jurupa Valley, Norco, and Beamont. Please respond as to whether this moratorium will be considered, or if not, explain and justify clearly why not.

Response to Comment C12-9

The comment is noted for the record. Please see Response to Comment C12-7. No further response to this comment is warranted or required.

Comment C12-10

How can the Moreno Valley Utility help?

(d) As noted in item 3 above, the City needs to assess the possibility of reaching the renewable retail energy goal of 70% by 2030 instead of only 60%, a renewable and carbon neutral energy goal of 100% by 2035, along with accelerating the installation of vehicle charging infrastructure and additional installation of solar and battery storage or other renewable energy (City-owned or by contract) beyond the current MVU IRP proposal. This information is key to our City government so they can make an informed decision now.

Also as noted above, the CEC recently made available \$55 million of incentives to build fast- charging infrastructure (Fast Charge California Project), and “[p]riority will be given to locations in tribal areas and disadvantaged and low-income communities” (The Press- enterprise, August 18, 2025, p. A1), and various CA State agencies have recently made recommendations to the Governor on strategies to accelerate Zero-Emission Vehicle deployment that “support public health, climate action, and economic resilience, especially in communities most affected by pollution ... low-income communities of color” (Report to the Governor ... on ZEV Deployment, Aug. 19, 2025, pps. 1-2).

Our communities deserve environmental justice in the form of these accelerated strategies, with actual infrastructure and jobs available to them (coupled with previous training); they are consistent with the State's vision, and we have all been suffering enough.

Response to Comment C12-10

The comment is noted for the record. Please see Response to Comment C12-5. No further response is warranted or required.

Comment C12-11

Other related comments:

(e) GP EJ. 1-3 (p. 8-9) - Statement needs to clarify/require that "sensitive receptors (families/schools/parks) would not be built next to toxic air contaminants like warehouses", and more importantly, that "warehouses should not be built next to sensitive receptors".

(f) GP EJ. 1-9 (p. 8-9) - Statement needs to be modified as follows: "Designate truck routes that avoid sensitive land uses, AT ALL TIMES", and provide an explanation on what the City (or regulatory agency) is doing (or expects to do) to hold trucks accountable for compliance, and what penalties are applied (monetary or other otherwise) for non-compliance. If nothing is being done, explain clearly why, and justify your answer.

Response to Comment C12-11

The comment is noted for the record. Please see Response to Comment C12-8. As further discussed in Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment C12-12

5. Climate Change Vulnerability and Adaptation Assessment - At this stage of time, previous environmental hazards have been already worsened by Climate Change and have had an irreversible impact in our City. Moreno Valley residents need to receive information and guidance beyond the current draft CAP analysis here proposed, by providing assessments on current and future population health and infrastructure vulnerability, and specific recommendations to increase resilience against these increased risks.

(a) The draft CAP (or a complementary study) needs to perform the following assessment with recommendations to fully protect MV residents from increased risks in our environment:

(i) Conduct an assessment that determines existing hazards (e.g. flooding, wildfire and smoke, flooding, seismic hazards),

(ii) Analyze how these conditions are impacted by Climate Change effects (e.g. extreme heat, worst air quality, drought and water supply, etc.),

(iii) Provide a vulnerability scoring on the increased risks, and

(iv) Recommend implementation, monitoring, and adjustment strategies that the City and its residents can pursue that protect community members and their property. Please respond as to whether this analysis will be conducted, by whom and by when, or if and justify clearly why not.

Response to Comment C12-12

The comment is noted. Per the requirements of SB 379 (Resilient California, 2016), *"upon the next revision of a general plan or local hazard mitigation plan, the safety element is to be updated as necessary to address climate adaptation and resiliency strategies applicable to the city or county."* The City's Local Hazard Mitigation Plan (LHMP) was updated in 2023 and meets the State's requirements. As such, the comment does not raise a new environmental issue or require further analysis as part of the proposed

CAP development process. As such, no revisions are necessary, and no further response is warranted or required.

Comment C12-13

6. Transportation System/Circulation - As noted above the current traffic along the 60 and 215 freeways is a nightmare, and with the upcoming extreme development of warehouses and associated number truck trips, such nightmare will be even worse. The transportation section of the draft EIR provides descriptions of regional and local streets and freeway improvements (pps. 572-577) and claims that there are no significant impacts found for the circulation system, but significant and unavoidable impacts for VMT.

(a) Please provide answers to the following questions and include them in the body of the updated EIR:

- How will the construction of transportation upgrades be handled to minimize disruptions on an already clogged freeway system?

- What is our resort (alternative) as residents when significant and unavoidable impacts are found for a project?

(b) GP EJ 1-9 (p. 8-9) and GP (p. 4-26, 27 and maps C-5/6): Please provide information on what actions is the City (or other regulatory agency) are taking to protect MV residents against the circulation issues that we have been experiencing on Heacock St., Iris Blvd, and Perris Blvd; these are used as toxic diesel truck routes that pass thru several playgrounds, parks, childcare and/or school facilities and this is plainly unacceptable, as they impact our health and those of our families and run counter to the intent of Assembly Bill 98 (AB 98).

Response to Comment C12-13

The comment is noted for the record. Please see Response to Comment C12-8. As concluded in Section 4.16.7.1, Topic 1: Circulation System, of the Revised Draft EIR, the 2024 GPU would implement roadway and circulation improvements, new bicycle and pedestrian facilities, as well as the policies and actions listed under goals C-1 through C-3 in order to improve the circulation network through 2024 GPU buildout in 2040. Therefore, the Project would not conflict with a plan, ordinance, or policy addressing the circulation system, and impacts would be less than significant. The evaluation of impacts related to this threshold reviews the proposed circulation network and the 2024 GPU Circulation Element, which would implement the following goals, policies, and actions to improve the Planning Area circulation network under Topic 1: Circulation System (see pages 4.16-15 through 4.16-27 of the Revised Draft EIR).

However, VMT is analyzed under a different threshold, Topic 2: Vehicle Miles Traveled, which modeled the VMT from the Project and concluded that some methods of analyzing VMT showed an increase in VMT based on several metrics (shown in bold in Table 4.16-5 of the Revised Draft EIR). As a result of some metrics that exceeded the significance criteria based on certain analysis methodologies, impacts would be significant (see analysis on pages 4.16-27 through 4.16-31). The 2024 GPU includes TDM goals, policies, and actions that would support VMT reductions; however, anticipated VMT reductions associated with

proposed TDM measures would not be large enough to guarantee that significant impacts could be fully mitigated. Therefore, projected VMT generated under buildout of the 2024 GPU would be inconsistent with CEQA Guidelines § 15064.3, subdivision (b). This would be considered a significant and unavoidable impact.

Section 4.16, *Transportation*, of the Revised Draft EIR, includes a list of regional transportation projects listed below have broad regional significance and would reduce congestion within the Planning Area by increasing capacity of the regional transportation network (see Section 4.16.5.1, Topic 1: Circulation System, page 4.16-7). On a project level, future discretionary projects subject to (and not exempt) from CEQA would be required to analyze construction-related impacts related to transportation. As discussed in Section 4.16.5.4, Topic 4: Emergency Access, of the Revised Draft EIR, construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures (see page 4.16-32 of the Revised Draft EIR).

Under CEQA, a Statement of Overriding Considerations (SOC) is a written finding adopted by an agency to justify approving a project with significant and unavoidable environmental impacts that cannot be fully mitigated. The SOC must detail the specific reasons, based on substantial evidence in the Final Revised EIR and project record, why the project's social, economic, and other benefits outweigh its adverse environmental effects (CEQA Guidelines § 15093 and PRC § 21081). Should the City decide to adopt the Project and certify the Revised EIR, they will provide an SOC to the public.

Please refer to Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, and Topical Response 4, *Environmental Justice-related Legislation Applicable to the Project*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. All comments will be provided to City decision-makers for their review and consideration. See also Response to Comment C12-2 regarding the purpose of the proposed CAP. In light of the foregoing, no further response to this comment is warranted or required.

Comment C12-14

7. Parks and Public Services - The City has planned several park locations along Ironwood Ave. (GP p. 5-3, map PPS-1), and it appears to be thousands of acres behind schedule.

(a) Parks are recognized by the City as important places for family and children to enjoy, and also to help with cleaning the air and improve the aesthetics of the City. We as residents need them as soon as possible - please provide a specific timeline for completion of all parks that are behind schedule, and include it in your GP.

Response to Comment C12-14

This comment is noted. Please refer to Topical Response 1, *Scope of the Revised Draft EIR*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. Topical Response 1 provides a background of the CEQA lawsuit that was filed by the Sierra Club in Riverside County Superior Court challenging the validity of the 2021 GPU EIR and CAP, the Writ and Statement of Decision issued by the Court, and limited scope

of the analysis prepared in the Revised Draft EIR. Only comments that specifically address the revisions made will receive a detailed response in the Revised Final EIR. However, all comments made on the Revised Draft EIR will be included in the administrative record and provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment C12-15

8. Noise - The Noise section of the draft EIR determines that noise levels where I live will increase and impacts will be significant beyond "conditionally acceptable", and there is no feasible mitigation, thus making impacts unavoidable (pps. 508-509).

(a) Question with answer needed to be included in your updated EIR:

- What is our resort alternative) as residents when significant and unavoidable impacts are found for a project?

Response to Comment C12-15

Please refer to Response to Comment C12-13 as well as Topical Response 3, *The Revised Draft EIR Is a Programmatic Document*, included in Section 2.1, *Topical Responses*, of this Revised Final EIR. As further discussed in Topical Response 3, all feasible mitigation appropriate for a programmatic document is included in the Revised Draft EIR, and no additional mitigation measures are required. However, future discretionary project subject to (and not exempt from) CEQA would be reviewed on a project-level. As summarized in the Executive Summary of the Revised Draft EIR (see page S-25), the Project would implement MM NOS-1 and MM NOS-2, which require new developments to comply with interior noise standards. Construction noise controls include restricted hours, equipment maintenance, and alternative low-noise methods. Projects near fragile structures require noise and vibration analyses to ensure compliance with Federal Transit Administration thresholds. Regardless, all comments will be provided to City decision-makers for their review and consideration. No further response is warranted or required.

Comment C12-16

9. Public Workshops and Distribution of Information - With the new drafts proposed for the CAP, EIR and GP, the City of Moreno Valley has taken initial good and strong steps to do its part at the local, regional and state levels to address an existential issue of our times: the air pollution and its co-related impacts that are affecting our health, that of our families and our fellow human beings.

The American Lung Association's "State of the Air" report (April 2025) shows Riverside County as one of the worst polluted places in the state with ozone levels of 113.7 (wgt. ave.) and with 205 unhealthy air quality and 91 of serious unhealthy air quality days, second only to our neighbor, San Bernardino County. This and other reports from the World Meteorological Organization (May 2025) and the United Nations (May 2025) indicate that climate change has had, and continues to have extreme adverse impacts on air quality and our environment (temperatures are expected to continue at record levels for the next five years and with all of its collateral damage). Thus comes the urgency to reduce the sources of emissions

that contribute to GHG emissions and other pollutants, and to keep all our residents (regardless of limitations) informed and to give them an opportunity have a say.

(a) Once the City considers all initial public comments and develops another draft, it will be important that the City conducts Public Workshops to educate the public on the content and importance of these documents, and to receive additional input. Please provide possible dates for these workshops, or if no public informational workshops will be conducted, explain why not.

(b) All English-limited Moreno Valley residents need to be provided a meaningful opportunity to be educated and participate in the development and approval of the draft CAP, EIR and GP. For example, about 60 percent of the Moreno Valley residents are Hispanic, and a portion of them only speak Spanish. There are either no documentation or summaries in their language that describe the content and development process of the draft CAP, EIR and GP, and if there are, they are not effectively distributed.

Please explain how advertising processes and informational documents will be improved or done differently so that English-limited City residents are properly and timely informed and they can participate in a matter that may have significant impacts in their lives and that of their families. Not providing a meaningful opportunity to all residents is a failure to provide equal opportunity of participation to all - this is a moral and ethical issue that needs to be resolved.

Response to Comment C12-16

California Constitution, Article III, Section 6, designates English as the official state language for California and prohibits the State from diminishing or ignoring the role of the English as the common language of the State of California. Neither CEQA nor the CEQA Guidelines requires that an EIR must be presented in Spanish. PRC § 21083.1 states the Legislature's intention that courts not interpret CEQA or the CEQA Guidelines "in a manner which imposes procedural or substantive requirements beyond those explicitly stated in this division [CEQA] or in the state guidelines." Moreover, due to the voluminous amount of material related to the Project and the environmental review of the Project, which includes numerous technical studies, state regulations, case opinions, etc. which were drafted in English, it would require an extraordinary amount of time, resources and cost to effectively and efficiently translate every document to Spanish and/or any other language that may be requested by any other group similarly situated with respect to their level of proficiency with the English language.

Notwithstanding, the City has implemented Wordly, an AI-powered translation service that provides real time, audio-to-text translation support at public meetings including those that will be held for review and consideration of the Project and the Revised Final EIR. This user-friendly technology provides access to instant translations in multiple languages without the need for human interpreters. Wordly's easy-to-use, seamless, AI-driven application allows residents to follow meetings in their preferred language through their smartphones, tablets, or computers, making civic participation more accessible than ever. This relatively new system has been recognized as a valuable tool in bridging communication gaps and strengthening civic involvement. With Wordly in place, the City continues to lead the way in utilizing innovative solutions to serve its diverse and dynamic community. In conclusion, since the City is not

obligated by either the State Constitution or CEQA to provide Project materials in any language other than English, and in light of the logistical challenges, the City will not be translating any of the Project materials or related environmental documents to any other language. As such, no further response to this comment is warranted or required.

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3.0 CORRECTIONS AND ADDITIONS TO THE REVISED DRAFT EIR

In accordance with CEQA Guidelines Section 15132 (a), this section of the Revised Final EIR provides changes to the Revised Draft EIR that have been made to clarify, correct, or supplement the information provided in that document. These changes and additions are due to recognition of inadvertent errors or omissions, and to respond to comments received on the Revised Draft EIR during the public review period. They also contain changes in the analysis of air quality impacts and greenhouse gas (GHG) emissions in the Revised Draft EIR as a result of the withdrawal of Clean Air Act waivers, previously granted to California, in June 2025. The changes described in this section do not add significant new information to the Revised Draft EIR that would require recirculation of the Revised Draft EIR. More specifically, CEQA requires recirculation of a Revised Draft EIR only when “significant new information” is added to a Revised Draft EIR after public notice of the availability of the Revised Draft EIR has occurred (refer to California Public Resources Code [PRC] Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. Section 15088.5 of the CEQA Guidelines specifically states:

New information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. ‘Significant new information’ requiring recirculation includes, for example, a disclosure showing that:

- *A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*
- *A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.*
- *A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.*
- *The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.*

CEQA Guidelines Section 15088.5 also provides that “[re]circulation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR... A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.”

As demonstrated in this Revised Final EIR, the changes presented in this section do not constitute new significant information warranting recirculation of the Revised Draft EIR as set forth in CEQA Guidelines

Section 15088.5. Rather, the Revised Draft EIR is comprehensive and has been prepared in accordance with CEQA.

Changes to the Revised Draft EIR are indicated below under the respective EIR section heading, page number, and paragraph. Paragraph reference is to the first full paragraph on the page. The revisions, clarifications, or corrections to the Revised Draft EIR sections described below also apply to the executive summary of the Revised Draft EIR. Deletions are shown with ~~strike through~~ and additions are shown with double underline.

Executive Summary

- Page S-12, Table S-1, Summary of Environmental Impacts, MM AQ-4 in the third column and a typographical error in the last column are revised as follows:

Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
Would the project expose sensitive receptors to substantial pollutant concentrations?	Localized construction and operational emissions associated with future development that would be accommodated under the proposed Project could exceed the SCAQMD's LST thresholds. Therefore, construction and operational impacts related to sensitive receptors would be considered potentially significant.	<p>AQ-4: Prior to issuance of a grading permit, if two or more dust generating construction projects occur within 1,000 meters of each other, which collectively will disturb 15 acres or more and which have demolition, excavation, or grading activity scheduled to occur concurrently, a Localized Significance Threshold analysis shall be prepared <u>for construction and operations</u>. If the LST analysis determines that the established Localized Significance Thresholds for NO_x, PM_{2.5}, or PM₁₀ would be exceeded, then modifications to construction equipment profiles, modifications to construction schedules, or additional pollution reduction measures shall be implemented to ensure that none of the Thresholds will be exceeded.</p> <p>AQ-5: A project-specific Health Risk Assessment (HRA) shall be conducted for future development projects that would generate TACs within 1,000 feet of sensitive receptors, pursuant to the recommendations set forth in the CARB Air Quality and Land Use Handbook. It is noted that AB 98 requires proposed industrial projects within 900 feet of sensitive receptors to conduct an operational HRA. The HRA shall evaluate a project per the following SCAQMD thresholds:</p> <ul style="list-style-type: none"> • Carcinogens: Maximally Exposed Individual risk equals or exceeds 	<p>Construction - Significant and Unavoidable</p> <p>Operation - Less than Significant Significant and Unavoidable</p>

		<p>10 in one million. For cumulative cancer risk, the maximum exposed individual risk equals or exceeds significance thresholds established by SCAQMD.</p> <ul style="list-style-type: none"> • Non-Carcinogens: Emit toxic contaminants that equal or exceed 1 for the Maximally Exposed Individual. <p>If projects are found to exceed the SCAQMD's thresholds, mitigation, including but not limited to requiring heavy-duty trucks, forklifts and/or yard trucks to be zero-emission, forbidding trucks from idling for more than three minutes, installing photo-voltaic systems, running conduit for future electric truck charging, requiring all stand-by generators to be non-diesel, designing to LEED green building certifications, and improving vegetation and tree canopy for shade, shall be incorporated to reduce impacts to below SCAQMD thresholds. The HRA shall be submitted to the City Planning Department to demonstrate that none of the Thresholds will be exceeded prior to issuance of building permits for any future discretionary residential or residential mixed-use project.</p>	
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2. Page S-21, Table S-1 Summary of Environmental Impacts, GHG-2 is revised as follows:

Threshold	Impact Discussion	Mitigation Measure	Significance After Mitigation
Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.	GHG emissions from buildout under the 2024 GPU would not meet applicable thresholds, and a potentially significant impact would occur without additional measures. The proposed CAP developed a Qualified GHG Reduction Strategy that would reduce GHG emissions to	<p>GHG-1: The City shall monitor implementation of the CAP and periodically update the CAP, adding or enhancing Actions and Measures to achieve City-specific reductions goals in line with SB 32 and AB 1279. Specifically, the City shall:</p> <ul style="list-style-type: none"> a) Monitor continuously and report annually on CAP implementation activities. The annual monitoring report shall include the implementation status of each Action and Measure b) Calculate GHG emission reductions annually and monitor progress towards achieving the performance targets of each Action and Measure c) Update the City-wide GHG emissions 	Less than Significant with Mitigation Incorporated

	<p>align with the State's goals and recommendations. These strategies would serve to reduce GHG emissions associated with transportation, building energy, solid waste, water, and wastewater. Thus the 2024 GPU does not meet the threshold, and the impact is potentially significant. However, with the adoption and implementation of the proposed CAP, GHG emissions generated by the Project would be reduced to meet State GHG reduction targets. Therefore, the Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of GHGs, and impacts would be less than significant..</p>	<p>inventories and targets aligned with SB 32 and AB 1279 every two to three years, in alignment with the five-year cycle specified below</p> <ul style="list-style-type: none"> d) Prepare and adopt a fully updated CAP starting 2029, adopted by 2030, and every five years thereafter as needed if the inventories are showing the City is not on track to achieve the 2045 targets. e) Adopt Actions and Measures to close any "reduction gaps" between the updated inventories and applicable 2040 and 2045 goals no later than December 31, 2030 f) Create, enhance, expand, or replace Actions and Measures, as new technologies and programs emerge that warrant inclusion in the CAP <p>GHG-2: For each discretionary project subject to and not exempt from CEQA, the applicant shall:</p> <ul style="list-style-type: none"> a) Complete the City's GHG Emissions Analysis Compliance Checklist to assist with determining project consistency with the Moreno Valley CAP, and b) Incorporate appropriate GHG reduction measures to achieve their proportion of GHG emission reductions consistent with the assumptions of the CAP, and c) Document the infeasibility or inapplicability of CAP measures, and d) Propose alternative GHG reduction measures, as appropriate; or e) Demonstrate through a quantitative analysis that the project would not impede (or would facilitate) Moreno Valley's ability to meet the GHG emissions reduction targets. <u>Because GHG emissions from industrial land uses were excluded from the CAP, applicants of projects that include industrial uses must establish, with substantial evidence, applicable GHG targets or thresholds and perform quantitative analysis to assess potential impact.</u> 	
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Chapter 3.0, Project Description

1. Page 3-11, the third paragraph is revised as follows:

The 2024 GPU proposes two Community Center Concept Areas in the western portion of the City at the existing Moreno Valley Mall and The District shopping centers. The Moreno Valley Mall is generally bounded by State Route 60 ("SR 60") to the north, Towngate Boulevard to the south, Frederick Street to the east, and Day Street to the west. The Moreno Valley Mall was opened in 1992 and since that time, small and large tenants of the mall have left. With the prominence and popularity of e-commerce, the future viability of the mall is noted to be a challenge by many community members, but also as an opportunity for creative redevelopment with a mix of uses, including housing, that can be attractive to locals and visitors. The Moreno Valley Redevelopment Project, approved in 2023, included a Specific Plan Amendment to the Towngate Center Specific Plan to add four multi-family residential communities totaling 1,672 dwelling units, two new hotel operations, and a new three-story 60,000 square-foot office building.

2. Page 3-23, Table 3-3: Citywide Buildout Summary is revised as follows:

Table 3-3 Citywide Buildout Summary ¹							
	Residential Units			Employment (Nonresidential)			
	Low Density	Medium-High Density	Total Units	Commercial /Retail (sq. ft.)	Office (sq. ft.)	Light Industrial (sq. ft.)	Total Jobs
2024	39,452	13,596	53,048	7,288,053	465,215	33,746,988	65,303
2040	46,722	40,138	86,860	9,241,218	2,386,955	74,884,455	104,296
Change	7,270	26,542	33,812	1,953,165	1,921,740	41,137,466	38,993
SOURCE: Kimley-Horn and Associates, Inc., 2025							
1. Residential units and Employment Data <u>were</u> was calculated using the 2024 and 2040 Traffic Analysis Data.							
2. <u>The World Logistic Center (WLC) is accounted for in the 2040 light industrial square footage calculation.</u>							

Section 4.3, Air Quality

1. Page 4.3-1, the second paragraph is revised as follows:

This section analyzes the air quality impacts that could result from implementation of the Project, which consists of the 2024 General Plan Update (GPU), Associated Zoning Text Amendments to Title 9 (Planning & Zoning) and Zoning Atlas Amendments, and Climate Action Plan (CAP)... based on the existing and future land uses under both the 2024 GPU and the existing 2006 General Plan, the California Air Resources Board (CARB) Emissions Factor model (EMFAC2021) with updated adjustment factors, the energy use projections included in the CAP, and vehicle miles traveled (VMT) documented in the Vehicle Miles Traveled (VMT) Assessment (Appendix E)...

2. Page 4.3-26, Table 4.3-9 is revised as follows:

Table 4.3-9 Operational Criteria Pollutant Emissions						
Source	Maximum Pounds Per Day ¹					
	VOC	NO _x	CO	SO _x	PM10	PM2.5
2024 Existing						
Area	4,902	142	16,392	1	1	1
Energy	33	1,111	263	4	45	45
Mobile ²	3,298	3,890	31,941	73	4,240	1,102
Total Emissions	8,233	5,142	48,596	78	4,286	1,148
2040 Operations						
Area	5,956	200	23,223	1	1	1
Energy	59	1,573	457	7	82	82
Mobile ²	2,741 <u>2,748</u>	2,509 <u>2,936</u>	27,936	78	6,024 <u>6,069</u>	1,536 <u>1,553</u>
Total Emissions	8,736 <u>8,763</u>	4,283 <u>4,709</u>	51,617	86	6,107 <u>6,152</u>	1,620 <u>1,636</u>
Net	+503 <u>+530</u>	-859 <u>-433</u>	+3,020	+8	+1,821 <u>+1,866</u>	+472 <u>+488</u>
VOC = Volatile Organic Compounds; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO _x = Sulfur Dioxide; PM10 = Particulate Matter 10 microns in diameter or less; PM2.5 = Particulate Matter 2.5 microns in diameter or less.						
1. Total emissions may be off due to rounding.						
2. The mobile emissions include brake wear, tire wear, re-entrained road dust, and vehicle exhaust. <u>Includes EMFAC2021 adjustment factors.</u>						
Refer to Appendix B for calculations.						

3. Page 4.3-32, Table 4.3-11 is revised as follows:

Table 4.3-11 Chronic Hazard Assessment					
Location/Receptor Type		Chronic Hazard		Hazard Index Threshold	Exceeds Significance Threshold?
Area	Description	2024	2040		
Residential Receptors					
Area 1	Western Terminus of Carman Lane, northwest of the Iris Ave. and St. Croix St. intersection	0.0010	0.0008	1	No
Area 2	Northeast corner of the Cottonwood Ave. and Edgemont St. intersection	0.0018	0.0017	1	No
Area 3	North of Ironwood Ave., between Davis St. and Kevin St.	0.0014	0.0017	1	No
Area 4	Redlands Blvd., between Encelia Ave. and Eucalyptus Ave.	0.0017	0.0021	1	No
Area 5	Northwest corner of Lexington Way and Canterbury Downs Way	0.0008	0.0012	1	No
Student Worker Receptors					
Area 1	Rainbow Ridge Elementary School, 15950 Indian St. <u>Eastern Municipal Water District, southwest corner of the Edwin Road and Kitching St. intersection</u>	0.0009	0.0007	1	No
Area 2	Pacific View Charter School, 22695 Alessandro Blvd. <u>Northwest corner of Cottonwood Ave. and Old 215 Frontage Rd. intersection</u>	0.0048	0.0045	1	No
Area 3	Options for Youth, 23651 Sunnymead Blvd. <u>Northwest corner of Hemlock Ave and Heacock St</u>	0.0034	0.0040	1	No
Area 4	Calvary Chapel Christian School, 28010 Ironwood Ave. <u>Eucalyptus Ave. east of B St. (Riverside County Fire Station)</u>	0.0063	0.0072	1	No
Area 5	Ridge Crest Elementary School, 28500 John F Kennedy Dr. <u>Southwest of the SR 60 and Redlands Blvd. interchange</u>	0.0058	0.0071	1	No
Worker Student Receptors					
Area 1	Eastern Municipal Water District, southwest corner of the Edwin Road and Kitching St. intersection <u>Rainbow Ridge Elementary School, 15950 Indian St</u>	0.0007	0.0007	1	No

Area 2	Northwest corner of Cottonwood Ave. and Old 215 Frontage Rd. intersection <u>Pacific View Charter School, 22695 Alessandro Blvd.</u>	0.0024	0.0019	1	No
Area 3	Northwest corner of Hemlock Ave and Heacock St. <u>Options for Youth, 23651 Sunnymead Blvd</u>	0.0028	0.0034	1	No
Area 4	Eucalyptus Ave. east of B St. (Riverside County Fire Station) <u>Calvary Chapel Christian School, 28010 Ironwood Ave.</u>	0.0008	0.0010	1	No
Area 5	Southwest of the SR 60 and Redlands Blvd. interchange <u>Ridge Crest Elementary School, 28500 John F Kennedy Dr.</u>	0.0005	0.0006	1	No
1. The reported annual pollutant concentration is at the closest maximally exposed individual (MEI) to the Project.					
Refer to Appendix H, HEHRA for calculations.					

4. Page 4.3-33, the first paragraph is revised as follows:

The highest maximum chronic hazard index associated with DPM emissions from industrial operations within the City would be 0.0021 at the residential receptor in Area 4, 0.0072 at the ~~student~~ worker receptors in Area 4, and 0.0034 at the ~~worker~~ student receptor in Area 3. However, these levels are far below the hazard index threshold of 1. Therefore, chronic hazard impacts are less than significant (see the HEHRA, Appendix H, section 4.3, for more details).

5. Page 4.3-34, the last paragraph is revised as follows:

The cumulative setting for air quality includes the City and the Basin. The Basin is designated as a nonattainment area for State standards for O₃, PM₁₀, and PM_{2.5}. For federal standards, the Basin is designated as a partial nonattainment area for lead, ~~and extreme~~ and extreme nonattainment for O₃ and serious nonattainment for 24-hour standard and moderate nonattainment for annual standard for PM_{2.5}, attainment and serious maintenance for federal PM₁₀ standards, and unclassified or attainment for all other pollutants. Cumulative growth in population and vehicle use could inhibit efforts to improve regional air quality and attain the ambient air quality standards. However, as a result of plans and regulations, air quality in the Basin has improved over time despite population growth and increased vehicle usage.

6. Page 4.3-40, MM AQ-4 is revised as follows:

AQ-4: Prior to issuance of a grading permit, ~~if two or more dust-generating construction projects occur within 1,000 meters of each other, which collectively will disturb 15 acres or more and which have demolition, excavation, or grading activity scheduled to occur~~

~~concurrently,~~ a Localized Significance Threshold analysis shall be prepared for construction and operations. If the LST analysis determines that the established Localized Significance Thresholds for NO_x, PM_{2.5}, or PM₁₀ would be exceeded, then modifications to construction equipment profiles, modifications to construction schedules, or additional pollution reduction measures shall be implemented to ensure that none of the Thresholds will be exceeded.

Section 4.6, Energy

- Page 4.6-16, the second to last paragraph is revised as follows:

Buildout of the Project would result in increased consumption of energy for transportation uses. Trips by individuals traveling to, from, and within the City would largely rely on passenger vehicles or public transit. Passenger vehicles would be mostly powered by gasoline, with some fueled by diesel or electricity. Public transit would be powered by diesel or natural gas, and could potentially be fueled by electricity. Additionally, the City experiences higher volumes of heavy truck traffic which is generally powered by diesel. In 2020, CARB adopted the Advanced Clean Trucks Regulation which requires manufacturers to sell zero-emission trucks as an increasing percentage of their annual state sales starting in 2035. As a result, the number of diesel-fueled heavy trucks will decrease over time. However, the federal government nullified the U.S. EPA's waivers for the program and adjustment factors were applied to the EMFAC2021 values.

- Page 4.6-17, Table 4.6-10, 2024 GPU Buildout Transportation Fuel Consumption is revised as follows:

Table 4.6-10 2024 GPU Buildout Transportation Fuel Consumption			
Vehicle Fuel Type	Existing 2024	Proposed 2024 4 GPU (2040)	Net Change
		Gallons	
Diesel	1,276,186	1,752,111 <u>1,988,111</u>	+475,925 <u>+711,925</u>
Gasoline ¹	148,722,926	243,947,304 <u>244,014,548</u>	+95,224,468 <u>+95,291,622</u>
Liquefied Natural Gas	10,985	18,490 <u>23,073</u>	+7,505 <u>+12,088</u>
Total	150,010,097	245,717,995 <u>246,035,732</u>	+95,707,898 <u>+96,025,635</u>
1. Includes gasoline consumption by plug-in hybrid vehicles.			

3. Page 4.6-18, Table 4.6-11, *Moreno Valley Existing and Future Annual Electricity and Natural Gas Use*, is revised as follows:

Table 4.6-11 Moreno Valley Existing and Future Annual Electricity and Natural Gas Use			
Land Use Sector	Source	Annual Energy Consumption	
		Existing Conditions (2024)	Total 2040 Citywide Consumption
		Electricity (GWh/year)	
Residential	Area ¹	272.70	522.79
	Water ²	17.63	25.59
	Total Electricity	290.33	548.38
Nonresidential			
	Area ¹	341.43	787.73
	Water ²	52.05	113.64
	Total Electricity	393.48	901.37
Citywide Total		683.81	1,449.75
	Natural Gas (therms/year)		
Residential		18,149,722.45 18,149,722	25,257,259.45 25,257,259
Nonresidential (Commercial/Retail/Office)		2,202,824.00 2,217,915	20,517,304.00 2,863,730
Nonresidential (Industrial)		14,491,433	32,163,098
Citywide Total		20,352,546.45 34,859,070	45,774,563.45 60,248,087
1. Existing electricity consumption calculated based on existing consumption data from SCE and MVU. Future electricity data and natural gas based on CalEEMod defaults. Energy consumption values do not account for reductions due to increases in energy efficiency from compliance with future Building Energy Efficiency Standards and updates to CALGreen.			
2. Indoor water consumption and associated electricity consumption for water conveyance based on CalEEMod defaults.			

Section 4.8, Greenhouse Gas Emissions

1. Page 4.8-6, Table 4-8.4 is revised as follows:

Table 4.8-4 Moreno Valley GHG Emissions in 2024		
Source	2024 Baseline Emissions	
	MT CO ₂ e	Percentage
Transportation	758,601	52.4%
Energy (Non-Industrial)	404,213	27.9%
Energy (Industrial) ¹	<u>86,479</u>	<u>6.0%</u>
Solid Waste	189,721	<u>13.1%</u>
Water	6,724	<u>0.5%</u>
Wastewater	1,027	<u>0.1%</u>
Emergency Generators ¹	<u>919</u>	<u>0.1%</u>
Total	1,360,285 <u>1,447,684</u>	100%

SOURCE: Rincon, 2025.

1. Industrial sources are excluded from the CAP

2. Page 4.8-30, Table 4.8-6 is revised as follows:

Table 4.8-6 Moreno Valley GHG Emissions Inventories and Efficiency Metrics without CAP Measures					
	Backcasting (1990) ²	Baseline (2024)	Interim (2030)	Buildout (2040)	Forecast (2045)
Transportation	--	758,601	780,447	846,207	906,109
Building Energy	--	404,213	428,976	385,318	404,791
<u>Building Energy (Industrial)³</u>	--	<u>86,479</u>	--	<u>246,884</u>	--
Solid Waste	--	189,721	224,336	282,026	310,872
Wastewater	--	1,027	1,183	1,400	1,530
Water	--	6,724	5,744	903	0
<u>Generators³</u>	--	<u>919</u>	--	<u>1,091</u>	--
<u>Total (MT CO₂e)³</u>		<u>87,398</u>	--	<u>247,975</u>	--
Total (MT CO₂e)	1,401,312	1,360,285	1,440,687	1,515,855	1,623,302
Population	118,779	205,620	240,428	298,440	327,446
MT CO₂e Per Capita	11.80	6.62	5.99	5.08	4.96
SOURCE: Rincon, 2025. 1. Total emissions may be off due to rounding. 2. Because a GHG emissions inventory for the City does not exist in 1990, historical emissions levels were estimated using a State-level emissions change metric. This was backcasted as a total and not individual emissions sectors. 3. <u>Industrial sources not included in CAP. Total includes building energy and emergency generators.</u>					

3. Page 4.8-33, Table 4.8-9 is revised as follows:

Table 4.8-9 2024 GPU GHG Emissions Reduction Pathway			
GHG Emission Scenario	2030 GHG Emission (MT CO ₂ e)	2040 GHG Emission (MT CO ₂ e)	2045 GHG Emission (MT CO ₂ e)
Projected GHG Emissions (Adjusted Forecast)	1,440,687	1,515,855	1,623,302
<u>Advanced Clean Truck Adjustments</u>	<u>977</u>	<u>10,418</u>	<u>11,852</u>
GHG Emissions Reduction from Measure Implementation	454,115	1,090,223 <u>1,092,415</u>	1,478,141
GHG Emissions Remaining	986,572 <u>987,550</u>	425,631 <u>987,550</u>	145,161 <u>157,013</u>
GHG Emissions Reduction Target Pathway	987,683	408,667	0
Remaining GHG Emissions Reduction Gap	(1,111) <u>(134)</u>	16,964 <u>25,192¹</u>	145,161 <u>157,013</u>
Target anticipated to be met?	Yes	No	No

Table 4.8-9 2024 GPU GHG Emissions Reduction Pathway			
GHG Emission Scenario	2030 GHG Emission (MT CO ₂ e)	2040 GHG Emission (MT CO ₂ e)	2045 GHG Emission (MT CO ₂ e)
Notes: MT CO ₂ e = metric tons of carbon dioxide equivalent. Numeric numbers denoted in parentheses represent negative numbers. Values may not add up to totals due to rounding. 1. The GHG emissions remaining in 2040 was interpolated between 2030 and 2045. SOURCE: Rincon, 2025.			

4. Page 4.8-36 through 4.8-37, GHG-2 has been revised as follows:

GHG-2: For each discretionary project subject to and not exempt from CEQA, the applicant shall:

- Complete the City's GHG Emissions Analysis Compliance Checklist to assist with determining project consistency with the Moreno Valley CAP, and
- Incorporate appropriate GHG reduction measures to achieve their proportion of GHG emission reductions consistent with the assumptions of the CAP, and
- Document the infeasibility or inapplicability of CAP measures, and
- Propose alternative GHG reduction measures, as appropriate; or
- Demonstrate through a quantitative analysis that the project would not impede (or would facilitate) Moreno Valley's ability to meet the GHG emissions reduction targets. Because GHG emissions from industrial land uses were excluded from the CAP, applicants of projects that include industrial uses must establish, with substantial evidence, applicable GHG targets or thresholds and perform quantitative analysis to assess potential impact.

Section 4.16, Transportation

- Page 4.16-17, the fourth and fifth bullets listed under a. Circulation Network, 4.16.5.1 Topic 1: Circulation System is revised as follows:
 - CETAP [Community and Environmental Transportation Acceptability Process] West (also known as the Cajalco Road Improvements Project): 16-mile westerly extension of Mid County Parkway between I-15 in Corona and I-215 in Perris. This proposed project will provide an additional alternative east-west corridor from SR 91 between I-15 and I-215. This project is expected to begin construction in 2028.
 - ~~Cajalco Road Improvements Project: 16 mile transportation corridor to relieve traffic congestion in southwestern Riverside County near Corona and Perris. This project will provide an alternative east-west corridor to SR 91 between I 15 and I 215. This project is expected to begin construction in 2028.~~

Appendix B, Air Quality Impact Assessment

- Page 57, the last bullet point is revised as follows:

AQ-4: Prior to issuance of a grading permit, if ~~two or more dust-generating construction projects occur within 1,000 meters of each other, which collectively will disturb 15 acres or more and which have demolition, excavation, or grading activity scheduled to occur concurrently,~~ a Localized Significance Threshold analysis shall be prepared for construction and operations. If the LST analysis determines that the established Localized Significance Thresholds for NO_x, PM_{2.5}, or PM₁₀ would be exceeded, then modifications to construction equipment profiles, modifications to construction schedules, or additional pollution reduction measures shall be implemented to ensure that none of the Thresholds will be exceeded.

- Page 46, Table 11: Operational Criteria Pollutant Emissions is revised as follows:

Table 11: Operational Criteria Pollutant Emissions						
Source	Maximum Pounds Per Day ¹					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
2024 Existing						
Area	4,902	142	16,392	1	1	1
Energy	33	1,111	263	4	45	45
Mobile ²	3,298	3,890	31,941	73	4,240	1,102
Total Emissions	8,233	5,142	48,596	78	4,286	1,148
2040 Operations						
Area	5,956	200	23,223	1	1	1
Energy	59	1,573	457	7	82	82
Mobile ²	2,721 <u>2,748</u>	2,509 <u>2,936</u>	27,936	78	6,024 <u>6,069</u>	1,536 <u>1,553</u>
Total Emissions	8,736 <u>8,763</u>	4,283 <u>4,709</u>	51,617	86	6,107 <u>6,152</u>	1,620 <u>1,636</u>
Net	+503 <u>+530</u>	-859 <u>-433</u>	+3,020	+8	+1,821 <u>+1,866</u>	+472 <u>+488</u>
VOC = Volatile Organic Compounds; NO _x = Nitrogen Oxides; CO = Carbon Monoxide; SO _x = Sulfur Dioxide; PM ₁₀ = Particulate Matter 10 microns in diameter or less; PM _{2.5} = Particulate Matter 2.5 microns in diameter or less.						
1. Total emissions may be off due to rounding.						
23. The mobile emissions include brake wear, tire wear, re-entrained road dust, and vehicle exhaust.						
Refer to Appendix A for calculations.						

3. Page 50, Table 13: Chronic Hazard Assessment is revised as follows:

Table 13: Chronic Hazard Assessment					
Location/Receptor Type		Chronic Hazard		Hazard Index Threshold	Exceeded?
Area	Description	2024	2040		
Residential Receptors					
Area 1	Western Terminus of Carman Lane, northwest of the Iris Ave. and St. Croix St. intersection	0.0010	0.0008	1	No
Area 2	Northeast corner of the Cottonwood Ave. and Edgemont St. intersection	0.0018	0.0017	1	No
Area 3	North of Ironwood Ave., between Davis St. and Kevin St.	0.0014	0.0017	1	No
Area 4	Redlands Blvd., between Encelia Ave. and Eucalyptus Ave.	0.0017	0.0021	1	No
Area 5	Northwest corner of Lexington Way and Canterbury Downs Way	0.0008	0.0012	1	No
Student Worker Receptors					
Area 1	Rainbow Ridge Elementary School, 15950 Indian St. <u>Eastern Municipal Water District, southwest corner of the Edwin Road and Kitching St. intersection</u>	0.0009	0.0007	1	No
Area 2	Pacific View Charter School, 22695 Alessandro Blvd. <u>Northwest corner of Cottonwood Ave. and Old 215 Frontage Rd. intersection</u>	0.0048	0.0045	1	No
Area 3	Options for Youth, 23651 Sunnymead Blvd. <u>Northwest corner of Hemlock Ave and Heacock St.</u>	0.0034	0.0040	1	No
Area 4	Calvary Chapel Christian School, 28010 Ironwood Ave. <u>Eucalyptus Ave. east of B St. (Riverside County Fire Station)</u>	0.0063	0.0072	1	No
Area 5	Ridge Crest Elementary School, 28500 John F Kennedy Dr. <u>Southwest of the SR 60 and Redlands Blvd. interchange</u>	0.0058	0.0071	1	No
Worker Student Receptors					
Area 1	Eastern Municipal Water District, southwest corner of the Edwin Road and Kitching St. intersection <u>Rainbow Ridge Elementary School, 15950 Indian St.</u>	0.0007	0.0007	1	No

Area 2	Northwest corner of Cottonwood Ave. and Old 215 Frontage Rd. intersection <u>Pacific View Charter School, 22695 Alessandro Blvd.</u>	0.0024	0.0019	1	No
Area 3	Northwest corner of Hemlock Ave and Heacock St. <u>Options for Youth, 23651 Sunnymead Blvd.</u>	0.0028	0.0034	1	No
Area 4	Eucalyptus Ave. east of B St. (Riverside County Fire Station) <u>Calvary Chapel Christian School, 28010 Ironwood Ave</u>	0.0008	0.0010	1	No
Area 5	Southwest of the SR 60 and Redlands Blvd. interchange <u>Ridge Crest Elementary School, 28500 John F Kennedy Dr.</u>	0.0005	0.0006	1	No
1. The reported annual pollutant concentration is at the closest maximally exposed individual (MEI) to the Project					
Source: Refer to Health Effects and Health Risk Assessment (HEHRA).					

4. Page 51, the first paragraph is revised as follows:

The highest maximum chronic hazard index associated with DPM emissions from industrial operations within the City would be 0.0021 at the residential receptor in Area 4, 0.0072 at the ~~student~~ worker receptors in Area 4, and 0.0034 at the ~~worker~~ student receptor in Area 3. However, these levels are far below the hazard index threshold of 1. Therefore, chronic hazard impacts are less than significant, see HEHRA for more details.

5. Page 57, AQ-4 is revised as follows:

AQ-4: Prior to issuance of a grading permit, ~~if two or more dust-generating construction projects occur within 1,000 meters of each other, which collectively will disturb 15 acres or more and which have demolition, excavation, or grading activity scheduled to occur concurrently,~~ a Localized Significance Threshold analysis shall be prepared for construction and operations. If the LST analysis determines that the established Localized Significance Thresholds for NOx, PM2.5, or PM10 would be exceeded, then modifications to construction equipment profiles, modifications to construction schedules, or additional pollution reduction measures shall be implemented to ensure that none of the Thresholds will be exceeded.

Appendix F, Energy Calculations

- Page 4, table titled “Operational Electricity” under Existing (2024) Operational Electricity is revised as follows:

Operational Electricity					
Land Use	Size	Size Unit	Energy Use Intensity (Gwh/size/year)	Electricity (GWh)	Annual MTCO _{2e}
Residential	53,048	DU	0.0051	272.7	<u>46,358.5</u>
Commercial/ Retail/Office	7,753,268	<u>1,000</u> SF	0.000039	301.5	<u>51,253.6</u>
Industrial	33,746,988	<u>1,000</u> SF	0.000001	39.9	<u>6,788.6</u>
Total Residential				272.7	<u>46,358.5</u>
Total Non-Residential				341.4	<u>58,042.2</u>

Notes:
 Du = dwelling unit;
 SF = Square feet
 Gwh = gigawatt hours
 MTCO_{2e} = metric tons of carbon dioxide equivalent

- Page 5, table titled “Operational Natural Gas” under Existing (2024) Operational Natural Gas is revised as follows:

Operational Natural Gas						
Land Use	Size	Size Unit	Energy Use Intensity (therms/size/year)	Gas (therms)	Gas (kBtu)	Annual MTCO _{2e}
Residential	53,048	DU	342.1377	18,149,722.45	1,814,972,244.61	<u>96,030</u>
Commercial/ Retail/Office	7,753,268	<u>1,000</u> SF	<u>0.284116</u> 280	<u>2,202,824.00</u> <u>2,170,915</u>	<u>217,091,504.00</u>	<u>11,486</u>
Industrial	33,746,988	<u>1,000</u> SF	<u>429.50</u>	<u>14,494,432</u>	<u>1,449,443,258.70</u>	<u>76,690</u>
Total Residential				18,149,722.45	1,814,972,244.61	<u>96,030</u>
Total Non-Residential				<u>2,202,824.00</u> <u>17,092,475</u>	<u>1,666,534,763.70</u>	<u>88,176</u>

Notes:
 Du = dwelling unit;
 SF = Square feet
 therms = energy content of approximately 100 cubic feet of natural gas at standard temperature and pressure
 MTCO_{2e} = metric tons of carbon dioxide equivalent

- Page 8, table titled “Existing Fuel Rates”, second to last and last subsections: “Medium Duty Trucks” and “Heavy Duty Trucks” is revised as follows:

Existing 2040 Project Fuel Rates				
Fuel Type	Weighted Average MPG	VMT %	VMT	Fuel Consumption (gal)
Medium Duty Trucks				
Diesel	16.5598	<u>0.1001</u> <u>0.1509</u>	<u>8,788</u> <u>13,242</u>	<u>145,533</u> <u>219,290</u>

Gasoline	23.8210	0.7601 <u>0.8306</u>	66,714 <u>72,900</u>	1,589,191 <u>1,736,559</u>
Plug-in Hybrid	70.6721	0.0192 <u>0.0063</u>	1,688 <u>551</u>	119,274 <u>38,926</u>
Natural Gas	4.7651	0.0028 <u>0.0057</u>	245 <u>502</u>	1,168 <u>2,393</u>
Heavy Duty Trucks				
Diesel	7.4839	0.8726 <u>0.9826</u>	182,605 <u>205,619</u>	1,366,592 <u>1,538,836</u>
Gasoline	4.9255	0.000044 <u>0.000174</u>	9 <u>36</u>	45 <u>179</u>
Natural Gas	6.6547	0.0124 <u>0.0149</u>	2,603 <u>3,108</u>	17,322 <u>20,680</u>
Total Diesel				1,752,111 <u>1,998,111</u>
Total Gasoline				243,947,394 <u>244,014,548</u>
Total Natural Gas				18,490 <u>23,073</u>
Total Fuel Consumption				245,717,995 <u>246,035,732</u>

4. Page 8, table titled “Consumption Rates by Vehicle Class”, last subsections “Heavy Duty Trucks” is revised as follows:

Consumption Rates by Vehicle Class				
Fuel Type	Fuel Consumption (gal)	Total VMT	MPG	VMT % of fuel type
Heavy Duty Truck				
HHDT	238,756,505 <u>238,677,518</u>	2,015,186,625	8.44	
Diesel	234,971,896 <u>234,890,644</u>	1,758,498,114 <u>1,980,128,131</u>	7.48 <u>8.43</u>	100.00%
Electricity	-	231,533,931 <u>4,782,423</u>		100.00%
Gasoline	17,878 <u>17,879</u>	88,058 <u>350,259</u>	4.93 <u>19.59</u>	100.00%
Natural Gas	3,766,731 <u>3,768,994</u>	26,066,522 <u>29,925,812</u>	6.65 <u>7.94</u>	100.00%

5. Page 8, in the table titled “Consumption Rates by General Vehicle Class”, the last two subsections, “Medium Duty Trucks” and “Heavy Duty Trucks”, are revised as follows:

Consumption Rates by General Vehicle Class				
Fuel Type	VMT	Total VMT	VMT %	Weighted Average MPG
Medium Duty Trucks				

Diesel	<u>452,606,815</u> <u>681,988,650</u>	4,520,334,504	<u>10.0%</u> <u>15.1%</u>	16.560
Electricity	<u>532,354,272</u> <u>29,679,723</u>		<u>11.8%</u> <u>0.7%</u>	0.000
Gasoline	<u>3,3435,828,175</u> <u>3,754,438,728</u>		<u>76.0%</u> <u>83.1%</u>	23.821
Plug-in Hybrid	<u>86,918,232</u> <u>28,366,369</u>		<u>1.9%</u> <u>0.6%</u>	70.672
Natural Gas	<u>12,627,007</u> <u>25,861,033</u>		<u>0.3%</u> <u>0.6%</u>	4.765
Heavy Duty Trucks				
Diesel	<u>1,758,498,114</u> <u>1,980,128,131</u>	2,015,186,625	<u>87.26%</u> <u>98.6%</u>	<u>7.484</u> <u>8.430</u>
Electricity	<u>231,533,931</u> <u>4,782,423</u>		<u>11.49%</u> <u>0.24%</u>	
Gasoline	<u>88,058</u> <u>350,259</u>		<u>0.00%</u> <u>0.02%</u>	<u>1.925</u> <u>19.590</u>
Natural Gas	<u>25,066,522</u> <u>29,925,812</u>		<u>1.24%</u> <u>1.49%</u>	<u>6.655</u> <u>7.940</u>
Note: includes VMT from 2040 EMFAC2021 Scenario but 2024 VMT percentage fleet split to conservatively exclude ACT.				

6. Page 10, tables under Project (2040) Operational Electricity and Natural Gas are revised as follows:

Annual Electricity Usage						
Land Use	Size	Size Unit	Electricity Rate (kWh/size/year)	Annual Electricity Usage (kWh/year)	Annual Electricity Usage (GWh/year)	Annual MTCO _{2e}
Single Family	7,320	dwelling unit	9,339.2	68,362,944	68.36	<u>11,621.7</u>
Multi-Family	26,542	dwelling unit	6,846.8	181,727,766	181.73	<u>30,893.7</u>
Total Residential				250,090,710	250.09	<u>42,515.42</u>
Commercial/Retail	1,953.2	1,000 sq ft	9,758.4	19,059,765	19.06	<u>3,240.2</u>
Office	1,921.7	1,000 sq ft	17,443.2	33,521,295	33.52	<u>5,698.6</u>
Industrial	41,137.5	1,000 sq ft	9,569.1	393,648,526	393.65	<u>66,920.2</u>
Total Non-Residential				446,229,586	446.23	<u>75,859.03</u>
Notes: kWh = kilowatt hours rate from Source: CalEEMod, Appendix G-28, Annual Energy Use by Land Use Subtype and EDFZ EDFZ = 11 (Eastern), Source: CalEEMod, Appendix D-5, Analysis of Building Energy Use Data 0.017 MTCO _{2e} /MWh per SCE CO ₂ Intensity.						

Annual Natural Gas Usage						
Land Use	Size	Size Unit	Natural Gas Rate (kBtu/size unit/year)	Annual Electricity Natural Gas Usage (kBtu/year)	Annual Electricity Natural Gas Usage (therms/year)	Annual MTCO ₂ e
Single Family	7,320	dwelling unit	35,564.3	260,330,676	2,603,307	<u>13,774</u>
Multi-Family	26,542	dwelling unit	16,970.2	450,423,048	4,504,230	<u>23,832</u>
Total Residential				710,753,724	7,107,537	<u>37,606</u>
Commercial/Retail	1,953.2	1,000 sq ft	5,922.2	11,567,034	115,670	<u>612</u>
Office	1,921.7	1,000 sq ft	27,586.7	53,014,465	530,145	<u>2,805</u>
Industrial	41,137.5	1,000 sq ft	42,950.3	1,766,866,506	17,668,665	<u>93,485</u>
Total Non-Residential				1,831,448,005	18,314,480	<u>96,902</u>
Notes: kBtu = kilo British thermal units Rate Source: CalEEMod, Appendix G-28, Annual Energy Use by Land Use Subtype and EDFZ EDFZ = 11 (Eastern), Source: CalEEMod, Appendix D-5, Analysis of Building Energy Use Data 52.910 per U.S. EIA, natural gas fuel includes (kg) of CO ₂ per (MMBtu)						

Appendix H, Health Effects and Health Risk Assessment

- Page 19, Table 6, Backup Generators, is revised as follows:

Table 6: Backup Generators		
Industrial Area	Backup Generators	
	2024	2040
Area 1 (South)	20 <u>34</u>	25
Area 2 (West)	12 <u>22</u>	16
Area 3 (North)	0 <u>1</u>	1
Area 4 (East)	4 <u>7</u>	5
Area 5 (East)	-	53

- Page 21, a typographical error in the second to last bullet point is revised as follows:
 - Meteorological Data.** AERMOD requires hourly meteorological data consisting of wind vectors, wind speed, temperature, atmospheric stability, and mixing height. The latest 5-year meteorological data set for the ~~Perris Monitoring Station~~ Riverside Municipal Airport (KRAL) was obtained from the SCAQMD.¹⁵ Surface and upper air meteorological data from this station were selected as being the most representative of meteorology based on proximity to the City, as well as terrain, surrounding land uses, and surface characteristics.

3. Page 39, Table 13, Chronic Hazard Assessment, is revised as follows:

Table 13: Chronic Hazard Assessment					
Location/Receptor Type		Chronic Hazard		Hazard Index Threshold	Exceeded?
Area	Description	2024	2040		
Residential Receptors					
Area 1	Western Terminus of Carman Lane, northwest of the Iris Ave. and St. Croix St. intersection	0.0010	0.0008	1	No
Area 2	Northeast corner of the Cottonwood Ave. and Edgemont St. intersection	0.0018	0.0017	1	No
Area 3	North of Ironwood Ave., between Davis St. and Kevin St.	0.0014	0.0017	1	No
Area 4	Redlands Blvd., between Encelia Ave. and Eucalyptus Ave.	0.0017	0.0021	1	No
Area 5	Northwest corner of Lexington Way and Canterbury Downs Way	0.0008	0.0012	1	No
Student Worker Receptors					
Area 1	Rainbow Ridge Elementary School, 15950 Indian St. <u>Eastern Municipal Water District, southwest corner of the Edwin Road and Kitching St. intersection</u>	0.0009	0.0007	1	No
Area 2	Pacific View Charter School, 22695 Alessandro Blvd. <u>Northwest corner of Cottonwood Ave. and Old 215 Frontage Rd. intersection</u>	0.0048	0.0045	1	No
Area 3	Options for Youth, 23651 Sunnymead Blvd. <u>Northwest corner of Hemlock Ave and Heacock St</u>	0.0034	0.0040	1	No
Area 4	Calvary Chapel Christian School, 28010 Ironwood Ave. <u>Eucalyptus Ave. east of B St. (Riverside County Fire Station)</u>	0.0063	0.0072	1	No
Area 5	Ridge Crest Elementary School, 28500 John F Kennedy Dr. <u>Southwest of the SR 60 and Redlands Blvd. interchange</u>	0.0058	0.0071	1	No
Worker Student Receptors					
Area 1	Eastern Municipal Water District, southwest corner of the Edwin Road and Kitching St. intersection <u>Rainbow Ridge Elementary School, 15950 Indian St.</u>	0.0007	0.0007	1	No
Area 2	Northwest corner of Cottonwood Ave. and Old 215 Frontage Rd. intersection <u>Pacific View Charter School, 22695 Alessandro Blvd.</u>	0.0024	0.0019	1	No

Area 3	Northwest corner of Hemlock Ave and Heacock St. <u>Options for Youth, 23651 Sunnymead Blvd.</u>	0.0028	0.0034	1	No
Area 4	Eucalyptus Ave. east of B St. (Riverside County Fire Station) <u>Calvary Chapel Christian School,</u> <u>28010 Ironwood Ave</u>	0.0008	0.0010	1	No
Area 5	Southwest of the SR 60 and Redlands Blvd. interchange <u>Ridge Crest Elementary School,</u> <u>28500 John F Kennedy Dr</u>	0.0005	0.0006	1	No

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4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Section 15097 of the California Environmental Quality Act (CEQA) Guidelines requires that a Mitigation Monitoring and Reporting Program (MMRP) be adopted upon certification of an Environmental Impact Report (EIR; including associated Findings), to ensure that the associated mitigation measures are implemented. Table 4-1, *Mitigation Monitoring and Reporting Program*, identifies the mitigation measures and specifies the entity (or entities) responsible for monitoring and reporting. Pursuant to Public Resources Code (PRC) Section 21081.6, an MMRP is only required for impacts identified as significant or potentially significant in the EIR analysis. The environmental analysis resulted in the identification of a programmatic mitigation framework, which would reduce potentially significant impacts, but not to below a level of significance for all the environmental topics. Programmatic mitigation measures have been identified for air quality, biological resources, cultural and Tribal cultural resources, geology/soils, greenhouse gas emissions, and noise.

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**Table 4-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
4.3 Air Quality			
AQ-1: Proposed development projects that are not exempt from CEQA shall have construction and operational air quality impacts analyzed using the latest available air emissions model, or other analytical method determined in conjunction with the SCAQMD. The results of the air quality impact analysis shall be included in the development project's CEQA documentation. To address potential localized impacts, the air quality analysis shall incorporate SCAQMD's Localized Significance Threshold (LST) analysis or other appropriate analyses as determined in conjunction with the SCAQMD. If such analyses identify potentially significant regional or local air quality impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts to the greatest extent feasible.	Technical analysis required prior to project approval.	City	
AQ-2: Applicants for future discretionary development projects which will generate construction-related fugitive dust emissions that exceed applicable thresholds shall include, but are not limited to, the mitigation measures recommended by SCAQMD's CEQA Air Quality Handbook, to the extent technically and logistically feasible and applicable. The measures shall be included as notes on the grading and/or demolition plans: <ul style="list-style-type: none"> • The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excess amounts of dust. • Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of watering (preferably reclaimed water, if available) should penetrate sufficiently to minimize fugitive dust during grading activities. This measure can achieve PM10 reductions of 61 percent through application of water every three hours to disturbed areas. • Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities: 	Technical analysis required prior to project approval	City	

Table 4-1
Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
<ul style="list-style-type: none"> ○ All trucks shall be required to cover their loads as required by California Vehicle Section 23114. Covering loads and maintaining a freeboard height of 12 inches can reduce PM10 emissions by 91 percent. ○ All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering at not less than three hour intervals, application of environmentally safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. Application of water every three hours to disturbed areas can reduce PM10 emissions by 61 percent. ● Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area shall be seeded and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust. Replacement of ground cover in disturbed areas can reduce PM10 emissions by 5 percent. ● Signs shall be posted on-site limiting traffic to 15 miles per hour or less. This measure can reduce associated PM10 emissions by 57 percent. ● During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties; instantaneous wind speeds exceeding 25 miles per hour), all clearing, grading, earth- 			

**Table 4-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
<p>moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard off-site or on-site. The site superintendent/supervisor shall use his/her discretion in conjunction with SCAQMD when winds are excessive (above 25 miles per hour).</p> <ul style="list-style-type: none"> • Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads. • Personnel involved in grading operations, including contractors and subcontractors, shall be required to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations. 			
<p>AQ-3: Applicants for future discretionary development projects that would generate construction-related emissions that exceed applicable thresholds, shall include, but are not limited to, the mitigation measures recommended by the SCAQMD (in its CEQA Air Quality Handbook or otherwise), to the extent technically and logistically feasible and applicable to the project. The types of measures shall include but are not limited to:</p> <ul style="list-style-type: none"> • Construction haul truck operators for demolition debris and import/export of soil shall use trucks that meet CARB's 2020 engine emissions standards of 0.01 grams per brake horsepower-hour of particulate matter (PM) and 0.20 grams per brake horsepower-hour of NOx emissions. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards and shall provide these records prior to grading permit issuance to the City. • Vehicle idling shall be limited to five minutes as set forth in California Code of Regulations Title 13, Article 4.8, Section 2449. Signs shall be posted in areas where they will be seen by vehicle 	<p>Technical analysis required prior to project approval</p>	<p>City</p>	

Table 4-1
Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
<p>operators stating idling time limits. This requirement shall be included on the plans.</p> <ul style="list-style-type: none"> Construction contractors shall utilize construction equipment that uses low polluting fuels (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that they are available and feasible to use. This requirement shall be included on the plans. Heavy duty diesel-fueled equipment shall use low NOx diesel fuel to the extent that it is available and feasible to use. This requirement shall be included on the plans. Construction contractors shall use electricity from power poles rather than temporary gasoline or diesel-powered generators, as technically and logistically feasible, or solar where available. This requirement shall be included on the plans. Construction contractors shall maintain construction equipment in good, properly tuned operating condition, as specified by the manufacturer, to minimize exhaust emissions. Documentation demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications shall be shared with the City prior to grading permit issuance. Construction contractors shall reroute construction trucks away from congested streets or sensitive receptor areas, as technically and logistically feasible. This requirement shall be included on the plans. 			
<p>AQ-4: Prior to issuance of a grading permit, a Localized Significance Threshold analysis shall be prepared for construction and operations. If the LST analysis determines that the established Localized Significance Thresholds for NOx, PM2.5, or PM10 would be exceeded, then modifications to construction equipment profiles, modifications to construction schedules, or additional pollution reduction measures shall be implemented to ensure that none of the Thresholds will be exceeded.</p>	<p>Technical analysis required prior to project approval</p>	<p>City</p>	

**Table 4-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
<p>AQ-5: A project-specific Health Risk Assessment (HRA) shall be conducted for future development projects that would generate TACs within 1,000 feet of sensitive receptors, pursuant to the recommendations set forth in the CARB Air Quality and Land Use Handbook. It is noted that AB 98 requires proposed industrial projects within 900 feet of sensitive receptors to conduct an operational HRA. The HRA shall evaluate a project per the following SCAQMD thresholds:</p> <ul style="list-style-type: none"> • Carcinogens: Maximally Exposed Individual risk equals or exceeds 10 in one million. For cumulative cancer risk, the maximum exposed individual risk equals or exceeds significance thresholds established by SCAQMD. • Non-Carcinogens: Emit toxic contaminants that equal or exceed 1 for the Maximally Exposed Individual. <p>If projects are found to exceed the SCAQMD's thresholds, mitigation, including but not limited to requiring heavy-duty trucks, forklifts and/or yard trucks to be zero-emission, forbidding trucks from idling for more than three minutes, installing photo-voltaic systems, running conduit for future electric truck charging, requiring all stand-by generators to be non-diesel, designing to LEED green building certifications, and improving vegetation and tree canopy for shade, shall be incorporated to reduce impacts to below SCAQMD thresholds. The HRA shall be submitted to the City Planning Department to demonstrate that none of the Thresholds will be exceeded prior to issuance of building permits for any future discretionary residential or residential mixed-use project.</p>	Technical analysis required prior to project approval	City	
4.4 Biological Resources			
<p>BIO-1: Applications for future development of vacant properties (and portions thereof), wherein the Director of Community Development or his or her designee has determined a potential for impacts to sensitive biological resources, shall be required to prepare a site-specific general biological resources survey to identify the presence of any sensitive biological resources, including any sensitive plant or wildlife species. The report shall identify the need for focused presence/absence</p>	Technical analysis required prior to project approval.	City/Qualified Biologist	

**Table 4-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
surveys and identify the presence of state or federal regulated wetlands or waters. If potentially significant impacts to sensitive biological resources, including sensitive species and/or wetlands are identified, the report shall also recommend appropriate mitigation to reduce the impacts to below a level of significance.			
<p>BIO-2: Applications for future development, wherein the Director of Community Development or his or her designee has determined a potential for impacts to mature trees and/or native vegetation suitable for nesting birds, shall be required to restrict removal of sensitive habitat and vegetation to outside the breeding seasons of any sensitive species identified within adjacent properties (typical bird breeding season is February 1–September 1. as early as January 1 for some raptors). If vegetation clearing must begin during the breeding season, a qualified biologist shall provide recommendations to avoid impacts to nesting birds which typically includes a pre-construction survey within 3 days of the start of construction to determine the presence of active nests.</p> <p>If active nests are found, avoidance measures shall be implemented to ensure protection of the nesting birds. Avoidance measures may include a no-activity buffer zone, typically 300 feet from the area of disturbance or 500 feet for raptors, established at the discretion of the qualified biologist in consultation with the City. If activity buffer zones are not feasible, temporary noise barriers may be installed to attenuate construction noise. Noise wall height and adequacy shall be supported by a noise analysis to determine the anticipated construction noise levels with attenuation measures as recommended by the biologist and approved by the City.</p> <p>Periodic noise monitoring shall be conducted during construction to ensure noise attenuation standards are met. Accepted noise levels are species dependent and existing ambient noise levels can play a factor in establishing baseline acceptable noise.</p>	Technical analysis required prior to project approval.	City/Qualified Biologist	
4.5 Cultural and Tribal Cultural Resources			

**Table 4-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
CUL-1 Prior to the issuance of any permit for a future development site-specific project that would directly or indirectly affect a building/structure in excess of 50 years of age, the City or a qualified architectural historian shall determine whether the affected building/structure is historically significant. The evaluation shall be based on criteria such as age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in the CEQA Guidelines. If the evaluation determines that building/structure is not historic, no further evaluation or mitigation would be required. If the building/structure is determined to be historically significant, the preferred mitigation would be to avoid the resource through project redesign. If the resource cannot be avoided, all prudent and feasible measures to minimize or mitigate harm to the resource shall be taken per recommendations of the qualified architectural historian.	Technical analysis required prior to project approval.	City/Qualified Architectural Historian	
CUL-2: Prior to issuance of any permit for a future site-specific project that would potentially have a direct or indirect affect an archaeological resource, the City shall require the following steps be taken to determine: (1) the presence of archaeological resources, and (2) the appropriate mitigation for any significant resources which may be impacted by project development. The following steps would help determine the presence or absence of archaeological resources. Step 1: An archaeologist shall conduct records and background research at the South Coastal Information Center (SCIC) for a list of recorded resources and request a sacred lands file search from the Native American Heritage Commission. Step 2: After review of this data, a pedestrian survey shall be conducted by a qualified archaeologist. Step 3: If through the research and the field survey, archaeological resources are identified, then an evaluation of significance shall be completed by a qualified archaeologist. The evaluation program generally will include excavation to determine depth, extent, integrity, and content of the subsurface cultural material.	Technical analysis required prior to project approval.	City/Qualified Archaeologist	

Table 4-1
Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
<p>Step 4: The results of the excavation will be evaluated using the Thresholds above in Section 4.5.4.</p> <p>Step 5: If an archaeological resource is determined significant and avoidance through project redesign is not feasible, a data recovery and construction monitoring program must be implemented to reduce the impacts the archaeological resource to below a significant level. The data recovery program must be approved by the City.</p> <p>Step 6: A final data recovery and/monitoring report shall be completed in accordance with the California Office of Historic Preservation's <i>Archaeological Resource Management Reports: Recommended Content and Format</i>. Confidential attachments must be submitted under separate covers. Artifacts collected during the evaluation and data recovery phases must be curated at an appropriate facility consistent with state (California State Historic Resources Commission's Guidelines for Curation of Archaeological Collection 1993) and federal curation standards (36 CFR 79 of the Federal Register) and that allows access to artifact collections.</p>			
<p>CUL-3: Prior to the issuance of any permit for a future site-specific project, the project developer shall retain a professional archaeologist (Project Archaeologist), at no cost to the City, to conduct monitoring of all ground disturbing activities associated with the respective project. The Project Archaeologist shall be authorized to temporarily redirect earthmoving activities in the event that suspected archaeological resources are unearthed during Project construction. The Project Archaeologist, in consultation with the Consulting Tribe(s), which have requested monitoring, the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) as defined in CUL-5. The Project Archeologist shall attend all pre-grading meetings with the City, the project's construction manager, the project's general contractor and the pertinent contractors. In addition, the Project's Archaeologist shall provide and conduct Cultural Resources Worker Sensitivity Training, which the project's construction manager, general contractor,</p>	<p>Technical analysis required prior to project approval</p>	<p>City/Qualified Archaeologist</p>	

**Table 4-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
and all pertinent subcontracts shall be required to attend. In addition, to the Project Archaeologist, the designated archaeological monitor for the respective project shall have the authority to temporarily halt and redirect earth-moving activities in the affected area in the event that suspected archaeological resources are unearthed.			
CUL-4: Prior to the issuance of any permit for a future site-specific project, the project Developer shall secure agreements with the Consulting Tribe(s). The project developer shall provide a minimum of 30 days' advance notice to the tribes of all ground-disturbing activities. The Native American Tribal Representatives shall have the authority to temporarily halt and redirect earth-moving activities in the affected area in the event that suspected archaeological resources are unearthed. The Native American Monitor(s) shall be invited to attend all pre-grading meetings with the Project Archaeologist, the City, the construction manager, and general contractor, and any pertinent subcontractors and conduct the Tribal Perspective of the mandatory Cultural Resources Worker Sensitivity Training to those in attendance.	Technical analysis required prior to project approval	City/Qualified Archaeologist/Consulting Tribe(s)	
CUL-5: The Project Archaeologist, in consultation with the Consulting Tribe(s), the project's construction manager and general contractor, and the City shall develop a CRMP in consultation pursuant to the definition in AB 52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A Consulting Tribe is defined as a Tribe that initiated the AB 52 and/or SB 18 tribal consultation process for the project, and has not opted out of the AB 52 and/or SB 18 consultation process, and has completed AB 52 and/or SB 18 consultation with the City as provided for in PRC Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include: <ul style="list-style-type: none"> a. Project description and location b. Project grading and development scheduling; c. Roles and responsibilities of individuals on the project; d. The pre-grading meeting and Cultural Resources Worker Sensitivity Training details; e. The protocols and stipulations that the project's construction manager and general contractor, City, Consulting Tribe(s), 	Technical analysis required prior to project approval	City/Qualified Archaeologist/Consulting Tribe(s)	

Table 4-1
Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
<p>and Project Archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.</p> <p>f. The type of recordation needed for inadvertent finds and the stipulations of recordation of sacred items.</p> <p>g. Contact information of relevant individuals for the project;</p>			
<p>CUL-6: In the event that Native American cultural resources are discovered during the course of ground disturbing activities (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries:</p> <p>a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Moreno Valley Planning Division:</p> <p>i. Preservation-In-Place of the cultural resources, if feasible. Preservation-In-place means avoiding the resources, leaving them in the place they were found with no grading or construction activities commencing that may potentially affect or otherwise impact the integrity of the resources.</p> <p>ii. Onsite reburial of the discovered items as detailed in the treatment plan required pursuant to Mitigation Measure CUL-3. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of all Consulting Native American Tribal Governments as defined in CUL-5 The location for the future reburial area shall be identified on a confidential exhibit on file with the City, and concurred to by the Consulting Native American Tribal</p>	During Construction	City/Qualified Archaeologist/Consulting Tribe(s)	

**Table 4-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
Governments prior to certification of the environmental document.			
CUL-7: The City shall verify that the following note is included on the Grading Plan of any future site-specific project: "If any suspected archaeological resources are discovered during ground-disturbing activities and the Project Archaeologist or Native American Tribal Representatives are not present, the construction supervisor is obligated to halt work in a 100-foot radius around the find and call the Project Archaeologist and the Tribal Representatives to the site to assess the significance of the find.	Technical analysis required prior to project approval	City/Qualified Archaeologist/Consulting Tribe(s)	
CUL-8: If potential historic or cultural resources are uncovered during excavation or construction activities at any future site-specific project that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, all ground-disturbing activities in the affected area within 100 feet of the uncovered resource must cease immediately and a qualified person meeting the Secretary of the Interior's standards (36 CFR 61), Tribal Representatives, and all site monitors per the Mitigation Measures, shall be consulted by the City to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, or prehistoric resource. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional archeologists and Tribal Monitors if needed. Determinations and recommendations by the consultant shall be immediately submitted to the Planning Division for consideration and implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all Consulting Native American Tribes as defined in CUL-4 before any further work commences in the affected area. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in	During Construction	City/Qualified Archaeologist/Consulting Tribe(s)	

Table 4-1
Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
consultation with the Tribe, and shall be submitted to the City for their review and approval prior to implementation of the said plan.			
CUL-9: Prior to final inspection, the developer/permit holder shall prompt the Project Archeologist to submit two (2) copies of the Phase III Data Recovery report (if required for the project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the South Coastal Information Center (SCIC) at the San Diego State University (SDSU) and one (1) copy shall be submitted to each of the Consulting Tribe(s) Cultural Resources Department(s).	During Construction	City/Qualified Archaeologist	
CUL-10: If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to if the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations and engage in consultations concerning the treatment of the remains.- (PRC Section 5097.98). (GP Objective 23.3, CEQA). No photographs are to be taken except by the coroner, with written approval by the consulting Tribe[s].	During Construction	City/Qualified Archaeologist/County Coroner	
CUL-11: It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California		City/Qualified Archaeologist/County Coroner	

**Table 4-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
Government Code 6254 (r)., parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).			
4.7 Geology/Soils			
PAL-1: Applications for future development, wherein the Community Development Director or his or her designee has determined a potential for impacts to paleontological resources, shall review the underlying geology and paleontological sensitivity of the site. If it is determined that the potential exists that sensitive paleontological resources are present, the applicant shall be required to comply with the following mitigation framework. A qualified paleontological monitor shall be present during grading in project areas where a project specific geological technical study has determined that such monitoring is necessary due to the potential for paleontological resources to reside within the underlying geologic formations. The geologic technical study shall also provide specific duties of the monitor, and detailed measures to address fossil remains, if found.	During Construction	City/Qualified Paleontologist	
4.8 Greenhouse Gas Emissions			
GHG-1: The City shall monitor implementation of the CAP and periodically update the CAP, adding or enhancing Actions and Measures to achieve City-specific reductions goals in line with SB 32 and AB 1279. Specifically, the City shall: <ul style="list-style-type: none"> a) Monitor continuously and report annually on CAP implementation activities. The annual monitoring report shall include the implementation status of each Action and Measure b) Calculate GHG emission reductions annually and monitor progress towards achieving the performance targets of each Action and Measure c) Update the City-wide GHG emissions inventories and targets aligned with SB 32 and AB 1279 every two to three years, in alignment with the five-year cycle specified below d) Prepare and adopt a fully updated CAP starting 2029, adopted 	Annually	City	

**Table 4-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
<p>by 2030, and every five years thereafter as needed if the inventories are showing the City is not on track to achieve the 2045 targets.</p> <p>e) Adopt Actions and Measures to close any “reduction gaps” between the updated inventories and applicable 2040 and 2045 goals no later than December 31, 2030</p> <p>f) Create, enhance, expand, or replace Actions and Measures, as new technologies and programs emerge that warrant inclusion in the CAP</p>			
<p>GHG-2: For each discretionary project subject to and not exempt from CEQA, the applicant shall:</p> <p>a) Complete the City’s GHG Emissions Analysis Compliance Checklist to assist with determining project consistency with the Moreno Valley CAP, and</p> <p>b) Incorporate appropriate GHG reduction measures to achieve their proportion of GHG emission reductions consistent with the assumptions of the CAP, and</p> <p>c) Document the infeasibility or inapplicability of CAP measures, and</p> <p>d) Propose alternative GHG reduction measures, as appropriate; or</p> <p>e) Demonstrate through a quantitative analysis that the project would not impede (or would facilitate) Moreno Valley’s ability to meet the GHG emissions reduction targets. Because GHG emissions from industrial land uses were excluded from the CAP, applicants of projects that include industrial uses must establish, with substantial evidence.</p>	Technical analysis required prior to project approval	City	
4.13 Noise			
<p>NOS-1: The Director of Community Development or his or her designee shall require applicants to demonstrate whether the project has the potential to exceed noise standards contained in Sections 8.14.040 and 11.80.030 of the Municipal Code. If a project may exceed standards or is located adjacent to sensitive receptors, the City shall require the applicant to prepare a Noise Analysis that estimates construction noise</p>	Technical analysis required prior to project approval.	City	

Table 4-1
Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
<p>and identifies noise reduction measures that would ensure compliance with Municipal Code standards. Construction plans submitted to the City shall identify applicable measures on demolition, grading, and construction plans submitted to the City. Noise reduction measures can include, but are not limited to, the following:</p> <ol style="list-style-type: none"> 1. Demolition, construction, site preparation, and related activities that would generate noise perceptible at the property line of the subject property are limited to the hours between 7:00 a.m. to 7:00 p.m. from Monday through Friday excluding holidays and from 8:00 a.m. to 4:00 p.m. on Saturdays. The building inspector may issue an exception to this limitation on hours in cases of urgent necessity where the public health and safety will not be substantially impaired. 2. Idling times for noise-generating equipment used in demolition, construction, site preparation, and related activities shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes. 3. Demolition, construction, site preparation, and related activities within 70 feet from the edge of properties with existing, occupied noise-sensitive uses shall incorporate all feasible strategies to reduce noise exposure for noise-sensitive uses, including: <ol style="list-style-type: none"> a. Provide written notice to all known occupied noise-sensitive uses within 400 feet of the edge of the project site boundary at least 2 weeks prior to the start of each construction phase of the construction schedule; b. Ensure that construction equipment is properly maintained and equipped with noise control components, such as mufflers, in accordance with manufacturers' specifications; c. Re-route construction equipment away from adjacent noise-sensitive uses; 			

**Table 4-1
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
<ul style="list-style-type: none"> d. Locate noisy construction equipment away from surrounding noise-sensitive uses; e. Use sound aprons or temporary noise enclosures around noise-generating equipment; f. Position storage of waste materials, earth, and other supplies in a manner that will function as a noise barrier for surrounding noise-sensitive uses; g. Use the quietest practical type of equipment; h. Use electric powered equipment instead of diesel or gasoline engine powered equipment; Use shrouding or shielding and intake and exhaust silencers/mufflers; and i. Other effective and feasible strategies to reduce construction noise exposure for surrounding noise-sensitive uses. <p>4. For construction of buildings that require the installation of piles, an alternative to installation of piles by hammering shall be used. This could include the use of augured holes for cast-in-place piles, installation through vibration or hydraulic insertion, or another low-noise technique.</p>			
<p>NOS-2 Prior to issuance of a building permit for a project requiring pile driving during construction within 135 feet of fragile structures, such as historical resources, 100 feet of non-engineered timber and masonry buildings (e.g., most residential buildings), or within 75 feet of engineered concrete and masonry (no plaster); or a vibratory roller within 25 feet of any structure, the project applicant shall prepare a noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these activities. This noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed Federal Transit Administration (FTA) architectural damage thresholds (e.g., 0.12 inches per second [in/sec] peak particle velocity [PPV] for fragile or historical resources, 0.2 in/sec PPV for non-engineered timber and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). If vibration levels would exceed this threshold, alternative</p>	<p>Technical analysis required prior to project approval.</p>	<p>City</p>	

Table 4-1 Mitigation Monitoring and Reporting Program			
Mitigation Measure	Timing of Verification	Responsible for Verification	Status/Date/Initials
uses such as drilling piles as opposed to pile driving and static rollers as opposed to vibratory rollers shall be used. If necessary, construction vibration monitoring shall be conducted to ensure vibration thresholds are not exceeded.			

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