
Responses to Comments and Errata
Final Subsequent Environmental Impact Report

Aquabella Specific Plan Amendment Project

OCTOBER 2024

Lead Agency:

**CITY OF MORENO VALLEY
COMMUNITY DEVELOPMENT**

14177 Frederick St.
Moreno Valley, California 92552

Prepared for:

T/CAL REALTY II LLC

29000 Eucalyptus Avenue
Moreno Valley, California 92555
Contact: Andrew Daymude

Prepared by:

DUDEK

605 Third Street
Encinitas, California 92024
Contact: Carey Fernandes

Table of Contents

SECTION	PAGE NO.
1	Introduction 1-1
2	Responses to Comment Letters Received on the Draft Subsequent Environmental Impact Report 2-1
2.1	Topical Responses 2-2
	Topical Response 1: SB 330 and General Plan Consistency Analysis..... 2-2
	Topical Response 2: Air Quality 2-6
	Topical Response 3: Project Design Features 2-13
	Topical Response 4: Greenhouse Gas Emissions 2-15
	Topical Response 5: Growth Inducement 2-21
	Topical Response 6: Affordable Housing 2-24
2.2	Individual Comment Letters..... 2-25
	Response to Comment Letter A1 2-29
	Response to Comment Letter A2 2-33
	Response to Comment Letter A3 2-37
	Response to Comment Letter A4 2-47
	Response to Comment Letter A5 2-67
	Response to Comment Letter A6 2-75
	Response to Comment Letter O1..... 2-79
	Response to Comment Letter O2 2-97
	Response to Comment Letter O3 2-243
	Response to Comment Letter O4 2-283
	Response to Comment Letter O5 2-293
	Response to Comment Letter O6 2-303
	Response to Comment Letter O7 2-597
	Response to Comment Letter I1 2-607
2.3	References..... 2-627
3	Errata 3-1
3.1	Edits made to Chapter 1, Introduction..... 3-1
3.2	Edits made to Chapter 1A, Executive Summary 3-2
1A.6	Summary of Environmental Impacts and Mitigation Measures 3-5
3.3	Edits made to Chapter 3, Project Description 3-13
3.4	Edits made to Section 4.3, Air Quality..... 3-14
3.5	Edits made to Section 4.8, Greenhouse Gas Emissions..... 3-15
3.6	Edits made to Section 4.9, Hazards..... 3-20
3.7	Edits made to Section 4.10, Hydrology..... 3-22
3.8	Edits made to Section 4.11, Land Use 3-22

3.9 Edits made to Section 4.13, Noise.....3-23

3.10 Edits made to Section 4.19, Utilities.....3-27

3.11 Edits made to Chapter 8, References3-28

TABLES

1 Comment letters and Commenters.....2-25

~~1A-27-1~~ Comparison of the Environmental Impacts of Alternatives 3-4

~~1A-32~~ Project Design Features 3-5

~~1A-43~~ Summary of Project Impacts, Mitigation, and Level of Significance..... 3-6

1A-3 Summary of Project Impacts, Mitigation, and Level of Significance..... 3-8

4.11-1 2040 General Plan Land Use Consistency.....3-22

4.13-6 Phase 3 Construction Noise Levels at Nearby Noise-Sensitive Receiver 3-24

4.13-7 Phase 4 Construction Noise Levels at Nearby Noise-Sensitive Receiver 3-24

4.13-8 Phase 5 Construction Noise Levels at Nearby Noise-Sensitive Receiver3-25

4.13-9 Phase 6 Construction Noise Levels at Nearby Noise-Sensitive Receiver 3-25

4.13-15 Project Operational Noise Levels Compared to Municipal Code Limits 3-26

4.19-8 Project Water Demand Compared to 1999 EIR and 2005 Addendum Water Demand3-27

1 Introduction

This Final Subsequent Environmental Impact Report (SEIR) has been prepared for the City of Moreno Valley (City) for the Aquabella Specific Plan Amendment Project (Project) in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Section 15132. The Final SEIR includes the following items as required in Section 15132, Contents of Final Environmental Impact Report:

- A list of individuals, organizations, and public agencies that commented on the Draft SEIR
- Comments and recommendations received on the Draft SEIR
- Responses of the lead agency to significant environmental points raised in the review
- Revisions and clarifications to the Draft SEIR (provided as an errata chapter)
- Any other information added by the lead agency

Organization of the Final SEIR

The Final SEIR is organized into three chapters, followed by the revised SEIR and technical appendices.

Chapter 1, Introduction, explains the contents of the Final SEIR.

Chapter 2, Response to Comments, of the Final SEIR provides a list of commenters on the Draft SEIR, comments, and a response to each comment. The Draft SEIR was circulated for public review from May 31, 2024, through July 15, 2024, in accordance with Section 15105(a) of the CEQA Guidelines. A total of 14 written comment letters were received on the Draft SEIR from agencies, organizations, and individuals.

Chapter 3, Errata, of the Final SEIR summarizes revisions or clarifications to the Draft SEIR. In response to comments received during the Draft SEIR public review, minor revisions and clarifications have been made to the document.

The revised SEIR and technical appendices follow these chapters.

Minor Clarification Concerning Development Agreement

Pursuant to the CEQA Guidelines Section 15124, the Project Description of the Draft SEIR prepared by the City describes the discretionary approvals being sought and being processed for the Project. Among these approvals is an application for a Development Agreement (PEN 23-0119), which “would be a written agreement between the Project applicant and the City in order to specify the respective obligations of the parties.”

The Development Agreement application was temporarily withdrawn because the parties had not reached any tentative agreement until late September/October 2024. However, it was reinstated in October 2024. Therefore, the SEIR remains accurate.

To clarify, although the Project applicant had previously withdrawn the application for a Development Agreement, it thereafter requested that the application be reinstated to accommodate the City and the applicant’s Development Agreement whereby the Aquabella Project applicant (applicant) has agreed to construct a turn-key 24,000 square foot Senior Center (i.e., a designed, constructed, and delivered building) and to dedicate the subject land and

improvements to the City. Construction of the Senior Center and the conveyance of the land and improvements to the City must occur no later than 36 months after the occupancy permit (final inspection) is issued for the 8,000th residential unit within the Project. In addition, the Aquabella Development Agreement shall (as agreed to by the City and the applicant) require the applicant to develop 80 acres of land for public park purposes, and to dedicate said parkland and improvements to the City, subject to the City providing the applicant with the appropriate Development Impact Fee credits. Also, the applicant acknowledges that a total of 129 acres of parkland is required as a condition of approval of the Project; as such, the applicant acknowledges that it shall be obligated to pay the Quimby Fees and associated Development Impact Fees (for parks) for the remaining 49 acres that are not dedicated by or developed by the applicant.

2 Responses to Comment Letters Received on the Draft Subsequent Environmental Impact Report

The Draft Subsequent Environmental Impact Report (SEIR) for the Aquabella Specific Plan Amendment Project (Project) was circulated for public review from May 31, 2024, through July 15, 2024, in accordance with Section 15105(a) of the California Environmental Quality Act (CEQA) Guidelines. A total of 14 written comment letters were received on the Draft SEIR from agencies, organizations, and individuals as shown in Table 1. Each of the written comment letters has been assigned an alphanumeric label, and the individual comments within each written comment letter are bracketed and numbered. For example, Comment Letter A1 contains four comments that are numbered A1-1 through A1-4.

The responses to each comment on the Draft SEIR represent a good-faith, reasoned effort to address the environmental issues identified by the comments. Pursuant to Section 15088(a) of the CEQA Guidelines, the City of Moreno Valley (City), as lead agency, is not required to respond to all comments on the Draft SEIR, only those comments that raise significant environmental issues. In accordance with CEQA Guidelines Sections 15088 and 15204, the City has independently evaluated the comments and prepared, or caused to be prepared, the attached written responses to any significant environmental issues raised.

Specifically, CEQA Guidelines Section 15088(a) provides as follows (emphasis added):

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 raising significant environmental issues* received during the noticed comment period and any extensions and may respond to late comments.

CEQA Guidelines Section 15204 states the following (emphasis added):

In reviewing draft EIRs, persons and public agencies *should focus* on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. *Comments are most helpful when* they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. *At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible*, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. *CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

CEQA Guidelines Section 15204(c) is also important in explaining the parameters of comments in a final EIR or SEIR (emphasis added):

Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. *Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.*

2.1 Topical Responses

In response to various comments received on the Draft SEIR, the following topical responses were prepared to address commonly raised issues. These topical responses are referenced below in individual letter responses where applicable.

Topical Response 1: SB 330 and General Plan Consistency Analysis

This topical response addresses comments on the Draft SEIR that the City cannot rely on the City of Moreno Valley General Plan 2040 (2040 General Plan), nor consider the Project until the City corrects the deficiencies found in the Final Environmental Impact Report for the MoVal 2040: Moreno Valley Comprehensive Plan Update, Housing Element Update, and Climate Action Plan (2040 General Plan EIR) (baseline/greenhouse gas emissions, air quality, and energy) and re-adopts the 2040 General Plan and associated revised 2040 General Plan EIR.

State housing laws and local implementing regulations require and permit timely processing and consideration of this mixed-use/residential housing development project for several reasons. New housing production laws have declared a statewide and housing supply and affordability crisis and such laws have created a preliminary application and fee payment process for housing development projects (Senate Bill [SB] 330). SB 330 allows a project applicant to have a housing development project be “subject only to the *ordinances, policies, and standards* adopted and in effect when the preliminary application and fee were submitted. (See Government Code Sections 65589.5[o][1] and 65589.5[o][2][E][4], defining “ordinances, policies, and standards” to include “general plan, community plan, specific plan, zoning,...and other rules, regulations, requirements, and policies of the local agency.”)

The Project, a housing development project as defined by applicable law, is an SB 330 project. The Project submitted an SB 330 preliminary application to the City and paid the requisite fee to the City on September 6, 2023. By submitting the SB 330 application and paying the fee, the Project applicant locked in place for the Project the City’s ordinances, policies, and standards then in effect, which included the 2040 General Plan, 2040 General Plan EIR, and associated zoning.

In May 2024, the Riverside Superior Court ruled the 2040 General Plan, its EIR, and associated zoning were to be set aside (excepting the 2021–2029 Housing Element); however, the court did not prohibit the City from acting with respect to land use issues. (See judgment filed May 6, 2024, in *Sierra Club v. City of Moreno Valley*, Case No. CVR12103300.) The documents being set aside is an interim measure while the City takes prompt action to correct specified deficiencies in the 2040 General Plan EIR pursuant to court direction, after which it will reconsider the revised 2040 General Plan EIR. (The 2040 General Plan update litigation also did not challenge or otherwise invalidate the “content” of the 2040 General Plan or associated zoning amendments.)

Statewide Housing Crisis

The state legislature, governor, and courts have recognized that decades of stagnant housing production have resulted in an unprecedented and deepening statewide housing crisis, perpetuating the state’s nearly last place ranking across the United States for homeowner rates and housing supply (Government Code Section 65589.5[a][1][B], [a][2][E], [F]). As found by the legislature (Government Code Section 65589.5[a][2][A]):

California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives.

Government Code Section 65589.5(a)(2)(B) states:

While the causes of this crisis are multiple and complex, the absence of meaningful and effective policy reforms to significantly enhance the approval and supply of housing affordable to Californians of all income levels is a key factor.

Government Code Section 65589.5(a)(2)(J) states:

California’s housing picture has reached a crisis of historic proportions despite the fact that, for decades, the Legislature has enacted numerous statutes intended to significantly increase the approval, development, and affordability of housing for all income levels, including this section.

Government Code Section 65589.5(a)(2)(K) states:

The Legislature’s intent in enacting this section in 1982 and in expanding its provisions since then was to significantly increase the approval and construction of new housing for all economic segments of California’s communities by meaningfully and effectively curbing the capability of local governments to deny, reduce the density for, or render infeasible housing development projects and emergency shelters. That intent has not been fulfilled.

(See also *Ruegg & Ellsworth v. City of Berkeley* [2021] 63 Cal.App.5th 277, 296, rehearing denied [May 19, 2021], review denied [July 28, 2021].)

The housing crisis is severely impacting California families, resulting in increased overcrowding, homelessness, and excessive commutes, particularly for low- and middle-income working families (Government Code Section 65589.5[a][1][C]). Among the consequences are a “lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration” (Government Code, Section 65589.5[a][1][C]). “An additional consequence of the state’s cumulative housing shortage is a significant increase in greenhouse gas emissions caused by the displacement and redirection of populations to states with greater housing opportunities, particularly working- and middle-class households. California’s cumulative housing shortfall therefore has not only national but international environmental consequences” (Government Code, Section 65589.5[a][2][I]).

“The lack of housing ... is a critical problem that threatens the economic, environmental, and social quality of life in California” (SB 330, Section 3, Government Code, Section 65589.5[a][1][A]). The housing crisis “harms families

across California” (SB 330, Sections 2[a][6][A]–[E]), “severely impact[s] the state’s economy” (SB 330, Sections 2[a][11][A]–[C]), and “harms the environment” (SB 330, Sections 2[a][12][A]–[B]).

By contrast, when “Californians have access to safe and affordable housing, they have more money for food and health care; they are less likely to become homeless and in need of government-subsidized services; their children do better in school; and businesses have an easier time recruiting and retaining employees” (Government Code, Section 65589.5[a][2][H]).

Limiting the supply of housing in the face of stable or growing demand pushes rents and home sale prices up. Facing a more than 40 year backlog of millions of units and growing need, the legislature has adopted a suite of legislation in an effort to expand the supply of housing to meet state and local needs (Government Code Section 65589.5[a][1][C]; Newsom 2017).

The legislature also expressed the state policy that its housing law be “interpreted and implemented in a manner to afford the fullest possible weight” to the approval and provision of housing (Government Code, Section 65589.5[a][1][L]).

Preliminary Application Process

The legislature passed SB 330, the Housing Crisis Act of 2019, and it became effective January 1, 2020. The state housing law declares a statewide housing emergency and adopts a suite of laws to hasten housing production. SB 330 added Section 65941.1 to the Government Code along with revisions to Section 65589.5 (the Housing Accountability Act) to create a “preliminary application process” for a “housing development project.”¹

Aquabella Project SB 330 Preliminary Application

On September 6, 2023, the Project applicant submitted an SB 330 preliminary application to the City and paid the requisite permit processing fee. Thereafter, the Project applicant punctually submitted the remaining documents needed to process the SB 330 application for the Project, as required by Government Code, Section 65941.1(d)(1), in October 2023. By September 2023, the 2040 General Plan and related zoning changes were already in effect.² The City’s Housing Element, as modified in October 2022 and certified by the California Department of Housing and Community Development, was also in effect (Resolution 2022-67). Thus, these ordinances, policies, and standards were vested or “frozen” in place for the Project, and the Project is appropriately evaluated for consistency with the 2040 General Plan.

Thereafter, in May 2024, the Riverside County Superior Court issued a judgment and writ directing that the City set aside certification of the 2040 General Plan EIR due to inadequacies identified in the Final Program EIR regarding baseline greenhouse gas emissions, air quality, and energy use and set aside approval of the 2040 General Plan and related zoning amendments until those errors are corrected. Other than the Climate Action Plan, the 2040

¹ A “housing development project” is defined to include, “Mixed-use developments consisting of residential and non-residential uses with at least two-thirds of the square footage designated for residential use” (Government Code, Section 65589.5[h][2][B]). The Project, which is a mixed-use, residential (15,000 units) and non-residential project, satisfies SB 330’s definition of a “housing development project” because it is a mixed-use development with residential and non-residential uses with at least two-thirds of the total square footage designated for residential use.

² The City’s 2040 General Plan was adopted by Resolution No. 2021-47 in June 2021; the related zoning changes were adopted by Ordinance No. 981 in June and August 2021.

General Plan itself was not found defective. Further, the court did not prohibit the City from acting with respect to land use issues (*Sierra Club v. City of Moreno Valley*, CVRI2103300, April 12, 2024, Minute Order).

Accordingly, state housing law—including SB 330 and the Housing Accountability Act—requires the City to process and consider approval of this housing development project based on the 2040 General Plan, zoning amendments, and related approvals.

Aquabella Project General Plan Amendment and Rezone

The Project entitlements propose amendments to both the 2040 General Plan and the Aquabella Specific Plan, as well as a Change of Zone (Rezone) to allow for the development of the Project's 15,000 residences and related mixed-uses and non-residential uses. As a result, the Draft SEIR describes the discretionary approvals sought if either the 2040 General Plan or the 2006 General Plan (and their related zoning) is in effect when the City Council considers Project approval (refer to Draft SEIR Section 1.2, pp. 1-3 through 1-4). Project consistency with the 2006 General Plan is also evaluated in Draft SEIR Appendix A, Specific Plan Amendment. This consistency analysis was performed as a backup consistency analysis. Also, the Draft SEIR is a stand-alone project environmental analysis; it does not tier from the City's 2040 General Plan EIR.

In sum, the Draft SEIR appropriately considers the Project and its consistency with the City's 2040 General Plan and zoning in alignment with state housing law and the urgent need to address the housing crisis.

Resources

The following resources support the information presented in this topical response; these resources are available for public review and inspection upon request to the City, and they are incorporated by this reference and included in this record:

1. Aquabella Project SB 330 Preliminary Application, payment receipt, and related e-mails
2. City Council Resolution No. 2021-46 (June 15, 2021) (certifying the 2040 General Plan EIR and adopting findings, overriding considerations, and mitigation monitoring and reporting program under CEQA)
3. City Council Resolution No. 2021-47 (June 2021) (approving the 2040 General Plan, Climate Action Plan, and Climate Action Plan appendices, which had the effect of superseding the 2006 General Plan)
4. City Council Ordinance No. 981 (June 15, 2021, introduction/first reading and August 3, 2021, adoption/second reading)
5. City's Housing Element (as modified in October 2022 and certified by the California Department of Housing and Community Development)
6. City Council Resolution 2022-67 (October 2022)
7. California Department of Housing and Community Development Letter to City dated October 11, 2022
8. Adopted Land Use Map (Updated April 2024)
9. Adopted Circulation Map (Updated October 2021)
10. Permitted Uses Table 9.02-020-1
11. Permitted Uses Table 9.02-020-2
12. Revised Zoning Atlas Map Pages
13. Revised Mixed-Use Overlay Map

14. Zoning Map (Updated April 2024)
15. Statement of Decision (March 5, 2024)
16. Joint Response to City's Objections filed by the Sierra Club and the Attorney General (March 29, 2024)
17. Minute Order (April 12, 2024) (*Sierra Club v. City of Moreno Valley*, Case No. CVR12103300)
18. Judgment (May 6, 2024)
19. Peremptory Writ of Mandate (May 6, 2024)
20. June 18, 2024, Report to City Council (setting aside Resolutions 2021-46 and 2021-47 and ordinance repealing Ordinance No. 981)
21. Resolution No. 2024-37 (June 25, 2024) (setting aside Resolution Nos. 2021-46 and 2021-47 regarding certification of 2040 General Plan EIR and approval of 2040 General Plan)
22. Ordinance No. 1014 (August 8, 2024) (repealing Ordinance No. 981 regarding the Zoning Ordinance Amendment for the 2040 General Plan)

Topical Response 2: Air Quality

This response addresses comments on the Draft SEIR, which state that the Project gives rise to air quality impacts, significant unavoidable air quality impacts, and health concerns. The City responds to such comments below.

Background

As required by CEQA, the Draft SEIR analyzed and identified the Project's air quality impacts and made a good-faith effort to eliminate and/or minimize all potentially significant air quality impacts resulting from the Project through compliance with applicable laws and regulations, adoption of the required project design features (PDFs), and identification of all feasible mitigation measures (see Draft SEIR Section 4.3, pp. 4.3-1 through 4.3-69). The SEIR's analyses are supported by the May 2024 Air Quality, Greenhouse Gas Emissions, and Energy Technical Report (Draft SEIR Appendix D) prepared by subject matter specialists at Dudek (an environmental consulting firm).

In accordance with City practice, the Draft SEIR utilized the air quality significance criteria in Appendix G of the CEQA Guidelines and the emissions-based significance thresholds recommended by the South Coast Air Quality Management District (SCAQMD) (Draft SEIR Section 4.3, pp. 4.3-21 through 4.3-24). Additionally, the Project's air quality analysis required implementation of PDFs intended to reduce criteria air pollutant emissions and other potential environmental impacts, such as those related to vehicle miles traveled, in order to achieve direct or indirect air quality co-benefits (Draft SEIR Section 4.3, pp. 4.3-24 through 4.3-26).

The Draft SEIR disclosed the Project's air quality impacts and mitigation as compared to the prior Aquabella project CEQA analyses and approvals (the original Specific Plan 218 and 2005 Aquabella Specific Plan Amendment). As discussed in the SEIR, the Project site has long been planned for residential, mixed-use development, with at least three environmental reviews and project updates over the years (see Draft SEIR Section 1.1, pp. 1-1 through 1-3). The original 1999 EIR for the prior Aquabella project (2,922 single-family residential units and other uses) found that significant air quality impacts would result from the prior project's inconsistency with SCAQMD Air Quality Management Plan (AQMP) and operation-related criteria air pollutant emissions. The 1999 EIR proposed mitigation adopted by the City that reduced all air quality impacts to less-than-significant levels except for the prior project's inconsistency with the then-applicable AQMP. The plan inconsistency remained a significant and unavoidable impact.

As required by CEQA, Draft SEIR Chapter 7, Alternatives, analyzed and compared the environmental consequences of the Project to seven alternatives to the Project. Except for Alternative 1, the No Project Alternative (zero residential units and no development), all the “build” alternatives resulted in similar, slightly reduced, or greater air quality impacts when compared to the Project (see Draft SEIR Table 7-1, Comparison of the Environmental Impacts of Alternatives, p. 7-26). Further, no Project alternative eliminated the Project’s identified significant and unavoidable air quality impacts (see Alternatives 3 through 7 in Draft SEIR Chapter 7, pp. 7-12 through 7-25).

Below is a detailed summary of the key significance findings in the Project’s air quality assessment. This summary is based primarily on the analysis in Draft SEIR Section 4.3, Air Quality, and the supporting Dudek technical report (Draft SEIR Appendix D).

Air Quality – Summary of Impact Findings

As background, the Draft SEIR’s air quality assessment considered both criteria air pollutants and toxic air contaminants (TACs) associated with the Project. Criteria air pollutants are defined as pollutants for which the regulatory agencies have established ambient air quality standards for outdoor concentrations to protect public health. Criteria air pollutants include ozone, nitrogen dioxide, carbon monoxide (CO), sulfur dioxide, particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM₁₀), particulate matter with an aerodynamic diameter less than or equal to 2.5 microns (PM_{2.5}), and lead. Pollutants considered in this component of the analysis also include volatile organic compounds (VOCs) and oxides of nitrogen (NO_x), which are important because they are precursors to the formation of ozone (see Draft SEIR Appendix D, p. xxiii). TACs are substances released into the air that are identified as toxic—due to their potential to cause adverse health effects in humans—by federal and state agencies following the review of available scientific evidence.

Construction-Related Criteria Air Pollutant Emissions

Construction of the Project would result in the temporary addition of criteria air pollutant emissions to the local air basin caused by on-site sources (e.g., off-road construction and grading equipment, soil disturbance/grading, and VOC off-gassing) and off-site sources (e.g., on-road all trucks, vendor trucks, and worker vehicle trips) (see Draft SEIR Appendix D, p. xxiv). Most of the short-term construction mitigation strategies set forth in the Draft SEIR focus on minimizing construction equipment exhaust (including the use of Tier 4 Final equipment) (EPA 2024), restricting truck and equipment idling times, controlling construction dust, and using super-compliant low-VOC paints during construction to protect public health (see Draft SEIR, Appendix D, pp. xxxi–xxxiv [Mitigation Measure (MM) AQ-2 through MM-AQ-7]).

As shown in Draft SEIR Section 4.3, after implementation of MM-AQ-2 through MM-AQ-7, regional construction emissions would not exceed the applicable SCAQMD significance thresholds for any criteria air pollutant. Therefore, construction-related impacts associated with a cumulatively considerable net increase of any criteria pollutant for which the Project region is in nonattainment would be less than significant with mitigation (see Draft SEIR Appendix D, p. xxiv).

Operation-Related Criteria Air Pollutant Emissions

Operation of the Project would generate criteria air pollutant emissions from mobile sources (vehicles), area sources (consumer products, architectural coatings, and landscape equipment), and energy sources (natural gas consumption from restaurant land uses only) on an ongoing basis (see Draft SEIR Appendix D, p. xxv). During operation, the Project would exceed the numerical significance thresholds established by SCAQMD for VOC, NO_x,

CO, PM₁₀, and PM_{2.5} emissions. As a result, Project operations would result in a cumulatively considerable increase in emissions of nonattainment criteria pollutants and the impact would be significant and unavoidable, even after the implementation of the PDFs and all feasible mitigation (see MM-AQ-8 through MM-AQ-11).

Additionally, concurrent Project construction and operational activities would exceed the numerical significance thresholds recommended by SCAQMD for operational emission of VOC, NO_x, CO, PM₁₀, and PM_{2.5} with PDFs and the identified mitigation measures (see Draft SEIR Section 4.3.7, pp. 4.3-68 through 4.3-69).

Air Quality Plan Consistency

In its CEQA Air Quality Handbook, SCAQMD set forth two criteria for determining a project's consistency with its AQMPs (Chapter 12, Sections 12.2 and 12.3, in SCAQMD 1993).

SCAQMD Consistency Criterion No. 1 asks whether the project "will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards of the interim emissions reductions specified in the AQMP" (SCAQMD 1993). This significance criterion is consistent with CEQA Guidelines, Appendix G, Threshold 1 (Draft SEIR Section 4.3.3, pp. 4.3-21 through 4.3-34).

As shown in the Draft SEIR and associated technical report, the Project's construction emissions would not exceed applicable SCAQMD thresholds after implementation of MM-AQ-2 through MM-AQ-7. However, the Project's operational emissions would result in exceedances of applicable thresholds for VOC, NO_x, CO, PM₁₀, and PM_{2.5} emissions, even after implementation of PDFs and mitigation. As such, the Project's operational criteria air pollutant emissions would have the potential to increase the frequency or severity of a violation of the federal or state ambient air quality standards; therefore, the Project would conflict with this criterion.

SCAQMD Consistency Criterion No. 2 asks whether the project "will exceed the assumptions in the AQMP, or increments based on the year of project buildout and phase" (SCAQMD 1993). This criterion is also consistent with CEQA Guidelines, Appendix G, Threshold 1.

The 2022 AQMP accommodates planned growth in the South Coast Air Basin. Projects are considered consistent with the 2022 AQMP and would not conflict with or obstruct implementation of the 2022 AQMP if the growth in socioeconomic factors (e.g., population, employment) is consistent with the underlying regional plans used to develop the AQMP.

Based on the Draft SEIR, the Project would result in the construction of an additional 12,298 multifamily and workforce housing dwelling units for all ages and income levels when compared to the existing approved plan of 2,922 dwelling units, for a total 15,000 units. The proposed 12,298 additional units would have the potential to house approximately 35,295 more people compared to the prior approvals, based on an average household size of 2.87 persons per dwelling unit, and a total of approximately 43,050 people would be housed at the Project site after full build-out. The Project's 43,050 population estimate would fall within the Southern California Association of Government (SCAG) forecast of an additional 61,100 new residents by 2045 in the City of Moreno Valley (SCAG 2020a); thus, the Project would accommodate population growth anticipated to occur in the City through 2045.

Permanent jobs would mostly be associated with the Project's town center and proposed schools. The Project is not anticipated to cause significant numbers of people to relocate for employment purposes. Therefore, Project construction and operation is not anticipated to induce substantial unplanned population growth related to employment, which would be within the SCAG forecast of 29,400 new jobs within the City by 2045 (SCAG 2020a).

While the preceding considerations and numerical assessment support a determination that the Project's residential and employment growth are within the SCAG 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy growth projections for Moreno Valley, because the Project includes a General Plan Amendment to increase the residential land use density (allowing for up to 50 dwelling units per acre) beyond that allowed for under current General Plan land use and zoning designations, the Project's increase in residential population may conflict with the regional growth projections assumed in the 2022 AQMP. The Project's employment is less likely to conflict with regional growth projections because the site was previously approved for 25 acres of commercial use (300,000 square feet of commercial/retail), and the Project provides less commercial use; however, the Project also includes four schools, which were previously not assumed, so overall employment growth could conflict with the 2022 AQMP growth assumptions.

As such, the Project would result in increased population and employment growth that may not be within SCAG's projections incorporated in the 2022 AQMP. Thus, the Project would potentially conflict with Consistency Criterion No. 2 of the SCAQMD CEQA Air Quality Handbook.

In summary, the Project would potentially conflict with Consistency Criteria Nos. 1 and 2 of the SCAQMD CEQA Air Quality Handbook, and the Project's impacts relative to AQMP consistency would be potentially significant (see Draft SEIR Section 4.3.3, pp. 4.3-21 through 4.3-34). As to Consistency Criterion No. 1, the Draft SEIR states that implementation of MM-AQ-2 through MM-AQ-7 would not reduce the Project's operational VOC, NO_x, CO, PM₁₀, and PM_{2.5} emissions below the SCAQMD mass daily significance thresholds. As to Consistency Criterion No. 2, the Draft SEIR states that MM-AQ-1 would be implemented to ensure that the appropriate residential and employment growth projections at the Project site are incorporated into the next SCAG Regional Transportation Plan/Sustainable Communities Strategy and thereby be incorporated into the following SCAQMD AQMP. However, the Project would still result in a temporary conflict with SCAQMD Consistency Criterion No. 2, even with implementation of MM-AQ-1. As such, the Project would result in a significant and unavoidable impact regarding the potential to conflict with SCAQMD's 2022 AQMP.

Potential to Result in a Cumulatively Considerable Net Increase of Any Nonattainment Criteria Pollutant

Construction Criteria Air Pollutant Emissions

As stated above, the Draft SEIR has determined that, after implementation of MM-AQ-2 through MM-AQ-7, the Project's regional construction emissions would not exceed the applicable SCAQMD thresholds of significance for any criteria pollutant. Therefore, construction-related impacts associated with a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment would be less than significant with mitigation.

Operational Criteria Air Pollutant Emissions

As stated above, the Draft SEIR has determined that, even with implementation of PDFs and mitigation measures (MM-AQ-8 through MM-AQ-11), the Project would exceed the SCAQMD operational thresholds for VOC, NO_x, CO, PM₁₀, and PM_{2.5} emissions. The South Coast Air Basin has been designated as a national nonattainment area for ozone and PM_{2.5} and a California nonattainment area for ozone, PM₁₀, and PM_{2.5}. Concurrent construction and operational activities would also exceed the numerical thresholds of significance recommended by SCAQMD for operational emissions of VOCs, NO_x, CO, PM₁₀, and PM_{2.5}, even with PDFs and mitigation. Because the Project-generated operational emissions would exceed the SCAQMD thresholds, the Draft SEIR found that the Project would

result in a cumulatively considerable increase in emissions of nonattainment pollutants, and the impact would be significant and unavoidable.

Exposure of Sensitive Receptors

Localized Significance Thresholds

The Draft SEIR conducted a localized significance threshold (LST) analysis consistent with the SCAQMD guidance to determine potential impacts to nearby sensitive receptors during construction of the Project. Construction of the Project would result in emissions of PM₁₀ and PM_{2.5} that would exceed the applicable SCAQMD LSTs without mitigation (see Threshold 3 discussion in Draft SEIR Section 4.3.4.2, pp. 4.3-50 through 4.3-57). As such, the Project would result in a potentially significant impact related to construction LSTs prior to mitigation. Implementation of MM-AQ-2 through MM-AQ-7, however, would reduce the Project's construction emissions below the applicable SCAQMD LSTs, and associated impacts would be less than significant with mitigation (see Threshold 3 discussion in Draft SEIR Section 4.3.4.2, pp. 4.3-50 through 4.3-57).

According to Draft SEIR Appendix D, no operational LST analysis was determined to be necessary per the SCAQMD LST guidance as the Project would not result in substantial on-site sources of criteria air pollutant emissions (e.g., stationary sources), especially since the Project eliminates most of the anticipated natural gas use (with implementation of PDF-AQ/GHG-2) (see Draft SEIR Appendix D, p. xxv). Therefore, operational LST impacts would be less than significant.

Carbon Monoxide Hotspots

Based on Draft SEIR Appendix D, the Project would not expose sensitive receptors to localized high concentrations of CO or contribute to traffic volumes at intersections that would cause a CO hotspot during construction or operation (see Draft SEIR Appendix D, p. xxv). As such, potential construction or operational CO hotspot impacts would be less than significant without the need for mitigation.

Health Risk Assessment

Construction

As explained in the Draft SEIR (Section 4.3.3, pp. 4.3-21 through 4.3-34, and Appendix D), a construction health risk assessment was performed to estimate the Maximum Individual Cancer Risk and the Chronic Hazard Index for nearby residential receptors due to Project-generated TACs during construction.

Without mitigation, Project construction activities would result in a Residential Maximum Individual Cancer Risk of 63.2 in 1 million for off-site receptors and 33.2 in 1 million for on-site receptors, which exceeds the SCAQMD significance threshold of 10 in 1 million. The Project would also exceed the cancer risk thresholds for the nearest nonresidential sensitive receptor (Vista del Lago High School) at 20.8 in 1 million (see Draft SEIR Section 4.3, Table 4.3-15, p. 4.3-54). Thus, Project construction TAC health risk impacts would be potentially significant prior to mitigation (see Draft SEIR Section 4.3, pp. 4.3-54 through 4.3-55). However, after incorporation of MM-AQ-2 (see Draft SEIR Section 4.3, Table 4.3-16, p. 4.3-55), the health risk assessment results show that the Residential Maximum Individual Cancer Risk for off-site receptors, on-site receptors, and nonresidential receptors would be avoided as the cancer risk would be reduced below the threshold of 10 in 1 million. Thus, as to exposure of sensitive

receptors to substantial pollutant concentrations, Project-specific TAC impacts associated with cancer risk during construction would be less than significant with mitigation (see Draft SEIR Section 4.3, p. 4.3-55).

As to the non-cancer health risk metric, Project construction would result in a Residential Chronic Hazard Index of 0.04 for off-site receptors and 0.02 for on-site receptors, which is below the 1.0 significance threshold set by SCAQMD; therefore, the impact would be less than significant.

Operation

As with the LST analysis summarized above, no operational health risk assessment was determined to be required because no long-term, operational sources of TACs are anticipated. As such, the Project's potential operational health risk impact would be less than significant (see Draft SEIR Section 4.3, pp. 4.3-55 through 4.3-56).

Cumulative Health Risk

As explained in the Draft SEIR (Section 4.3, p. 4.3-56), SCAQMD does not have an established approach to assessing cumulative health risk impacts. However, SCAQMD has initiated a public process (including five Working Group meetings as of June 2024) for the development of additional guidance for public agencies when they evaluate cumulative air quality impacts from increased concentrations of TACs for projects subject to the requirements of CEQA. As part of this public process, SCAQMD has not included construction health risk in the cumulative health risk analysis recommendations since construction is typically short-term. However, the draft applicability framework of the SCAQMD cumulative health risk concept includes long-term construction with the examples of transportation projects such as high-speed rail. Because construction of the Project is assumed to have a duration of 12 years, it may not qualify as a short-term project and the final guidance—once issued—may be applicable (see Draft SEIR Section 4.3, p. 4.3-56). Nonetheless, as described in the Draft SEIR, the Project itself would result in less-than-significant construction-related health risk impacts with implementation of MM-AQ-2. Therefore, the Project would not result in a cumulatively considerable health risk impact from construction.

In addition, SCAQMD has indicated that projects that consist of primarily residential development, such as the Project, would screen out of a cumulative health risk analysis for operations since they tend to have low potential cancer risk (SCAQMD 2023).

Overall, based on the preceding considerations, potential cumulative health risk associated with Project development would be potentially significant prior to mitigation and less than significant after mitigation.

Valley Fever

As explained in the Draft SEIR (Section 4.3, pp. 4.3-56 through 4.3-57), valley fever is not highly endemic to Riverside County. Nonetheless, to reduce fugitive dust from the Project and minimize adverse air quality impacts, the Project would employ dust control measures in accordance with SCAQMD Rules 401 and 403. The Project would not result in a significant impact attributable to valley fever exposure based on its geographic location and compliance with applicable regulatory standards and dust control measures, which would serve to minimize the release of and exposure to fungal spores. Therefore, the Draft SEIR found that Project impacts associated with valley fever exposure for sensitive receptors would be less than significant.

Other Emissions (Odors)

As explained in the Draft SEIR (Section 4.3, pp. 4.3-57 through 4.3-58), the analysis of other emissions is focused on the potential for an odor impact to occur. Potential odors produced during Project construction would be attributable to architectural coatings, asphalt pavement application, and concentrations of unburned hydrocarbons from tailpipes of construction equipment, all of which would disperse rapidly from the Project site and generally occur at magnitudes that would not affect substantial numbers of people. The Draft SEIR found that impacts associated with odors during construction would be less than significant. The Draft SEIR also found that the Project operation would not include land uses with sources that have the potential to generate substantial odors, and impacts associated with odors during operation would be less than significant.

Attachments

Draft SEIR Chapter 1A, Executive Summary, Section 1A.6, includes Table 1A-2, Project Design Features (pp. 1A-12 through 1A-21), which provides the list of all PDFs incorporated into the Aquabella Specific Plan Amendment and Project Design in order to minimize potential environmental effects of the Project. To ensure enforcement, the Draft SEIR states that the PDFs will be included in the Project's Mitigation Monitoring and Reporting Plan, which is required by CEQA, California Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097 (see Draft SEIR Section 1A.6, p.1A-12). These CEQA provisions require a lead agency that approves or carries out a project, where a CEQA document has identified significant environmental effects, to adopt a "reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval in order to mitigate or avoid significant effects on the environment." The intent of the Mitigation Monitoring and Reporting Plan is to ensure implementation of the mitigation measures (and PDFs) identified in the SEIR for the Project.

Table 1A-2, Project Design Features – Air Quality/Transportation/Land Use, included as Attachment A to this document, sets forth the specific PDFs related to air quality, transportation, and land use. When combined, these PDFs directly or indirectly result in reductions in criteria air pollutant and TAC emissions. These measures will be included in the Project's Mitigation Monitoring and Reporting Plan. Refer also to Draft SEIR Table 4.3-6 (pp. 4.3-25 through 4.3-26), which explains whether these PDFs are incorporated into the air quality emissions estimates as a quantitative feature or a qualitative supporting feature (i.e., emissions reductions not quantitatively estimated).

Table 1A-3A, Summary of Project Air Quality Impacts, Mitigation, and Level of Significance, included as Attachment B to this document, contains a focused summary of the air quality significance criteria, the air quality impact determination before mitigation, the air quality mitigation measures, and the level of significance after the mitigation measures are applied to the Project.

The purpose of both Attachments A and B is to bring together all the Project's air quality PDFs and mitigation measures so that the reader is apprised of all such tools used to avoid or significantly lessen the Project's air quality impacts.

Significant and Unavoidable Air Quality Impacts

The Draft SEIR finds that the Project will result in the significant unavoidable air quality impacts described above (i.e., the Project's potential conflict with the 2022 AQMP and exceedance of SCAQMD's mass emissions thresholds for operational criteria air pollutants) and that such impacts cannot be avoided or reduced further despite compliance with all applicable federal, state, regional and local air quality laws and regulations; adherence to the

required PDFs; and incorporation of all feasible mitigation measures (see Attachments A and B). After considering the Project and the administrative record and weighing the Project's economic, legal, social, technological, environmental, and other benefits against the Project's significant and unavoidable air quality impacts, the City will be asked to find that each of the significant public benefits associated with the Project constitutes an overriding consideration that outweighs the Project's significant and unavoidable air quality impacts. As such, the City will be asked to consider adoption of a Statement of Overriding Considerations pursuant to CEQA and the CEQA Guidelines.

Topical Response 3: Project Design Features

This response addresses comments stating that the Draft SEIR's treatment of project design features (PDF), part of the Project, violates CEQA because the Draft SEIR has wrongfully considered the PDFs as mitigation measures, an analysis prohibited by the Court of Appeal's opinion in *Lotus v. Department of Transportation*, (2014) 223 Cal.App.4th 645.

The *Lotus* decision involved the reconstruction of Highway 101 through an old growth stand of redwood trees north of San Francisco (Id. at p. 648). The work would encroach into the structural root zones of a number of the trees (Id. at p. 649). Recognizing that the work could endanger the trees, the EIR prepared by the Department of Transportation (Caltrans) identified a number of "special construction techniques" designed to minimize the impacts to the trees (Id. at pp. 651–652). As a result, the EIR concluded that "no significant environmental effects are expected as a result of this project with the implementation of the stated special construction techniques" (Id. at p. 651).

The Court of Appeal reversed the trial court's judgment, which had upheld the validity of Caltrans's EIR, stating that, "In fact, the EIR fails to identify any standard of significance, much less to apply one to an analysis of predictable impacts from the project" (Id. at p. 655). The Court of Appeal added that (Id. at pp. 655–656; footnote omitted):

Caltrans compounds this omission by incorporating the proposed mitigation measures into its description of the project and then concluding that any potential impacts from the project will be less than significant. As the trial court held, the 'avoidance, minimization and/or mitigation measures,' as they are characterized in the EIR, are not 'part of the project.' They are mitigation measures designed to reduce or eliminate the damage to the redwoods anticipated from disturbing the structural root zone of the trees by excavation and placement of impermeable materials over the root zones. By compressing the analysis of impacts and mitigation measures into a single issue, the EIR disregards the requirements of CEQA.

Two years later, the same three Court of Appeal Justices handed down their decision in *Mission Bay Alliance v. Office of Community Investment and Infrastructure* (2016) 6 Cal. App.5th 160, which involved construction of the arena to house the Golden State Warriors as well as other events (Id. at p. 168). The project incorporated "the San Francisco Municipal Travel Agency's (SFMTA or Muni) special service plan (Muni TSP), which provides for additional transit service during large events" (Id. at p. 180).

Opponents contended that the EIR "improperly includes the Muni TSP as a component of the project rather than as a mitigation measures, so that the FSEIR fails to consider alternate feasible mitigation measures" (Id. at p. 184; footnote omitted). The decision then went on to discuss *Lotus*, stating (Id. at p. 185.):

Arguably, some components of the TSP might be characterized as mitigation measures rather than as part of the project itself. Any mischaracterization is significant, however, only if it precludes or

obfuscates required disclosure of the project's environmental impacts and analysis of potential mitigation measures.

Here, characterization of the Muni TSP as part of the project and not as a mitigation measure did not, as plaintiffs suggest, interfere with the identification of the transportation consequences of the project or the analysis of measures to mitigate those consequences. Unlike the situation in *Lotus*, the environmental impacts of the project on vehicle traffic and transit are fully disclosed in the FSEIR. The FSEIR includes analysis both with and without implementation of the Muni TSP and applies the same threshold standards to determine the significance of those impacts. By comparing the significance of the impact on local transit with and without the TSP, a reader learns that while implementation of the TSP will reduce impacts on Muni travel to a less than significant level, the impact without the TSP remains significant and unavoidable, even with alternative mitigation measures.

As in the *Mission Alliance* case, the Draft SEIR listed the appropriate PDFs and mitigation measures in Draft SEIR Table 1A-2, pages 1A-12 through 1A15, and then compared the resulting impacts in each case where both were present and where impacts were potentially significant – air quality and greenhouse gases – so that the reader can see how effective the PDFs are going to be.³ The following lists include the sections of the SEIR that provide analysis of the project with and without PDFs and mitigation measures:

Section 4.3, Air Quality

- Trip rates and VMT, Draft SEIR at pages 4.3-31 through 4.3-32 (without and with PDFs)
- Area Sources, Draft SEIR at pages 4.3-32 through 4.3-33 (without and with PDFs)
- Energy Sources, Draft SEIR at pages 4.3-33 through 4.3-34 (without and with PDFs)
- Table 4.3-11, Estimated Maximum Daily Operation Criteria Air Pollutant Emissions, Interim Operation Years – Unmitigated, Draft SEIR at pages 4.3-43 through 4.3-44 (without and with PDFs)
- Table 4.3-12, Estimated Maximum Daily Operation Criteria Air Pollutant Emissions – Full Buildout – 2037 – Unmitigated, Draft SEIR at pages 4.3-44 through 4.3-45 (without and with PDFs)

Section 4.8, Greenhouse Gases

- Trip rates and VMT, Draft SEIR at page 4.8-35 (without and with PDFs)
- Area Sources, Draft SEIR at page 4.8-46 (without and with PDFs)
- Energy Sources, Draft SEIR at pages 4.8-46 through 4.8-48 (without and with PDFs)
- Water and Wastewater, Draft SEIR at pages 4.8-48 through 4.8-49 (without and with PDFs)
- Solid Waste, Draft EIR at page 4.8-49 (without and with PDFs)
- Refrigerants, Draft SEIR at page 4.8-50 (without and with PDFs)
- Table 4.8-7, Estimated Annual Construction Greenhouse Gas Emissions – Unmitigated, Draft SEIR at page 4.8-70
- Table 4.8-8, Estimated Annual Construction Greenhouse Gas Emissions – Mitigated, Draft SEIR at page 4.8-71

³ Where appropriate, the unmitigated impacts are also presented.

- Table 4.8-9, Estimated Annual Operational Greenhouse gas Emissions – Operational Interim Years, Draft SEIR at page 4.8-72 (without and with PDFs)
- Table 4.8-11, Estimated Annual Greenhouse gas Emissions – Full Buildout – 20237, Draft SEIR at page 4.8-73 (without and with PDFs)

Enforcement

The Draft SEIR provides that, “All PDFs would be required as City-imposed Conditions of Approval to ensure they are implemented during construction and operation of the project” (Draft SEIR Section 4.6, p. 4.6-13). Further, “To ensure enforcement, the PDFs will be included in the Project’s Mitigation Monitoring and Reporting Plan (MMRP)” (Draft SEIR Section 1A.6, p. 1A-12).

Conclusion

By providing the reader with quantitative analyses of the impact reduction where both PDFs and mitigation measures are considered and by ensuring that the PDFs and mitigation measures will be included, monitored and enforced, the Draft SEIR more than satisfies the CEQA requirement of mitigation of potential significant environmental impacts.

Topical Response 4: Greenhouse Gas Emissions

This response addresses comments concerning the Project’s greenhouse gas (GHG) emissions. The comments claim the Project must achieve net zero emissions or otherwise the Draft SEIR’s determination that impacts will be less than significant is unsupported. Additionally, comments inquire as to how the analysis was prepared and what it evaluated. Comments also raise specific issues concerning affordable housing, electrification and natural gas use, and electric vehicle charger incorporation into the Project. This response addresses each of these comments.

A. SEIR’s GHG Impact Analysis and Substantial Evidence Supports the Less-than-Significant Impact Determination

The Draft SEIR evaluated whether the Project would generate GHG emissions that significantly impact the environment or conflict with any plan, policy, or regulation aimed at reducing GHG emissions. The significance determination methodology used in the SEIR includes a three-pronged analysis comprised of the following:

- **Consistency with the City’s Climate Action Plan (CAP):** The SEIR evaluated the Project’s consistency with the City’s CAP.
- **Consistency with the California Air Resources Board (CARB) Scoping Plan:** The SEIR evaluated the Project’s consistency with the Scoping Plan and specifically Appendix D therein, which identifies “key project attributes” for residential and mixed-use projects to demonstrate alignment with the state’s GHG reduction objectives.
- **Consistency with the Southern California Association of Government (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS):** The SEIR assessed the Project’s alignment with the GHG-related goals of SCAG’s RTP/SCS.

1. The Draft SEIR Appropriately Considers CAP Consistency without Tiering or Streamlining CEQA Review

As relevant background, and as discussed under Topical Response 1, SB 330 and General Plan Consistency Analysis, the Senate Bill (SB) 330 preliminary application process for housing development projects provides certainty for housing developers by vesting or “freezing” applicable “ordinances, policies, and standards” at the time of preliminary application submittal (Government Code, Section 65589.5[o][1]). This includes general plan and zoning standards and criteria, as well as other objective development standards, rules, regulations, and fees (Government Code, Section 65589.5[o][4]).

On September 6, 2023, the Project submitted an SB 330 preliminary application and paid the processing fee. At that time, the City’s 2040 General Plan and CAP were in effect (adopted by Resolution No. 2021-47 in June 2021). Thus, the Project was evaluated for CAP consistency.

Therefore, as noted above, the Draft SEIR considers the Project’s consistency with the City’s adopted CAP, *but it does not rely on the CAP for CEQA streamlining purposes*. As detailed in Section 4.8.4.2 (pp. 4.8-52 through 4.8-74) and Appendix D of the Draft SEIR, the CAP consistency analysis shows that the Project proposes a General Plan Amendment to increase the number of dwelling units and land use density on an infill site in the City’s Downtown Center, leading to higher GHG emissions at the site compared to 2040 General Plan projections. Consequently, the CAP Checklist requires a full GHG impact analysis as part of the CEQA process, including mitigation measures identified to reduce GHG impacts. The SEIR completes this analysis by evaluating consistency with CARB’s Scoping Plan and SCAG’s RTP/SCS; it does not use the CAP to streamline the GHG impact analysis. Instead, as stated, the Draft SEIR’s GHG analysis completed a full GHG impact and mitigation assessment pursuant to CEQA and the CEQA Guidelines.

In addition Draft SEIR Table 4.8-4, Project Consistency Evaluation with Moreno Valley Climate Action Plan Required Project-Level GHG Reduction Measures (pp. 4.8-54 through 4.8-56), demonstrates consistency with applicable CAP measures. Draft SEIR Table 4.8-5, Project Compliance with Moreno Valley Climate Action Plan Voluntary Project-Level GHG Reduction Measures (pp. 4.8-56 through 4.8-59), demonstrates adherence to the CAP’s applicable voluntary measures, further supporting CAP consistency. The CAP consistency analysis further shows the Project would result in approximately 2.34 metric tons (MT) of carbon dioxide equivalent (CO₂e) per capita, which is *below* the City’s CAP target of 4.0 MT CO₂e per capita and its anticipated achieved per capita emissions of 3.62 MT CO₂e.

In summary, the Draft SEIR appropriately evaluates the Project’s CAP consistency and finds that streamlining is not supported (because of the General Plan Amendment to increase density), and a full GHG impact analysis was completed as part of the CEQA process. Under this rubric, no significance conclusion regarding the Project’s CAP consistency is reached or required. The Project does not tier from the CAP as a qualified GHG emissions reduction plan for CEQA streamlining, but rather undertakes further, full GHG analysis per CARB’s 2022 Scoping Plan and SCAG’s RTP/SCS.

2. The SEIR Appropriately Evaluates Consistency with CARB’s Scoping Plan

The Draft SEIR provides a thorough evaluation of the Project’s alignment with CARB’s Scoping Plan based upon its consideration of key attributes for residential and mixed-use projects listed in the Scoping Plan’s Appendix D, Table 3. As explained in Section 4.8.4.2 (pp. 4.8-52 through 4.8-74) and Appendix D of the Draft SEIR, the key attributes identified in Scoping Plan Appendix D, Table 3, serve as a guide for determining consistency with the state’s climate strategy under CEQA. Residential/mixed use projects that satisfy all key attributes are—in the words of the Scoping Plan—“clearly consistent” with the state’s climate strategy for CEQA purposes. For projects that incorporate some,

but not all, key project attributes, the Scoping Plan states that lead agencies can still demonstrate consistency with the state’s climate goals with “adequate additional supporting evidence” (CARB 2022a, pp. 23–24).

The SEIR has effectively demonstrated the Project’s consistency with the Scoping Plan’s Appendix D, Table 3, “key project attributes” (see Draft SEIR Section 4.8, pp. 4.8-60 through 4.8-67). More specifically, Draft SEIR Table 4.8-6 (pp. 4.8-61 through 4.8-66) shows that the Project meets nearly all the CARB-recommended attributes for residential/mixed-use projects. The Project may not clearly satisfy the 20% affordable unit attribute and exempts restaurant uses from the all-electric appliance requirement. Each of these attributes is discussed further below.

CARB’s Affordability Attribute and Project Compliance

The CARB affordability attribute reads: “At least 20% of the units are affordable to lower-income residents” (CARB 2022a). This aims to reduce GHG emissions by facilitating lower-income families’ access to housing near job centers, promoting a jobs/housing balance near transit, and reducing commutes. Providing housing units affordable to lower-income residents is intended to reduce vehicle miles traveled (VMT) through more compact living conditions in location-efficient areas.

This attribute does *not* mandate that 20% of the units be deed restricted low-income housing.

As explained in Draft SEIR Table 4.8-6 (pp. 4.8-61 through 4.8-66), while the Project does not include income-restricted housing, it offers multifamily residential units intended as workforce housing, priced affordably for most people in the area. Market forces will make a substantial number of units affordable to lower-income residents. Research shows VMT reductions from naturally-occurring affordable housing,⁴ increased density,⁵ reduced parking requirements,⁶ unbundled parking,^{7,8} improvements to bike and pedestrian facilities,⁹ and improved transit access — all elements of this Project. The Project’s mixed-use development near job centers also would help reduce VMT, balance the City’s jobs-to-housing ratio, reduce commutes, and lower GHG emissions.

According to CAPCOA Measure T-4 (CAPCOA 2021), affordable housing can achieve up to a 28.6% reduction in GHG emissions, based on trip generation differences between low-rise multifamily residential (6.74 daily trips generated) and affordable housing (4.81 daily trips generated). Mid-rise multifamily housing generates fewer daily trips (4.54) compared to affordable housing (4.81) (ITE 2021). Therefore, the Project’s design, featuring 50% mid-rise multifamily housing, is expected to achieve an equivalent, if not greater, VMT reduction compared to a 20% affordable housing requirement. Additionally, evidence shows similar commute distances for higher- and lower-income earners in the Project region (26.1 miles and 24.6 miles) (Blumenberg and Wander 2023), showing that

⁴ Mokhtarian et al. 2017; lower-income households are more likely to own zero or fewer-than-expected vehicles and have lower VMT; residents of rental units and high-density neighborhoods are likely to own lower-than-expected or zero vehicles.

⁵ CAPCOA 2021; Measure T-1, Increase Residential Density. See also Ewing et al. 2007; Stevens 2016; Mokhtarian et al. 2017; Chapple 2015 (finding increased lower income residents and higher density development were consistently associated with fewer driving trips and lower VMT [and vice versa]).

⁶ CAPCOA 2021; Measure T-15, Limit Residential Parking Supply. See also Chatman 2013; ITE 2019.

⁷ CAPCOA 2021; Measure T-16, Unbundle Residential Parking Cost from Property Cost. See also Pinski 2018 (finding households with bundled parking drive approximately 3,800 miles more, use transit less, spend nearly \$580 more on gasoline, and emit 14.47 more metric tons of carbon dioxide per year than households with unbundled parking); Gabbe and Pierce 2017 (unbundling parking improves housing affordability as cost of garage parking to renters is 17% of housing unit’s rent annually, resulting in deadweight loss for carless renter households or those with fewer vehicles than parking spaces); Manville 2013 (unbundled parking substantially improves housing affordability); Litman 2020 (unbundled parking can reduce housing costs by 10-20%).

⁸ Senate Rules Committee Analysis of AB 1317, (Carillo 2023).
https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202320240AB1317#.

⁹ CAPCOA 2021; e.g., Measures T-10, T-18, T-19 A and B, T-20, T-22 A and B. See also Handy et al. 2014.

the VMT reduction from mid-rise multifamily housing is at least comparable to that from 20% income-restricted affordable housing.

Additionally, requiring 20% deed-restricted affordable housing could suppress housing production and affordability, potentially increasing VMT in Moreno Valley (LAO 2016a). A recent University of California, Los Angeles, study found that higher inclusionary zoning requirements diminish returns on below-market-rate housing and accelerate overall housing production losses (Phillips 2024). For example, a 20% inclusionary requirement could halve market-rate housing production and nearly halve total housing production. This outcome would conflict with the City's Housing Element, which states that housing in the City is generally affordable for low- and moderate-income households, but that there is a need for denser housing at all levels of affordability (City of Moreno Valley 2021, pp. 32-33).

In sum, the Project aligns with CARB's key affordability attribute by providing housing affordable to lower-income residents. The Draft SEIR demonstrates that the Project is consistent with state climate goals, with its 50% mid-rise multifamily housing achieving equivalent or better VMT reductions compared to a 20% low-income housing requirement.

CARB's Electrification Attribute and Project Compliance

CARB's electrification attribute specifies that a project should "use all electric appliances, without any natural gas connections, and would not use propane or other fossil fuels for space heating, water heating, or indoor cooking" (CARB 2022a). PDF-AQ/GHG-2 requires only electric fireplaces in residential units and prohibits residential units from having wood-burning or natural gas fireplaces or stoves, which comports with CARB's electrification attribute. Table 4.8-6 of the Draft SEIR (pp. 4.8-61 through 4.8-66) further explains that the Project adheres to CARB's electrification attribute by incorporating PDF-AQ/GHG-3, which mandates use of all-electric appliances and end uses (including heating, ventilation, and air conditioning; water heating; and induction cooking) in all residential and non-residential development, with the limited and narrow exception of restaurant land uses within the retail space. Further, PDF-AQ/GHG-4 provides for the provision of rooftop solar on all residential and non-residential buildings in accordance with the California Building Code (24 CCR Part 6).

Thus, the Project's 15,000 residential units and the majority of retail space would be all-electric, aligning with CARB's electrification attribute. Only an estimated 14,970 square feet of restaurant uses would not be fully electric.

To address the limited consumption of natural gas by on-site restaurant space, the Draft SEIR quantified the GHG emissions reduction attributable to eliminating natural gas from restaurant uses, estimating a reduction of 75 MT CO₂e per year at Project buildout in 2037. To achieve a corresponding emissions reduction, the Project will implement MM-GHG-1, which involves the installation of additional electric vehicle (EV) chargers beyond what is required by project design features:

MM-GHG-1 Installation of Additional Electric Vehicle Chargers Beyond Project Design Feature. The Project shall install an additional 180 Level 2 240v electric vehicle supply equipment (or stations) in Project parking lots or remaining garages beyond the commitment in PDF-AQ/GHG-1. As PDF-AQ/GHG-1 requires 3,566 (or 15%) Level 2 240v electric vehicle supply equipment (or stations) at Project buildout, implementation of MM-GHG-1 would require installation of a total of 3,746 charging stations at Project buildout. To ensure contemporaneous GHG emissions reductions when natural-gas related GHG emissions are emitted by the Project's restaurant land uses, at least 90 EV chargers above CALGreen Tier 2 standards shall be installed and operational at 50% occupancy of

the restaurant land uses and at least 180 EV chargers above CALGreen Tier 2 standards shall be installed and operational at 100% occupancy of the restaurant land uses.

This measure is expected to achieve GHG emission reductions of 76 MT CO₂e per year.

Thus, with implementation MM-GHG-1, the Project would achieve equivalent GHG reductions to a project that otherwise fully aligns with the Scoping Plan’s “key project attributes,” effectively closing the emissions gap attributable to natural gas consumption by on-site restaurant spaces and demonstrating consistency with CARB’s Scoping Plan Appendix D and the state’s climate strategy.

Conclusion

Based on the detailed analysis provided, the Draft SEIR and substantial evidence support the City’s assessment of the Project’s consistency with the key attributes for residential and mixed-use projects set forth in CARB’s Scoping Plan, Appendix D, Table 3. The City has appropriately determined that the Project aligns with the Scoping Plan and the state’s climate strategy and that the Project would accordingly result in less-than-significant impacts to GHG emissions.

3. SCAG RTP/SCS Consistency

The Draft SEIR assessed Project consistency with the GHG-related goals of SCAG’s 2020–2045 RTP/SCS, which was “vested” when the preliminary application was filed in September 2023. Based on the analysis in Draft SEIR Section 4.18, it was determined that the Project would be consistent with the 2020-2045 RTP/SCS, resulting in a less-than-significant impact.

The Draft SEIR also noted that, at the time of its publication, SCAG had released its draft 2024–2050 RTP/SCS—known as “Connect SoCal 2024”—and identified that Project strategies would be supportive of the 2024–2050 RTP/SCS (SCAG 2020). While the 2020–2045 RTP/SCS was “vested” as the regulatory document against which this Project is evaluated pursuant to SB 330, the Final SEIR also includes an evaluation of Project consistency with the recently adopted Connect SoCal 2024 plan. Refer to Chapter 2, Errata, of the Final EIR. As shown therein, the Project would be consistent with Connect SoCal 2024, affirming the SEIR’s less-than-significant impact determination.

B. “Net Zero” is Not Required and No Additional Mitigation is Required for the Project’s Less-than-Significant GHG Impact

In response to comments that the Project should be required to achieve net zero GHG emissions, eliminate gas appliances in restaurant uses, and incorporate additional EV charging infrastructure, CEQA does not mandate that projects achieve net zero emissions or that mitigation be adopted for impacts identified as less than significant (California Public Resources Code, Section 21100[b][3]; 14 CCR 15126.4[a][3] and [c]; *North Coast Rivers Alliance v. Marin Mun. Water Dist.* [2013] 216 Cal.App.4th 614, 649).

Further, CARB recognizes that a net zero approach “may not be feasible or appropriate for every project” and provides alternative methods for evaluating alignment with state climate goals (Draft SEIR Section 4.8, p. 4.8-13, citing CARB 2022b). The City has thoroughly evaluated the Project’s consistency with key attributes provided by CARB as an alternative approach for assessing residential and mixed-use development’s alignment with state climate objectives. Pursuant to this approach, the Project’s GHG impacts are demonstrated to be less than

significant with implementation of MM-GHG-1; thus, no additional mitigation is necessary or required (see discussion above).

The Draft SEIR also demonstrates that the Project aligns with the regional RTP/SCS with the implementation of MM-GHG-1. Consequently, additional mitigation to reduce GHG impacts is neither required nor appropriate under CEQA.

The Project appropriately minimizes use of gas appliances, maximizes EV charging infrastructure, and requires rooftop solar on all residential and non-residential buildings, as discussed. Overall, the Project demonstrates a strong commitment to reducing GHG emissions and supporting sustainable development practices, consistent with CEQA requirements and state climate goals.

1. Gas Appliances in Restaurants

As discussed above, PDF-AQ/GHG-3 mandates use of all-electric appliances in all residential and non-residential developments, except for restaurant land uses within the retail space. Only an estimated 14,970 square feet of restaurant use would not be fully electric.

The U.S. Court of Appeals for the Ninth Circuit recently struck down a ban on natural gas piping in newly constructed buildings in *California Restaurant Association v. City of Berkeley* (9th Cir. 2024) 89 F.4th 1094 (amending and superseding *California Restaurant Association v. City of Berkeley* [9th Cir. 2023] 65 F.4th 1045). The court ruled that such regulation is preempted by the Energy Policy and Conservation Act (EPCA) (42 USC 6297[c]). In that case, the California Restaurant Association, whose members include restaurateurs and chefs, challenged Berkeley's regulation, arguing it would render gas appliances in restaurants unusable. The court found the Energy Policy and Conservation Act expressly preempts state and local regulations concerning the energy use of many natural gas appliances, including those used in restaurant kitchens, thereby preempting Berkeley's ban on natural gas piping in new buildings.

The applicant has proposed to eliminate natural gas within all the Project's residential and commercial uses, except for the restaurant space. This approach aligns with state and local GHG and air quality objectives, while respecting the federal preemption determination in *California Restaurant Association v. City of Berkeley* (9th Cir. 2024) 89 F.4th 1094 and addressing the needs of the restaurant industry/business sector.

2. EV Charging

In response to comments regarding the adequacy of EV charging infrastructure provided by the Project, the following details are provided to ensure clarity and demonstrate the Project's commitment to supporting EV adoption and reducing GHG emissions.

The Project consists of 15,000 residential units, necessitating approximately 23,000 parking spaces, including garages and surface spots. Additionally, another 772 spaces are planned for the Town Center to support commercial uses, bringing the total number of parking spaces to 23,772 (Draft SEIR Section 3.3.5, PDF-AQ/GHG-1, p. 3-15).

To support the growing need for EV charging infrastructure and align with GHG analysis and MM-GHG-1, approximately 56% of these parking spaces, amounting to 13,074 spaces, will either be pre-wired for EV charging or equipped with Level 1 or Level 2 chargers. Specifications are as follows:

- **Pre-Wired Spaces:** These spaces will be equipped with the necessary electrical infrastructure to facilitate easy installation of EV chargers in the future, thereby promoting flexibility and future-proofing the Project against increasing demand for EV charging. Pursuant to PDF-AQ/GHG-1, the Project shall equip 9,509 parking spaces (40% of the Project's total number of parking spaces) in Project parking structures with Level 2, 240-volt EV receptacles (Draft SEIR Section 3.3.5, pp. 3-15 through 3-16; Section 4.8, pp. 4.8-28 through 4.8-29, 4.8-68).
- **Level 1 Chargers:** These chargers provide a basic charging option, suitable for overnight or long-duration parking situations, ensuring that residents and visitors with EVs can conveniently charge their vehicles. The Project shall install 2,377 Level 1 EV capable outlets to meet EV charging needs (Draft SEIR Section 4.8, p. 4.8-68).
- **Level 2 Chargers:** These chargers offer faster charging capabilities, catering to shorter parking durations and enhancing the convenience for EV users. Pursuant to PDF-AQ/GHG-1 and MM-GHG-1, a total of 3,746 fully equipped Level 2 charging stations would be provided at Project buildout (Draft SEIR Section 4.8, pp. 4.8-28 through 4.8-29, 4.8-68, 4.8-75).

It is recognized that the integration of EVs into the market will occur progressively over time rather than instantaneously. While Executive Order N-79-20 and CARB's Advanced Clean Cars II Regulations plan for 100% of new cars and light trucks sold in California to be zero-emission vehicles by 2035, this includes plug-in hybrid electric vehicles. Gasoline-fueled vehicles also will still be in use on the roads beyond this time, and gasoline-fueled vehicles may continue to be purchased used in-state or new from out-of-state sources (Draft SEIR Section 4.6, pp. 4.6-8 through 4.6-9) (see also CARB 2024). The Project's phased approach to EV infrastructure takes this market integration and gradual vehicle change-over into account, providing an adequate supply of charging facilities that can be scaled up as EV ownership increases. This ensures that the infrastructure will grow in tandem with demand, thereby optimizing resource allocation and minimizing potential underuse in the initial stages.

Further, public spaces and EV chargers in commercial areas will be designed for shared use, allowing multiple vehicles to access charging facilities throughout the day. This shared use model enhances the efficiency of the charging infrastructure, maximizing the utility of each charger and ensuring that more vehicles can benefit from the available resources.

The Project's significant provision of EV charging infrastructure, representing over half of the total parking spaces, underscores the Project's proactive approach to environmental sustainability and GHG reduction. It ensures that residents and visitors have ample access to EV charging facilities, thereby encouraging the purchase of use of EVs and contributing to cleaner air and a healthier environment.

In summary, the Project exceeds current requirements for EV infrastructure by pre-wiring or equipping 13,074 spaces with EV charging capabilities. This robust approach surpasses regulatory requirements and is anticipated to meet or exceed community needs.

Topical Response 5: Growth Inducement

This topical response addresses comments on the Draft SEIR that claim the Project wrongly concludes it is not growth-inducing, despite the size and scale of the Project.

CEQA Requirements

CEQA requires that an EIR describe any growth-inducing impacts of a project, including the ways in which a project could directly or indirectly foster population growth or the construction of additional housing in the surrounding environment (14 CCR 15126.2[e]). This requirement includes identifying project features that remove obstacles to growth or encourage growth, such as expanding a waste treatment facility that would otherwise constrain growth. An EIR's discussion of growth-inducing effects should not assume growth is necessarily beneficial, detrimental, or of little significance to the environment (14 CCR 15126.2[e]).

Distinction Between Induced and Planned or Accommodated Growth

Induced growth differs from planned growth in employment, population, or housing (14 CCR 15126.2[e]). In *San Franciscans for Livable Neighborhoods v. City and County of San Francisco* (2018) 26 Cal.App.5th 596, 619, 630, revisions to a general plan housing element were deemed *growth accommodating* rather than *growth inducing*. The plan accommodated the inevitable population increase projected in regional planning documents for the area based on “births, deaths, migration, household size, labor force participation rates, and job growth over the next 20 years” (Id. at p. 619). Further, the plan did not encourage urban sprawl or expansion into undeveloped areas through oversized or expanded services (Id.). The EIR also evaluated impacts from accommodating planned growth, including water supply and traffic impacts (Id. at p. 620; see also *Federation of Hillside and Canyon Associations v. City of Los Angeles* [2000] 83 Cal.App.4th 1252, 1265 [project not growth inducing where within Southern California Association of Governments [SCAG] regional population and employment projections]; *City of Del Mar v. City of San Diego* [1982] 133 Cal.App.3d 401, 412, [“if the [area plan] were not built as planned, residents would still come to live in the area”]).

The Project Would Accommodate Growth Projected in Regional And Local Plans

Draft SEIR Section 4.14, Population and Housing, and Section 6.2, Growth Inducing Impacts, discuss growth and growth inducement. The Project aligns with local and regional land use plans, including the City's 2040 General Plan and SCAG's regional planning documents. The Project does not stimulate population growth beyond what is projected in these plans. Instead, it accommodates the anticipated population and housing needs in the City of Moreno Valley.

California is experiencing a long-standing shortage of housing supply (see Senate Bill 330; SCAG 2020b, 2023). SCAG's 6th Cycle Regional Housing Needs Assessment (2021–2029) estimates a need for 1,341,827 housing units in the region, including 167,351 units in Riverside County and 13,627 units in the City during this 8-year period. If unmet, the housing deficit will increase future housing needs. Past housing undersupply is expected to drive similar needs through at least 2035. After that, a gradual “catch up” in housing supply may occur. This housing demand is expected regardless of the Project, and state housing law mandates that the City plan for housing.

Despite slowed regional growth, Riverside County and the City are projected to grow significantly. SCAG forecasts that, from 2019 to 2050, Riverside County's population will increase by 606,000 residents (25.4% growth) and households will increase by 318,000 (42.7% growth) (SCAG 2023). The City is anticipated to grow by 21,900 households (40% growth) in the same time period (SCAG 2023). The City's population is expected to grow by 64,900

new City residents (31% growth) by 2045 (SCAG 2020a).¹⁰ This population and household growth would occur regardless of the Project.

The Project proposes 15,000 multifamily residences, as well as 49,900 square feet of commercial and retail space, parks, schools, open space, and amenities on an infill site previously approved for housing. Development would be phased over 12–15 years, with an estimated 1,200 units built annually (Draft SEIR Chapter 3).

During the current 6th Cycle Regional Housing Needs Assessment, the Project will add approximately 4,800 units, fitting within the City’s projected need of 13,627 units. Upon completion between 2037 and 2040, the Project’s 15,000 units would be within SCAG’s forecast of an additional 21,900 households by 2050 (SCAG 2023). The Project would house 43,050 people, accommodating some of the projected population increase of 64,900 in the City. Accordingly, the Project is anticipated to accommodate housing and population growth outlined in SCAG’s regional plans and the City’s adopted Housing Element.

The Project is consistent with the 2040 General Plan, which estimates the City will need 22,052 new dwelling units to house 47,162 new residents by 2040. The Project’s construction timeline anticipates that 15,000 units, housing 43,050 people, will be completed by 2040, helping to meet expected and planned growth needs on a site planned for housing development. However, as explained in the Draft SEIR, the Project will result in a denser urban pattern than considered in the 2040 General Plan by concentrating additional housing in the City’s Downtown Center on an infill site. This would help prevent urban sprawl by maximizing development on an infill site, rather than inducing growth or causing an expansion into undeveloped areas. Infrastructure and services would be developed as part of Project and “right sized” to the Project to minimize impacts. The Draft SEIR evaluates the Project impact related to this densification, including noise, transportation, and other effects.

Additionally, the Project is requesting a General Plan Amendment so as to better reflect that the Project’s urban pattern is denser than that considered in the 2040 General Plan. The General Plan Amendment would entail, among other things, a change/update in the 2040 General Plan Land Use & Community Character Element Table LCC-1 and related text, to update projected housing and job numbers with the Project in place, and a change in the 2040 General Plan Table LCC-3 to reflect the updated Downtown Center development program by including the Project. These changes/updates would also help to ensure Project consistency with the 2040 General Plan. Appendix A, Specific Plan Amendment, to the Draft SEIR also includes an analysis of the Project’s consistency with the City’s 2006 General Plan.

The Project Would Not Induce Growth Indirectly

Indirect growth inducement can result from employment opportunities or occur when a project extends infrastructure, like water or sewer utilities, into undeveloped areas, encouraging further growth. Approximately 55,788 one-time construction jobs and 1,443 permanent jobs would be generated by the Project, which is not anticipated to induce substantial population growth given the size and scale of the existing labor pool in the City and nearby communities. Rather, the Project is anticipated to house and accommodate area workers and students.

As to infrastructure, the Project site, located in an infill area of urbanized Moreno Valley and is already served by existing public services and utilities from prior development. All proposed infrastructure improvements will be within

¹⁰ Connect SoCal 2024 does not provide projected population growth at the City level. Thus, SCAG’s prior 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy forecast is referenced.

the Project site and appropriately sized, with no need for new off-site utility systems. Therefore, the Project will not induce indirect growth.

Accordingly, the Project is anticipated to accommodate planned housing growth in the City and is not considered growth inducing.

Topical Response 6: Affordable Housing

This response addresses comments stating that the City must require the Project to include affordable housing. Other comments recommend that the Project include affordable housing or state that without requiring affordable housing, the Project is inconsistent with the City's General Plan.

CEQA requires the evaluation of potential physical environmental impacts of a discretionary project on the environment. Issues that are economic, social, or political in nature, such as required inclusionary housing (or affordable housing), are not appropriately addressed within a CEQA document. The presence or absence of affordable housing is not an environmental impact under CEQA. Therefore, no further response is required. Nonetheless, the Draft SEIR evaluates Project consistency with both the 2006 General Plan and 2040 General Plan, including their housing-related goals and policies (see Draft SEIR Table 4.11-1, pp. 4.11-12 through 4.11-68, and Appendix A, Specific Plan Amendment). The Project was not found inconsistent with such housing goals and policies.

Additionally, the Project would provide multifamily home types and sizes to provide workforce housing. According to the 2040 General Plan Housing Element, based on 2020 home prices, both low- and moderate-income households would generally be able to afford a home in the City "with a sufficient number of bedrooms to avoid overcrowding," and very-low-income households "may be able to purchase a home, but it would most likely be a smaller, older unit or a condominium or mobile home" (City of Moreno Valley 2021). The Housing Element explains that, rather than a strong need for affordable housing, the City has "a need for denser housing at all levels of affordability. This demonstrated market support is mirrored in the ownership market, where a sharp increase in median sales prices for smaller homes and condominiums indicates strong demand for more compact and affordable housing types" (City of Moreno Valley 2021, Table 3-12; Draft SEIR Chapter 3). The City finds that the Project design addresses these City housing needs.

Further, the Project would increase residential uses within a mixed-use land use context and close to jobs, which would help increase the supply of homes and promote affordability. The Project's residential uses and mixed-uses close to job centers would also help the City balance its jobs-to-housing mix, reduce commutes, lower greenhouse gas emissions, and reduce vehicle miles traveled.

Moreover, while the City notes the recommendation to require affordable housing, the City has not adopted an inclusionary housing ordinance; therefore, it is not legally permissible to require affordable housing units or an in-lieu fee without completing the studies necessary to document the basis for the ordinance or fee program. The City is also not willing to impose an ad hoc affordable housing requirement or in-lieu fee for just this Project. It is not City practice to require ad hoc affordable housing requirements, and the City has no reason to treat this Project differently than other projects by imposing such a requirement. Additionally, the City has not studied the link between general housing development and the need for affordable housing or in-lieu fees, nor has the City studied such a link for this particular Project. The City does not have data suggesting how much affordable housing should be required or whether in-lieu fees should be allowed.

Requiring permanent income-restricted housing would likely discourage needed housing production and increase environmental impacts by preventing multifamily housing in this location-efficient area. The Legislative Analyst’s Office has previously found that a 20% affordable requirement “may be infeasible” for many home builders. In fact, when inclusionary housing requirements in San Francisco were increased to 15%, the requirements suppressed housing production except in the most expensive parts of town (LAO 2016b). In a 2016 report, the Legislative Analyst’s Office also offered additional evidence that facilitating more market-rate housing would help make housing more affordable for low-income Californians and that construction of market-rate housing reduces housing costs for low-income households and, consequently, helps to minimize the potential for displacement of low-income households (LAO 2016b).

Similar modeling of inclusionary zoning’s impact on housing production in Los Angeles showed that inclusionary housing requirements had diminishing returns to below-market rate housing production and accelerated losses to overall housing production (Phillips 2024). Thus, the housing shortage in the City and statewide may be exacerbated by such requirements. As an example, starting at 400,000 units, “Increasing the affordability requirement from 0 to 1 percent has a dramatic impact on market-rate housing production, which falls by approximately 71,400 units.” “Between 1 and 16 percent, each percentage point increase in requirements is associated with a reduction of between 4,600 and 11,900 market-rate units. By 17 percent, market-rate production is cut by nearly half (49 percent), and at 25 percent [inclusionary zoning] total production is lowered by half.” Further, lower-income housing tends to be subsidized (at least in part) by increased rents or housing prices for market-rate tenants. Thus, the wider housing market becomes less affordable because of both increased rents and reduced housing production (Phillips 2024).

Accordingly, because the City does not have an affordable housing requirement, or enforce an inclusionary housing ordinance or fee program, the City does not have a legally permissible mechanism to mandate that the Project include income-restricted housing. Further, the City does not desire to take such action at this time based on the results of the studies described above, which offer evidence to suggest inclusionary requirements do not result in benefits to the affordable housing market, but instead may discourage or suppress housing production (LAO 2016b; Phillips 2024). However, the Draft SEIR demonstrates that the mix of home types and sizes would provide workforce housing affordable to most people in the area and would support housing affordability in a manner consistent with both the City’s General Plans (2006 and 2040) and the City’s adopted Housing Element (City of Moreno Valley 2021).

2.2 Individual Comment Letters

Table 1 identifies each comment letter, as well as the name of the agency, organization, or individual commenting and the date the comment letter was received.

Table 1. Comment letters and Commenters

Comment Letter	Commenter	Date Received
Agency		
A1	SCAQMD	June 11, 2024
A2	Southern California Gas and Electric (SoCalGas)	June 14, 2024
A3	Riverside Transit Agency	June 27, 2024
A4	Southern California Gas and Electric (SoCalGas)	July 5, 2024
A5	Riverside County Flood Control & Water Conservation District	July 10, 2024

Table 1. Comment letters and Commenters

Comment Letter	Commenter	Date Received
A6	Eastern Municipal Water District (EMWD)	July 24, 2024
Organization		
01	Adams Broadwell Joseph & Cardozo – Californians Allied for a Responsible Economy	June 21, 2024
02	Adams Broadwell Joseph & Cardozo – Californians Allied for a Responsible Economy	July 11, 2024
03	Adams Broadwell Joseph & Cardozo – Californians Allied for a Responsible Economy	July 15, 2024
04	Center for Biological Diversity (CBD)	July 15, 2024
05	Riverside University Health System	July 15, 2024
06	Sierra Club – San Geronio Chapter, Moreno Valley Group	July 15, 2024
07	Mitchell M. Tsai – Western States Regional Council of Carpenters	July 15, 2024
Individual		
I1	Oscar A. Alvarez	July 15, 2024

Comment Letter A1

From: Evelyn Aguilar
To: PlanningNotices_DG
Cc: Sam Wang
Subject: RE: Technical Data Request : Proposed Aquabella Specific Plan Amendment Project
Date: Tuesday, June 11, 2024 3:50:13 PM

Some people who received this message don't often get email from eagular@aqmd.gov. [Learn why this is important](#)

Warning: External Email – Watch for Email Red Flags!

Hello again, Kirt,

I just realized that 6/19 is a holiday.

Given this, if you could get the requested files to us by **6/21/24**, that would be much appreciated.

Regards,

*Evelyn Aguilar
Air Quality Specialist, CEQA-IGR
Planning, Rule Development & Implementation
South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765
Phone: 909-396-3148
E-mail: eagular@aqmd.gov*

**Hours of operation:
Tuesday - Friday 7:00 AM to 5:30 PM**



**South Coast
AQMD**

Cleaning the air that we breathe.....™

From: Evelyn Aguilar
Sent: Tuesday, June 11, 2024 3:46 PM
To: planningnotices@moval.org
Cc: Sam Wang <swang1@aqmd.gov>
Subject: Technical Data Request: Proposed Aquabella Specific Plan Amendment Project

Dear Kirt Coury,

South Coast AQMD staff received the Notice of Availability of a Draft Subsequent Environmental Impact Report (NOA/Draft SEIR) for the **Proposed Aquabella Specific Plan Amendment Project** (South Coast AQMD Control Number: RVC240605-09). Staff is currently in the process of reviewing

A1-1

A1-2

the NOA/Draft SEIR. The public commenting period is from 5/31/2024 – 7/15/2024.

Upon review of the files provided as part of the public review period, I was able to access the Draft SEIR and Appendices on the [City's website](#).

Please provide an electronic copy of any live modeling and emission calculation files (complete files, not summaries) that were used to quantify the air quality impacts from construction and/or operation of the Proposed Project as applicable, including the following:

- CalEEMod Input Files (.csv files);
- Live EMFAC output files;
- Any emission calculation file(s) (live version of excel file(s); no PDF) used to calculate the Project's emission sources (i.e. truck operations);
- AERMOD Input and Output files, including AERMOD View file(s) (.isc);
- HARP Input and Output files and/or cancer risk calculation files (live version of excel file(s); no PDF) used to calculate cancer risk, and chronic and acute hazards from the Project;
- Any other files related to post-processing done outside of AERMOD to calculate pollutant-specific concentrations (if applicable).

You may send the above-mentioned files via a Dropbox link in which they may be accessed and downloaded by South Coast AQMD staff by **6/19/24**. Without all files and supporting documentation, South Coast AQMD staff will be unable to complete a review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.

If you have any questions regarding this request, please contact me.

Thank you,

Evelyn Aguilar
Air Quality Specialist, CEQA-IGR
Planning, Rule Development & Implementation
South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765
Phone: 909-396-3148
E-mail: eaquilar@aqmd.gov

Hours of operation:
Tuesday - Friday 7:00 AM to 5:30 PM



Cleaning the air that we breathe.....™

A1-2
Cont.

A1-3

A1-4

Response to Comment Letter A1

Agency
South Coast Air Quality Management District (SCAQMD)
June 11, 2024

- A1-1** This comment is a follow-up email to the public comment made in comments A1-2 through A1-4. This comment extends the timeframe of the request made in comment A1-3; please refer to Response to Comment A1-3.
- A1-2** The comment acknowledges receipt of the Notice of Availability of the Draft SEIR for the Project. The comment also notes that SCAQMD staff is reviewing the Draft SEIR. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.
- A1-3** The comment includes a request for copies of modeling and emission calculation files for review by June 19, 2024. As noted in Response to Comment A1-1 above, the commenter followed up with a second comment to extend the timeframe for delivery of files to June 21, 2024, due to a holiday. These files were provided to SCAQMD on June 20, 2024, for review. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.
- A1-4** The comment includes a conclusion to the previous comments. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

INTENTIONALLY LEFT BLANK

From: [SCG SE Region Redlands Utility Request](#)
To: [Planning Notices DG](#)
Cc: [SCG SE Region Redlands Utility Request](#); [SoCalGasTransmissionUtilityRequest](#)
Subject: 6/14/24- Aquabella Specific Plan Amendment Project
Date: Friday, June 14, 2024 8:32:58 AM
Attachments: [image002.png](#)
[20240614075522.pdf](#)

Some people who received this message don't often get email from scgseregionredlandsutilityrequest@semprautilities.com. [Learn why this is important](#)

Warning: External Email – Watch for Email Red Flags!

Hello,

I just reviewed the documents regarding **Aquabella Specific Plan Amendment Project** SoCalGas Distribution does have facilities in the area. SoCalGas Transmission also has facilities in the area and I have included their inbox on this email. Please note on case to have Developer contact 811 / USA at [DigAlert | Utility Locating California | Underground Wire & Cable Locator](#) prior to any excavation / demolition activities so we can Locate & Mark out our facilities.

If the Developer needs new gas service, please have them contact our Builder Services group to begin the application process as soon as practicable, at <https://www.socalgas.com/for-your-business/builder-services>.

To avoid delays in processing requests and notifications, please have all new Franchise corespondence sent to our Utility Request inbox, at SCGSERegionRedlandsUtilityRequest@semprautilities.com

I cover the **Southeast Region – Redlands** SCGSERegionRedlandsUtilityRequest@semprautilities.com would be your contact for requests in the southeastern ends of LA County, Riverside County, San Bernardino & Imperial Counties.

Southeast Region - Anaheim office which is all of Orange County and the southern ends of Los Angeles County; therefore, any Map and/or Will Serve Letter requests you have in these areas please send them to AtlasRequests/WillServeAnaheim@semprautilities.com

Northwest Region – Compton HQ For West and Central LA County, your Map Request and Will Serve Letters, will go to SCG-ComptonUtilityRequest@semprautilities.com

Northwest Region - Chatsworth



For any requests from the northern most parts of LA County all the way up to Visalia, San Luis Obispo, Fresno and Tulare you would contact
NorthwestDistributionUtilityRequest@semprautilities.com

Transmission

For Transmission requests, please contact SoCalGas Transmission, at
SoCalGasTransmissionUtilityRequest@semprautilities.com

↑
A2-2
Cont

Thank you,
Josh Rubal
Lead Planning Associate
Distribution Planning & Project Management
Redlands HQ - Southeast Region
(213) 231-7978 Office
SCGSERegionRedlandsUtilityRequest@semprautilities.com



Response to Comment Letter A2

Agency
Southern California Gas and Electric (SoCalGas)
June 14, 2024

- A2-1** This comment includes an acknowledgement that SoCalGas has reviewed the Draft SEIR. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.
- A2-2** This comment states that there are SoCalGas transmission facilities within the area and that the developer should contact 811 prior to any excavation or demolition activities. The comment also includes general information on gas services for the Project. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary. However, the comment letter was provided to the Project applicant to ensure awareness of the transmission lines and gas service.

INTENTIONALLY LEFT BLANK

From: [Mauricio Alvarez](#)
To: [Planning Notices DG](#)
Subject: Aquabella Specific Plan Project
Date: Thursday, June 27, 2024 10:24:43 AM

Some people who received this message don't often get email from malvarez@riversidetransit.com. [Learn why this is important](#)

Warning: External Email – Watch for Email Red Flags!

Good Morning Kirt,

Thank you for including Riverside Transit Agency in the development review of the Aquabella Project. After further review, the only recommendation at this time is to incorporate sidewalk adjacent to the curb along Lasselle and Cactus Avenues. This will provide the infrastructure for possible bus stops in the future.

A3-1
A3-2

Thank you for considering this comment.

A3-3

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

INTENTIONALLY LEFT BLANK

Response to Comment Letter A3

Agency
Riverside Transit Authority
June 27, 2024

- A3-1** This comment includes introductory language. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.
- A3-2** This comment includes a recommendation that the Project should incorporate sidewalks adjacent to the curb along Lasselle and Cactus Avenue to provide infrastructure for future bus stops. The Project would include a sidewalk in this location. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.
- A3-3** This comment includes a conclusion to the comment letter. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

INTENTIONALLY LEFT BLANK

From: [SoCalGasTransmissionUtilityRequest](#)
To: [Planning Notices_DG](#)
Subject: "DCF: 1229-24-2000 /AQUABELLA SPECIFIC PLAN AMENDMENT PROJECT"
Date: Friday, July 5, 2024 9:26:45 AM
Attachments: [image002.png](#)
[1229-24-2000_GEN REQ.pdf](#)
[1229-24-2000_MAP REQUEST.pdf](#)
[1229-24-2000_MAP.pdf](#)

Some people who received this message don't often get email from socialgastransmissionutilityrequest@semprautilities.com. [Learn why this is important](#)

Warning: External Email – Watch for Email Red Flags!

Good morning,

Attached is a letter from the Transmission Department of SoCalGas stating that we have high pressure gas transmission facilities within your proposed project vicinity. Included is a map of the conflict area and our general requirements when performing work or planning projects near SoCalGas high pressure lines. Please note, dimensioning is not provided, and we do not share as-built maps.

If additional assistance is required, please send a copy of the project plans for an engineer to review and advise.

Please reference the Document Control File number (DCF) on all future correspondence in regards to this project.

Thank you,
 Nerses Papazyan
 Pipeline Planning Assistant
 Gas Transmission Technical Services



PLEASE VISIT OUR INTERACTIVE WEBSITE TO VIEW OUR HIGH PRESSURE DISTRIBUTION AND TRANSMISSION LINES: [SOCALGAS - NATURAL GAS PIPELINE MAP](#).

TO HELP THE ENVIRONMENT AND TO EXPEDITE RESPONSES, PLEASE SEND FUTURE PROJECTS AND CORRESPONDING ATTACHMENTS VIA EMAIL: SoCalGasTransmissionUtilityRequest@semprautilities.com

Please allow up to 60 days to receive a response to all future utility requests

A4-1

NOTICE: This message is covered by the Electronic Communications Privacy Act, Title 18, United States Code, Sections 2510-2521. This e-mail and any attached files are the exclusive property of Sempra Energy and the sender, are deemed privileged and confidential, and are intended solely for the use of the individual(s) or entity to whom this e-mail is addressed. If you are not one of the named recipient(s) or believe that you have received this message in error, please delete this e-mail and any attachments and notify the sender immediately. Any other use, re-creation, dissemination, forwarding or copying of this e-mail is strictly prohibited and may be unlawful.

From: SCG SE Region Redlands Utility Request
<SCGSERegionRedlandsUtilityRequest@semprautilities.com>
Sent: Friday, June 14, 2024 8:33 AM
To: planningnotices@moval.org
Cc: SCG SE Region Redlands Utility Request
<SCGSERegionRedlandsUtilityRequest@semprautilities.com>; SoCalGasTransmissionUtilityRequest
<SoCalGasTransmissionUtilityRequest@semprautilities.com>
Subject: 6/14/24- Aquabella Specific Plan Amendment Project

Hello,

I just reviewed the documents regarding **Aquabella Specific Plan Amendment Project** SoCalGas Distribution does have facilities in the area. SoCalGas Transmission also has facilities in the area and I have included their inbox on this email. Please note on case to have Developer contact 811 / USA at [DigAlert | Utility Locating California | Underground Wire & Cable Locator](#) prior to any excavation / demolition activities so we can Locate & Mark out our facilities.

If the Developer needs new gas service, please have them contact our Builder Services group to begin the application process as soon as practicable, at <https://www.socalgas.com/for-your-business/builder-services>.

To avoid delays in processing requests and notifications, please have all new Franchise correspondence sent to our Utility Request inbox, at SCGSERegionRedlandsUtilityRequest@semprautilities.com

I cover the **Southeast Region – Redlands** SCGSERegionRedlandsUtilityRequest@semprautilities.com would be your contact for requests in the southeastern ends of LA County, Riverside County, San Bernardino & Imperial Counties.

Southeast Region - Anaheim office which is all of Orange County and the southern ends of Los Angeles County; therefore, any Map and/or Will Serve Letter requests you

have in these areas please send them to
AtlasRequests/WillServeAnaheim@semprautilities.com

Northwest Region – Compton HQ For West and Central LA County, your Map Request and Will Serve Letters, will go to SCG-ComptonUtilityRequest@semprautilities.com

Northwest Region - Chatsworth

For any requests from the northern most parts of LA County all the way up to Visalia, San Luis Obispo, Fresno and Tulare you would contact
NorthwestDistributionUtilityRequest@semprautilities.com

Transmission

For Transmission requests, please contact SoCalGas Transmission, at
SoCalGasTransmissionUtilityRequest@semprautilities.com

Thank you,
Josh Rubal
Lead Planning Associate
Distribution Planning & Project Management
Redlands HQ - Southeast Region
(213) 231-7978 Office
SCGSERegionRedlandsUtilityRequest@semprautilities.com



SCG Transmission General Requirements



Transmission Technical
Services Department

9400 Oakdale Ave
Chatsworth, CA 91311
SC9314

July 5, 2024

Kirt Coury
City of Moreno Valley
planningnotices@moval.org

Subject: PEN23-0109, PEN23-0127, PEN24-0041, PEN23-0111, PEN23-0118, PEN23-0119

SCH No. 2023100145

DCF: 1229-24-2000

The following are general requirements provided when performing work or planning projects near SoCalGas high pressure lines. Please review requirements along with project plans and notify SoCalGas Transmission Department about any questions or conflicts.

It is highly recommended that communication is maintained with SoCalGas to address all conflicts. Depending on the specific scope of your project there may be less or more requirements that need to be discussed regarding your project.

- 1- Consideration must be given to the safety of our pipeline(s) during all project stages.
- 2- SoCalGas must have continuous and uninterrupted access to the pipeline(s) and easement(s). In addition, SoCalGas conducts routine patrols and surveys of the pipeline(s); SoCalGas needs drivable access along the pipeline(s)/easement(s).
- 3- Buried pipelines must have a minimum cover of 3 feet and a maximum cover of 7 feet below finished grade. No change of grade whatsoever, even within these parameters, shall be made without prior approval of SoCalGas.
- 4- Prior to SoCalGas approving encroachment onto its easement(s), SoCalGas must be furnished with final grading plans showing the depth of the pipeline(s) below the existing surface and the depth of the pipeline(s) below the proposed finished grade. These elevations must meet SoCalGas' requirements for buried pipelines.

A4-2

A4-3

Page 1 of 3

Page 4 of 8 in Comment Letter A4

SCG Transmission General Requirements

- 5- No permanent structures, such as buildings, block walls, foundations, gates, etc., shall be constructed within the easement or over the pipeline(s).
- 6- There shall be no planting of trees or other deep-rooted plants within the easement(s) or over the pipeline(s).
- 7- Substructures shall cross perpendicular to the easement(s). Substructure crossings must provide a minimum of 18-inches vertical clearance from the pipeline(s). Additional separation is required for leach lines, fuel lines, etc.
- 8- Parallel encroachments within the easement(s) are prohibited. In areas where a parallel substructure is being constructed outside of the easement(s), SoCalGas requires five feet of separation, with three feet of undisturbed fill, in order to protect the integrity of our facilities and allow the facilities to be safely accessed during inspection, maintenance, and repair. Additional separation may be needed for leach lines, fuel lines, high voltage electric, etc.
- 9- All encroachments onto SoCalGas' easement(s) must have written approval of SoCalGas prior to construction or encroaching onto the easement(s).
- 10- All work within the SoCalGas easement(s) and/or within 10 feet of the pipeline(s) must be witnessed by a SoCalGas representative, and no work will be allowed without the SoCalGas representative on site.
- 11- No heavy equipment shall cross the pipeline(s) without SoCalGas' approval. Additional protective measures may be required where heavy equipment is expected to cross the pipeline(s).
- 12- No mechanical equipment shall operate within three horizontal feet of the pipeline(s), and any closer work must be performed by hand.
- 13- No mechanical equipment shall operate within two vertical feet of the pipeline(s), and any closer work must be performed by hand.
- 14- Buried pipeline(s) shall not be left exposed, and exposed pipeline(s) shall not be buried, without prior inspection and approval by SoCalGas. If the pipeline(s) are exposed during construction (e.g. substructure crossings, etc.), the pipeline must be backfilled with sand or zero-sack slurry only.
- 15- No vibratory compaction is permitted over the pipeline(s). In rare cases, vibratory compaction may be approved by SoCalGas' Engineering Department following review of detailed site conditions, pipeline data, and equipment specifications.
- 16- All contractors and subcontractors must be notified of the presence of the pipeline(s).
- 17- Contractors and subcontractors must call DigAlert (811) at least 2 working days prior to construction, grading, or excavation.
- 18- Once approved, encroachments within SoCalGas' easement(s) shall be documented in an



A4-3
Cont.

SCG Transmission General Requirements

easement amendment or other document, as deemed appropriate by SoCalGas' Land Services Department.

↑
A4-3
Cont.

In addition to the previous requirements, SoCalGas recommends the following:

- 19- Potholes should be made, as necessary, to establish the horizontal and vertical alignment of the pipeline(s) within the project area. This information should be indicated on the plans, as needed. CAUTION: SoCalGas personnel must be present during potholing operations. Arrangements for SoCalGas personnel to stand by during potholing activities can be made by calling DigAlert at 811.
- 20- Consideration should be given to building setbacks from the easement lines. A minimum 15-foot setback is recommended whenever possible.
- 21- All potential buyers or tenants of the property should be made aware of the presence of the pipeline(s) and easement restrictions.

↑
A4-4

Best Regards,

SoCalGas Transmission Technical Services



Transmission Technical
Services Department
9400 Oakdale Ave
Chatsworth, CA 91311
SC9314

July 5, 2024

Kirt Coury
City of Moreno Valley
planningnotices@moval.org

**Subject: PEN23-0109, PEN23-0127, PEN24-0041, PEN23-0111, PEN23-0118,
PEN23-0119
SCH No. 2023100145**
DCF: 1229-24-2000

Southern California Gas Company (SoCalGas) Transmission Department operates and maintains high-pressure natural gas transmission pipeline(s) in the vicinity of your project. The pipeline is shown on the attached map(s). Please note, only the high-pressure transmission pipeline information is current on these atlas prints.

Our Gas Distribution Department may have other gas facilities within your project area. To assure no conflict with the SoCalGas' distribution pipeline system, please contact

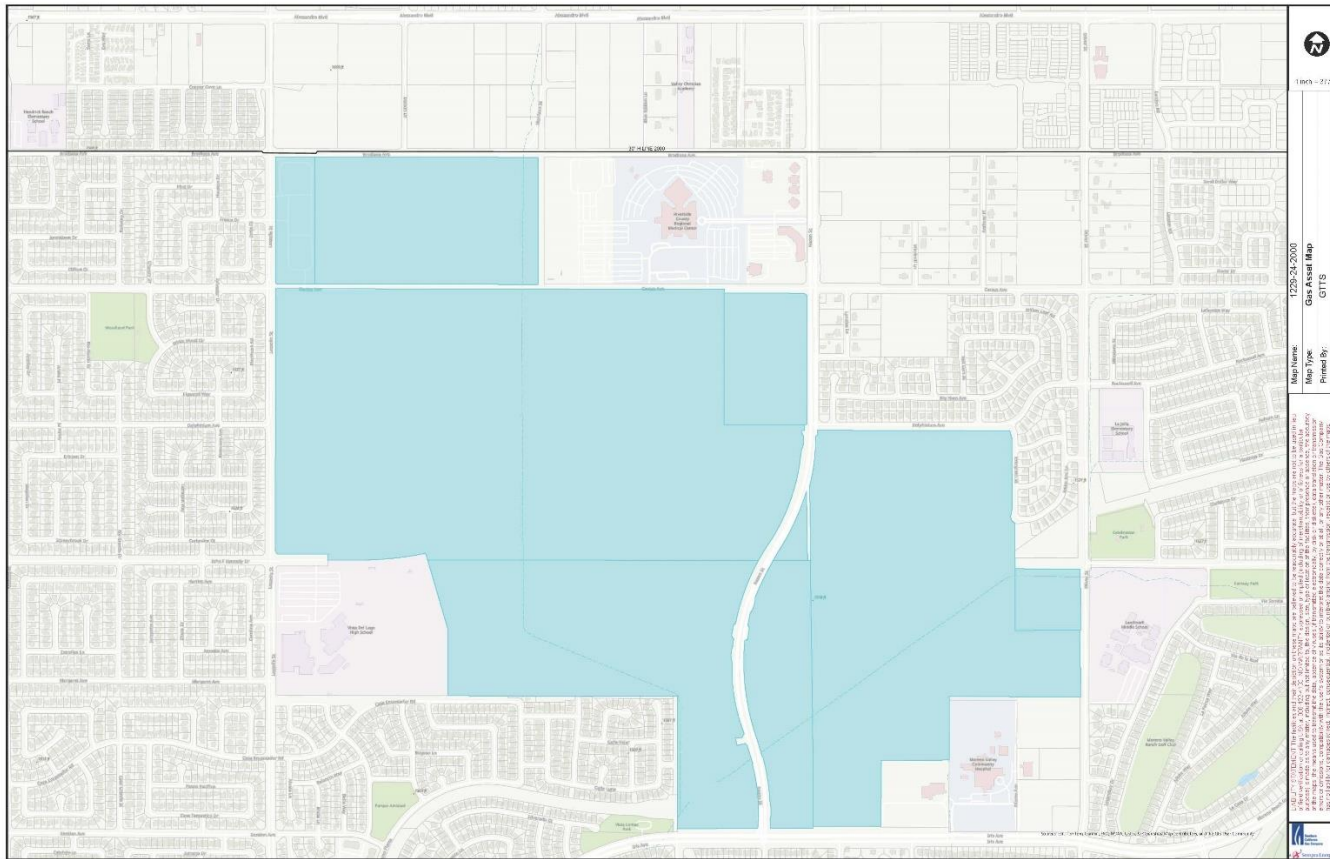
SCGSERegionRedlandsUtilityRequest@semprautilities.com.

This is only a response to a gas facility map request; a review of potential conflicts associated with your request has not been conducted. Consequently, **this letter does not constitute clearance for any construction work near or around SoCalGas' pipeline(s)**. As your project plans are developed, you must notify SoCalGas - Gas Transmission Department regarding the improvements that are proposed near our pipeline(s) and within our easement(s) before you begin any construction, including potholing. In doing so, please allow sufficient time as there may be certain requirements that need to be incorporated into your project's design and could significantly affect your project construction schedule.

Best Regards,
Nerses Papazyan
Pipeline Planning Assistant
SoCalGas Transmission Technical Services
SoCalGasTransmissionUtilityRequest@semprautilities.com

A4-5

A4-6



Response to Comment Letter A4

Agency
Southern California Gas and Electric
July 5, 2024

- A4-1** This comment includes an introduction to comments to follow. The comment references a map of the conflict area and general requirements for work near high pressure lines. The comment does not identify specific issues with the adequacy of the Draft SEIR. No further response is required.
- A4-2** The comment includes an introduction to the general requirements for performing work or planning projects near SoCalGas high pressure lines and recommends continued communication with SoCalGas. The comment does not identify specific issues with the adequacy of the Draft SEIR. No further response is required.
- A4-3** The comment includes general requirements for performing work or planning projects near SoCalGas high pressure lines. The Project will comply with these requirements. The comment does not identify specific issues with the adequacy of the Draft SEIR. No further response is required.
- A4-4** The comment includes Project-specific recommendations regarding potholes, setbacks from easement lines, and making buyers and tenants aware of pipelines and easements. The comment does not identify specific issues with the adequacy of the Draft SEIR. No further response is required.
- A4-5** The comment references a map of the conflict area and general requirements for work near high pressure lines and states that there may be other gas facilities within the Project area. The comment does not identify specific issues with the adequacy of the Draft SEIR. No further response is required.
- A4-6** This comment states that the letter does not constitute clearance for construction work near or around SoCalGas's pipelines and that the SoCalGas should be notified as plans develop. The Project applicant will maintain communication with SoCalGas as the Project continues to develop. The comment does not identify specific issues with the adequacy of the Draft SEIR. No further response is required.
- A4-7** The comment includes a map of the Project site and gas assets. The comment does not identify specific issues with the adequacy of the Draft SEIR. No further response is required.

INTENTIONALLY LEFT BLANK

Erin Lucett

From: McKinney, Elsa <EMcKinne@rivco.org>
Sent: Wednesday, July 10, 2024 5:00 PM
To: Planning Notices_DG
Cc: McNeill, Amy; Cornelius, William
Subject: PEN 23-0109, PEN 23-0127, PEN 24-0041, PEN 23-0111, PEN 23-0118, PEN 23-0119-Due 7/15/2024
Attachments: 256981_(4CC925B5-E0C7-C626-85A6-909E7D600000).pdf; 2228_001.pdf; 253782.pdf; 0760_001.pdf

Warning: External Email – Watch for Email Red Flags!

Good afternoon Kirt,

Attached you will find a copy of Riverside County Flood Control’s comments pertaining to the above-mentioned project.

Should you have any questions please feel free to contact us.

**please include, Amy McNeill (ammcneil@rivco.org), Elsa McKinney (emckinne@rivco.org), and William (Michael) Cornelius (wmcornel@RIVCO.ORG) to the City’s distribution list for Flood Control. [This way we can ensure a timely response even if one of us is out of the office.](#)*

Kind Regards,



Elsa McKinney, Engineering Tech 1
 Development Review
[Riverside County Flood Control & Water Conservation District](#)
emckinne@rivco.org
 1995 Market Street, Riverside, CA 92501
 951.955.2878
 *Off Fridays

A5-1

Confidentiality Disclaimer

This email is confidential and intended solely for the use of the individual(s) to whom it is addressed. The information contained in this message may be privileged and confidential and protected from disclosure. If you are not the author’s intended recipient, be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. If you have received this email in error please delete all copies, both electronic and printed, and contact the author immediately.

[County of Riverside California](#)

JASON E. UHLEY
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
951.788.9965 FAX
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

July 10, 2024

256981

City of Moreno Valley
Community Development Department Planning Division
Post Office Box 88005
Moreno Valley, CA 92552-0805

Attention: Kirt Coury

Re: PEN 23-0109, PEN 23-0127, PEN 24-0041,
PEN 23-0111, PEN 23-0118, PEN 23-0119,
APNs 486-280-060, 486-280-056,
486-280-057, 486-300-012, 486-300-013,
486-310-014, 486-310-035, 486-320-009,
486-320-010, 486-320-011, 486-320-012
and 486-320-006

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

A5-2

The District's review is based on the above-referenced project transmittal, received June 3, 2024. The District has not reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely, Moreno Master Drainage Plan Line J, Line J-7, Line J-8 and Line F-5. The District will accept ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. The District shall be identified as a Responsible Agency and all regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
- If this project proposes channels, storm drains larger than 36 inches in diameter, or other facilities that could be considered regional in nature and/or a logical extension a District's facility, the District would consider accepting ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of

A5-3

City of Moreno Valley - 2 - July 10, 2024
Re: PEN 23-0109, PEN 23-0127, PEN 24-0041, 256981
PEN 23-0111, PEN 23-0118, PEN 23-0119,
APNs 486-280-060, 486-280-056,
486-280-057, 486-300-012, 486-300-013,
486-310-014, 486-310-035, 486-320-009,
486-320-010, 486-320-011, 486-320-012
and 486-320-006

the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

- This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, Moreno Master Drainage Plan Line F, Line F-5, Line F-6, Line F-14, Line J, Line J-9, Line J-10 and Sunnymead Master Drainage Plan Line N-4. As such, the District should be identified as a Responsible Agency. If a proposed storm drain connection exceeds the hydraulic performance of the existing drainage facilities, mitigation will be required. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- The District's previous comments dated November 27, 2023 for Aquabella Specific Plan Amendment are still valid.

A5-3
Cont.

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

The project proponent shall bear the responsibility for complying with all applicable mitigation measures defined in the California Environmental Quality Act (CEQA) document (i.e., Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report) and/or Mitigation Monitoring and Reporting Program, if a CEQA document was prepared for the project. The project proponent shall also bear the responsibility for complying with all other federal, state, and local environmental rules and regulations that may apply. The CEQA document (i.e., Notice of Exemption, Initial Study/Mitigated Negative Declaration or Environmental Impact Report) should include a description and environmental analysis of any new flood control facility(ies) that will be constructed as part of the project or existing flood control facility(ies) that will be impacted as a result of the project. Please note that if a Draft CEQA document is submitted, the Final adopted or certified CEQA document will also need to be provided to the District prior to final District acceptance of the flood control facility(ies).

A5-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,
Amy McNeill
AMY MCNEILL
Engineering Project Manager

EM:blj

JASON E. UHLEY
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
951.788.9965 FAX
www.rcflood.org
253782

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 27, 2023

City of Moreno Valley
Community Development Department Planning Division
Post Office Box 88005
Moreno Valley, CA 92552-0805

Attention: Oliver Mujica

Re: Aquabella Specific Plan Amendment Project,
APNs 486-280-056, 486-280-057, 486-280-060, 486-300-012, 486-300-013, 486-310-014, 486-310-035, 486-320-009, 486-320-010, 486-320-011, 486-320-012 and 486-320-006

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Arca Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

A5-5

The District's review is based on the above-referenced project transmittal, received October 27, 2023. The District **has not** reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely, Moreno Master Drainage Plan Line J, Line J-7, Line J-8, Line F, and Line F-5. The District will accept ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
- If this project proposes channels, storm drains larger than 36 inches in diameter, or other facilities that could be considered regional in nature and/or a logical extension a District's facility, the District would consider accepting ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance.

A5-6

City of Moreno Valley

- 2 -

November 27, 2023

Re: Aquabella Specific Plan Amendment Project,
APNs 486-280-056, 486-280-057, 486-280-060,
486-300-012, 486-300-013, 486-310-014,
486-310-035, 486-320-009, 486-320-010, 486-
320-011, 486-320-012 and 486-320-006

253782

Plan check, inspection, and administrative fees will be required. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

- This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, Moreno Master Drainage Plan Line J-9, Line J-10, Line J, Line H-9, and Line F. If a proposed storm drain connection exceeds the hydraulic performance of the existing drainage facilities, mitigation will be required. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- The District's previous comments are still valid.

A5-6
Cont.

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

The project proponent shall bear the responsibility for complying with all applicable mitigation measures defined in the California Environmental Quality Act (CEQA) document (i.e., Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report) and/or Mitigation Monitoring and Reporting Program, if a CEQA document was prepared for the project. The project proponent shall also bear the responsibility for complying with all other federal, state, and local environmental rules and regulations that may apply. The CEQA document (i.e., Notice of Exemption, Initial Study/Mitigated Negative Declaration or Environmental Impact Report) should include a description and environmental analysis of any new flood control facility(ies) that will be constructed as part of the project or existing flood control facility(ies) that will be impacted as a result of the project. Please note that if a Draft CEQA document is submitted, the Final adopted or certified CEQA document will also need to be provided to the District prior to final District acceptance of the flood control facility(ies).

A5-7

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

AMY MCNEILL
Engineering Project Manager

EM:ju



RECEIVED
JUN 03 2024

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

Community Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

NOTICE OF AVAILABILITY
AQUABELLA SPECIFIC PLAN AMENDMENT PROJECT
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT
PEN23-0109, PEN23-0127, PEN24-0041, PEN23-0111, PEN23-0118, PEN23-0119
SCH No. 2023100145

NOTICE IS HEREBY GIVEN that, pursuant to requirements of the California Environmental Quality Act (CEQA), the City of Moreno Valley has prepared a Draft Subsequent Environmental Impact Report (Draft SEIR) for the proposed Aquabella Specific Plan Amendment Project (Project). The Project site is bounded by Cactus Avenue, Brodiaea Avenue, Iris Avenue, Lasselle Street, and Oliver Street.

The Project includes the following:

Project Title: Aquabella Specific Plan Amendment Project

Location: The Project site is comprised of approximately 770.5 acres of land located in the southeastern portion of the City of Moreno Valley, California. The Project site is located east of I-215, south of SR-60, and north of Lake Perris on Cactus Avenue and Nason Street, east of Lasselle Street, north of Iris Avenue, west of Oliver Street, and south of Brodiaea Street. The Project site consists of the area designated Aquabella Specific Plan (Specific Plan No. 218), together with one small residential parcel located along the eastern boundary of the site. The Project site comprises Assessor Parcel Numbers 486-280-060; 486-280-056; 486-280-057; 486-300-012 and 013; 486-310-014; 486-310-035; 486-320-009 through 012; 486-320-006.

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

- 1) **Specific Plan Amendment (SPA) (PEN23-0109)** – An amendment to Specific Plan No. 218 to provide additional housing and nonresidential uses, updated development standards and design guidelines for the proposed development within the Project site, and add one parcel to the eastern boundary of the Specific Plan.
- 2) **General Plan Amendment (GPA) (PEN23-0127)** – A General Plan Amendment to (a) change General Plan Table LCC-1, Development Potential and Jobs Housing Balance, and related text to update projected housing and job numbers to include the Project; (b) change General Plan Table LCC-3, Downtown Center Illustrative Development Program (Net New Development 2020-2040), to reflect the updated

A5-8

Downtown Center development program by including the Project; and (c) change General Plan Map LCC-4, General Plan Land Use, to reflect the land use designation change of the approximately 10-acre parcel on the eastern boundary of the Project site (Assessor's Parcel No. 486310014) from Residential (R5) District to Downtown Center (Aquabella Specific Plan). If the 2006 General Plan is operative at the time of approval, the Project would require a GPA to amend the 2006 General Plan Land Use Map, Figure 2-2 to accommodate the Project.

- 3) **Change of Zone (CZ) (PEN24-0041)** – A Change of Zone to rezone the approximately 10-acre parcel on the eastern boundary of the Project site (Assessor's Parcel No. 486310014) from Residential 5 (R5) District to DC-SP (SP 218) in order to incorporate the parcel into the Project boundary and be subject to the zoning, design, and development requirements therein.
- 4) **Tentative Tract Map No. 38850 (PEN23-0118)** - The Tentative Tract Map for subdivision of the Aquabella Specific Plan area for finance and conveyance purposes. The Tentative Tract Map will create an estimated twenty-six (26) new parcels.
- 5) **Development Agreement (PEN23-0119)** - The Development Agreement to provide a written agreement that applies to the development of the Specific Plan.

Significant Environmental Impacts:

The Draft SEIR identified potentially significant environmental impacts to the follow resources; air quality, biological resources, cultural resources, geology (paleontological resources), greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, and tribal cultural resources. With the incorporation of mitigation measures potentially significant impacts to biological resources, cultural resources, geology (paleontological resources), greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, and tribal cultural resources would be reduced to less than significant impacts. Even with mitigation incorporated, potentially significant impacts related to air quality were not reduced, and would remain significant and unavoidable.

Cortese List Notice: Pursuant to Public Resources Code §21092.6(a), the Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 (California Department of Toxic Substances Control list of various hazardous sites).

45-day Public Review Period: May 31, 2024 through July 15, 2024.

Document Availability: The Draft SEIR and its technical appendices are available for review on the City's website (<http://www.moreno-valley.ca.us/cdd/documents/about-projects.html>) and in person at City Hall located at 14177 Frederick Street, Moreno Valley,

A5-8
Cont.

during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and Friday, 7:30 a.m. to 4:30 p.m.).

In addition, the Draft SEIR is available for review at the City's three Library Branches located at:

- Main Branch, 25480 Alessandro Boulevard
- Mall Branch, 22500 Town Circle
- Iris Plaza Branch, 16170 Perris Boulevard

Submission of Written Comments: Members of the public, responsible and trustee agencies, and other interested parties may submit written comments (including emailed comments) on the Draft SEIR during the 45-day public review period. Written comments must be received at the City of Moreno Valley Community Development Department by ***no later than the conclusion of the 45-day review period, 5:30 p.m.***

Please submit written comments to:

Kirt Coury, Contract Planner
City of Moreno Valley, Community Development Department
14177 Frederick Street, Moreno Valley, CA 92553
Email: planningnotices@moval.org

For additional information, please contact Kirt Coury at (951) 413-3206 or Email: planningnotices@moval.org

A5-8
Cont.



Page 9 of 18 in Comment Letter A5



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

Date: October 25, 2023

TO: Office of Planning and Research, Responsible Agencies, Trustee Agencies, Organizations, and Interested Parties

SUBJECT: Recirculated Notice of Preparation of a Draft Subsequent Environmental Impact Report for the Aquabella Specific Plan Amendment Project (SCH# 2023100145)

LEAD AGENCY:

City of Moreno Valley
Community Development Department
14177 Frederick Street
P.O. Box 88005
Moreno Valley CA 92552-0805
Telephone: (951) 413-3206
Contact: Oliver Mujica, Contract Planner
Email: planningnotices@moval.org

EIR CONSULTANT:

Dudek
605 Third Street
Encinitas, CA 92024
(760) 479-4299
Contact: Carey Fernandes
Email: cfernandes@dudek.com

The City of Moreno Valley, as lead agency under the California Environmental Quality Act (CEQA), will prepare a Draft Subsequent Environmental Impact Report (DSEIR) for the Aquabella Specific Plan Amendment Project (Project) in compliance with the CEQA (Public Resources Code § 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations, title 14, § 15000, et seq. ["CEQA Guidelines"]). This will be a DSEIR to the Moreno Valley Field Station Specific Plan EIR (SCH No. 1993112076). In accordance with Section 15082 of the CEQA Guidelines, the City has issued this Recirculated Notice of Preparation (NOP) to provide responsible agencies, trustee agencies, and other interested parties with information describing the proposed Project and its potential environmental effects. A copy of the Recirculated NOP is also located at the City of Moreno Valley and available on the City's website at <http://www.moreno-valley.ca.us/cdd/documents/about-projects.html>.

Due to time limits mandated by state law, your response to this Recirculated NOP must be submitted at the earliest possible date, but no later than 30 days after receipt of this notice or November 27, 2023.

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

PROJECT APPLICANT: T/Cal Realty II, LLC

STATE CLEARINGHOUSE NO.: 2023100145

PROJECT TITLE: Aquabella Specific Plan Amendment

RECEIVED
OCT 27 2023

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

October 2023

A5-9

**Recirculated Notice of Preparation and Public Scoping Meeting Notice
Aquabella Specific Plan Amendment**

LOCATION: The Project site is comprised of approximately 770.5 acres of land located in the southeastern portion of the City of Moreno Valley, California, bordered by Cactus Avenue, Brodiaea Avenue, Iris Avenue, Laselle Street, and Oliver Street. (See Figure 1, Regional Location Map.)

PROJECT SETTING: The Project site consists of the area designated Aquabella Specific Plan (Specific Plan No. 218), together with one small residential parcel located along the eastern boundary of the site, APNs: 486-280-060; 486-280-056; 486-280-057; 486-300-012 and 013; 486-310-014; 486-310-035; 486-320-009 through 012; 486-320-006. The Project site is located east of I-215, south of SR-60, and north of Lake Perris on Cactus Avenue and Nason Street, east of Laselle Street, north of Iris Avenue, west of Oliver Street, and south of Brodiaea Street. The Project site is in Sections 15, 16, 21, and 22 of Township 3 South, Range 3 West on the USGS Sunnymead 7.5 Minute Quadrangle. (See Figure 1, Regional Location Map.)

The 2040 General Plan Land Use and Community Character Element designates the central Project site as Downtown Center (DC), Aquabella Specific Plan. One additional parcel plus the adjacent road right-of-way (totaling approximately 10 acres) is designated Residential R5 under the 2040 General Plan, which allows for single-family detached housing of 5 units/acre. The Zoning Map designates the central Project site as Downtown Center-Specific Plan (DC-SP), SP 218, indicating its zoning is Downtown Center and SP 218. The additional parcel is zoned as Residential R5 District. (See Figure 2, City of Moreno Valley - Existing Land Use, and Figure 3, City of Moreno Valley - Existing Zoning.)

Master-planned, mixed-use residential development has long been the intended use of the Project site. Approved in 1999, the Field Station Specific Plan (Specific Plan No. 218) envisioned development of 2,922 single- and multi-family homes on approximately 399 acres, a 148.7-acre golf course, 51 acres of parks, 24 acres of retail/commercial, and 80 acres of school and recreational areas, including a high school, middle school, two elementary schools, ball fields, and active play areas. Other proposed improvements covered traffic circulation, flood control, and water and sewer services. The Field Station Specific Plan was the subject of full environmental review and analysis under CEQA in an EIR prepared for the Field Station Project and a Supplemental EIR (SCH. No. 1993112076).

In 2005, the first Aquabella Specific Plan Amendment proposed to modify the approved plan to designate 2,702 of the 2,922 homes as age-restricted for seniors, to update commercial uses, to eliminate the elementary and middle schools, and to replace the golf course with a 40-acre lake complex, clubhouse facilities, trail and bicycle paths, and other amenities. The Aquabella Specific Plan was evaluated in an Addendum prepared pursuant to CEQA.

Significant portions of these prior approvals have been implemented in the intervening years. Approximately 70 percent of the site has been graded or developed, including the approved lake complex. The required permits to address impacts to onsite drainages have been obtained and regional drainage and flood control improvements have been completed, including a concrete-lined channel. Following the construction of the concrete-lined channel, an earthen bypass channel was built parallel to the channel to the south and planted with native vegetation leading to a bio-basin to meet the federal and state agency water quality requirements. Onsite backbone infrastructure and transportation facilities have been installed, including the extension of Nason Street between Cactus Avenue and Iris Avenue, and improvements to Cactus Avenue. Two deep groundwater wells have been drilled and tested, providing a supplementary water source that would be used in implementing and maintaining the Project. The 50-acre Vista del Lago High School has been built. In addition, the first residential phase of development, a 220-unit multi-

October 2023

A5-9
Cont.

**Recirculated Notice of Preparation and Public Scoping Meeting Notice
Aquabella Specific Plan Amendment**

family residential complex situated on the Project site's northwest corner has been completed. (See Figure 4, Prior Implementation and Revised Footprint.)

The Project site's surrounding area is urbanized with a variety of residential densities, education, medical, and other uses. The Riverside University Health System Medical Center, a public teaching hospital, is along a portion of the Project site's northern boundary, and the Kaiser Permanente Hospital and medical complex is along a portion of the site's southern boundary. Residential uses surround the Project site to the west, northwest, northeast, south, and east, along with several neighborhood parks. Landmark Middle School and the Rancho Del Sol golf club are located east of the Project site. The Lake Perris State Recreation Area is approximately one-half mile to the south of the Project site. The Moreno Valley College is approximately 1 mile south of the Project site, and the World Logistics Center logistics campus is located approximately 2.5 miles northeast of the Project site (see Figures 1 and 2).

The 2040 General Plan Land Use Element designates the area adjacent to the Project site to the north as Downtown Center (DC) and Residential 5 (R5); to the east as DC, R5, Residential 2 (R2), Public, and Open Space; to the south as Residential 10 (R10), R5, Public, and Open Space; and to the west as R5 and R10. Figure 2 depicts the urbanized land uses surrounding the Project site.

PROJECT DESCRIPTION: Project entitlements will include a General Plan Amendment, Specific Plan Amendment, Tentative Tract Map, and Development Agreement. The Project would continue to implement a mixed-use residential community on the Project site with commercial uses, a lake complex and lake promenade, and other amenities, while modifying residential uses to better help the City meet local and regional housing goals. The Aquabella Specific Plan Amendment would provide a comprehensive update to land use and other plans, site development standards, design guidelines, and implementation measures necessary to implement the new vision for the Aquabella mixed-use planned community.

The proposed Project would amend SP 218 to guide the development of the remaining undeveloped portions of the Specific Plan area with multi-family and workforce housing options, while providing a town center for recreation, shopping, and entertainment. The proposed Project also includes the potential development of a school site on a parcel designated Residential 5 (R5) on the Project site's eastern boundary.

The 770.5-acre Project would include phased development of 15,000 residential units and workforce housing options for all ages and income levels; a 49,900 square foot (sf) mixed-use commercial and retail town center; 80 acres of parks (comprised of a 40-acre lake, a 15-acre lake promenade, and an additional 25 acres of parks); and 40 acres of schools, with up to three elementary school sites and one middle school site. Updated public services and facilities; infrastructure improvements; and other amenities would also be included. (See Figure 5, Proposed Project Land Use Plan.)

ENVIRONMENTAL ISSUES TO BE EVALUATED IN THE DSEIR

The City of Moreno Valley has determined that a DSEIR is required to satisfy environmental review for the proposed project. The DSEIR will address the changes to the Project, its circumstances, and significant new information that has occurred since the City previously certified a prior EIR, supplemental EIR, and addendum for development of the site. (CEQA Guidelines § 15162, 15163.). Therefore, as allowed under CEQA Guidelines Section 15060(d), no Initial Study will be prepared. The DSEIR will focus on the potentially significant effects of the Project, discuss any effects found not to be significant, and assess the direct, indirect, and

October 2023

A5-9
Cont.

**Recirculated Notice of Preparation and Public Scoping Meeting Notice
Aquabella Specific Plan Amendment**

cumulative impacts, as well as growth-inducing effects. The DSEIR will include an evaluation of the following environmental issues:

- Aesthetics
- Agriculture and forestry resources
- Air quality
- Biological resources
- Cultural resources
- Energy
- Geology and soils
- Greenhouse gas emissions
- Hazards and hazardous materials
- Hydrology/water quality
- Land use and planning
- Mineral resources
- Noise
- Population/housing
- Public services
- Recreation
- Transportation
- Tribal cultural resources
- Utilities and service systems
- Wildfire

The SEIR will assess the effects of the Project on the environment, identify potentially significant impacts, identify feasible mitigation measures to reduce or eliminate potentially significant environmental impacts, and discuss potentially feasible alternatives to the Project that may accomplish basic objectives while lessening or eliminating any potentially significant Project related impacts. A mitigation monitoring program will also be developed as required by Section 15150 of the CEQA Guidelines.

This Recirculated NOP is subject to a minimum 30-day public review period per Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082. During the public review period, public agencies, interested organizations, and individuals have the opportunity to comment on the proposed Project and identify those environmental issues that have the potential to be affected by the Project and should be addressed further by the City of Moreno Valley in the DSEIR.

SCOPING MEETING

In accordance with Section 21083.9(a)(2) of the Public Resources Code and CEQA Guidelines Section 15082(c), the City will hold a public scoping meeting, where agencies, organizations, and members of the public will receive a brief presentation of the Project and the CEQA process. The scoping meeting will be held at City of Moreno Valley, City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, CA 92553 in person on November 15, 2023, at 6:00 p.m.

Please contact the Community Development Department, Planning Division at (951) 413-3206 if you have any questions.

Sincerely,



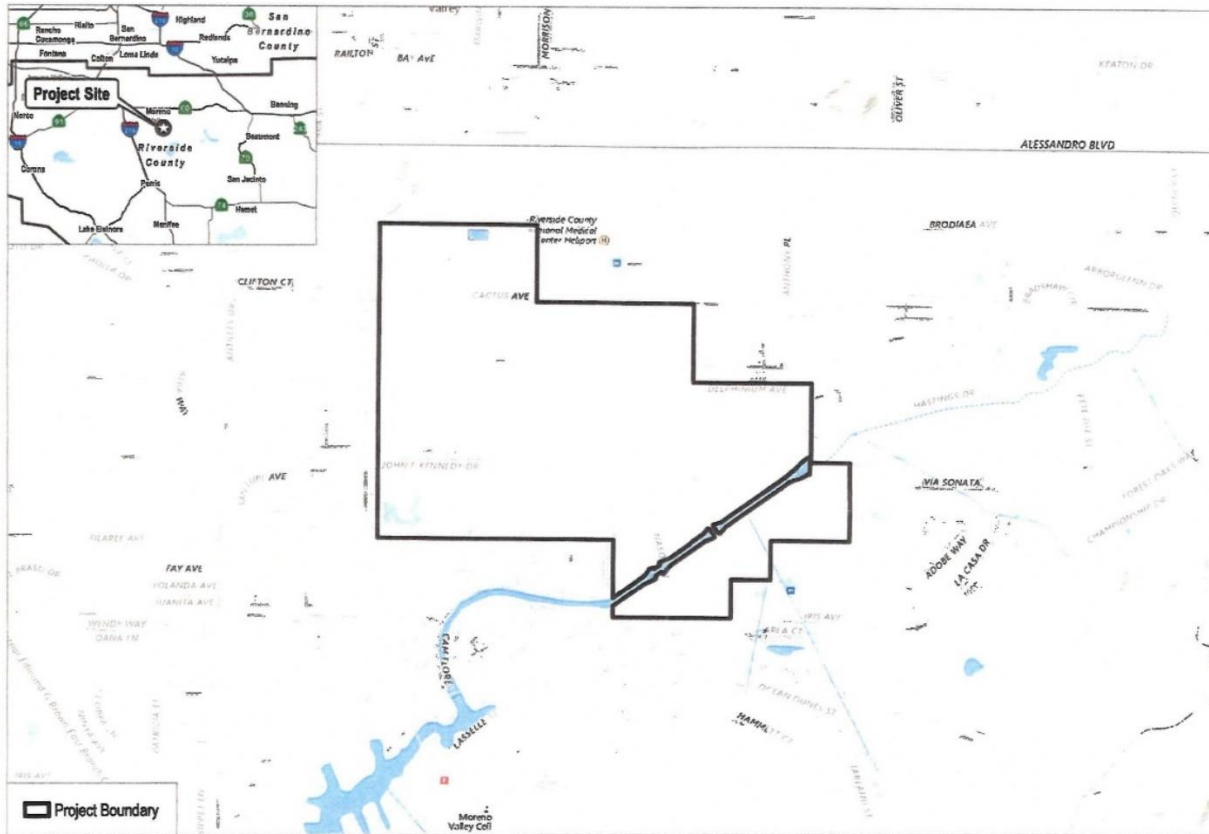
Oliver Mejica
Contract Planner

Attachments:

- Figure 1 -- Project Location Map
- Figure 2 -- City of Moreno Valley - Existing Land Use
- Figure 3 -- City of Moreno Valley - Existing Zoning
- Figure 4 -- Prior Implementation and Revised Footprint
- Figure 5 -- Proposed Project Land Use Plan

October 2023

A5-9
Cont.

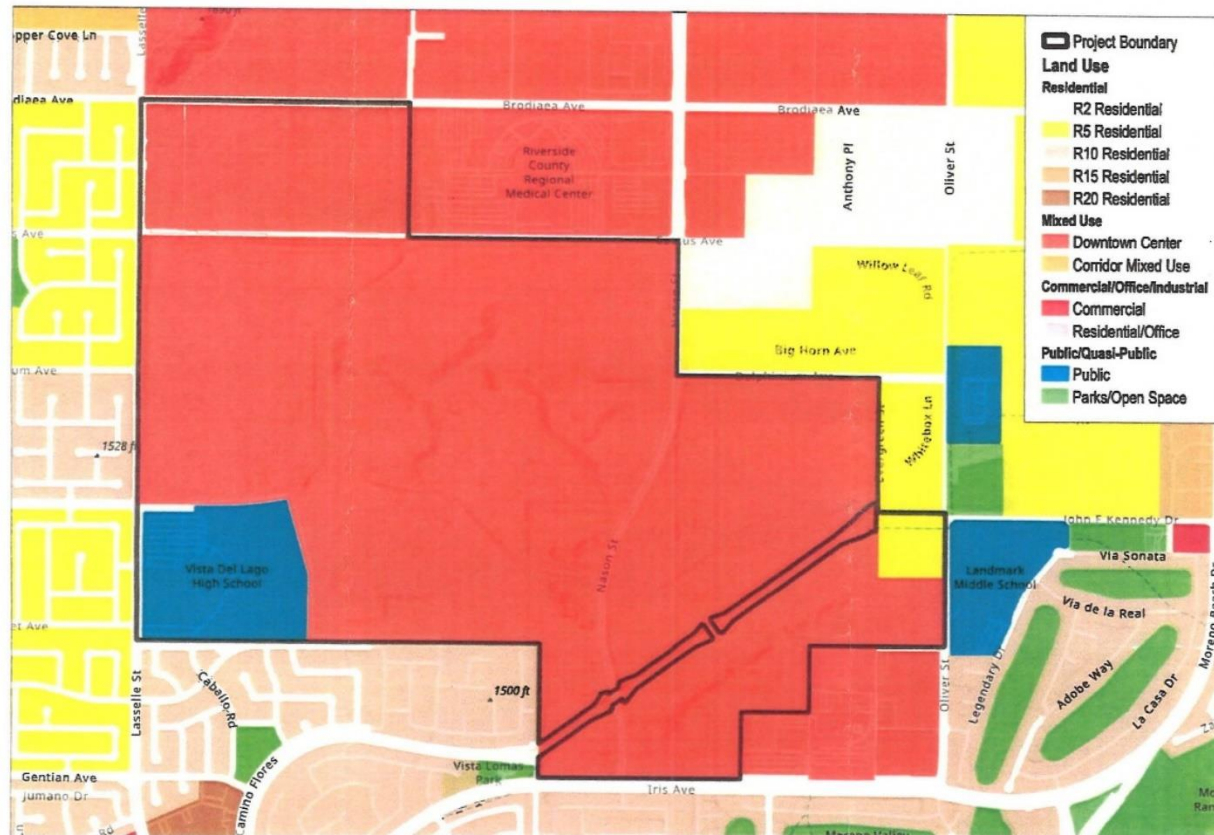


SOURCE: USGS National Map 2023
Sunnymead Quadrangle - Township 3S Range 3W Sections 15, 16, 21, 22

DUDEK 0 500 1,000 Feet

FIGURE 1
Project Location
Aquabella Specific Plan Amendment Project

A5-9
Cont.

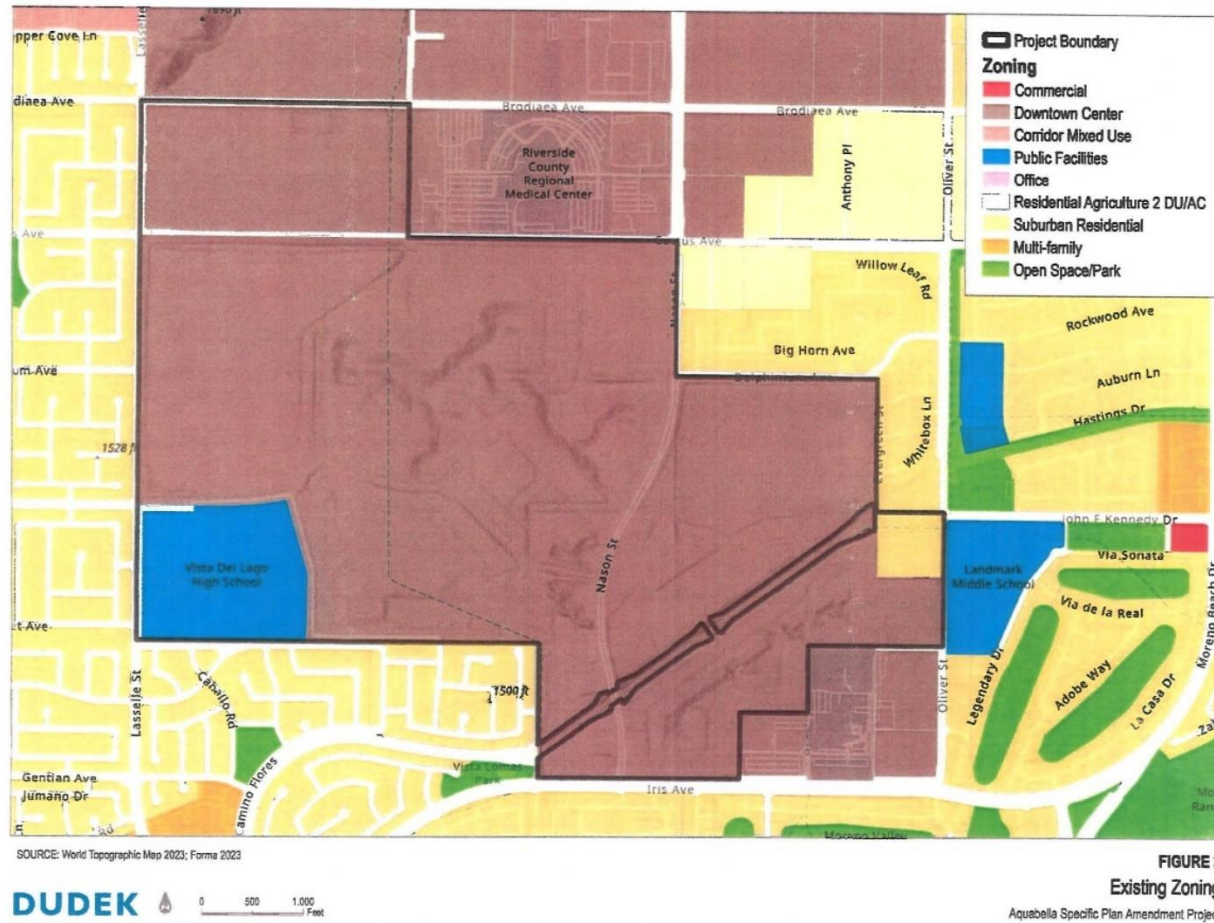


SOURCE: World Topographic Map 2023; Forma 2023



FIGURE 2
Existing Land Use
Aquabella Specific Plan Amendment Project

↑
A5-9
Cont.
↓

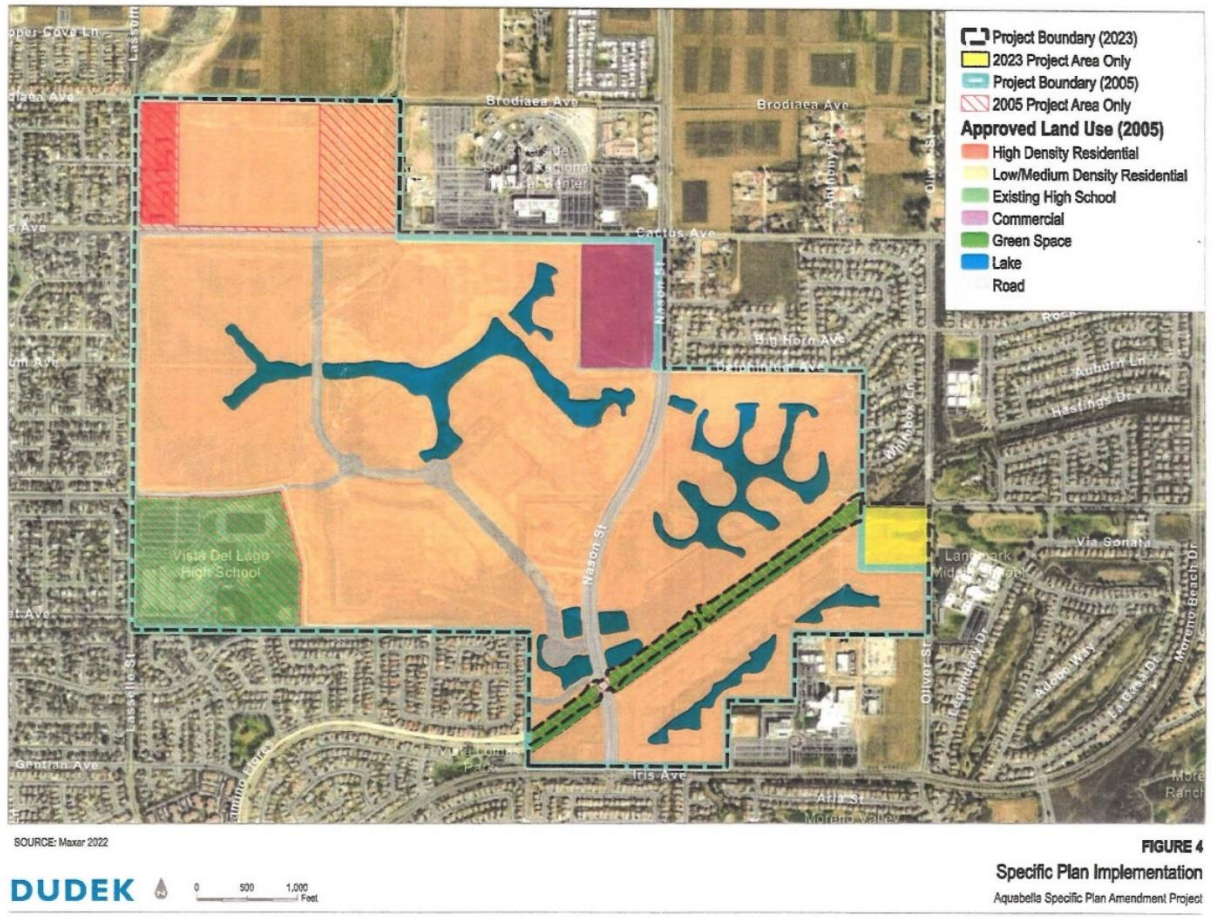


↑

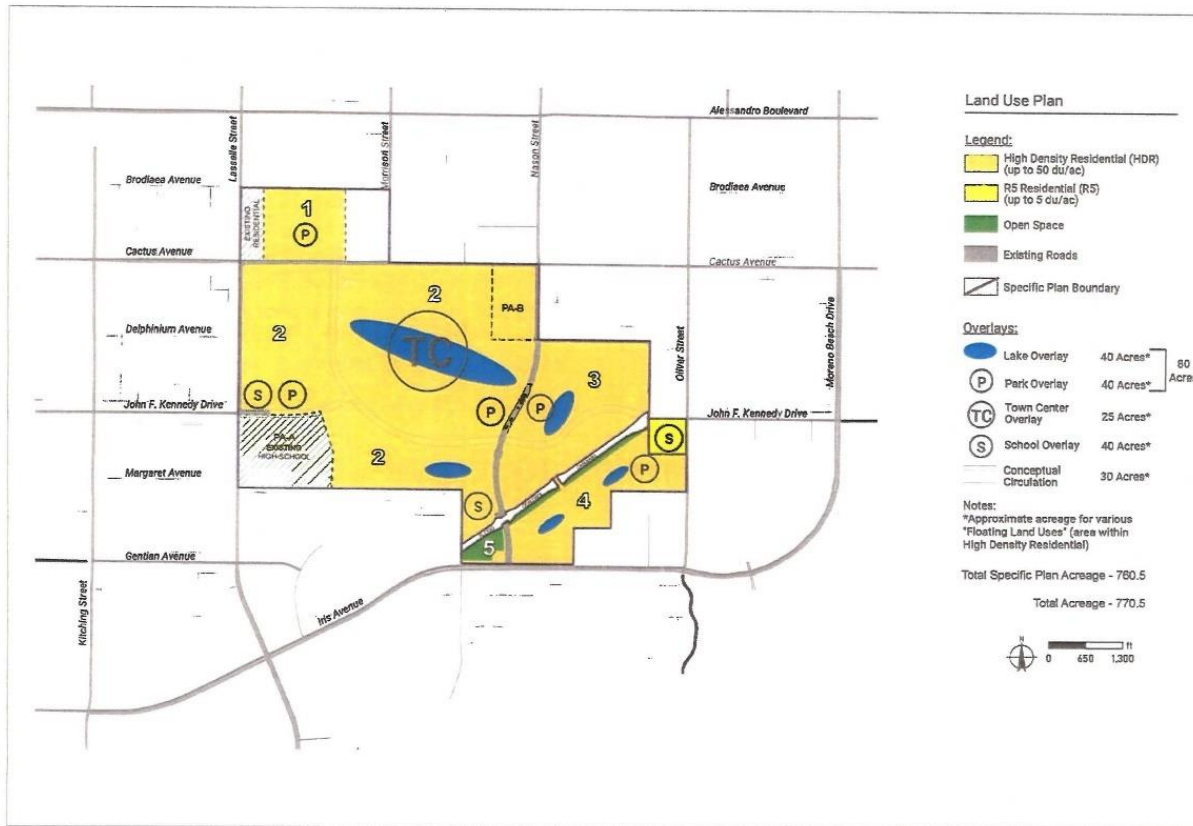
A5-9

Cont.

↓



A5-9
Cont.



SOURCE: Forma 2023

DUDEK

FIGURE 5
Proposed Project Land Use Plan
Aquabella Specific Plan Amendment Project



A5-9
Cont.

Response to Comment Letter A5

Agency
Riverside County Flood Control & Water Conservation District
July 10, 2024

A5-1 This comment includes an introduction to comments to follow. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

A5-2 The comment includes an introduction to the general nature of the Riverside County Flood Control & Water Conservation District comments and recommendations and clarifies that the Project has not been reviewed in detail. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

A5-3 The comment identifies the Project as being within the Moreno Area Drainage Plan. The comment also states the Project would involve the proposed master drainage facilities, which the Riverside County Flood Control & Water Conservation District would accept ownership of on written request by the City. If the Project proposes channels, storm drains larger than 36 inches in diameter, or other facilities, the District would consider accepting ownership on written request of the City. The comment further states that these facilities would be constructed to district standards; would be subject to plan check, inspection, and fees; and would require an encroachment permit.

The Project applicant will comply with district standards and requirements on all proposed facilities. The applicant has conducted coordination since 2007 with the district regarding the Master Plan Line F Channel through the previous iterations of this Project. Further, the applicant has maintained the Conservation Easement south of the Line F Channel for a decade, and as of March 27, 2024, the applicant has transferred management responsibilities of the Conservation Easement to San Jacinto Basin Resource Conservation District. If minor improvements are required of Line F Channel in the future, the applicant will continue to coordinate with the Riverside County Flood Control & Water Conservation District as needed. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

A5-4 The comment includes general information regarding National Pollutant Discharge Elimination System permits, Federal Emergency Management Agency floodplains, CEQA, and permits. As described in Draft SEIR Section 3.4.2 (p. 3-28), the Project would require a National Pollutant Discharge Elimination System Permit and a Clean Water Act Section 401 Permit. As described in Draft SEIR Section 4.10, Hydrology and Water Quality (specifically within Section 4.10.1, pp. 4.10-1 through 4.10-5), the southern portion of the Project site was previously located within Federal Emergency Management Agency Zone A on the Flood Insurance Rate Map, which is defined as having a 1% annual chance of flooding (also known as the 100-year flood zone) with no defined base flood elevation. However, as a result of prior flood control improvements, the southern portion of the site is no longer located within the 100-year flood zone, and Zone A is almost entirely contained within the Line F Channel. Regarding CEQA compliance, the Project applicant will comply with all mitigation measures in the Final SEIR. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

- A5-5** The comment includes a previous comment made by the District Similar to Comment A5-2. Please refer to Response to Comment A5-2.
- A5-6** The comment includes a previous comment made by the District similar to Comment A5-3. Please refer to Response to Comment A5-3.
- A5-7** The comment includes a previous comment made by the District similar to Comment A5-4. Please refer to Response to Comment A5-4.
- A5-8** The comment includes a copy of the Notice of Availability for the Draft SEIR on the Project. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.
- A5-9** The comment includes a copy of the Notice of Preparation for the Project. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

Comment Letter A6



07/24/2024

Kirt Coury, Contract Planner
14177 Frederick Street
Moreno Valley, CA 92553

Subject:

Case No.: AQUABELLA SPECIFIC PLAN AMENDMENT PROJECT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT PEN23-0109, PEN23-0127, PEN24-0041, PEN23-0111, PEN23-0118, PEN23-0119 SCH No. 2023100145

APN: 486-280-060; 486-280-056; 486-280-057; 486-300-012 and 013; 486-310-014; 486-310-035; 486-320-009 through 012; 486-320-006.

Location: South of Brodiaea Avenue and North of Iris Avenue between Lasselle Street and Oliver Street on approximately 650 acres.

Type of Notice: Notice of Availability

Dear Mr. Kirt Coury,

I was just made aware of this Notice of Availability for the Aquabella Specific Plan Amendment Project Subsequent Environmental Impact Report on 7/23/2024 (Attached).

Eastern Municipal Water District (EMWD) thanks you for the opportunity to review the Notice of Availability on the Preparation of a Subsequent Environmental Impact Report for the Aquabella Specific Plan Amendment Project. The Notice of Availability proposes the review of Specific Plan Amendment, General Plan Amendment, Change of Zone, Tentative Tract Map No. 38850, and a Development Agreement. The Project proposes construction of approximately 15,000 very-high density multi-family residential dwelling units with a proposed density of 25 to 50 dwelling units per acre along with 40 acres of schools, 40 acres of parks, a 40-acre multi-purpose lake, and a 25-acre mixed-use town center including a 300-unit hotel. The developer for the Project is T/Cal Realty II, an affiliate of Highland Fairview.

According to certain provisions noted within EMWD’s Water Supply Assessment (WSA) Letter, dated October 18, 2023, in section I.3 Projected Water Demand *“The specific facilities needed to serve the Project’s water demands will be defined in the design conditions phase of EMWD’s New Development Process.”*, and in section I.4 Requirements *“Prior to project construction, the developer of the Project is required to meet with EMWD staff to establish development design conditions, which will detail water, wastewater, and recycled water requirements to serve the Project.”*, EMWD offers the following comments:

A6-1

A6-2

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

2270 Trumble Road • P.O. Box 8300 • Perris, CA 92572-8300
T 951.928.3777 • F 951.928.6177 www.emwd.org

To define the impact(s) on existing EMWD facilities, the Subsequent Environmental Impact Report shall evaluate the Project's proposed water demands, wastewater discharge, and potential recycled water use, by conducting an analysis of water and sewer models used in the facility planning process to quantify changes in water demands and waste-water generation to serve future development in this area. This analysis will help determine if the remaining available capacity in the existing EMWD facilities can adequately serve this Project. If the existing EMWD facilities do not have enough capacity, then, to obtain adequate service, the Subsequent Environmental Impact Report shall identify and analyze the necessary additional improvements and facilities to be constructed by this Project. To complement this effort, EMWD can assist the Project proponent in developing EMWD's Design Conditions (DC) to detail all pertinent conditions and required facilities. In addition, the DC will identify EMWD's requirements pertaining to the proposed abandonment of existing sewer pipelines and alignment and sizing of the proposed sewer pipelines.

A6-3

To start EMWD's DC review, the Project sponsor may contact the Development Services Coordinator at dsintakegroup@emwd.org.

A6-4

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

Sincerely,

Maroun El-Hage Digitally signed by Maroun El-Hage
Date: 2024.07.24 15:31:40 -07'00'

Maroun El-Hage, MPA, MS, PE
Principal Civil Engineer
Development Services Department
Eastern Municipal Water District

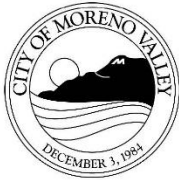
JR:MEH

CC: Joseph Broadhead, EMWD

Attachments

- Copy of Public Notice

EASTERN MUNICIPAL WATER DISTRICT



Community Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

**NOTICE OF AVAILABILITY
AQUABELLA SPECIFIC PLAN AMENDMENT PROJECT
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT
PEN23-0109, PEN23-0127, PEN24-0041, PEN23-0111, PEN23-0118, PEN23-0119
SCH No. 2023100145**

NOTICE IS HEREBY GIVEN that, pursuant to requirements of the California Environmental Quality Act (CEQA), the City of Moreno Valley has prepared a Draft Subsequent Environmental Impact Report (Draft SEIR) for the proposed Aquabella Specific Plan Amendment Project (Project). The Project Site is bounded by Cactus Avenue, Brodiaea Avenue, Iris Avenue, Lasselle Street, and Oliver Street.

The Project includes the following:

Project: Aquabella Specific Plan Amendment Project

Location: The Project Site is comprised of approximately 770.5 acres of land located in the southeastern portion of the City of Moreno Valley, California. The Project Site is located east of I-215, south of SR-60, and north of Lake Perris on Cactus Avenue and Nason Street, east of Lasselle Street, north of Iris Avenue, west of Oliver Street, and south of Brodiaea Street. The Project Site consists of the area designated Aquabella Specific Plan (Specific Plan No. 218), together with one small residential parcel located along the eastern boundary of the Project Site. The Project Site comprises Assessor Parcel Numbers 486-280-060; 486-280-056; 486-280-057; 486-300-012 and 013; 486-310-014; 486-310-035; 486-320-009 through 012; 486-320-006.

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

- 1) **Specific Plan Amendment (SPA) (PEN23-0109)** – An amendment to Specific Plan No. 218 to provide additional housing and nonresidential uses, updated development standards and design guidelines for the proposed development within the Project Site, and add one parcel to the eastern boundary of the Specific Plan.
- 2) **General Plan Amendment (GPA) (PEN23-0127)** – A General Plan Amendment to (a) change General Plan Table LCC-1, Development Potential and Jobs Housing Balance, and related text to update projected housing and job numbers to include the Project; (b) change General Plan Table LCC-3, Downtown Center Illustrative Development

A6-5

Program (Net New Development 2020-2040), to reflect the updated Downtown Center Development Program by including the Project; and (c) change General Plan Map LCC-4, General Plan Land Use, to reflect the land use designation change of the approximately 10-acre parcel on the eastern boundary of the Project Site (Assessor's Parcel No. 486310014) from Residential (R5) District to Downtown Center (Aquabella Specific Plan). If the 2006 General Plan is operative at the time of approval, the Project would require a GPA to amend the 2006 General Plan Land Use Map, Figure 2-2 to accommodate the Project.

- 3) **Change of Zone (CZ) (PEN24-0041)** – A Change of Zone to rezone the approximately 10-acre parcel on the eastern boundary of the Project Site (Assessor's Parcel No. 486310014) from Residential 5 (R5) District to DC-SP (SP 218) in order to incorporate the parcel into the Project Site which shall be subject to the zoning, design, and development requirements therein.
- 4) **Tentative Tract Map No. 38850 (PEN23-0118)** - The Tentative Tract Map for subdivision of the Aquabella Specific Plan area for finance and conveyance purposes. The Tentative Tract Map will create an estimated twenty-six (26) new parcels.
- 5) **Development Agreement (PEN23-0119)** - The Development Agreement to provide a written agreement that applies to the development of the Specific Plan.

Significant Environmental Impacts:

The Draft SEIR identified potentially significant environmental impacts to the following resources; air quality, biological resources, cultural resources, geology (paleontological resources), greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, and tribal cultural resources. With the incorporation of mitigation measures potentially significant impacts to biological resources, cultural resources, geology (paleontological resources), greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, and tribal cultural resources would be reduced to less than significant impacts. Even with mitigation incorporated, potentially significant impacts related to air quality would remain significant and unavoidable.

Cortese List Notice: Pursuant to Public Resources Code §21092.6(a), the Project Site is not included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 (California Department of Toxic Substances Control list of various hazardous sites).

Document Availability: The Draft SEIR and its technical appendices are available for review on the City's website (<http://www.moreno-valley.ca.us/cdd/documents/about-projects.html>) and in person at City Hall located at 14177 Frederick Street, Moreno Valley, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday and Friday, 7:30 a.m. to 4:30 p.m.).

A6-5
Cont.

In addition, the Draft SEIR is available for review at the City's three Library Branches located at:

- Main Branch, 25480 Alessandro Boulevard
- Mall Branch, 22500 Town Circle
- Iris Plaza Branch, 16170 Perris Boulevard

45-day Public Review Period: The Public Review Period shall commence May 31, 2024, through July 15, 2024.

Submission of Written Comments: Members of the public, responsible and trustee agencies, and other interested parties may submit written comments (including emailed comments) on the Draft SEIR during the 45-day Public Review Period. Written comments must be received at the City of Moreno Valley Community Development Department by ***no later than the conclusion of the 45-day review period, at 5:30 p.m. on July 15, 2024.***

Please submit written comments to:

Kirt Coury, Contract Planner
City of Moreno Valley, Community Development Department
14177 Frederick Street, Moreno Valley, CA 92553
Email: planningnotices@moval.org

For additional information, please contact Kirt Coury at (951) 413-3206 or Email: planningnotices@moval.org

A6-5
Cont.

From: [Stratton, Helen](#)
To: planningnotices@moval.org
Cc: [El-Hage, Maroun](#)
Subject: EMWD Comments on Recirculated NOP of DSEIR for Aquabella Specific Plan
Date: Monday, November 20, 2023 10:35:28 AM
Attachments: [Aquabella Specific Plan Project Comment signed ARJ.pdf](#)
[NOP Aquabella Specific Plan Subsequent EIR.pdf](#)

Thank you for the opportunity to provide comments on the above-mentioned project. Attached please find our comment letter along with the public notice.

Thank you!

Helen Stratton

Water Resources Specialist Assistant II
Eastern Municipal Water District
2270 Trumble Road
P.O. Box 8300
Perris, CA 92572-8300
T (951) 928-3777 ext. 4525
strattonh@emwd.org



A6-5
Cont.

Response to Comment Letter A6

Agency
Eastern Municipal Water District (EMWD)
July 24, 2024

- A6-1** This comment acknowledges EMWD's receipt of the Notice of Availability of the Draft SEIR for the Project and provides a summary of the Project. The comment restates information contained in the Draft SEIR and does not raise an environmental issue within the meaning of CEQA; therefore, no further response is required or necessary.
- A6-2** The comment references Section I.3 and I.4 of the Water Supply Assessment Letter dated October 18, 2023, prepared by EMWD for the Project (included in the Draft SEIR as Appendix L). The referenced sections indicate that specific facilities needed to serve the Project's water demand would be defined during the design condition phase of the EMWD's New Development Process, and the applicant would meet with EMWD to establish development design conditions at this time.
- This information has been addressed in Draft SEIR Section 4.19, Utilities and Service Systems. The comment does not raise an environmental issue within the meaning of CEQA; therefore, no further response is required or necessary. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision.
- A6-3** This comment states that to define the impact on existing EMWD facilities, the SEIR should analyze water and wastewater demands to determine if the remaining capacity of EMWD facilities can adequately serve the Project. The comment also states that EMWD can assist with developing Design Conditions pertinent to required facilities and identifying requirements pertaining to proposed abandonment of existing pipelines and sizing of proposed pipelines.
- As part of the Water Supply Assessment prepared by EMWD for the Project, EMWD calculated demand projections for the Project and compared them to EMWD's projected water supply and demand, as described in the Draft SEIR Section 4.19.4.2 (pp. 4.19-14 through 4.19-23) and Appendix L. As discussed in Draft SEIR Section 4.19.4.2 (pp. 4.19-14 through 4.19-23), the EMWD Water Supply Assessment also assessed wastewater demand of the Project and determined that no new facilities would be needed as a result of the Project. The results of the Water Supply Assessment show that EMWD would be able to meet the Project's demand for water with existing water supplies and supply facilities in conjunction with other demands. During the design condition phase of the EMWD's New Development Process, the applicant would coordinate with EMWD regarding specific water and sewer facilities. The comment does not raise an environmental issue within the meaning of CEQA; therefore, no further response is required or necessary. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision.
- A6-4** This comment provides contact information for the development services coordinator and the commenter. The comment does not raise an environmental issue within the meaning of CEQA; therefore, no further response is required or necessary. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision.

- A6-5** This comment includes a copy of the Notice of Availability and an email referencing the comments made by EMWD in response to the Notice of Preparation dated November 20, 2023. The comments in response to the Notice of Preparation were received by the City on November 20, 2023, and have been considered as part of the SEIR. No further response is required.

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660
FAX: (650) 589-5062

ssannadan@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201
FAX: (916) 444-6209

ARIANA ABEDIFARD
KEVIN T. CARMICHAEL
CHRISTINA M. CARO
THOMAS A. ENSLOW
KELILAH D. FEDERMAN
RICHARD M. FRANCO
ANDREW J. GRAF
TANYA A. GULESSERIAN
DARION N. JOHNSTON
RACHAEL E. KOSS
AIDAN P. MARSHALL
TARA C. RENGIFO

Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

June 21, 2024

VIA EMAIL AND U.S. MAIL

Robert Flores, Planning Division Manager
City of Moreno Valley
Planning Division
14177 Frederick St.
PO Box 88005
Moreno Valley, CA 92552
Email: robertfl@moval.org;
PlanningEmail@moval.org

Jane Halstead, City Clerk
Moreno Valley City Hall
14177 Frederick St.
PO Box 88005
Moreno Valley, CA 92552
Email: dept_cityclerk@moval.org;
cityclerk@moval.org

VIA EMAIL ONLY

Kirt Coury, Contract Planner
Email: planningnotices@moval.org

Re: Request for Immediate Access to Documents Referenced in the Draft Subsequent Environmental Impact Report – Aquabella Specific Plan Amendment Project (SCH No. 2023100145)

Dear Mr. Flores, Ms. Halstead, and Mr. Coury:

We are writing on behalf of Californians Allied for a Responsible Economy (“CARE CA”) to request ***immediate access*** to any and all documents referenced, incorporated by reference, and relied upon in the Draft Subsequent Environmental Impact Report (“DSEIR”) prepared for the Aquabella Specific Plan Amendment Project (SCH No. 2023100145) (“Project”), proposed by T/Cal Realty 11, LLC (“Applicant”). ***This request excludes a copy of the DSEIR and any other documents that are currently available on the City of Moreno Valley website.***¹

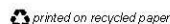
O1-1

The Project proposes a second Specific Plan Amendment which would continue to develop the remaining 668.6 acres of the Aquabella site with 15,000 multifamily residences; 49,900 square feet of supporting commercial and retail uses, including a 300-room hotel; approximately 80 acres of parks (40 acres of lakes, plus a 15-acre lake promenade and 25 acres of additional parks); approximately 40 acres

O1-2

¹ Accessed <https://moval.gov/cdd/documents/about-projects.html> June 21, 2024.

7314-001.acp



June 21, 2024
Page 2

of elementary school and middle school sites; open space; public services and facilities; and other amenities. The Project site is located in the southeastern portion of the City of Moreno Valley, south of State Route 60 (Moreno Valley Freeway), east of Lasselle Street, north of Iris Avenue, and west of Oliver Street in Riverside County, California. The Project area is bisected by Nason Street. Specifically, the Project area consists of 668.6 acres located on Assessor's Parcel Numbers 486-300-013, 486-280-056 486-310-014, 486-320-012, 486-320-009, 486-300-012, 486-320-010, 486-320-011, and 486-310-035, as well as rights-of-way.

01-2
Cont.

Our request for ***immediate access*** to all documents referenced in the DSEIR is made pursuant to the California Environmental Quality Act ("CEQA"), which requires that all documents referenced, incorporated by reference, and relied upon in an environmental review document be made available to the public for the entire comment period.²

01-3

Please use the following contact information for all correspondence:

U.S. Mail

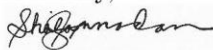
Sheila M. Sannadan
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080-7037

Email

ssannadan@adamsbroadwell.com

01-4

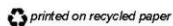
If you have any questions, please call me at (650) 589-1660 or email me at ssannadan@adamsbroadwell.com. Thank you for your assistance with this matter.

Sincerely,

Sheila M. Sannadan
Legal Assistant

SMS:acp

² See Public Resources Code § 21092(b)(1) (stating that "all documents referenced in the draft environmental impact report" shall be made "available for review"); 14 Cal. Code Reg. § 15087(c)(5) (stating that all documents incorporated by reference in the EIR "... shall be readily accessible to the public"); see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442, as modified (Apr. 18, 2007) (EIR must transparently incorporate and describe the reference materials relied on in its analysis); *Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3rd 818, 831 ("[W]hatever is required to be considered in an EIR must be in that formal report..."), internal citations omitted.

7314-001acp



Response to Comment Letter O1

Organization

Adams Broadwell Joseph & Cardozo – Californians Allied for a Responsible Economy

June 21, 2024

01-1 The comment requests access to all documents referenced, incorporated by reference, and relied upon in the Draft SEIR, excluding the Draft SEIR, appendices, and other Project documents available on the City's website.

The comment is a request for documents, which does not address the adequacy of any section of the Draft SEIR. All documents referenced, incorporated by reference, and relied upon are listed in Chapter 8, SEIR References, Consultation, and Preparation, of the Draft SEIR, with links to respective documents, where available. The commentor can view most references in the Draft SEIR by using the website links provided. In addition, the City responded to the commentor's request on June 27, July 1, and July 16, 2024, providing the documents referenced, incorporated by reference, and relied upon in the Draft SEIR.

As set forth in Section 15148 of the CEQA Guidelines, documents referenced in the EIR should not be included in the EIR: "Preparation of EIRs is dependent upon information from many sources, including engineering project reports and many scientific documents relating to environmental features. These documents should be cited but not included in the EIR." (See also *Save North Petaluma River and Wetlands v. City of Petaluma* [2022] 86 Cal.App.5th 207, 225-226.) The City appropriately referenced documents in the manner intended by CEQA; therefore, no further response is required or necessary. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project.

01-2 The comment provides a summary of Project description and location. The comment restates information contained in the Draft SEIR and does not raise an environmental issue within the meaning of CEQA; therefore, no further response is required or necessary. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project.

01-3 The comment states the request for documents is made pursuant to CEQA. The comment asserts CEQA requires referenced documents be made available to the public for the entire comment period. The letter cites CEQA, the CEQA Guidelines, and some CEQA case law in footnote 2. None of the legal citations state that referenced documents must be made publicly available "for the entire comment period," as stated in the comment. In any event, the City has responded to the commentor's request for referenced documents. Refer to Response to Comment O1-1, above.

01-4 The comment provides contact information for correspondence and concluding remarks. The commentor's contact information is appreciated. The comment includes a conclusion to the previous comments and does not identify specific issues with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

INTENTIONALLY LEFT BLANK

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660

FAX: (650) 589-5062

kfederman@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201

FAX: (916) 444-6209

ARIANA ABEDIFARD
KEVIN T. CARMICHAEL
CHRISTINA M. CARO
THOMAS A. ENSLOW
KELILAH D. FEDERMAN
RICHARD M. FRANCO
ANDREW J. GRAF
TANYA A. GULESSERIAN
DARION N. JOHNSTON
RACHAEL E. KOSS
AIDAN P. MARSHALL
TARA C. RENGIFO

Of Counsel

MARC D. JOSEPH
DANIEL L. CARDOZO

July 11, 2024

Via Email and U.S. Mail

Kirt Coury, Contract Planner
Sean P. Kelleher, Community Development Director
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553
Email: planningnotices@moval.org; PlanningEmail@moval.org;
CDDAdmin@moval.org

Re: **Request for an Extension of the Comment Period for the Draft Subsequent Environmental Impact Report Prepared for the Aquabella Specific Plan Amendment Project (SCH No. 2023100145)**

Dear Mr. Coury, Mr. Kelleher:

We are writing on behalf of Californians Allied for a Responsible Economy (“CARE CA”) to respectfully request that the City of Moreno Valley (“City”) extend the public review and comment period for the Draft Subsequent Environmental Impact Report (“DSEIR”)¹ prepared for the Aquabella Specific Plan Amendment Project (SCH No. 2023100145) (“Project”), which currently ends on July 15, 2024² by at least 30 days due to the City’s failure to provide timely access to documents referenced and relied upon in the DSEIR and public records in the City’s possession related to the Project.

O2-1
O2-2

We ask that the City fully and immediately comply with our June 21, 2024 request for immediate access to all documents referenced and incorporated by reference in the DSEIR by providing access to outstanding DSEIR reference

¹ City of Moreno Valley, Draft Subsequent Environmental Impact Report Aquabella Specific Plan Amendment Project (May 31, 2024), available at:

<https://ceqanet.opr.ca.gov/2023100145/5/Attachment/c-e1R7>.

² City of Moreno Valley, Notice of Availability, Aquabella Specific Plan Amendment Project Subsequent Environmental Impact Report PEN23-0109, PEN23-0127, PEN24-0041, PEN23-0111, PEN23-0118, PEN23-0119 SCH No. 2023100145

<https://ceqanet.opr.ca.gov/2023100145/5/Attachment/drrZ-q>.

7814-011acp

July 11, 2024
Page 2

documents, including, but not limited to the (1) Development Agreement (PEN23-0119), and (2) missing documents referenced in the Phase I and Phase II, including the following:

1. California Division of Mines and Geology (C.D.M.G.), Special Studies Zone Map, Sunnymead Quadrangle, July 1974.
2. California Division of Mines and Geology (C.D.M.G.), Geologic Map of California, Santa Ana Sheet, 1:250,000, 1966.
3. South Coast Geological Society, Geologic Map of the Perris (15 Minute) Quadrangle, California, 1:62,500, 1942. 4
4. U.S.G.S. 7 ½ Minute Sunnymead Quadrangle, California, 1:24,000, 1967 (Photorevised 1980).
5. Title History by Chicago Title Company, Order No. 535544-08, dated March 30, 1992.
6. "Test Methods for Evaluating Solid Wastes", SW 846, July, 1982.
7. "Methods for Chemical Analysis of Water and Wastes", EPA-600, 14-79-020.

On June 21, 2024, our office submitted a request, pursuant to the California Environmental Quality Act ("CEQA"),³ for immediate access to any and all documents referenced or relied upon in the Draft Environmental Impact Report, excluding the NOC, DSEIR, and any appendices already posted on the City's website.⁴ CEQA's section 21092(b)(1) and CEQA Guidelines section 15087(c)(5) require that "all documents referenced" and "all documents incorporated by reference" in an environmental impact report shall be "readily accessible to the public during the lead agency's normal working hours" during the entire public comment period.⁵

The same day, our office submitted a separate public records requests pursuant to the Public Records Act ("PRA").⁶ As you are aware, that request sought immediate access to any and all *public records* referring or related to the Project.

The City provided access to *some* documents referenced in the DSEIR on June 27, 2024 and July 1, 2024, but omitted key reference documents, including the

³ Pub. Resources Code §§ 21000 *et seq.*

⁴ **Exhibit A** - Letter to Robert Flores, Jane Halstead, Kirt Coury, City of Moreno Valley from Sheila Sannadan, Adams Broadwell Joseph & Cardozo re: Requests for Immediate Access to Documents Referenced in the Draft Subsequent Environmental Impact Report – Aquabella Specific Plan Amendment Project (SCH No. 2023100145) (June 21, 2024).

⁵ Pub. Resources Code § 21092(b)(1); 14 C.C.R. § 15087(c)(5).

⁶ **Exhibit A** - Letter to Robert Flores, Jane Halstead, Kirt Coury, City of Moreno Valley from Sheila Sannadan, Adams Broadwell Joseph & Cardozo re: Request for Immediate Access to Public Records – Aquabella Specific Plan Amendment Project (SCH No. 2023100145) (June 21, 2024).

7314-011aop



July 11, 2024
Page 3

proposed Development Agreement and documents referenced in the Phase I and Phase II ESAs.

On Wednesday July 10, 2024, our office emailed the City specifically requesting a copy of the Development Agreement prepared for the project.⁷ Our office has yet to receive a response to our request for a copy of the Development Agreement.

CEQA compels a lead agency to make all documents referenced in an environmental impact report “available for review” during the entire public comment period.⁸ The courts have held that the failure to provide even a few pages of a CEQA document for a portion of the public review period invalidates the entire CEQA process, and that such a failure must be remedied by permitting additional public comment.⁹ It is also well settled that a CEQA document may not rely on hidden studies or documents that are not provided to the public.¹⁰

To date, the City has failed to provide the Council, and potentially other members of the public, with access to all documents referenced and relied upon in the DSEIR, as required by law. Moreover, the City failed to provide access to the Development Agreement, which thwarts public review and comment on this proposed Project entitlement. By failing to make all documents and underlying data referenced in the DSEIR readily available during the entirety of the public comment period, the City is depriving members of the public the ability to meaningfully comment on the potentially significant environmental impacts of the Project and is violating the procedural mandates of CEQA.

In sum, we request the City:

- 1) Extend the public review and comment period **for at least 30 days from the date on which the City releases all DSEIR reference documents** for public review.
- 2) Immediately provide access to the DSEIR reference documents, including but not limited to, the Development Agreement, and documents referenced in the Phase I and Phase II ESAs.

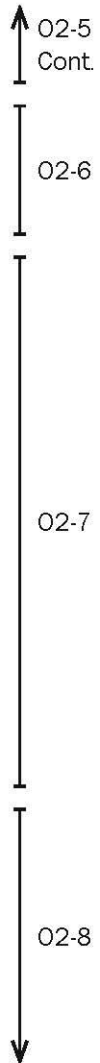
⁷ Exhibit B – Email from ABJC to City Clerk of Moreno Valley, RE: Request for Immediate Access to Public Records – Aquabella Specific Plan Amendment Project (SCH No. 2023100145) (July 10, 2024).

⁸ Pub. Resources Code § 21092(b)(1); 14 C.C.R. § 15087(c)(5).

⁹ *Ultramar v. South Coast Air Quality Man. Dist.* (1993) 17 Cal.App.4th 689, 699.

¹⁰ *Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3rd 818, 831 (“Whatever is required to be considered in an EIR must be in that formal report; what any official might have known from other writings or oral presentations cannot supply what is lacking in the report.”).

7814-011acp




July 11, 2024
Page 4

Given the short time before the current comment deadline ends, please contact me as soon as possible with your response to this request, but no later than close of business on **Friday July 12, 2024**.

Thank you for your prompt attention and response to this matter.

Sincerely,

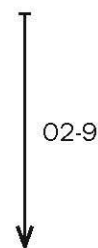

Kelilah D. Federman

Attachments
KDF:acp

↑
O2-8
Cont.

7814-011acp

EXHIBIT A



ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660
FAX: (650) 589-5062
ssannadan@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721
TEL: (916) 444-6201
FAX: (916) 444-6209

ARIANA ABEDIFARD
KEVIN T. CARMICHAEL
CHRISTINA M. CARO
THOMAS A. ENSLOW
KELILAH D. FEDERMAN
RICHARD M. FRANCO
ANDREW J. GRAF
TANYA A. GULESSERIAN
DARION N. JOHNSTON
RACHAEL E. KOSS
AIDAN P. MARSHALL
TARA C. RENGIFO

Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

June 21, 2024

VIA EMAIL AND U.S. MAIL

Robert Flores, Planning Division Manager
City of Moreno Valley
Planning Division
14177 Frederick St.
PO Box 88005
Moreno Valley, CA 92552
Email: robertfl@moval.org;
PlanningEmail@moval.org

Jane Halstead, City Clerk
Moreno Valley City Hall
14177 Frederick St.
PO Box 88005
Moreno Valley, CA 92552
Email: dept_cityclerk@moval.org;
cityclerk@moval.org

VIA EMAIL ONLY

Kirt Coury, Contract Planner
Email: planningnotices@moval.org

Re: Request for Immediate Access to Documents Referenced in the Draft Subsequent Environmental Impact Report – Aquabella Specific Plan Amendment Project (SCH No. 2023100145)

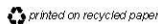
Dear Mr. Flores, Ms. Halstead, and Mr. Coury:

We are writing on behalf of Californians Allied for a Responsible Economy (“CARE CA”) to request ***immediate access*** to any and all documents referenced, incorporated by reference, and relied upon in the Draft Subsequent Environmental Impact Report (“DSEIR”) prepared for the Aquabella Specific Plan Amendment Project (SCH No. 2023100145) (“Project”), proposed by T/Cal Realty 11, LLC (“Applicant”). ***This request excludes a copy of the DSEIR and any other documents that are currently available on the City of Moreno Valley website.***¹

The Project proposes a second Specific Plan Amendment which would continue to develop the remaining 668.6 acres of the Aquabella site with 15,000 multifamily residences; 49,900 square feet of supporting commercial and retail uses, including a 300-room hotel; approximately 80 acres of parks (40 acres of lakes, plus a 15-acre lake promenade and 25 acres of additional parks); approximately 40 acres

¹ Accessed <https://moval.gov/cdd/documents/about-projects.html> June 21, 2024

7314-001acp



02-9
Cont.

June 21, 2024
Page 2

of elementary school and middle school sites; open space; public services and facilities; and other amenities. The Project site is located in the southeastern portion of the City of Moreno Valley, south of State Route 60 (Moreno Valley Freeway), east of Lasselle Street, north of Iris Avenue, and west of Oliver Street in Riverside County, California. The Project area is bisected by Nason Street. Specifically, the Project area consists of 668.6 acres located on Assessor's Parcel Numbers 486-300-013, 486-280-056 486-310-014, 486-320-012, 486-320-009, 486-300-012, 486-320-010, 486-320-011, and 486-310-035, as well as rights-of-way.

Our request for *immediate access* to all documents referenced in the DSEIR is made pursuant to the California Environmental Quality Act ("CEQA"), which requires that all documents referenced, incorporated by reference, and relied upon in an environmental review document be made available to the public for the entire comment period.²

Please use the following contact information for all correspondence:

U.S. Mail

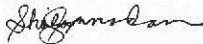
Sheila M. Sannadan
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080-7037

Email

ssannadan@adamsbroadwell.com

If you have any questions, please call me at (650) 589-1660 or email me at ssannadan@adamsbroadwell.com. Thank you for your assistance with this matter.

Sincerely,

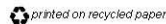


Sheila M. Sannadan
Legal Assistant

SMS:acp

² See Public Resources Code § 21092(b)(1) (stating that "all documents referenced in the draft environmental impact report" shall be made "available for review"); 14 Cal. Code Reg. § 15087(c)(5) (stating that all documents incorporated by reference in the EIR . . . shall be readily accessible to the public"); see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442, as modified (Apr. 18, 2007) (EIR must transparently incorporate and describe the reference materials relied on in its analysis); *Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3rd 818, 831 ("[W]hatever is required to be considered in an EIR must be in that formal report. . ."), internal citations omitted.

7814-001acp



O2-9
Cont.

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660
FAX: (650) 589-5062
ssannadan@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201
FAX: (916) 444-6209

ARIANA ABEDIFARD
KEVIN T. CARMICHAEL
CHRISTINA M. CARO
THOMAS A. ENSLOW
KELILAH D. FEDERMAN
RICHARD M. FRANCO
ANDREW J. GRAF
TANYA A. GULESSERIAN
DARION N. JOHNSTON
RACHAEL E. KOSS
AIDAN P. MARSHALL
TARA C. RENGIFO

Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

June 21, 2024

VIA EMAIL AND U.S. MAIL

Robert Flores, Planning Division Manager
City of Moreno Valley
Planning Division
14177 Frederick St.
PO Box 88005
Moreno Valley, CA 92552
Email: robertfl@moval.org;
PlanningEmail@moval.org

Jane Halstead, City Clerk
Moreno Valley City Hall
14177 Frederick St.
PO Box 88005
Moreno Valley, CA 92552
Email: dept_cityclerk@moval.org;
cityclerk@moval.org

VIA EMAIL ONLY

Kirt Coury, Contract Planner
Email: planningnotices@moval.org

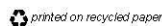
Re: Request for Immediate Access to Public Records – Aquabella Specific Plan Amendment Project (SCH No. 2023100145)

Dear Mr. Flores, Ms. Halstead, and Mr. Coury:

We are writing on behalf of Coalition for Californians Allied for a Responsible Economy (“CARE CA”) to request ***immediate access*** to any and all public records referring or related to the Aquabella Specific Plan Amendment Project (SCH No. 2023100145) (“Project”), proposed by T/Cal Realty 11, LLC (“Applicant”). This request includes, but is not limited to, any and all file materials, applications, correspondence, resolutions, memos, notes, analysis, email messages, files, maps, charts, and any other documents related to the Project. ***This request does not include the Draft Subsequent Environmental Impact Report (“DSEIR”) or documents referenced or relied upon in the DSEIR, which we have requested in a separate letter pursuant to the California Environmental Quality Act.***

The Project proposes a second Specific Plan Amendment which would continue to develop the remaining 668.6 acres of the Aquabella site with 15,000 multifamily residences; 49,900 square feet of supporting commercial and retail uses,

7914-002acp



O2-9
Cont.

June 21, 2024
Page 2

including a 300-room hotel; approximately 80 acres of parks (40 acres of lakes, plus a 15-acre lake promenade and 25 acres of additional parks); approximately 40 acres of elementary school and middle school sites; open space; public services and facilities; and other amenities. The Project site is located in the southeastern portion of the City of Moreno Valley, south of State Route 60 (Moreno Valley Freeway), east of Lasselle Street, north of Iris Avenue, and west of Oliver Street in Riverside County, California. The Project area is bisected by Nason Street. Specifically, the Project area consists of 668.6 acres located on Assessor's Parcel Numbers 486-300-013, 486-280-056 486-310-014, 486-320-012, 486-320-009, 486-300-012, 486-320-010, 486-320-011, and 486-310-035, as well as rights-of-way.

This request is made pursuant to the **California Public Records Act** (Government Code §§ 7920.000, *et seq.*). This request is also made pursuant to Article I, section 3(b) of the California Constitution, which provides a Constitutional right of access to information concerning the conduct of government. Article I, section 3(b) provides that any statutory right to information shall be broadly construed to provide the greatest access to government information and further requires that any statute that limits the right of access to information shall be narrowly construed.

We request ***immediate access*** to review the above documents pursuant to section 7922.525 of the Public Records Act, which requires public records to be “open to inspection at all times during the office hours of a state or local agency” and provides that “every person has a right to inspect any public record.”¹ Therefore, the 10-day response period applicable to a “request for a copy of records” under Section 7922.535(a) does not apply to this request.

We request access to the above records in their original form, as maintained by the agency.² Pursuant to Government Code Section 7922.570, if the requested documents are in electronic format, please upload them to a file hosting program such as Dropbox, NextRequest or a similar program. Alternatively, if the electronic documents are 10 MB or less (or can be easily broken into sections of 10 MB or less), they may be emailed to me as attachments.

We will pay for any direct costs of duplication associated with filling this request up to \$200. However, please contact me at (650) 589-1660 with a cost estimate before copying/scanning the materials.

¹ Gov. Code §7922.525(a).

² Gov. Code § 7922.570; *Sierra Club v. Super. Ct.* (2013) 57 Cal. 4th 157, 161-62.

7914-002acp



O2-9
Cont.

June 21, 2024
Page 3

Please use the following contact information for all correspondence:

U.S. Mail

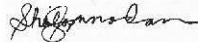
Sheila M. Sannadan
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080-7037

Email

ssannadan@adamsbroadwell.com

If you have any questions, please call me at (650) 589-1660 or email me at ssannadan@adamsbroadwell.com. Thank you for your assistance with this matter.

Sincerely,

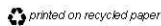


Sheila M. Sannadan
Legal Assistant

SMS:acp

02-9
Cont.

7314-002acp





02-9
Cont.

EXHIBIT B

Page 11 of 16 in Comment Letter 02

From: [Sheila M. Sannadan](#)
To: [City Clerk](#); [Victoria Castreje](#); [Robert Flores](#)
Cc: [Kelilah D. Federman](#); [Planning Email](#); [City Clerk's Dept_DG](#)
Subject: RE: Request for Immediate Access to Public Records – Aquabella Specific Plan Amendment Project (SCH No. 2023100145)
Date: Wednesday, July 10, 2024 5:23:16 PM
Attachments: [image001.png](#)

Good Afternoon,

Could you please email us a copy of the Development Agreement for the Aquabella Specific Plan Amendment Project (SCH No. 2023100145)?

Thank you for your assistance.

Regards,
Sheila

Sheila Sannadan
Legal Assistant
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
Phone (650) 589-1660
Fax (650) 589-5062
ssannadan@adamsbroadwell.com

From: City Clerk <cityclerk@moval.org>
Sent: Tuesday, July 2, 2024 1:30 PM
To: Sheila M. Sannadan <ssannadan@adamsbroadwell.com>; Victoria Castreje <victoriac@moval.org>
Cc: Kelilah D. Federman <kfederman@adamsbroadwell.com>; Robert Flores <robertfl@moval.org>; Planning Email <planningemail@moval.org>; City Clerk's Dept_DG <dept_cityclerk@moval.org>
Subject: RE: Request for Immediate Access to Public Records – Aquabella Specific Plan Amendment Project (SCH No. 2023100145)

Good afternoon,

Thank you for your response.

Attached above, please find our updated letter for this request.

Best,

City Clerk
City Clerk
City Clerk's Office
City of Moreno Valley
p: 951.413.3001 | e: cityclerk@moval.org w: www.moval.org
14177 Frederick St., Moreno Valley, CA, 92553

02-9
Cont.



From: Sheila M. Sannadan <ssannadan@adamsbroadwell.com>
Sent: Tuesday, July 2, 2024 11:49 AM
To: City Clerk <cityclerk@moval.org>; Victoria Castreje <victoriac@moval.org>
Cc: Kelilah D. Federman <kfederman@adamsbroadwell.com>; Robert Flores <robertfl@moval.org>; Planning Email <planningemail@moval.org>; City Clerk's Dept_DG <dept_cityclerk@moval.org>
Subject: RE: Request for Immediate Access to Public Records – Aquabella Specific Plan Amendment Project (SCH No. 2023100145)

Warning: External Email – Watch for Email Red Flags!

Good Afternoon,

To clarify, I am referring to our PRA request (see attached) that was submitted separately from our DSEIR reference documents request.

The response provided on June 27, 2024, as well as today on July 1, 2024, appear to be responses to our DSEIR reference documents request. Can you please confirm?

Thank you.

Regards,
Sheila

Sheila Sannadan
Legal Assistant
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
Phone (650) 589-1660
Fax (650) 589-5062
ssannadan@adamsbroadwell.com

From: City Clerk <cityclerk@moval.org>
Sent: Tuesday, July 2, 2024 11:21 AM
To: Sheila M. Sannadan <ssannadan@adamsbroadwell.com>; Victoria Castreje <victoriac@moval.org>
Cc: Kelilah D. Federman <kfederman@adamsbroadwell.com>; Robert Flores <robertfl@moval.org>; Planning Email <planningemail@moval.org>; City Clerk's Dept_DG <dept_cityclerk@moval.org>

02-9
Cont.

Subject: RE: Request for Immediate Access to Public Records – Aquabella Specific Plan Amendment Project (SCH No. 2023100145)

Good morning Ms. Sannadan,

Please find correspondence that was sent on June 27, 2024. Please let our office know if you have any trouble accessing the linked documents.

Thank you,

City Clerk
City Clerk
City Clerk's Office
City of Moreno Valley

p: 951.413.3001 | e: cityclerk@moval.org w: www.moval.org
14177 Frederick St., Moreno Valley, CA, 92553



From: Sheila M. Sannadan <ssannadan@adamsbroadwell.com>
Sent: Tuesday, July 2, 2024 11:01 AM
To: Victoria Castreje <victoriac@moval.org>
Cc: Kelilah D. Federman <kfederman@adamsbroadwell.com>; Robert Flores <robertfl@moval.org>; Planning Email <planningemail@moval.org>; City Clerk's Dept_DG <dept_cityclerk@moval.org>; City Clerk <cityclerk@moval.org>; Planning Notices_DG <planningnotices@moval.org>
Subject: RE: Request for Immediate Access to Public Records – Aquabella Specific Plan Amendment Project (SCH No. 2023100145)

Some people who received this message don't often get email from ssannadan@adamsbroadwell.com. [Learn why this is important](#)

Warning: External Email – Watch for Email Red Flags!

Good Morning Ms. Castreje,

Thank you for your email. Could you please provide the current status of this PRA request? (See attached)

We have requested for “**immediate access**” to any and all public records referring or related to the Aquabella Specific Plan Amendment Project (SCH No. 2023100145) (“Project”), proposed by T/Cal Realty 11, LLC (“Applicant”). This request includes, but is not limited to, any and all file materials, applications, correspondence, resolutions, memos, notes, analysis, email messages, files, maps, charts, and any other documents related to the Project. ***This request does not include the Draft Subsequent***

02-9
Cont.

Environmental Impact Report (“DSEIR”) or documents referenced or relied upon in the DSEIR, which we have requested in a separate letter pursuant to the California Environmental Quality Act.”

Thank you for your assistance.

Regards,
Sheila

Sheila Sannadan
Legal Assistant
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
Phone (650) 589-1660
Fax (650) 589-5062
ssannadan@adamsbroadwell.com

From: Victoria Castreje <victoriac@moval.org>
Sent: Friday, June 21, 2024 2:11 PM
To: Alisha C. Pember <apember@adamsbroadwell.com>; Robert Flores <robertfl@moval.org>; Planning Email <planningemail@moval.org>; City Clerk's Dept_DG <dept_cityclerk@moval.org>; City Clerk <cityclerk@moval.org>; Planning Notices_DG <planningnotices@moval.org>
Cc: Sheila M. Sannadan <ssannadan@adamsbroadwell.com>; Jeanne K. Grube <jgrube@adamsbroadwell.com>
Subject: RE: Request for Immediate Access to Public Records – Aquabella Specific Plan Amendment Project (SCH No. 2023100145)

Good Afternoon,

Thank you for contacting the City of Moreno Valley. Please be advised, your Request for Public Records was received on June 21, 2024. Under the California Public Records Act please allow a response within ten calendar days, setting your response date to no later than July 1, 2024.

Should you have any questions or require additional assistance, please contact the City Clerk's Office.

Thank you,

Victoria Castreje
Administrative Assistant
City Clerk's Office
City of Moreno Valley
p: 951 413 3571 | e: victoriac@moval.org | w: www.moval.org
14177 Frederick St., Moreno Valley, CA, 92553

02-9
Cont.



From: Alisha C. Pember <apember@adamsbroadwell.com>
Sent: Friday, June 21, 2024 1:17 PM
To: Robert Flores <robertfl@moval.org>; Planning Email <planningemail@moval.org>; City Clerk's Dept_DG <dept_cityclerk@moval.org>; City Clerk <cityclerk@moval.org>; Planning Notices_DG <planningnotices@moval.org>
Cc: Sheila M. Sannadan <ssannadan@adamsbroadwell.com>; Jeanne K. Grube <jgrube@adamsbroadwell.com>
Subject: Request for Immediate Access to Public Records – Aquabella Specific Plan Amendment Project (SCH No. 2023100145)

Some people who received this message don't often get email from apember@adamsbroadwell.com. [Learn why this is important](#)

Warning: External Email – Watch for Email Red Flags!

Good afternoon,

Please see the attached correspondence.

If you have any questions, please contact Sheila Sannadan.

Thank you.

Alisha Pember

Alisha C. Pember
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
(650) 589-1660 voice, Ext. 24
apember@adamsbroadwell.com

This e-mail may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

02-9
Cont.

Response to Comment Letter O2

Organization

Adams Broadwell Joseph & Cardozo – Californians Allied for a Responsible Economy
July 11, 2024

02-1 The comment introduces the commenter, the Adams Broadwell Joseph & Cardozo law firm, writing on behalf of Californians Allied for a Responsible Economy (CARE CA). CARE CA requests a 30-day extension of the Draft SEIR public comment period “due to the City’s failure to provide timely access to documents referenced and relied upon in the DSEIR and public records in the City’s possession related to the Project.” The balance of the comment consists of an introduction to comments that follow. The commenter will be referred to as the “commenter” or CARE CA, below.

After careful consideration, the City did not extend the Draft SEIR public comment period for several reasons. First, pursuant to CEQA, a draft EIR must be released for public comment for at least 30 days—45 days if circulated to the State Clearinghouse—but not more than 60 days, except in unusual circumstances (14 CCR 15105[a]). The Aquabella Draft SEIR was circulated for a 45-day public comment period, from May 31, 2024, through July 15, 2024, in compliance with CEQA; no other agency, organization, individual, or interested person requested additional time based on the need to review documents used or referenced in the Draft SEIR.

Second, citation to reference materials in the Aquabella Draft SEIR is not an “unusual circumstance” that supports extending the Draft SEIR public comment period. To the contrary, as set forth in Section 15148 of the CEQA Guidelines, source documents referenced in the EIR should generally not be included in the EIR. “Preparation of EIRs is dependent upon information from many sources, including engineering project reports and many scientific documents relating to environmental features. These documents should be cited but not included in the EIR.” (See also *Save North Petaluma River and Wetlands v. City of Petaluma* [2022] 86 Cal.App.5th 207, 225-226; *Ebbetts Pass Forest Watch v. Dept. of Forestry & Fire Protection* [2008] 43 Cal.4th 936, 958 [nothing in CEQA requires that source materials be physically incorporated into EIR].)

Third, the Draft SEIR and its supporting appendices were made available at <https://www.moreno-valley.ca.us/cdd/documents/about-projects.html> and through the State Clearinghouse website at <https://ceqanet.opr.ca.gov/2023100145/5>. All documents referenced, incorporated by reference, and relied upon are listed in Chapter 8, SEIR References, Consultation, and Preparation, of the Draft SEIR, with links to respective documents, where available. The commentor was able to view most references in the Draft SEIR by using the website links provided. This method of making documents available is specifically authorized by CEQA Guidelines Section 15201 as a means of assuring public participation. Further, a document on the Internet cited by a specific URL that allows an interested party to go directly to the document in question makes the document “available for review.” (*Consolidated Irrigation District v. Superior Court* [2012] 205 Cal.App.4th 697, 725 [a comment that provides the URL of a document in a comment on a draft EIR is “submitted” to the lead agency and must be included in the record]).

In addition, the City responded to the commenter’s requests for documents on June 27, July 1, and July 16, 2024, providing the remaining documents referenced, incorporated by reference, and relied upon in the Draft SEIR. Thus, the City has complied with CEQA. The City also promptly responded to

CARE CA's public records request. Accordingly, no "unusual circumstances" support extending the public comment period.

Fourth, Aquabella is a residential/mixed-use housing development project within an urban, infill area of the City; as such it is important not to delay processing in light of the statewide and local housing crisis (see the Housing Crisis Act of 2019 [Senate Bill 330], which is among the legislative enactments adopted to address the statewide housing shortage, and see legislative findings in the Housing Accountability Act, Government Code Section 65589.5[a][1]).

Fifth, the close of the CEQA comment period does not foreclose an agency, organization, individual, or any other interested person from submitting additional comments raising significant environmental issues on a draft EIR. 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 the lead agency "may respond to late comments." Here, the City reserves the right under CEQA Guidelines Section 15088(a) to respond to additional comments received from CARE CA based on its review of the documents used or referenced in the Draft SEIR.

Additionally, under CEQA, CARE CA may submit additional comments "before the close of the public hearing on the [Aquabella] project before issuance of the notice of determination" (California Public Resources Code, Section 21177[a]). While the City and case law encourage the timely submittal of comments to facilitate thorough evaluation and response, CEQA grants CARE CA ample additional time to review the documents used or referenced in the Draft SEIR, including those the City provided to CARE CA in late June and early July 2024. The Project will be subject to public hearings by decision-makers prior to a final decision.

The City will include all CARE CA comment letters in either the Final SEIR or record of proceedings, and such comments will be made available to decision-makers for consideration prior to taking any final action on the SEIR and Project. Therefore, the City's decision not to extend the comment period for the Aquabella Draft SEIR does not prejudice CARE CA.

02-2

The comment asks that the City comply with the commenter's June 21, 2024, request for all documents referenced in the Draft SEIR. The comment states that seven documents referenced in the Phase I and Phase II Environmental Site Assessments (ESAs) (Draft SEIR Appendix G) are "outstanding," as is the draft Development Agreement. Draft SEIR reference documents that were not yet provided at the time of the commenter's July 11, 2024, letter were sent.

Please refer to Response to Comment O2-1 above. Further, the June 21, 2024, letter requested "all documents referenced in the DSEIR." The City responded to the commenter's initial records requests by providing the documents referenced, incorporated by reference, and relied upon in the Draft SEIR.

The commenter subsequently expanded its initial records request to seek the seven documents referenced in Appendix G, the Phase I and II ESAs, which consisted of dated maps, title reports, and test methodologies. Upon receiving this expanded request, on July 16, 2024, the City provided the commenter with the seven listed reference documents related to the Phase I and II ESAs. Please refer to the City's record of proceedings.

Additionally, the commenter's June 21 letter request did not ask for the draft Development Agreement. The City acknowledges that this comment expands upon the prior June 21 letter and requests a copy of the draft Development Agreement. However, the Development Agreement is both a draft document and a Project approval/entitlement request and not a document used or referenced in the Draft SEIR (see Draft SEIR Section 1.2, pp. 1-3 through 1-4; see also Government Code, Section 65864 *et seq.*). The draft Development Agreement is subject to both deliberation by the City and negotiation between the Project applicant and City, and the City generally asserts a strong interest in the confidentiality of preliminary stages of negotiating a draft Development Agreement (California Government Code, Sections 7922.000, 7927.500; *Times Mirror Company v. Superior Court* [1991] 53 Cal.3d 1325, 1338 [discussing deliberative process privilege]; *Michaelis, Montanari & Johnson v. Superior Court* [2006] 38 Cal.4th 1065, 1076-1077 [privilege for contract negotiations]; California Public Resources Code, Section 21167.6[e][10] [CEQA record excludes information subject to an Evidence Code privilege or California Public Records Act exemption]).

While the draft Development Agreement is correctly covered in the Draft SEIR's project description section as one of the Project applicant's requested Project approvals, nothing in CEQA, the CEQA Guidelines, or CEQA case law requires the draft Development Agreement to be analyzed further in the SEIR since "CEQA does not require that an analysis be made of each and every activity carried out in conjunction with a project" (*Native Sun/Lyon Communities v. City of Escondido* [1993] 15 Cal.App.4th 892, 909-910). Here, the "activity" is the draft Development Agreement listed as a discretionary Project approval in Section 1.2 (pp. 1-3 through 1-4).

The draft Development Agreement was accurately described as a Project approval/entitlement, and if approved, "would be a written agreement between the Project applicant and the City in order to specify the respective obligations of the parties." The draft Development Agreement was also identified as part of the "other" discretionary actions requested for approval (see Draft SEIR Chapter 1A, Executive Summary, pp. 1A-1 and 1A-7). Further, the draft Development Agreement was identified as one "mechanism" to ensure that infrastructure and facility needs are tied to implementation of each phase of the Project, including "Project conditions" and "other mechanisms," such as the Draft SEIR's Mitigation Monitoring and Reporting Plan (see Draft SEIR Section 3.3.3, p. 3-14). As such, the draft Development Agreement was identified as a mechanism that is simply one tool for enforcement, with others in place (e.g., the SEIR itself, Project conditions of approval, Specific Plan conditions of approval, and the Project Mitigation Monitoring and Reporting Plan) (see Draft SEIR Chapter 3).

Accordingly, the draft Development Agreement was not used to prepare the Draft SEIR, nor was it used as a reference document to support the text of the Draft SEIR. Instead, it constitutes a proposed legislative approval or entitlement action of a public agency authorized by Article 2.5 of the Government Code, Sections 65864-65869.5. This law authorizes cities and counties to enter into a development agreement with any person having a legal or equitable interest in real property for the development of the property (Government Code, Section 65865[a]).

The draft Development Agreement continues to be subject to internal negotiations between the Project applicant and the City. It will be provided for public review consistent with state public hearing notice requirements prior to City decisionmaker consideration of the Project.

The balance of the comments do not identify specific issues raising significant environmental issues with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

02-3 The comment states the request for documents on June 21, 2024, was made pursuant to CEQA. The comment asserts CEQA requires that referenced documents be made available to the public “during the entire comment period.” The letter cites CEQA, the CEQA Guidelines, and CEQA case law in footnote 5. Please refer to responses to comments O2-1 and O2-2, above. Contrary to the comment, none of the commenter’s referenced legal citations state that EIR referenced documents must be made publicly available “during the entire comment period.” Additionally, as stated above, the City provided the documents used or referenced in the Draft SEIR, and the City is willing to consider late comments from CARE CA with respect to any other issue raising significant environmental issues with respect to the adequacy of the Draft SEIR (14 CCR 15088[a]). Lastly, no further response is required because the balance of the comments do not raise an environmental issue with respect to the adequacy of the Draft SEIR.

02-4 The comment states that CARE CA submitted a separate Public Records Act request on the same day (June 21, 2024) seeking all public records referring to or related to the Project.

The City acknowledges the comment, which does not raise any environmental issue or concern the adequacy of the Draft SEIR. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision. No further response is required because the comment does not raise an environmental issue.

02-5 The comment states the City provided access to some documents referenced in the Draft SEIR on June 27 and July 1, 2024, but omitted key reference documents, including the draft Development Agreement and documents referenced in the ESAs. Please refer to Responses to Comments O2-1 and O2-2, above.

02-6 The comment states the commenter emailed on July 10, 2024, requesting the draft Development Agreement and had not yet received a response when this letter was sent on July 11, 2024.

Please see Responses to Comments O2-1 and O2-2, above. The City acknowledges the comment and notes it does not raise any environmental issue or concern the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

02-7 The comment states “failure to provide even a few pages of a CEQA document for a portion of the public review period invalidates the entire CEQA process.” The letter also asserts that the City is violating CEQA by failing to make publicly available all documents used or referenced in the Draft SEIR throughout the public comment period. The letter cites CEQA, the CEQA Guidelines, and CEQA case law in footnotes 8 through 10.

Please refer to Responses to Comments O2-1 through O2-3, above.

Additionally, none of the documents are “pages of” the Draft SEIR or documents used or referenced in Draft SEIR itself. The seven documents are references and sources of data in a technical appendix, Phase I and Phase II ESAs (Draft SEIR Appendix G), and a Project approval/entitlement, the draft Development Agreement.

Further, contrary to the comment, none of the legal citations provided state that referenced documents must be made publicly available “during the entire comment period.” Under CEQA, only documents “incorporated by reference” are to be made available in a public place in the county where the project

is located. Documents merely cited in an EIR or referenced in a technical report are not required to be made available for public inspection (14 CCR 15150[b], 15148). As set forth in Section 15148 of the CEQA Guidelines, documents referenced in the EIR should generally not be included in the EIR. “Preparation of EIRs is dependent upon information from many sources, including engineering project reports and many scientific documents relating to environmental features. These documents should be cited but not included in the EIR.” (See also *Save North Petaluma River and Wetlands v. City of Petaluma* [2022] 86 Cal.App.5th 207, 225–226; *Ebbetts Pass Forest Watch v. Dept. of Forestry & Fire Protection* [2008] 43 Cal.4th 936, 958 [nothing in CEQA requires that source materials be physically incorporated into EIR].)

As CEQA directs, the City appended technical reports to the Draft SEIR and cited references and source information. To the extent the commenter has requested such references, the City has provided the commenter with all requested references from the ESAs within a reasonable time. The City has thus complied with CEQA by citing background information rather than including it in the Draft SEIR or an appendix (*El Morro Community Assn. v. California Dept. of Parks & Recreation* [2004] 122 Cal.App.4th 1341, 1351–1354 [DEIR was sufficient where technical information was generally cited in the EIR]; *Save North Petaluma River and Wetlands v. City of Petaluma* [2022] 86 Cal.App.5th 207, 225–226).

Additionally, the commenter has not provided any explanation of why such background documents were requested (and provided) and how the commenter was/is prejudiced, particularly when, as here, the City promptly provided the commenter with all the documents used or referenced in the Draft SEIR.

Concerning the draft Development Agreement, please see Response to Comment O2-2.

The commenter asserts that members of the public have been deprived of the opportunity to meaningfully comment on the Project because this technical background data (old maps, title reports, methodologies, etc.) and draft Development Agreement were not included in the Draft SEIR. However, the commenter provides no specific explanation of how they were hindered or deprived from commenting; all relevant information is summarized in the Draft SEIR and Appendix G. See Response to Comment O2-2 concerning the draft Development Agreement.

The City has responded to the commenter’s request for the referenced documents. Please refer to Response to Comment O2-1, above.

O2-8 The comment provides concluding remarks that summarize the prior comments and requests that the Draft SEIR comment period be extended and the requested reference documents and draft Development Agreement be provided.

Please refer to Responses to Comments O2-1 through O2-7, above, for specific responses to those comments. The comment does not identify any additional issues with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

O2-9 The comment letter attaches the prior correspondence with the City referenced in this comment letter. Please refer to Responses to Comments O1-1 through O1-4 and Responses to Comments O2-1 through O2-7 for specific responses. The comment does not identify any additional issues with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660
FAX: (650) 589-5062

kfederman@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201
FAX: (916) 444-6209

ARIANA ABEDIFARD
KEVIN T. CARMICHAEL
CHRISTINA M. CARO
THOMAS A. ENSLOW
KELILAH D. FEDERMAN
RICHARD M. FRANCO
ANDREW J. GRAF
TANYA A. GULESSERIAN
DARION N. JOHNSTON
RACHAEL E. KOSS
AIDAN P. MARSHALL
TARA C. RENGIFO

Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

July 15, 2024

Via Email and Overnight Mail

Kirt Coury, Contract Planner
Sean P. Kelleher, Community Development Director
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553
Email: planningnotices@moval.org; PlanningEmail@moval.org

Re: Preliminary Comments on Draft Subsequent Environmental Impact Report for the Aquabella Specific Plan Amendment Project (SCH No. 2023100145)

Dear Mr. Coury and Mr. Kelleher:

On behalf of Californians Allied for a Responsible Economy (“CARE CA”), we submit these preliminary comments on the Draft Subsequent Environmental Impact Report (“DSEIR”) prepared by the City of Moreno Valley (“City”) for the Aquabella Specific Plan Amendment Project (SCH No. 2023100145) (“Project”) proposed by T/Cal Realty II, LLC (“Applicant”). Project entitlements will include a General Plan Amendment (PEN23-0127), Specific Plan Amendment (PEN23-0109), Tentative Tract Map No. 38850 (PEN23-0118), Change of Zone (PEN24-0041), and Development Agreement (PEN23-0119).

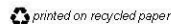
03-1

We have conducted an initial review of the DSEIR with the assistance of our technical consultants, air quality and hazardous resources expert James J. Clark, Ph.D., and acoustics expert Jack Meighan, M.S.¹ Based upon our review of the DSEIR and supporting documentation, we conclude that the DSEIR fails to comply with the requirements of CEQA. As explained more fully below, the DSEIR fails to provide an accurate Project description, and does not accurately disclose analyze or

03-2

¹ Dr. Clark’s and Mr. Meighan’s technical comments and curricula vitae are attached hereto as Exhibits A, and B respectively. The City must separately respond to these technical comments. Pub. Res. Code § 21091(d); 14 Cal. Code Regs (“CCR” or “CEQA Guidelines”) §§ 15088(a), (c).

7314-012acp



July 15, 2024
Page 2

mitigate the Project’s potentially significant air quality, health risk, soil contamination, noise, transportation, energy, water supply, and land use impacts. As a result of its shortcomings, the DSEIR lacks substantial evidence to support its conclusions and fails to properly mitigate the Project’s significant environmental impacts.

↑
03-2
Cont.

The City cannot approve the Project until the errors and omissions in the DSEIR are remedied, and a revised DSEIR is recirculated for public review and comment which fully discloses and mitigates the Project’s potentially significant environmental and public health impacts.²

03-3

I. PROJECT BACKGROUND

The 770.5-acre Project would include phased development of 15,000 residential units and workforce housing options for all ages and income levels; a 49,900 square foot (sf) mixed-use commercial and retail town center; 80 acres of parks (comprised of a 40-acre lake, a 15-acre lake promenade, and an additional 25 acres of parks); and 40 acres of schools, with up to three elementary school sites and one middle school site. Updated public services and facilities; infrastructure improvements; and other amenities would also be included. From the 1960s to the 1980s, the University of California used the original 840-acre site, known as Moreno Valley Field Station (including the Project site), for agriculture studies.³ The Project site is currently vacant. The majority of the site (65%) has been graded for development pursuant to the original SP 218 and 2005 Aquabella SPA approvals.⁴

03-4

The Specific Plan Area was previously analyzed in the Final EIR for the Moreno Valley Field Station Specific Plan (original SP 218) (SCH No. 93113076) was certified in 1999 and evaluated the impacts of mixed-use residential, retail/commercial, school, and recreational development.⁵ In 2003, the City completed and certified a Supplemental EIR, which further evaluated traffic and biota impacts associated with the Field Station Specific Plan.⁶ In 2005, the applicant sought a Specific Plan Amendment to SP 218 for the Aquabella site.⁷ An Addendum was adopted, which evaluated the potential significant environmental

03-5
↓

² We reserve the right to supplement these comments at later hearings and proceedings on the Project. Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.

³ DSEIR, p. 2-1.

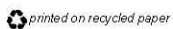
⁴ *Id.*

⁵ *Id.*, p. 1-1.

⁶ DSEIR, p. 1-1.

⁷ *Id.*

7814-012acp



July 15, 2024
Page 3

impacts arising from the 2005 SPA.⁸ The 2005 Aquabella SPA proposed up to 2,922 single-family and multifamily homes, 2,702 of which were to be age-restricted; 25 acres of commercial area; 40 acres of lakes; a 300-room hotel; and other infrastructure, circulation, open space, facilities, and amenities.⁹ The prior zoning for the central portion of the site is SP 218, commercial, and multi-family, identifying the site as zoned Specific Plan 218 for residential and commercial development consistent with the Aquabella 2005 Specific Plan Amendment.¹⁰ The 10.0-acre area along the eastern boundary of the Project site was previously zoned R5, Suburban Residential. A Zone Change is proposed to rezone the area to Downtown Center Specific Plan (DC-SP), SP 218.¹¹

03-5
Cont.

I. STATEMENT OF INTEREST

CARECA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker health and safety hazards, and the environmental impacts of the Project. The coalition includes the District Council of Ironworkers, Southern California Pipe Trades DC 16, along with their members, including Moreno Valley residents Jeremy Eves, Jefferey Blalock, John Sisley Jr., their families, and other individuals who live and work in the City of Moreno Valley, and in Riverside County.

03-6

CARECA advocates for protecting the environment and the health of their communities' workforces. CARECA seeks to ensure a sustainable construction industry over the long-term by supporting projects that offer genuine economic and employment benefits, and which minimize adverse environmental and other impacts on local communities. CARECA members live, work, recreate, and raise their families in Riverside County and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

03-7

In addition, CARECA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused

03-8

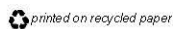
⁸ *Id.*

⁹ *Id.*

¹⁰ DSEIR, Appendix A Specific Plan Amendment, p. 1-9.

¹¹ *Id.*, p. 4.11-69.

7814-012acp



July 15, 2024
Page 4

construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

II. LEGAL BACKGROUND

CEQA has two basic purposes, neither of which the DSEIR satisfies. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project.¹² CEQA requires that an agency analyze potentially significant environmental impacts in an EIR.¹³ The EIR should not rely on scientifically outdated information to assess the significance of impacts, and should result from “extensive research and information gathering,” including consultation with state and federal agencies, local officials, and the interested public.¹⁴ To be adequate, the EIR should evidence the lead agency’s good faith effort at full disclosure.¹⁵ The EIR has been described as “an environmental ‘alarm bell’ whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.”¹⁶ “Thus, the EIR protects not only the environment but also informed self-government.”¹⁷

Second, CEQA directs public agencies to avoid or reduce environmental damage when possible by requiring alternatives or mitigation measures.¹⁸ The EIR serves to provide public agencies and the public in general with information about the effect that a proposed project is likely to have on the environment and to “identify ways that environmental damage can be avoided or significantly reduced.”¹⁹ If a project has a significant effect on the environment, the agency may approve the project only upon a finding that it has “eliminated or substantially lessened all significant effects on the environment where feasible,” and that any unavoidable significant effects on the environment are “acceptable due to overriding concerns” specified in CEQA section 21081.²⁰

03-8
Cont.
03-9
03-10

¹² CEQA Guidelines, § 15002, subd. (a)(1).

¹³ See Pub. Resources Code, § 21000; CEQA Guidelines, § 15002.

¹⁴ *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm.* (“*Berkeley Jets*”) (2001) 91 Cal.App.4th 1344, 1367.; *Schaeffer Land Trust v. San Jose City Council* (1989) 215 Cal.App.3d 612, 620.

¹⁵ CEQA Guidelines, § 15151; see also *Laurel Heights Improvement Assn. v. Regents of University of California* (“*Laurel Heights I*”) (1988) 47 Cal.3d 376, 406.

¹⁶ *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.

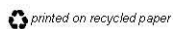
¹⁷ *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 564 (citations omitted).

¹⁸ CEQA Guidelines, § 15002, subd. (a)(2)-(3); *Berkeley Jets*, *supra*, 91 Cal.App.4th at 1354.

¹⁹ CEQA Guidelines, § 15002, subd. (a)(2).

²⁰ *Id.*, subd. (b)(2)(A)-(B).

7814-012a.cp



July 15, 2024
Page 5

As these comments will demonstrate, the DSEIR fails to comply with the requirements of CEQA and may not be used as the basis for approving the Project. It fails in significant aspects to perform its function as an informational document that is meant “to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment” and “to list ways in which the significant effects of such a project might be minimized.”²¹ The use of inaccurate and flawed information on which the DSEIR bases its conclusions results in underestimated Project impacts. This, in turn, leads to a failure to comply with CEQA’s requirement that an agency mitigate “all significant environmental impacts to the greatest extent feasible, and that any remaining significant environmental impacts are acceptable due to overriding considerations.”²² Mitigation of impacts to the fullest extent feasible requires an agency to accurately quantify the severity of Project impacts, and because the DSEIR’s inadequate analyses underestimate the severity of the Project’s impacts, the City has failed to comply with CEQA and cannot approve the Project based upon the DSEIR’s analyses and conclusions.

03-11

III. THE DSEIR’S APPROACH TO PLAN CONSISTENCY IS INCONSISTENT WITH LAW

The 2040 General Plan Update was adopted June 2021 and is presently in effect. In May 2024, the Riverside County Superior Court ruled in a lawsuit filed by Sierra Club, directing the City to set aside the 2040 General Plan Update, including related changes to the Zoning Ordinance, its Climate Action Plan (“CAP”), and certification of its EIR until errors identified in the EIR’s analysis of air quality, greenhouse gas, and energy use impacts, and in its CAP, are rectified (*Sierra Club v. City of Moreno Valley, et al.*, Riverside County Superior Court No. CVRI2103300).²³ On September 6, 2023, the Project applicant submitted an SB 330 preliminary application and fee to the City which effectively “locks” in the development requirements and standards upon the date of submittal.²⁴

03-12

The DSEIR provides that the DSEIR and the Specific Plan Amendment evaluate the Project’s consistency with the 2040 General Plan.²⁵ The DSEIR also clarifies that “However, this SEIR is prepared as a stand-alone Project analysis, which does not tier from the 2040 General Plan EIR or any other EIR document. It contains its own separate analysis of the environmental implications of the Project

03-13

²¹ *Laurel Heights I, supra*, 47 Cal.3d at p. 391.

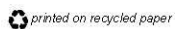
²² CEQA Guidelines, §§ 15090, 15091.

²³ *Id.* at 4.16-1.

²⁴ DSEIR, p. 4.15-1.

²⁵ *Id.*

7814-012a.cp



July 15, 2024
Page 6

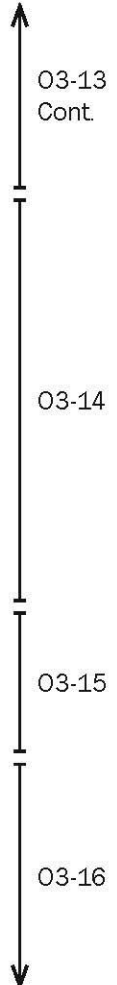
and its alternatives. The SEIR’s incorporation by reference of the 2040 General Plan does not affect the SEIR’s adequacy under CEQA, or any other law or regulation. In addition, if the prior 2006 General Plan and Final EIR is the effective General Plan when the Project goes before the City Council, the SEIR and Specific Plan Amendment (SEIR, Appendix A) also includes analysis of Project consistency with that prior Plan.”²⁶

The DSEIR further provides that “[t]he Project would also be consistent with the City Climate Action Plan’s required and voluntary measures...” but the City was required to set aside their Climate Action Plan following the Sierra Club decision.²⁷ The court in that case “enjoined [the City] from all activities that are based upon or related to the Project Approvals” to approve and adopt the MoVal 2040 Comprehensive General Plan Update (“GPU”), the City of Moreno Valley Climate Action Plan (“CAP”), and 5 associated zoning amendments.²⁸ The judgment clarifies that “the City, its respective agents, employees, and persons acting in concert with them are enjoined from all activities that are based upon or related to the Project Approvals that could result in any change or alteration to the physical environment.”²⁹ Here, the Project proposes significant changes to the physical environment based on its conformance with the invalidated General Plan Update and CAP.

The DSEIR’s approach to plan consistency is inconsistent with the *Sierra Club* decision. The City cannot rely on consistency with a General Plan Update that violates CEQA, nor can the City determine compliance with a CAP that does not satisfy CEQA’s requirements.

IV. THE PROJECT DESCRIPTION IS INADEQUATE

The DSEIR does not meet CEQA’s requirements because it fails to include an accurate and complete Project description, rendering the entire analysis inadequate. California courts have repeatedly held that “an accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR.”³⁰ CEQA requires that a project be described with enough particularity that its



²⁶ DSEIR, p. 4.15-1.

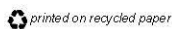
²⁷ *Sierra Club v. City of Moreno Valley, et al.*, Riverside County Superior Court No. CVRI2103300.

²⁸ **Exhibit C:** *Sierra Club v. City of Moreno Valley, et al.*, Riverside County Superior Court No. CVRI2103300, Judgment (May 6, 2024) p. 4.

²⁹ *Id.*

³⁰ *Stoepthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 17; *Communities for a Better Environment v. City of Richmond* (“*CBE v. Richmond*”) (2010) 184 Cal.App.4th 70, 85–89; *County of Inyo v. City of Los Angeles* (3d Dist. 1977) 71 Cal.App.3d 185, 193.

7314-012aop



July 15, 2024
Page 7

impacts can be assessed.³¹ Without a complete project description, the environmental analysis under CEQA is impermissibly limited, thus minimizing the project’s impacts and undermining meaningful public review.³² Accordingly, a lead agency may not hide behind its failure to obtain a complete and accurate project description.³³

03-16
Cont.

CEQA Guidelines section 15378 defines “project” to mean “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.”³⁴ “The term “project” refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term project does not mean each separate governmental approval.”³⁵ Courts have explained that a complete description of a project must “address not only the immediate environmental consequences of going forward with the project, but also all “*reasonably foreseeable* consequence[s] of the initial project.”³⁶ “If a[n]... EIR... does not adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project, informed decisionmaking cannot occur under CEQA and the final EIR is inadequate as a matter of law.”³⁷

03-17

A. The DSEIR Fails to Attach or Adequately Describe the Development Agreement

The DSEIR states that the Project’s proposed discretionary entitlements include a development agreement.³⁸ However, the only information provided in the DSEIR regarding the Development Agreement states “Development Agreement (PEN 23-0119) – The Development Agreement would be a written agreement between the Project applicant and the City in order to specify the respective obligations of the parties.”³⁹ The DSEIR fails to include any substantive information about the proposed scope or terms of the Development Agreement, and the City failed to attach the Development Agreement to the Appendices of the DSEIR. The City also declined to provide the Development Agreement in response

03-18

³¹ 14 CCR § 15124; *see, Laurel Heights I, supra*, 47 Cal.3d 376, 192-193.

³² *Id.*

³³ *Sundstrom v. County of Mendocino (“Sundstrom”)* (1988) 202 Cal.App.3d 296, 311.

³⁴ CEQA Guidelines § 15378.

³⁵ *Id.*, § 15378(c).

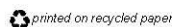
³⁶ *Laurel Heights I*, 47 Cal. 3d 376, 398 (emphasis added); *see also Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 449-50.

³⁷ *Riverwatch v. Olivenhain Municipal Water Dist.* (2009) 170 Cal. App. 4th 1186, 1201.

³⁸ DSEIR, pp. 1-3; 3-28.

³⁹ DSEIR, p. 3-28.

7314-012acp



July 15, 2024
Page 8

to CARE CA's request for a copy, and failed to provide a copy in response to CARE CA's request for public records pursuant to the California Public Records Act. Thus, CARE CA and other members of the public have not had the opportunity to review the proposed Agreement and the DSEIR fails to analyze its terms.

03-18
Cont.

A development agreement is a contract between an agency and a developer establishing certain development rights with any person having a legal or equitable interest in the property at issue. The purpose of a development agreement is generally to extend the life of the entitlements in exchange for the provision of public benefits and to reduce the economic risk of development.⁴⁰ While a development agreement must advance an agency's local planning policies, it may also contain provisions that vary from otherwise applicable zoning standards and land use requirements as long as the project is consistent with the general plan and any applicable specific plan.⁴¹ Such provisions may result in significant impacts and land use inconsistencies that must be considered by the public and decision makers prior to approval. For this reason, it is critical that the terms of a proposed development agreement be disclosed to the public and analyzed during the Project's CEQA review in order to determine whether the development agreement may have potentially significant impacts that are not otherwise inherent in the Project.

03-19

When a development agreement is required to implement a project, it is considered part of the project under CEQA.⁴² Development agreements must be enacted in accordance with the Government Code and applicable local planning codes, and must undergo environmental review at the time of adoption. Therefore, any development agreement for the Project must be described in the EIR and considered by the City's decision makers at the same time as the rest of the Project approvals.

03-20

Because the Development Agreement was not included in the DSEIR's analysis of the Project and has not been made available for public review, the DSEIR must be revised and recirculated in order to give the public an opportunity to comment on the Project's adverse impacts or mitigation measures that are changed by the terms of the Agreement.⁴³ Additionally, the public must have an opportunity to evaluate the specific public benefits conferred by the Agreement, as the City has great discretion in determining what constitutes a public benefit and

03-21

⁴⁰ Gov. Code §§ 65864-65869.5.

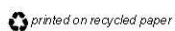
⁴¹ *Id.*

⁴² See Gov. Code § 65864; 14 CCR §§15352(a), (b), 15378; *Save Tara v. City of West Hollywood* (2008)

45 Cal.4th 116.

⁴³ 14 CCR §15088.5(a); *Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1993) 6 Cal.4th 1112.

7814-012acp



July 15, 2024
Page 9

must be given an opportunity to evaluate and comment on the Agreement. Examples of public benefits could include community workforce or skilled and trained workforce requirements, funds or community services provided to the City to offset air quality, traffic, and public health impacts associated with the Project. City residents and other members of the public must be given the opportunity to provide input to the City on what public benefits the City should require. As it stands, there is no evidence that the City has considered including any meaningful public benefits in return for conferring a generous extension of the land use entitlements for the Project.

03-21
Cont.

The City must release the Development Agreement to the public, and evaluate the environmental impacts of the Project in light of the proposed terms of the Agreement prior to approval of the Project. The City must also recirculate the DSEIR to include this analysis.

03-22

V. THE DSEIR FAILS TO ADEQUATELY DISCLOSE AND MITIGATE POTENTIALLY SIGNIFICANT AIR QUALITY IMPACTS

An EIR must fully disclose all potentially significant impacts of a project, and implement all feasible mitigation to reduce those impacts to less than significant levels. The lead agency’s significance determination with regard to each impact must be supported by accurate scientific and factual data.⁴⁴ An agency cannot conclude that an impact is less than significant unless it produces rigorous analysis and concrete substantial evidence justifying the finding.⁴⁵

03-23

Moreover, the failure to provide information required by CEQA is a failure to proceed in the manner required by CEQA.⁴⁶ Challenges to an agency’s failure to proceed in the manner required by CEQA, such as the failure to address a subject required to be covered in an EIR or to disclose information about a project’s environmental effects or alternatives, are subject to a less deferential standard than challenges to an agency’s factual conclusions.⁴⁷ In reviewing challenges to an agency’s approval of an EIR based on a lack of substantial evidence, the court will “determine de novo whether the agency has employed the correct procedures, scrupulously enforcing all legislatively mandated CEQA requirements.”⁴⁸

03-24

⁴⁴ 14 CCR § 15064(b).

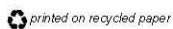
⁴⁵ *Kings Cty. Farm Bur. v. Hanford* (1990) 221 Cal.App.3d 692, 732.

⁴⁶ *Sierra Club v. State Bd. Of Forestry* (1994) 7 Cal.4th 1215, 1236.

⁴⁷ *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.

⁴⁸ *Id.*; *Madera Oversight Coal., Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102.

7814-012a.cp



July 15, 2024
Page 10

Even when the substantial evidence standard is applicable to agency decisions to certify an EIR and approve a project, reviewing courts will not ‘uncritically rely on every study or analysis presented by a project proponent in support of its position. A clearly inadequate or unsupported study is entitled to no judicial deference.’⁴⁹

03-25

A. The DSEIR Fails to Adequately Analyze and Mitigate the Potentially Significant Risk to Human Health through Valley Fever Exposure

03-26

The Project may result in potentially significant impacts from Valley Fever. The DSEIR provides that “Even if present at the site, construction activities may not result in increased incidence of valley fever.”⁵⁰ This statement is entirely unsupported. The City must identify whether Valley Fever spores are present onsite in order to determine that construction activities will not result in increased incidence of valley fever. If Valley Fever spores are present, disturbance of soil containing Valley Fever spores will necessarily increase the risk of Valley Fever infection.⁵¹ Dr. Clark’s comments provide substantial evidence that “[t]he airborne release of Valley Fever spores is a reasonably foreseeable outcome of Project construction activities.”⁵²

03-27

The DSEIR fails to adequately address the known presence of Valley Fever spores, and the Health Risk Assessment fails to analyze health risk impacts from Valley Fever. Riverside University Health System, in their Coccidioidomycosis Yearly Summary Report 2015 found that half (52.3%) of reported Valley Fever Coccidioidomycosis cases were reported among residents living in Western Riverside County.⁵³ And 3.7% of cases occurred in the City of Moreno Valley.⁵⁴ The incidence of Valley Fever in the area is significant, but the DSEIR fails to make any mention of the potentially significant risk from Project construction and resultant disturbance of soil.

03-28

Valley Fever is caused by microscopic fungus known as *Coccidioides Immitis*, which lives in the top 2 to 12 inches of soil in many parts of the state of California.⁵⁵ When soil is disturbed by activities such as digging, grading, or driving, or is disturbed by environmental conditions such as high winds, fungal spores can

03-29

⁴⁹ *Berkeley Jets*, 91 Cal.App.4th at 1355.

⁵⁰ DSEIR, p. 4.3-57.

⁵¹ Clark Comments, p. 4.

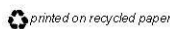
⁵² *Id.*

⁵³ Riverside University Health System, Coccidioidomycosis Yearly Summary Report 2015 Riverside University Health System – Public Health Disease Control Epidemiology & Program Evaluation.

⁵⁴ *Id.*

⁵⁵ Cal. Lab. Code § 6709(a).

7814-012acp



July 15, 2024
Page 11

become airborne and can potentially be inhaled. The infectious dose is very low, typically less than 10 spores.⁵⁶ The most at-risk populations are construction and agricultural workers.⁵⁷ Outbreaks of coccidioidomycosis have been linked to a variety of activities involving disturbance of impacted soils.⁵⁸

03-29
Cont.

Disturbance of the soil on the Project site may result in significant health risk impacts from Valley Fever to workers and the surrounding community. Construction workers are at significant risk of developing Valley Fever. “Labor groups where occupation involves close contact with the soil are at greater risk, especially if the work involves dusty digging operations.”⁵⁹ However, the potentially exposed population is much larger than construction workers because the non-selective raising of dust during Project construction will carry the very small spores, 0.002-0.005 millimeters (“mm”), into off-site areas, potentially exposing large non-construction worker populations.⁶⁰

03-30

1. The DSEIR Fails to Adequately Analyze the Risk from Valley Fever.

Since 2015, the number of cases of Valley Fever in Riverside County has increased from 34 in 2015 to 255 in 2019 (an increase of 750 percent), as reported by the California Department of Public Health (CDPH).⁶¹ In 2021, the number of cases of Valley Fever in Riverside County reached a new high of 455. In the first 8 months of 2023, Riverside County reported 310 cases, representing a nearly 564% increase over the baseline year of 2015 in only three quarters of the year.⁶² Since Valley Fever cases are directly related to the disturbance of soils in the area, the City must analyze and mitigate the impacts of Valley Fever from the Project’s construction phase on the workers and surrounding community.

03-31

Dr. Clark confirmed that Valley Fever impacts from Project construction may be significant on construction workers and the neighboring community.⁶³ Windblown dust from Project-disturbed soils is a particular concern at this site due

03-32

⁵⁶ Jennifer McNary and Mary Deems, Preventing Valley Fever in Construction Workers, March 4, 2020, pdf 10.

⁵⁷ Lawrence L. Schmelzer and R. Tabershaw, Exposure Factors in Occupational Coccidioidomycosis, *American Journal of Public Health and the Nation’s Health*, v. 58, no. 1, 1968, pp. 107–113, Table 3.

⁵⁸ Clark Comments, p. 7.

⁵⁹ *Ibid.*, p. 110.

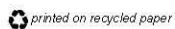
⁶⁰ Clark Comments, p. 6.

⁶¹ CDPH. 2019. Epidemiologic Summary of Valley Fever (Coccidioidomycosis) In California, 2019. Surveillance and Statistics Section, Infection Diseases Branch, Division of Communicable Disease Control, Center For Infectious Diseases, California Department of Public Health.

⁶² Clark Comments, p. 6.

⁶³ *Id.* at 7.

7814-012acp



July 15, 2024
Page 12

to desert winds, which occur in the area.⁶⁴ Desert winds can raise significant amounts of dust, even when conventional dust control methods are used, often prompting alerts from air pollution control districts.⁶⁵ If these winds occurred during grading, cut and fill, or soil movement, or from bare graded soil surfaces (even if periodically wetted), significant amounts of PM₁₀, PM_{2.5}, and associated Valley Fever spores as well as silica dust would be released.⁶⁶

↑
03-32
Cont.

Many of the Project components, for example, are in the vicinity of sensitive receptors, including residential areas, and schools, resulting in significant public health impacts. Valley fever spores can be carried on the winds into surrounding areas, students at nearby schools, and residents adjacent to the construction site.⁶⁷ Valley Fever spores, for example, have been documented to travel as much as 500 miles⁶⁸ and, thus, dust raised during construction could potentially expose a large number of people hundreds of miles away. The DSEIR failed to identify this significant risk to sensitive receptors.

03-33

Dr. Clark found that “Given the wide range of public health impacts from coccidioidomycosis infection/exposure it is clear that Valley Fever would result in a potentially significant health risk for nearby residents and residents at a distance from the Project Site.”⁶⁹ Further, Dr. Clark concludes that the EIR must be revised to disclose the impacts of the Project’s ground disturbing construction activities on the closest receptors, and to incorporate effective Valley Fever mitigation for off-site receptors to ensure that public health.

03-34

2. The Mitigation Measures Included in the DSEIR are Inadequate to Mitigate Valley Fever Impacts

Dr. Clark confirmed that the standard fugitive dust mitigation measures listed in the DSEIR are not adequate to protect construction workers and nearby sensitive receptors from the risk of exposure to Valley Fever spores.⁷⁰ Conventional dust control measures are not sufficient to prevent the spread of *Coccidioides immitis*, (*cocci*) and are not effective at controlling Valley Fever because they largely focus on visible dust or larger dust particles—the PM₁₀ fraction—not the very fine particles where the Valley Fever spores are found.⁷¹ The use of PM₁₀

03-35
↓

⁶⁴ Clark Comments, p. 7.

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Id.* at 6.

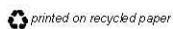
⁶⁸ David Filip and Sharon Filip, Valley Fever Epidemic, Golden Phoenix Books, 2008, p. 24.

⁶⁹ Clark Comments, p. 8.

⁷⁰ *Id.* at 11.

⁷¹ Clark Comments, p. 8.

7814-012a.cp



July 15, 2024
Page 13

and visible dust as a measure of the potential exposure to *Coccidioides immitis*, (*cocci*) fails to consider the size of the spores (5 times smaller than the visible dust). Dr. Clark provided substantial evidence that standard fugitive dust mitigation such as watering of soils would not provide sufficient protection to on-site workers nor would they prevent the spread of *Coccidioides immitis* from the site to receptors farther away. Compliance with SCAQMD Rule 403 would still fail to prevent the exposure of workers on- and off-site to *Coccidioides immitis* impacted soils.⁷² Sampling for and removal of impacted soils is the best solution to *Coccidioides immitis* spores.⁷³

03-35
Cont.

The City should require the Applicant to implement the following feasible mitigation measures to actively suppress the spread of Valley Fever by:

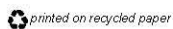
1. Include specific requirements in the Project’s Injury and Illness Prevention Program (as required by Title 8, Section 3203) regarding safeguards to prevent Valley Fever.
2. Control dust exposure:
 - Apply chemical stabilizers at least 24-hours prior to high wind event;
 - Provide National Institute for Occupational Safety and Health (NIOSH)-approved respirators for workers with a prior history of Valley Fever.
 - Half-face respirators equipped with a minimum N-95 protection factor for use during worker collocation with surface disturbance activities. Half-face respirators equipped with N-100 or P-100 filters should be used during digging activities. Employees should wear respirators when working near earth-moving machinery.
 - Prohibit eating and smoking at the worksite, and provide separate, clean eating areas with hand-washing facilities.
 - Avoid outdoor construction operations during unusually windy conditions or in dust storms.
 - Consider limiting outdoor construction during the fall to essential jobs only, as the risk of cocci infection is higher during this season.
3. Prevent transport of cocci outside endemic areas:
 - Thoroughly clean equipment, vehicles, and other items before they are moved off-site to other work locations.
 - Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment’s floor, sides, and/or tailgate;
 - Load all haul trucks such that the freeboard is not less than six

03-36

⁷² *Id.*

⁷³ *Id.*

7314-012acp



July 15, 2024
Page 14

inches when material is transported on any paved public access road and apply water to the top of the load sufficient to limit VDE to 20 percent opacity; or cover haul trucks with a tarp or other suitable cover.

- Provide workers with coveralls daily, lockers (or other systems for keeping work and street clothing and shoes separate), daily changing and showering facilities.
- Clothing should be changed after work every day, preferably at the work site.
- Train workers to recognize that cocci may be transported offsite on contaminated equipment, clothing, and shoes; alternatively, consider installing boot-washing.
- Post warnings onsite and consider limiting access to visitors, especially those without adequate training and respiratory protection.

4. Improve medical surveillance for employees:

- Employees should have prompt access to medical care, including suspected work-related illnesses and injuries.
- Work with a medical professional to develop a protocol to medically evaluate employees who have symptoms of Valley Fever.
- Consider preferentially contracting with 1-2 clinics in the area and communicate with the health care providers in those clinics to ensure that providers are aware that Valley Fever has been reported in the area. This will increase the likelihood that ill workers will receive prompt, proper and consistent medical care.
- Respirator clearance should include medical evaluation for all new employees, annual re-evaluation for changes in medical status, and annual training, and fit-testing.
- If an employee is diagnosed with Valley Fever, a physician must determine if the employee should be taken off work, when they may return to work, and what type of work activities they may perform.⁷⁴

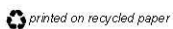
These mitigation measures would feasibly reduce the Project's significant impacts from Valley Fever and have been shown to reduce Valley Fever during construction in endemic areas. Dr. Clark recommends the City implement each of these measures as additional mitigation in a revised DSEIR.



03-36
Cont.

⁷⁴ Clark Comments, p. 9-10.

7814-012a.cp



July 15, 2024
Page 15

B. The DSEIR Fails to Adequately Mitigate the Project’s Cancer Risk

The DSEIR provides that the Project will result in a cancer risk of 63.2 in 1 million for off-site receptors and 33.2 in 1 million for on-site receptors, which exceeds the significance threshold of 10 in 1 million.⁷⁵ The Project would also exceed the cancer risk thresholds for the nearest non-residential sensitive receptor (Vista del Lago High School) at 20.8 in 1 million.⁷⁶ The Project’s construction TAC health risk impacts would therefore be significant, and mitigation is required to reduce these impacts to less than significant.⁷⁷

03-37

After incorporating Mitigation Measure Air Quality 2 (MM AQ-2), the DSEIR’s health risk assessment (“HRA”) asserts that the Residential Maximum Individual Cancer Risk for off-site receptors, on-site receptors, and nonresidential receptors would be reduced below the significance threshold of 10 in 1 million.⁷⁸ The HRA relies on the use of Tier 4 Final equipment to reach this conclusion.⁷⁹ However, the DSEIR conflates the use of Tier 4 Final engines with the use of Tier 4 Interim engines, which have lower emissions reductions.

MM-AQ-2 provides that:

Prior to the commencement of any construction activities, the Project applicant or its designee shall provide evidence to the City of Moreno Valley (City) that (1) for off-road equipment with engines rated at 25 horsepower or greater, no construction equipment shall be used that is less than Tier 4 Final, and (2) for off-road equipment with engines rated less than 25 horsepower, all construction equipment used shall be electrically powered. *An exemption from this requirement may be granted if (1) the applicant documents equipment with Tier 4 Interim engines are not reasonably available, and (2) the required corresponding reductions in criteria air pollutant emissions can be achieved for the project from other combinations of construction equipment. Before an exemption may be granted, the applicant’s construction contractor shall (1) demonstrate that at least three construction fleet owners/operators in Riverside County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Riverside County during the desired construction schedule,*

03-38

⁷⁵ DSEIR, p. 4.3-54.

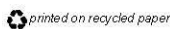
⁷⁶ *Id.*

⁷⁷ Clark Comments, p. 11.

⁷⁸ *Id.*

⁷⁹ DSEIR, Appendix D, Air Quality, Greenhouse Gases, and Energy Technical Report, Appendix F Health Risk Assessment p. 69 / 85.

7814-012acp



July 15, 2024
Page 16

and (2) the proposed replacement equipment has been evaluated using the California Emissions Estimator Model or other industry standard emission estimation method and documentation has been provided to the City to confirm that necessary project-generated emissions reductions are achieved.⁸⁰

03-38
Cont.

MM-AQ-2 initially states that it requires the use of Tier 4 Final engines, but provides an exemption from this requirement if the engines are not commercially available, and if an entirely different engine tier – Tier 4 Interim – is not commercially available. The language in MM AQ-2 is confusing and may result in higher emissions than assumed in the HRA because the emissions reductions achieved by Tier 4 Interim equipment are less than the emissions reductions achieved by Tier 4 Final equipment, which require additional NOx and other emission reductions.⁸¹ MM AQ-2 further states that, in the event the equipment is not commercially available, the Applicant must demonstrate that “necessary project-generated emissions reductions are achieved.”⁸² However, if the “necessary emissions reductions” are from Tier 4 Interim equipment, rather than Tier 4 Final, overall emissions, including toxic air contaminants (“TAC”) may be higher than modeled, resulting in higher health risk than disclosed in the DSEIR. The City must either revise MM AQ-2 to require Tier 4 Final emissions reductions, or revise its air quality analysis to model emissions from Tier 4 Interim engines. As currently drafted, the use of Tier 4 Final engines is not an enforceable requirement under MM AQ-2.

03-39

Mitigation measures must be fully enforceable through permit conditions, agreements or other legally binding instruments.⁸³ Failure to include enforceable mitigation measures is considered a failure to proceed in the manner required by CEQA.⁸⁴ In order to meet this requirement, mitigation measures must be incorporated directly into the EIR to be enforceable.⁸⁵ The DSEIR fails as an informational document for its lack of clear mitigation methods and lack of

03-40

⁸⁰ DSEIR, p. 1A-24 (emphasis added).

⁸¹ See Tier 4 Emission Regulations Fact Sheet, available at <https://www.google.com/url?sa=t&source=web&ret=j&opi=89978449&url=https://www.holtcat.com/Portals/0/Tier%25204%2520Emissions%2520Info%2520Page.pdf&ved=2ahUKEwjWzJLe7amHAXoDQIHWhDVEQFnoECBYQAw&usg=AOvVaw3MkSFHxXsK4UBvjBVQiJd6>, and CARB vehicle tier fact sheet, available at <https://ww2.arb.ca.gov/resources/fact-sheets/fact-sheet-added-vehicle-restrictions-and-tier-phase-out-requirements>.

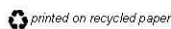
⁸² DSEIR, p. 1A-24.

⁸³ Id. at §15126.4(a)(2).

⁸⁴ *San Joaquin Raptor Rescue Ctr. v. County of Merced* (2007) 149 Cal.App.4th 645, 672.

⁸⁵ *Lotus v. Dept of Transportation* (2014) 223 Cal. App. 4th 645, 651-52.

7314-012a.cp



July 15, 2024
Page 17

sufficient data to evaluate the proposed project.⁸⁶ The DSEIR must be revised and recirculated to mitigate air quality, health and cancer risk impacts.

C. The DSEIR Fails to Adequately Analyze and Mitigate the Project's Impacts Associated with Hazards and Hazardous Waste

The DSEIR provides that the Project site is in the 67th percentile for pollution burden associated with pesticides, meaning the Project site has a higher pesticide pollution burden than 67 percent of census tracts across California.⁸⁷ To support the Hazards analysis in the DSEIR, the City includes in Appendix G to the DSEIR previous Phase I and Phase II Environmental Site Assessment ("ESA") Reports for the Project Site. The first report, prepared by the GeoSoils, Inc of the University of California, Riverside, Moreno Field Station, was published on April 29, 1992 (*more than 32 years old*). As Dr. Clark explains, Phase I ESAs are generally considered as valid for 180 days (6 months) from the date of preparation.⁸⁸ The DSEIR's reliance on a 32-year-old Phase I ESA may therefore be an incomplete disclosure of existing site conditions.

The Phase I ESA nevertheless discloses significant contamination that requires additional characterization and cleanup prior to Project construction. In the Phase I ESA, areas identified of potential hazardous materials impacted included (1) a buried dump site, (2) an open pit dump site, (3) the overall property use as a ranch, and (4) experimental sewage sludge disposal areas.⁸⁹ A limited Phase II ESA was prepared for the Specific Plan Area in 1993 by GeoSoils, Inc.⁹⁰ The Phase II report found measurable concentrations of DDE, DDT, toxaphene, and bis(2-ethylhexyl) phthalate (persistent organic pollutants or "POPs") in soils along with asbestos-containing concrete pipes onsite.⁹¹ The third report, prepared by TRC, is a limited Phase 2 ESA for the Moreno Ranch Property dated June 4, 2001.⁹² The results of the Phase II included the detection of organochlorine pesticides, chlorinated herbicides, volatile organic compounds ("VOCs"), semi-volatile organic compounds ("SVOCs"), organophosphorus pesticides, and metals above their respective detection limits on the Project site. Groundwater beneath the site had detections of VOCs. Methane was detected in the area of the former landfill identified onsite. While Phase II ESAs do not have the same expiration date as

↑ 03-40
Cont
03-41
03-42
↓

⁸⁶ *Id.*

⁸⁷ DSEIR, Appendix A Aquabella Specific Plan Amendment Project, Air Quality, Greenhouse Gas Emissions, and Energy Technical Report, Appendix A Construction CalEEMod Files, 81/85.

⁸⁸ Clark Comments, p. 11.

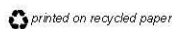
⁸⁹ DSEIR, p. 4.9-7.

⁹⁰ *Id.* at 4.9-8.

⁹¹ *Id.*

⁹² *Id.*

7814-012a.cp



July 15, 2024
Page 18

Phase I ESAs, it is clear that the data collected is at least 23 years old and the state of the Project Site is not defined.⁹³

↑ 03-42
Cont

The presence of the POPs in soils, VOCs in groundwater (which could migrate to the surface, impacting residents living above the groundwater), and methane in the area of the former landfill represent potentially significant risks to human health that must be fully evaluated in a revised and recirculated EIR. Dr. Clark found that absent an updated Phase II ESA, the DSEIR lacks substantial evidence to support the conclusions that hazards impacts are less than significant.⁹⁴ The EIR must be revised and recirculated to include a Phase II ESA to determine if hazardous contaminants represent a foreseeable risk to the residents of the Project Site along with the residents near the Project Site when the soils are disturbed.⁹⁵

03-43

i. MM HAZ-1 and HAZ-2 Constitute Impermissibly Deferred Analysis

Mitigation HAZ-1 and HAZ-2 are inadequate because they constitute deferred analysis. CEQA requires disclosure of the severity of a project's impacts and the probability of their occurrence *before* a project can be approved.⁹⁶ In *Bozung v. Local Agency Formation Commission*, the Supreme Court upheld "the principle that the environmental impact should be assessed as early as possible in government planning."⁹⁷ A study conducted after approval of a project will inevitably have a diminished influence on decisionmaking.⁹⁸ Even if the study is subject to administrative approval, it is analogous to the sort of post hoc rationalization of agency actions that has been repeatedly condemned in decisions construing CEQA.⁹⁹

03-44

Here, the DSEIR states that the MM HAZ-1 provides that "[f]ollowing Project design finalization, but prior to the issuance of a grading permit, the Project applicant/developer or their designated contractor shall retain a qualified environmental consultant to conduct subsurface investigations to fully characterize

03-45
↓

⁹³ Clark Comments, p. 11.

⁹⁴ DSEIR, p. 1A-51 -59.

⁹⁵ Clark Comments, p. 11.

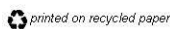
⁹⁶ 14 CCR §§ 15143, 15162.2(a); *Cal. Build. Indust. Ass'n v. BAAQMD* (2015) 62 Cal.4th 369, 388-90 ("*CBA v. BAAQMD*") (disturbance of toxic soil contamination at project site is potentially significant impact requiring CEQA review and mitigation); *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal. App. 4th 48, 82; *Berkeley Keep Jets Over the Bay Com. v. Bd. of Port Comrs. ("Berkeley Jets")* (2001) 91 Cal.App.4th 1344, 1370-71; CEQA Guidelines, Appendix G.

⁹⁷ (1975) 13 Cal.3d 263, 282.

⁹⁸ *Sundstrom v. County of Mendocino*, supra, 202 Cal.App.3d 296, 307.

⁹⁹ *Id.*; *No Oil, Inc. v. City of Los Angeles*, supra, 13 Cal.3d 68, 81; *Environmental Defense Fund, Inc. v. Coastside County Water Dist.* (1972) 27 Cal.App.3d 695, 706.

7814-012a.cp



July 15, 2024
Page 19

the nature and extent of contamination at the Project site. The investigation will include preparation of a soil sampling and analysis plan (SAP)...”¹⁰⁰ Further MM HAZ-2 provides that Characterization and Closure of Dump Sites results, “along with a proposed closure plan will be submitted to Riverside County DEH Environmental Cleanup Program for review and approval.”¹⁰¹ MM HAZ 1 and MM HAZ 2 result in improper deferral of required analysis until after project approval, and may therefore not sufficiently mitigate impacts to construction workers exposed to soil contamination before the site is properly characterized and cleaned.

↑
03-45
Cont

“An EIR is inadequate if ‘[t]he success or failure of mitigation efforts ... may largely depend upon management plans that have not yet been formulated, and have not been subject to analysis and review within the EIR.’”¹⁰² Here, the SAP and the Closure Plan would require additional analysis and provide mitigation measures that should have been included for public review in the DSEIR. The DSEIR fails as an informational document for impermissibly deferred analysis and mitigation.

03-46

Dr. Clark also found that MM HAZ-1 would improperly rely on construction workers to help identify contaminated soils.¹⁰³ Special sampling techniques and analyses are required to identify most contaminated soils.¹⁰⁴ For example, soils impacted with chlorinated solvents or metals such as arsenic do not appear stained to the naked eye.¹⁰⁵ Staining and discoloration of soils as a marker of contamination is poor substitute for performing the required investigations. Rushing any of the steps above could place workers onsite in situations for which they are not trained and may endanger their health.¹⁰⁶ The City must characterize the extent of site contamination *before* approving the Project and must include a site cleanup plan (not just a Soil Management Plan) that ensures the cleanup of the impacted areas is to below the applicable thresholds (e.g. residential environmental screening levels or ESLs), which complies with all regulatory standards, and which requires remediation to be complete before any ground-disturbing project activities take place.¹⁰⁷

03-47

¹⁰⁰ DSEIR, p. 4.9-38.

¹⁰¹ *Id.* at 4.9-39.

¹⁰² *Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, quoting *Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 92, quoting *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 670.

¹⁰³ DSEIR p. 1A-53

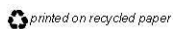
¹⁰⁴ Clark Comments, p. 13.

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ *Id.*

7314-012acp



July 15, 2024
Page 20

MM HAZ-2 (Characterization and Closure of Dump Sites) focuses on defining the “full lateral and vertical extent of the waste and limits of both waste fill and contamination, if any, will be determined based on this sampling and analysis.”¹⁰⁸ Effective closure of any and all of the dump sites will require a complete analysis of the shallow soils, vadose zone, and underlying groundwater to ensure that all impacted media are assessed and appropriate remediation strategies are implemented.¹⁰⁹ The final remedial closure of the dump may require on-going operation and maintenance of systems they could take years to reach the appropriate remedial goals.¹¹⁰ The DSEIR fails as an informational document under CEQA for impermissibly deferred analysis and mitigation.

03-48

The CEQA Guidelines provide that “[t]he specific details of a mitigation measure, however, may be developed after project approval when it is impractical or infeasible to include those details during the project’s environmental review...”¹¹¹ The DSEIR does not state why specifying these SAP performance standards was impractical or infeasible at the time the DSEIR was drafted. In *Preserve Wild Santee v. City of Santee*, the city impermissibly deferred mitigation where the EIR did not state why specifying performance standards for mitigation measures “was impractical or infeasible at the time the EIR was certified.”¹¹² The court determined that although the City must ultimately approve the mitigation standards, this does not cure these informational defects in the EIR.¹¹³ Further, the court in *Endangered Habitats League, Inc. v. County of Orange*, held that mitigation that does no more than require a report to be prepared and followed, or allow approval by a county department without setting any standards is inadequate.¹¹⁴ Here, the fact that the SAP will be approved later by the Riverside County DEH does not cure the informational defects in this DSEIR.¹¹⁵

03-49

VI. THE DSEIR FAILS TO ADEQUATELY DISCLOSE, ANALYZE, AND MITIGATE THE PROJECT’S POTENTIALLY SIGNIFICANT NOISE IMPACTS

03-50

The DSEIR’s review of potential noise impacts from the Project identified a potentially significant noise impact from the Project’s construction and construction traffic. It concludes however, that operational noise impacts would be less than

¹⁰⁸ DSEIR, p. 1A-55.

¹⁰⁹ Clark Comments, p. 14.

¹¹⁰ *Id.*

¹¹¹ 14 CCR § 15126.4(a)(1)(B).

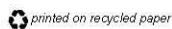
¹¹² *Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 281.

¹¹³ *Id.*

¹¹⁴ *Endangered Habitats League, Inc. v. County of Orange*, (2005) 131 Cal.App.4th 777, 794.

¹¹⁵ *See Cal. Clean Energy Comm. v. City of Woodland* (2014) 225 Cal.App.4th 173, 194.

7814-012a.cp



July 15, 2024
Page 21

significant. CARE CA’s noise expert, Mr. Meighan reviewed the DSEIR’s analysis and found that it fails to properly disclose, analyze and mitigate the Project’s significant noise impacts for a number of reasons. First, the analysis of the construction noise impact on the nearby residences erroneously accounted only for receptors CR1 and CR2 in its quantitative analysis. Second, the analysis of operational noise impacts fails to account for a significant impact on nearby receptors. Third, the DSEIR fails to adequately analyze construction traffic noise impacts and vibration impacts. Finally, Mr. Meighan found that additional mitigation measures are feasible to reduce the Project’s significant noise and vibration impacts, these measures should be included in a revised and recirculated DSEIR for public review.

↑
03-50
Cont
03-51
03-52
↓

A. The DSEIR Fails to Adequately Analyze or Calculate Construction Noise Impacts

The DSEIR provides that “Construction Noise Receivers” are located at CR1 through CR-6.¹¹⁶ But, the DSEIR’s Noise Technical Report includes noise modeling for only receivers CR1 and CR2 and omits any quantitative analysis of noise impacts to CR3-CR6.¹¹⁷ Noise impacts at CR 3 through CR6 may be significant but the DSEIR fails to analyze construction impacts to receptors CR3 through CR6. The DSEIR therefore fails to adequately quantify, analyze or mitigate noise impacts to all construction noise receivers. As a result, the City failed to proceed in the manner required by law in analyzing the Project’s construction noise impacts and lacks substantial evidence to support the DSEIR’s conclusions regarding the Project’s construction noise impacts.

B. The DSEIR Fails to Adequately Analyze or Mitigate Operational Noise Impacts

Mr. Meighan concludes that the DSEIR fails to adequately analyze the Project’s operational noise emissions. Mr. Meighan found that rooftop commercial HVAC units may reach as high as 88 dBA at a 3 feet reference level. The Project’s utilization of 20 HVAC packages mounted on the building roofs of Buildings G1 – G20 which each represent a garden apartment building housing 20 dwelling units.¹¹⁸ Buildings H1 – H14 each represent a garden apartment building housing 20 dwelling units, with 20 HVAC packages mounted on the building roof.¹¹⁹ Mr. Meighan determined that the DSEIR’s operational noise modeling accounts for

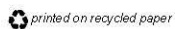
¹¹⁶ DSEIR, Figure 4.13-2, p. 4.13-27; DSEIR Appendix I Noise Technical Report, Figure 2, p. 41.

¹¹⁷ *Id.* at p. 25-27.

¹¹⁸ DSEIR Appendix I Noise Technical Report, Figure 2, p. 41.

¹¹⁹ *Id.*

7814-012acp



July 15, 2024
Page 22

noise emissions from only 1 HVAC system, whereas 20 HVAC packages will be mounted on Buildings G1-G20.¹²⁰ Mr. Meighan concludes that “multiple sources would combine to create higher levels than a single unit would on its own. Doubling the sound source typically means 3 dB of increase.”¹²¹ The DSEIR’s calculations regarding operational noise impacts are therefore unsupported by substantial evidence. Operation of the Project’s HVAC system may result in potentially significant noise impacts which are not disclosed in the DSEIR. These impacts must be analyzed and mitigated in a revised SEIR.

↑
03-52
Cont

C. The DSEIR Fails to Adequately Analyze Vibration Impacts

City of Moreno Valley Municipal Code Section 9.10.170 provides that “[n]o vibration shall be permitted which can be felt at or beyond the property line.”¹²² Appendix I of the DSEIR states that “for the purposes of this analysis, Caltrans’ vibration annoyance threshold of 0.2 in/sec shall be used.”¹²³ Mr. Meighan concludes that the more appropriate threshold would be the annoyance criteria based on section 9.10.170 of the Moreno Valley Municipal Code, not the building damage criteria. Additionally, Caltrans states that “transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include ... vibratory compaction equipment.” Since the worst-case construction scenario is a vibratory roller, a piece of ‘vibratory compaction equipment’, the continuous/frequent intermittent sources threshold should have been used.¹²⁴ The continuous/frequent intermittent source vibration annoyance threshold for a ‘distinctly perceptible’ response is 0.04 in/sec PPV, which is more stringent than the 0.2 PPV used in the analysis. This threshold is exceeded assuming that “construction activities that are no closer than 60 feet from vibration sensitive uses.”¹²⁵ Mr. Meighan found that the modeled level of a vibratory roller is .056 in/sec PPV.¹²⁶ This qualifies as a significant impact over vibration annoyance thresholds. The City must implement mitigation measures, such as a construction control plan, to reduce the Project’s significant vibration impacts before the Project can lawfully be approved.

↑
03-53

¹²⁰ *Id.*

¹²¹ Meighan Comments, p. 4.

¹²² City of Moreno Valley Municipal Code § 9.10.170.

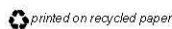
¹²³ DSEIR, Appendix I, p. 24.

¹²⁴ Meighan Comments, p. 3.

¹²⁵ DSEIR, Appendix I, p. 35.

¹²⁶ Meighan Comments, p. 3.

7314-012acp



July 15, 2024
Page 23

D. Traffic Noise Impacts Were Not Adequately Analyzed or Mitigated

The DSEIR provides that traffic noise from the Project using future 2045 traffic conditions would exceed operational noise thresholds at nearby sensitive receptors in the community.¹²⁷ However, there is no citation or discussion on how the model was validated. Mr. Meighan concludes that absent the verification that the model is accurate, the DSEIR’s traffic noise conclusions are unsupported by substantial evidence.¹²⁸

03-54

Mr. Meighan cites several programs that are frequently used to model traffic noise, the most common of which is the Federal Highway Administration’s Traffic Noise Model (TNM) program.¹²⁹ The FHWA considers validation an important part of the noise model process for correct use of the software.¹³⁰ Such a program requires traffic inputs in the model to obtain noise levels. A typical approach is to build the model, validate that noise levels taken from a physical measurement match modeled levels taken from traffic counts obtained from a period as close as possible to the measurement date, and then use this validated model to predict noise levels for different traffic conditions. The analysis makes no mention of validating the model. Without matching the results of the model to a known measurement result, there is no evidence in the record that the geometry of the model was built correctly.

03-55

This is especially important considering the mitigation recommended by Appendix I, which states in Mitigation Measure MM N-3 that “average speeds on the impacted segments of John F Kennedy Drive, Kitching and Mason Streets shall be reduced by 5 miles per hour.”¹³¹ Without validating that the model is correct, it is unknown whether this reduction is sufficient to reduce impacts to a less than significant level.¹³² Therefore, the DSEIR’s conclusions regarding traffic noise are not supported by substantial evidence. The DSEIR should be revised and recirculated to accurately model, analyze, and mitigate the Project’s noise impacts.

03-56

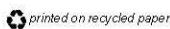
VII. CONCLUSION

For the reasons discussed above, the DSEIR is wholly inadequate under CEQA. It must be thoroughly revised to provide legally adequate analysis of, and

03-57

¹²⁷ DSEIR, Appendix I, p. 29; Meighan Comments, p. 3.
¹²⁸ Meighan Comments, p. 4
¹²⁹ Meighan Comments, p. 4.
¹³⁰ Meighan Comments, p. 4.
¹³¹ DSEIR, p. 34.
¹³² Meighan Comments, p. 4.

7314-012aop



July 15, 2024
Page 24

mitigation for, all the Project's potentially significant impacts. These revisions will necessarily require that the DSEIR be recirculated for additional public review. Until the DSEIR has been revised and recirculated, the City may not lawfully approve the project. Thank you for your consideration of these comments. Please include them in the record of proceedings for the Project.

↑
03-57
Cont.

Sincerely,



Kelilah D. Federman

Attachments
KDF:acp

7314-012acp

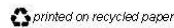
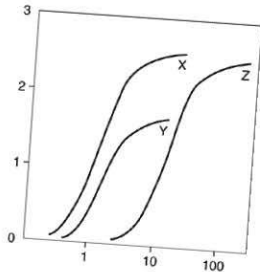


EXHIBIT A



Clark & Associates
Environmental Consulting, Inc.

OFFICE
12405 Venice Blvd
Suite 331
Los Angeles, CA 90066

PHONE
310-907-6165

FAX
310-398-7626

EMAIL
jclark.assoc@gmail.com

July 15, 2024

Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Attn: Ms. Kelilah Federman

Subject: Comments On Draft Subsequent Environmental Impact Report (DSEIR) For The Aquabella Specific Plan Amendment Project

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed materials related to the May 2024 City of Moreno Valley (the City) DSEIR of the above referenced project.

Clark’s review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item.

Project Description:

According to the DSEIR, the Project would include land use and other changes to accommodate 15,000 multifamily and workforce housing options; a 49,900 square-foot mixed-use commercial and retail Town Center with a 300-room hotel; approximately 80 acres of park space composed of a 40-acre lake, a 15-acre lake promenade encircling the lake, and an additional 25 acres of parkland; approximately 40 acres of schools with up to three elementary school sites and one middle school site; public services and facilities; infrastructure improvements; and other facilities and amenities. The Project site is located in the City of Moreno Valley, east of Interstate 215, south of State Route 60, and north of Lake Perris.



According to the DSEIR, the Final EIR for the Moreno Valley Field Station Specific Plan (original SP 218) (State Clearinghouse [SCH] No. 93113076) (1999 EIR) was certified in 1999 and evaluated the impacts of mixed-use residential, retail/commercial, school, and recreational development in the Specific Plan Area. In 2003, the City completed and certified a Supplemental EIR, which further evaluated traffic and biota impacts associated with the Field Station Specific Plan (2003 Supplemental EIR).

In 2005, the applicant sought a Specific Plan Amendment (SPA) to SP 218 for the Aquabella site (2005 Aquabella SPA). An Addendum was adopted pursuant to CEQA, which evaluated the potential significant environmental impacts arising from the 2005 SPA (2005 Addendum). The 2005 Aquabella SPA proposed up to 2,922 single-family and multifamily homes, 2,702 of which were to be age-restricted; 25 acres of commercial area; 40 acres of lakes; a 300-room hotel; and other infrastructure, circulation, open space, facilities, and amenities. The 1999 EIR, the 2003 Supplemental EIR, and the 2005 Addendum are incorporated herein by reference and available for public inspection and review upon request to the City.

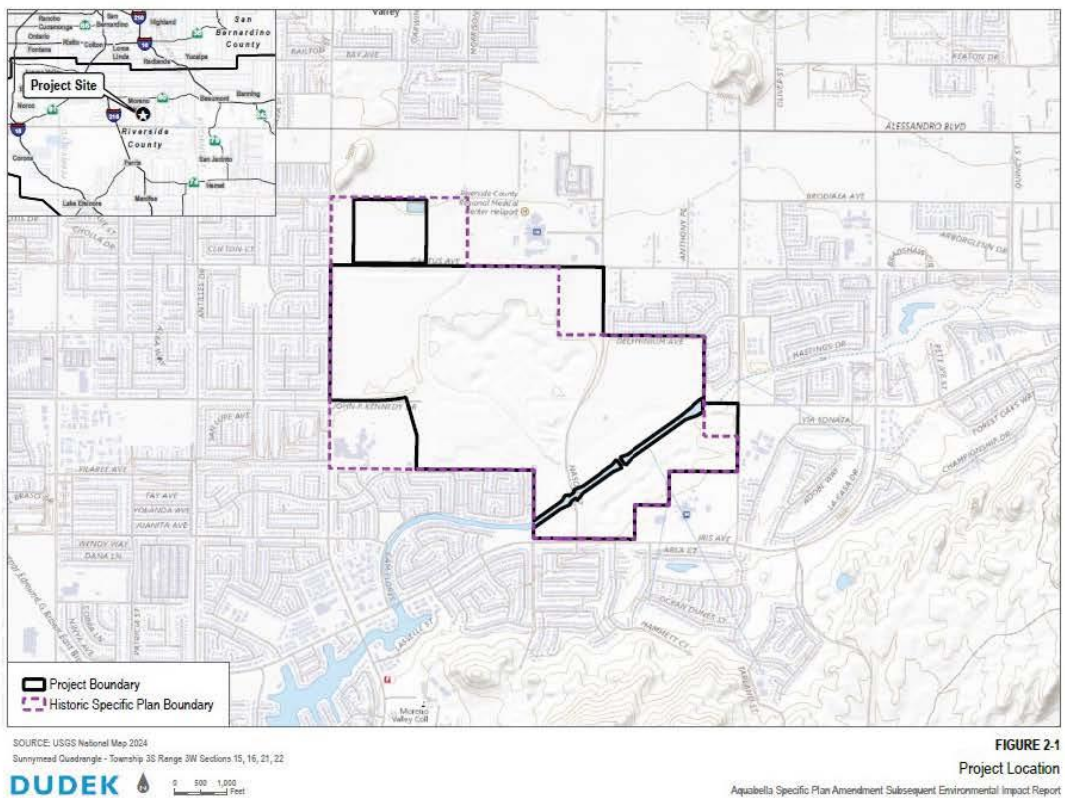


Figure 1: Project Location

03-59
Cont.

Construction is expected to take approximately 12 years. Development of several areas would occur simultaneously. The site grading would occur during horizontal site development phases, and grading material would be balanced on site as much as possible.

Table 3-2. Anticipated Construction Phasing and Activity

Construction Phase	Year	Anticipated Activity	Duration	Units
1	2025	Infrastructure Improvements	1 year	N/A
	2026	Dwelling Unit Construction	1 year	2500
2	2027	Infrastructure Improvements	1 year	N/A
	2028	Dwelling Unit Construction	1 year	2500
3	2029	Infrastructure Improvements	1 year	N/A
	2030	Dwelling Unit Construction	1 year	2500
4	2031	Infrastructure Improvements	1 year	N/A
	2032	Dwelling Unit Construction	1 year	2500
5	2033	Infrastructure Improvements	1 year	N/A
	2034	Dwelling Unit Construction	1 year	2500
6	2035	Infrastructure Improvements	1 year	N/A
	2036	Dwelling Unit Construction	1 year	2500
Total			12 years	15000

Note: N/A = not applicable.

Figure 2: Anticipated Construction Schedule

For purposes of estimating Project emissions, the DSEIR assumed that construction of Project would commence in January 2025. Each phase includes development of 2,500 residential units (1,250 low-rise residential units and 1,250 mid-rise residential units) along with surface parking spaces, parking structures, and paved surfaces for circulation. All other land uses, including retail, educational, and recreational land uses, were allocated to the six phases based on best available information. Each of the six phases follow a similar construction schedule that includes site preparation, grading and utilities; paving for circulation; pavement striping (architectural coating) for circulation; building construction for residential and building construction for the applicable non-residential development like schools and parks; architectural coating for residential and for the applicable non-residential development; paving for parking; and pavement striping (architectural coating) for parking. Each phase begins in January of one year and ends in December two years later.

In addition to full buildout of the Project, five interim operational years were modeled to estimate Project-generated emissions as the Project is developed and implemented. The interim scenarios included:

- Phase 1 (2027)

03-59
Cont.

- Phases 1 and 2 (2029)
- Phases 1 through 3 (2031)
- Phases 1 through 4 (2033)
- Phases 1 through 5 (2035)

The DSEIR’s conclusions that the construction and operational phases of the Project will have no significant adverse impacts on the environment after mitigation is unsupported. That conclusion is not born out in the data provided in the DSEIR.

03-59
Cont.

Specific Comments

1. The DSEIR Fails To Address Impacts from Exposure to *Coccidioides Immitis* (Valley Fever Cocci) From Particulate Matter Released From Site During Construction Activities of The Project.

The DSEIR fails to adequately address the known presence of *Coccidioides Immitis* (Valley Fever Cocci) in Southern California, including Riverside County. The City concluded in its analysis that although Valley Fever Cocci is not highly endemic in Riverside County and additional mitigation measures beyond SCAQMD Rules 401 and 403 were not warranted. I disagree with this assessment since Riverside County represents a hot-spot for Valley Fever in Southern California and has consistently been reporting Valley Fever cases to the California Department of Public Health (CDPH) annually at rates higher than the 4-surrounding counties (Los Angeles, San Bernardino, San Diego, and Orange Counties). In 2021, Riverside County reported an incidence rate of 18.5 per 100,000. At the same time Los Angeles County (including the high desert portion of the county) reported a rate 22 percent lower than Riverside County (14.6 per 100,000) while Orange County reported a rate 50 percent lower than Riverside County (9 per 100,000).

03-60

Valley Fever Cases and Incidence Rates by Local Health Jurisdiction, California, 2001-2022¹			
Local Health Jurisdiction	Year of Estimated Illness Onset	Cases	Rate
LOS ANGELES COUNTY TOTAL	2021	1450	14.6

¹ CDPH. 2024. CDPH Valley Fever Dashboard. <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/ValleyFeverDashboard.aspx>

Valley Fever Cases and Incidence Rates by Local Health Jurisdiction, California, 2001-2022¹				
Local Health Jurisdiction	Year of Estimated Illness Onset	Cases	Rate	
ORANGE	2021	284	9.0	
RIVERSIDE	2021	455	18.7	
SAN BERNARDINO	2021	250	11.4	
SAN DIEGO	2021	448	13.6	

Dust exposure is one of the primary risk factors for contracting Valley Fever (via *Coccidioides immitis* (*cocci*) exposure). When soil containing the *cocci* spores are disturbed by construction activities, the fungal spores become airborne, exposing construction workers and other nearby sensitive receptors.

The fungus lives in the top 2 to 12 inches of soil. When soil containing this fungus is disturbed by activities such as digging, vehicles, construction activities, dust storms, or during earthquakes, the fungal spores become airborne. The most at-risk populations are construction and agricultural workers.² Here, construction workers are the very population that would be most directly exposed by the Project. A refereed journal article on occupational exposures notes that “[l]abor groups where occupation involves close contact with the soil are at greater risk, especially if the work involves dusty digging operations.”³

The potentially exposed population in areas surrounding the Project site is much larger than just its construction workers because the nonselective raising of dust during Project construction will carry the very small spores, 0.002–0.005 millimeters (“mm”), into nonendemic areas, potentially exposing large non-Project-related populations.^{4,5} These very small particles are not controlled by conventional construction dust control mitigation measures.

O3-60
Cont.

² Lawrence L. Schmelzer and R. Tabershaw, Exposure Factors in Occupational Coccidioidomycosis, *American Journal of Public Health and the Nation’s Health*, v. 58, no. 1, 1968, pp. 107–113, Table 3; available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1228046/?page=1>.

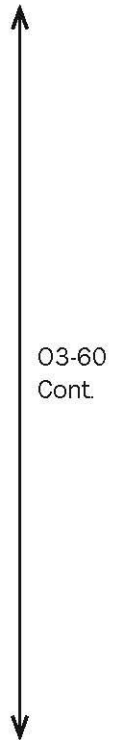
³ *Ibid.*, p. 110.

⁴ Schmelzer and Tabershaw, 1968, p. 110; Pappagianis and Einstein, 1978

⁵ Pappagianis and Einstein, 1978, p. 527 (“The northern areas were not directly affected by the ground level windstorm that had struck Kern County but the dust was lifted to several thousand feet elevation and, borne on high currents, the soil and arthrospores along with some moisture were gently deposited on sidewalks and automobiles as ‘a mud storm’ that vexed the residents of much of California.” The storm originating in Kern County, for example, had major impacts in the San Francisco Bay Area and Sacramento).

Since 2015, the number of cases of Valley Fever in Riverside County has increased from 34 in 2015 to 255 in 2019 (an increase of 750 percent), as reported by the California Department of Public Health (CDPH).⁶ In 2021, the number of cases of Valley Fever in Riverside County reached a new high of 455. In the first 8 months of 2023, Riverside County reported 310 cases, representing a nearly 564% increase over the baseline year of 2015 in only three quarters of the year. The prevalence of recent Valley Fever incidents in Riverside County and the potential presence of Valley Fever spores in the Project vicinity make the risk of Valley Fever exposure during Project construction a potentially significant impact. Since Valley Fever cases are directly related to the disturbance of soils in the Project area, and soil disturbance is a fundamental component of Project construction, the City must directly address the potentially significant impacts that the Project's construction phase will have on workers and the community from the release and potential human exposure to Valley Fever spores during the Project's soil disturbing activities.

The airborne release of Valley Fever spores is a reasonably foreseeable outcome of Project construction activities. A study in Antelope Valley identified a correlation between soil disturbance due to large-scale renewable energy construction projects, agricultural management practices and PM₁₀ fugitive dust emissions with increased incidence of coccidioidomycosis.⁷



⁶ CDPH. 2019. Epidemiologic Summary of Valley Fever (Coccidioidomycosis) In California, 2019. Surveillance and Statistics Section, Infection Diseases Branch, Division of Communicable Disease Control, Center For Infectious Diseases, California Department of Public Health. <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/CocciEpiSummary2019.pdf>

⁷ Colson. 2017. Large-Scale Land Development, Fugitive Dust, and Increased Coccidioidomycosis Incidence in the Antelope Valley of California, 1999-2014. <https://knowthecause.com/wp-content/uploads/2017/03/Colson2017FugitiveDustCoccioides.pdf>

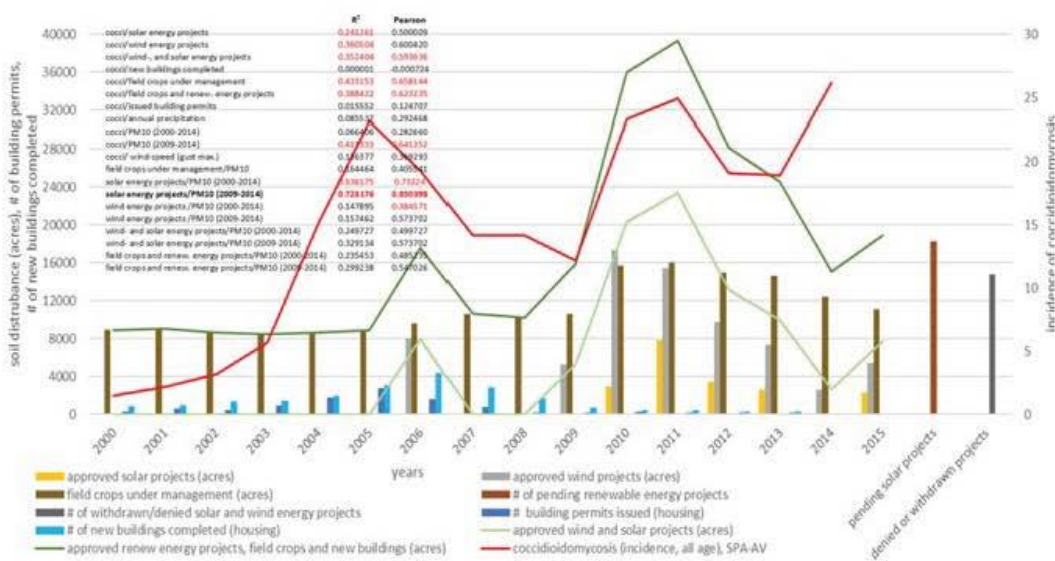


Figure 3: Valley Fever Incidence And Soil Disturbance

It is evident from the figure above that as the number of acres of soil in the Antelope Valley were disturbed the incidence rate of Valley Fever also increased. The mass disturbance of soils during Project construction will create the same conditions that were detailed in the study by Colson.⁸

Windblown dust from Project-disturbed soils is a particular concern at this site due to desert winds, which occur in the area. Desert winds can raise significant amounts of dust, even when conventional dust control methods are used, often prompting alerts from air pollution control districts. If these winds occurred during grading, cut and fill, or soil movement, or from bare graded soil surfaces (even if periodically wetted), significant amounts of PM₁₀, PM_{2.5}, and associated Valley Fever spores, as well as silica dust, would be released.

According to scientific research on Valley Fever, outbreaks in populations with intense exposure to aerosolized arthroconidia are at greater risk for infection. These groups include agricultural or construction workers, or persons who participate in outdoor activities such as hunting or digging in the soil. Outbreaks of coccidioidomycosis have been linked to a variety of activities

⁸ Colson. 2017. Large-Scale Land Development, Fugitive Dust, and Increased Coccidioidomycosis Incidence in the Antelope Valley of California, 1999-2014. <https://knowthecause.com/wp-content/uploads/2017/03/Colson2017FugitiveDustCoccidioides.pdf>

03-60
Cont.

involving disturbance of impacted soils.^{9,10,11} Since Valley Fever cases are directly related to the disturbance of soils in the area, the City must directly address the impacts that the project's construction phase will have on the community.

Valley fever is the initial form of coccidioidomycosis infection. The acute form of Valley Fever can develop into a more serious disease, including chronic and disseminated coccidioidomycosis. The initial, or acute, form of coccidioidomycosis is often mild, with few or no symptoms. Signs and symptoms occur one to three weeks after exposure. They tend to be similar to flu symptoms.

If the initial coccidioidomycosis infection doesn't completely resolve, it may progress to a chronic form of pneumonia. This complication is most common in people with weakened immune systems

The most serious form of the disease, disseminated coccidioidomycosis, is uncommon. It occurs when the infection spreads (disseminates) beyond the lungs to other parts of the body. Most often these parts include the skin, bones, liver, brain, heart, and the membranes that protect the brain and spinal cord (meninges). Signs and symptoms of disseminated disease depend on the body parts affected and may include:

- Nodules, ulcers and skin lesions that are more serious than the rash that sometimes occurs with initial infection
- Painful lesions in the skull, spine or other bones
- Painful, swollen joints, especially in the knees or ankles
- Meningitis — an infection of the membranes and fluid surrounding the brain and spinal cord

Given the wide range of public health impacts from coccidioidomycosis infection/exposure, its



O3-60
Cont.

⁹ Brown. Et al. 2013. Coccidioidomycosis: epidemiology. *Clinical Epidemiology*. 5:185-197.

¹⁰ Rafael Laniado-Laborin, Expanding Understanding of Epidemiology of Coccidioidomycosis in the Western Hemisphere, *Annals of the New York Academy of Sciences*, v. 111, 2007, pp. 20–22, available at <https://nyaspubs.onlinelibrary.wiley.com/doi/abs/10.1196/annals.1406.004>; Frederick S. Fisher, Mark

W. Bultman, Suzanne M. Johnson, Demosthenes Pappagianis, and Erik Zaborsky, Coccidioides Niches and Habitat Parameters in the Southwestern United States, a Matter of Scale, *Annals of the New York Academy of Sciences*, v. 111, 2007, pp. 47–72 (“All of the examined soil locations are noteworthy as generally 50% of the individuals who were exposed to the dust or were excavating dirt at the sites were infected.”), available at <https://nyaspubs.onlinelibrary.wiley.com/doi/abs/10.1196/annals.1406.031>.

¹¹ Lawrence L. Schmelzer and R. Tabershaw, Exposure Factors in Occupational Coccidioidomycosis, *American Journal of Public Health and the Nation's Health*, v. 58, no. 1, 1968, pp. 107–113, Table 3; available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1228046/?page=1>.

prevalence in the Project vicinity, and the likelihood that Valley Fever spores may be disturbed during Project construction, it is clear that Valley Fever would result in a potentially significant health risk to construction workers, nearby residents and workers, and residents and workers located at a distance from the Project Site.

The DSEIR must be revised to disclose the potentially significant impacts of the Project’s ground disturbing construction activities on the closest receptors, and to incorporate effective Valley Fever mitigation for on-site and off-site receptors to ensure the public’s health.

2. The DSEIR Fails To Propose Any Mitigation Measures To Address Potentially Significant Impacts from Exposure to *Coccidioides Immitis* (Valley Fever Cocci) From Particulate Matter Released From Site.

Standard fugitive dust mitigation measures are not adequate to protect construction workers and nearby sensitive receptors from the risk of exposure to Valley Fever spores. Conventional dust control measures do nothing to prevent the spread of *Coccidioides immitis*, (*cocci*) and are not effective at controlling Valley Fever¹² because they largely focus on visible dust or larger dust particles—the PM₁₀ fraction—not the very fine particles where the Valley Fever spores are found. The use of PM₁₀ and visible dust as a measure of the potential exposure to *Coccidioides immitis*, (*cocci*) fails to consider the size of the spores (5 times smaller than the visible dust). The larger PM₁₀ particles will settle out of the air column much quicker than the very fine spores. This fact allows the spores to spread in over a much greater area than the dust particles. Standard Air Quality Mitigation Measures such as watering of soils would not provide sufficient protection to on-site workers nor would they prevent the spread of *Coccidioides immitis* from the site to receptors farther away. Compliance with SCAQMD Rule 403 would still fail to prevent the exposure of workers on- and off-site to *Coccidioides immitis* impacted soils. Sampling for and removal of impacted soils is the best solution to *Coccidioides immitis* spores. Since *Coccidioides immitis* resides in soils and are not subject to degradation, entrainment of the potentially impacted soils may cause additional issues to further development of the site.

The City should revise the DSEIR to require that the Applicant implement mitigation measures to actively suppress the spread of Valley Fever, including:

¹² See, e.g., Cummings and others, 2010, p. 509; Schneider et al., 1997, p. 908 (“Primary prevention strategies (e.g., dust-control measures) for coccidioidomycosis in endemic areas have limited effectiveness.”).

03-60
Cont.

03-61

1. Include specific requirements in the Project’s Injury and Illness Prevention Program (as required by Title 8, Section 3203) regarding safeguards to prevent Valley Fever.
2. Control dust exposure:
 - Apply chemical stabilizers at least 24-hours prior to high wind event;
 - Provide National Institute for Occupational Safety and Health (NIOSH)-approved respirators for workers with a prior history of Valley Fever.
 - Half-face respirators equipped with a minimum N-95 protection factor for use during worker collocation with surface disturbance activities. Half-face respirators equipped with N-100 or P-100 filters should be used during digging activities. Employees should wear respirators when working near earth-moving machinery.
 - Prohibit eating and smoking at the worksite, and provide separate, clean eating areas with hand-washing facilities.
 - Avoid outdoor construction operations during unusually windy conditions or in dust storms.
 - Consider limiting outdoor construction during the fall to essential jobs only, as the risk of cocci infection is higher during this season.
3. Prevent transport of cocci outside endemic areas:
 - Thoroughly clean equipment, vehicles, and other items before they are moved off-site to other work locations.
 - Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment’s floor, sides, and/or tailgate;
 - Load all haul trucks such that the freeboard is not less than six inches when material is transported on any paved public access road and apply water to the top of the load sufficient to limit VDE to 20 percent opacity; or cover haul trucks with a tarp or other suitable cover.
 - Provide workers with coveralls daily, lockers (or other systems for keeping work and street clothing and shoes separate), daily changing and showering facilities.
 - Clothing should be changed after work every day, preferably at the work site.
 - Train workers to recognize that cocci may be transported offsite on contaminated equipment, clothing, and shoes; alternatively, consider installing boot-washing.



03-61
Cont

- Post warnings onsite and consider limiting access to visitors, especially those without adequate training and respiratory protection.
4. Improve medical surveillance for employees:
- Employees should have prompt access to medical care, including suspected work-related illnesses and injuries.
 - Work with a medical professional to develop a protocol to medically evaluate employees who have symptoms of Valley Fever.
 - Consider preferentially contracting with 1-2 clinics in the area and communicate with the health care providers in those clinics to ensure that providers are aware that Valley Fever has been reported in the area. This will increase the likelihood that ill workers will receive prompt, proper and consistent medical care.
 - Respirator clearance should include medical evaluation for all new employees, annual re-evaluation for changes in medical status, and annual training, and fit-testing.
 - Skin testing is not recommended for evaluation of Valley Fever.¹³
 - If an employee is diagnosed with Valley Fever, a physician must determine if the employee should be taken off work, when they may return to work, and what type of work activities they may perform.

The mitigation measures identified in this comment, based on actual experience during construction of solar and wind projects in endemic areas, should be required for the Project. The City must include concrete measures like the ones listed above in a revised DSEIR of the Project.

3. The DSEIR Uses Outdated Environmental Site Assessments, Including A 30-Year Old Phase I Report and a 23-Year Old Phase II report That Are Not Adequate For The DSEIR.

Appendix G to the DSEIR includes the Phase I and Phase II Environmental Site Assessment Reports for the Project Site. The first report, prepared by the GeoSoils, Inc of the University of California, Riverside, Moreno Field Station, was published on April 29, 1992 (more than 32 years

¹³ Short-term skin tests that produce results within 48 hours are now available. See Kerry Klein, NPR for Central California, New Valley Fever Skin Test Shows Promise, But Obstacles Remain, November 21, 2016; available at <http://kvpr.org/post/new-valley-fever-skin-test-shows-promise-obstacles-remain>.

03-61
Cont.

03-62

old). Phase I ESAs are generally considered as valid for 180 days (6 months) from the date of preparation. The second report, prepared by TRC, is a limited Phase 2 ESA for the Moreno Ranch Property dated June 4, 2001. The results of the Phase II included the detection of organochlorine pesticides, chlorinated herbicides, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), organophosphorus pesticides, and metals above their respective detection limits on the Project site. Groundwater beneath the site had detections of VOCs. Methane was detected in the area of the former landfill identified onsite. While Phase II ESAs do not have the same expiration date as Phase I ESAs it is clear that the data collected is at least 23 years old and the state of the Project Site is not defined.

The City must perform a new Phase I ESA and should also perform a new Phase II to confirm the status of hazardous wastes across the Project Site. The results should be published in a revised DSEIR prior to certifying a Final SEIR.

4. The DSEIR Improperly Defers Site Characterization and Cleanup to Post-Approval and May Pose Significant Health and Safety Risks from Placing Construction Workers in Direct Contact With Contaminated Soils

The DSEIR is improperly deferring the site characterization and cleanup of the potentially impacted areas of the Project Site until after the approval of the DSEIR. The previous investigative work of the Project site clearly demonstrated that persistent organic pollutants (organochlorine pesticides, chlorinated herbicides, organophosphorus pesticides, and metals) were present in concentrations above their respective reporting limits. In addition, VOCs and SVOCs were also detected onsite. This failure to characterize the extent to impacts across the Project Site could place construction workers (and nearby residents) at risk of coming in contact with contaminated soils. The City must consider the requirements of any and all investigation processes to define the lateral and vertical extent of any contamination prior to development of a site.

The DSEIR proposes two mitigation measures (Mitigation Measure HAZ-1 and HAZ-2) to address the potentially hazardous wastes in soils and former dump sites known to have been present on site. The mitigation measures are meant to be initiated prior to the issuance of grading permits and do not address the potential health concerns for construction workers who may not be trained in hazardous waste operations. Site preparation activities, such as grubbing and clearing of debris, will

03-62
Cont.

03-63

entrain hazardous materials in soils into the air, exposing workers.

MM HAZ-1 (Site Characterization and Remediation) proposes a generalized approach for investigating the Project Site. The investigation would include preparation of a soil sampling and analysis plan (SAP). For soil vapor, MM HAZ-1 requires that mitigation measures be compliant with the relevant DTSC requirements. Part of DTSC’s Supplemental Guidance: Screening and Evaluating Vapor Intrusion requires an understanding of the temporal variability (Step 3E) in soil vapor. This would involve multiple rounds of sampling for locations onsite.

The development of a SAP, approval from the Certified Unified Program Agency (CUPA), implementation of the investigation, reporting of the results in an investigation report, development of any site specific cleanup plans, implementation of the cleanup plan, and approval from the CUPA requires a significant amount of lead time which will slow the development of the Project Site. For sites, this process may take years. The City must incorporate a reasonable time to complete the necessary steps in the DSEIR to ensure that the analysis and remediation of the Project Site occurs prior to any development at the Project Site.

MM HAZ-1 also appears to be relying on construction workers to help identify contaminated soils.¹⁴ Special sampling techniques and analyses are required to identify most contaminated soils. For example, soils impacted with chlorinated solvents or metals such as arsenic do not appear stained to the naked eye. Staining and discoloration of soils as a marker of contamination is poor substitute for performing the required investigations. Rushing any of the steps above could place workers onsite in situations for which they are not trained and may endanger their health. The City must characterize the extent of site contamination before approving the Project and must include a site cleanup plan (not just a Soil Management Plan) that ensures the cleanup of the impacted areas is to below the applicable thresholds (e.g. residential environmental screening levels or ESLs), which complies with all regulatory standards, and which requires remediation to be complete before any ground-disturbing project activities take place.

MM HAZ-2 (Characterization and Closure of Dump Sites) focuses on defining the “full lateral and vertical extent of the waste and limits of both waste fill and contamination, if any, will be determined based on this sampling and analysis.” Effective closure of any and all of the dump sites will require a complete analysis of the shallow soils, vadose zone, and underlying groundwater to

03-63
Cont.

¹⁴ DSEIR p. 1A-53

ensure that all impacted media are assessed and appropriate remediation strategies are implemented. The final remedial closure of the dump may require on-going operation and maintenance of systems the could take years to reach the appropriate remedial goals.

The DSEIR concludes that soil contamination impacts will be less than significant with these mitigation measures. This conclusion is unsupported since City has not yet investigated the extent of the contamination, and the proposed soil cleanup plans are vague and undefined

03-63
Cont.

5. The Health Risk Analysis Of The Construction Phase Assumes That Mitigation Measure Air Quality 2 (MM AQ-2) Would Be Sufficient To Reduce DPM Emissions To Levels Below The Significance Threshold.

According to the DSEIR, the Project construction activities would result in a Residential Maximum Individual Cancer Risk of 63.2 in 1 million for off-site receptors and 33.2 in 1 million for on-site receptors, which exceed the significance threshold of 10 in 1 million. The Project would also exceed the cancer risk thresholds for the nearest non-residential sensitive receptor (Vista del Lago High School) at 20.8 in 1 million. Project construction would result in a Residential Chronic Hazard Index of 0.04 for off-site receptors and 0.02 for on-site receptors, which is below the 1.0 significance threshold. The Project’s construction TAC health risk impacts would be potentially significant, and mitigation would be required to reduce these impacts to less than significant.

After incorporating Mitigation Measure Air Quality 2 (MM AQ-2), the HRA shows that the Residential Maximum Individual Cancer Risk for off-site receptors, on-site receptors, and nonresidential receptors would be reduced below the significance threshold of 10 in 1 million. MM AQ-2 requires that (1) for off-road equipment with engines rated at 25 horsepower or greater, no construction equipment shall be used that is less than Tier 4 Final, and (2) for off-road equipment with engines rated less than 25 horsepower, all construction equipment used shall be electrically powered. *An exemption* from this requirement may be granted if (1) the applicant documents equipment with *Tier 4 Interim* engines are not reasonably available, and (2) the required corresponding reductions in criteria air pollutant emissions can be achieved for the project from other combinations of construction equipment. Before an exemption may be granted, the Applicant’s construction contractor shall: (1) demonstrate that at least 3 construction fleet owners/operators in Riverside County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Riverside

03-64

County during the desired construction schedule; and (2) the proposed replacement equipment has been evaluated using California Emissions Estimator Model (CalEEMod) or other industry standard emission estimation method and documentation provided to the City to confirm that necessary project-generated emissions reductions are achieved.

The City is incorrectly mixing Tier 4 final and Tier 4 interim technology in its description of MM AQ-2. The two engine tiers achieve different levels of emissions reductions and may have different commercial availability. Based upon a review of public records of the California Air Resources Board’s (CARB) Diesel Off-Road Online Reporting System (DOORS), it is evident that the availability of Tiered construction equipment is highly dependent on the type of equipment. Using the CALEEMOD analysis supplied in Appendix to the DSEIR, the availability of the specific pieces of construction equipment required for the Project (highlighted in yellow) across the state are identified in Table 1 below.

Table 1: Percent of Equipment in California DOORS Database by Emission Tier Level

Equipment Type (> 50 hp)	U.S. EPA Emission Tier Level						Percent Total Meeting Requirement MMAQ-2
	T0	T1	T2	T3	T4F	T4I	
Aerial Lifts	1.63%	4.67%	14.86%	4.08%	48.64%	26.12%	74.76%
Boom	0.15%	0.77%	5.22%	1.59%	76.20%	16.06%	92.26%
Bore/Drill Rigs	11.53%	15.42%	16.86%	21.76%	17.72%	14.34%	32.06%
Bucket	8.33%	18.33%	10.00%	6.67%	33.33%	23.33%	56.67%
Concrete Mixer	0.00%	0.00%	0.00%	14.29%	85.71%	0.00%	85.71%
Concrete Pump	1.30%	7.79%	40.26%	1.30%	32.47%	16.88%	49.35%
Crane 35ton or more	5.57%	4.41%	5.37%	18.81%	37.62%	27.45%	65.07%
Crane less than 35ton	20.37%	2.47%	6.79%	12.35%	38.27%	19.75%	58.02%
Cranes	27.84%	11.49%	9.13%	26.60%	10.82%	11.80%	22.62%
Crawler Tractors	26.56%	13.31%	13.11%	13.70%	22.39%	10.93%	33.32%
Crushing/Processing Equipment	0.00%	0.78%	2.34%	14.06%	74.22%	8.59%	82.81%
Drill Rig	7.09%	4.14%	8.86%	12.56%	45.79%	17.87%	63.66%
Drill Rig (Mobile)	11.51%	8.71%	11.51%	17.26%	30.95%	14.77%	45.72%
Excavators	5.24%	8.34%	13.95%	7.29%	48.67%	16.50%	65.17%
Forklifts	9.57%	10.57%	13.82%	7.99%	40.45%	17.46%	57.91%
Garbage Refuse	0.00%	0.00%	8.70%	8.70%	43.48%	39.13%	82.61%
Garbage Transfer	0.00%	0.00%	0.00%	33.33%	66.67%	0.00%	66.67%
Graders	29.78%	14.12%	12.89%	15.27%	17.40%	10.52%	27.92%
Hopper Tractor Trailer	0.00%	0.00%	0.00%	0.00%	50.00%	50.00%	100.00%

03-64
Cont.

Equipment Type (> 50 hp)	U.S. EPA Emission Tier Level						Percent Total Meeting Requirement MMAQ-2
	T0	T1	T2	T3	T4F	T4I	
Mower	2.44%	7.27%	13.58%	1.10%	54.40%	21.22%	75.62%
Nurse Rig Aircraft Supply	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	100.00%
Nurse Rig Other	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%
Off Highway Tractors	3.55%	6.28%	6.01%	8.74%	65.30%	10.11%	75.41%
Off Highway Trucks	1.69%	3.87%	11.14%	5.81%	62.23%	15.25%	77.48%
Off-Highway Tractors	18.25%	17.06%	20.98%	10.02%	17.18%	16.31%	33.49%
Off-Highway Trucks	16.96%	12.96%	17.54%	20.81%	16.13%	13.99%	30.12%
Other Construction Equipment	16.35%	14.20%	17.11%	10.53%	24.03%	17.19%	41.22%
Other General Industrial Equipment	13.18%	16.56%	27.57%	8.61%	13.80%	19.84%	33.65%
Other Material Handling Equipment	10.84%	11.39%	19.25%	15.55%	26.63%	16.26%	42.89%
Other Truck	15.64%	10.34%	5.31%	13.41%	36.87%	11.45%	48.32%
Pavers	12.11%	21.18%	16.99%	14.97%	23.34%	11.41%	34.75%
Paving Equipment	6.49%	12.80%	12.74%	12.44%	38.17%	17.05%	55.22%
Railcars or Track Cars	16.33%	8.16%	0.00%	14.29%	51.02%	10.20%	61.22%
Rollers	14.09%	15.93%	18.30%	6.46%	30.61%	14.59%	45.20%
Rough Terrain Forklifts	3.95%	9.32%	15.89%	8.11%	41.94%	20.80%	62.74%
Rubber Tired Dozers	41.04%	10.02%	9.44%	19.65%	15.22%	4.62%	19.85%
Rubber Tired Loaders	16.74%	12.71%	13.56%	14.94%	29.29%	12.76%	42.05%
Scrapers	28.91%	10.98%	15.47%	30.41%	10.15%	4.04%	14.19%
Skid Steer Loaders	3.70%	10.02%	15.81%	3.20%	54.69%	12.58%	67.27%
Spray Truck	5.56%	4.17%	19.44%	2.78%	34.72%	26.39%	61.11%
Spreader Tractor Trailer	0.00%	14.29%	28.57%	0.00%	42.86%	14.29%	57.14%
Spreader Truck	4.17%	0.00%	4.17%	37.50%	16.67%	25.00%	41.67%
Surfacing Equipment	15.38%	14.25%	10.18%	23.08%	19.23%	17.65%	36.88%
Sweepers/Scrubbers	11.02%	20.84%	16.57%	6.61%	25.75%	19.06%	44.81%
Tank Truck	4.05%	6.76%	8.11%	27.03%	37.84%	16.22%	54.05%
Tanker Truck Trailer	0.00%	18.18%	0.00%	0.00%	63.64%	18.18%	81.82%
Telescopic Handler	1.33%	0.00%	2.67%	0.00%	80.00%	16.00%	96.00%
Tow Tractor	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Tractors/Loaders/Backhoes	13.53%	16.50%	18.73%	8.96%	29.23%	13.05%	42.28%
Trenchers	21.86%	19.57%	20.87%	3.28%	21.86%	12.57%	34.43%
Vacuum Truck	2.21%	18.38%	15.44%	25.00%	13.24%	14.71%	27.94%
Water Truck	21.79%	8.21%	16.43%	16.07%	23.57%	13.57%	37.14%
Workover Rig (Mobile)	5.99%	15.14%	9.78%	17.35%	7.10%	13.56%	20.66%
Yard Goat	4.40%	4.58%	9.41%	18.31%	41.71%	21.33%	63.04%

O3-64
Cont.

It is clear from the CARB data that access to Tier 4 certified equipment necessary for demolition (rubber tired dozers and tractors/loaders/backhoes), site preparation (graders, scrapers, rubber tired dozers, and tractors/loaders/backhoes), grading (graders, scrapers, rubber tired dozers, off-highway trucks, and tractors/loaders/backhoes), and paving operations (pavers, rollers, and tractors/loaders/backhoes), are in short supply in the State. In particular, Tier 4 final (the cleanest technology available) dozers, scrapers, graders, and pavers make up a small portion of the registered fleet in California. If the Proponent cannot acquire the necessary equipment during construction or delay the construction until the equipment is available, project construction could be substantially delayed while the Proponent searches for Tier equipment to comply with MM AQ-2.

03-64
Cont.

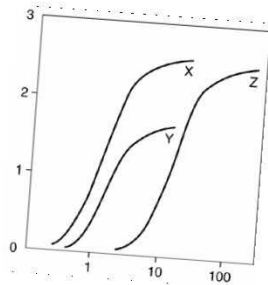
Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. A revised environmental impact report should be prepared to address these substantial concerns.

03-65

Sincerely,





Clark & Associates
Environmental Consulting, Inc

OFFICE
12405 Venice Blvd.
Suite 331
Los Angeles, CA 90066

PHONE
310-907-6165

FAX
310-398-7626

EMAIL
jclark.assoc@gmail.com

James J. J. Clark, Ph.D.

Principal Toxicologist
Toxicology/Exposure Assessment Modeling
Risk Assessment/Analysis/Dispersion Modeling

Education:

Ph.D., Environmental Health Science, University of California, 1995
M.S., Environmental Health Science, University of California, 1993
B.S., Biophysical and Biochemical Sciences, University of Houston, 1987

Professional Experience:

Dr. Clark is a well recognized toxicologist, air modeler, and health scientist. He has 20 years of experience in researching the effects of environmental contaminants on human health including environmental fate and transport modeling (SCREEN3, AEROMOD, ISCST3, Johnson-Ettinger Vapor Intrusion Modeling); exposure assessment modeling (partitioning of contaminants in the environment as well as PBPK modeling); conducting and managing human health risk assessments for regulatory compliance and risk-based clean-up levels; and toxicological and medical literature research.

Significant projects performed by Dr. Clark include the following:

LITIGATION SUPPORT

Case: James Harold Caygle, et al, v. Drummond Company, Inc. Circuit Court for the Tenth Judicial Circuit, Jefferson County, Alabama. Civil Action. CV-2009

Client: Environmental Litigation Group, Birmingham, Alabama

Dr. Clark performed an air quality assessment of emissions from a coke factory located in Tarrant, Alabama. The assessment reviewed include a comprehensive review of air quality standards, measured concentrations of pollutants from factory, an inspection of the facility and detailed assessment of the impacts on the community. The results of the assessment and literature have been provided in a declaration to the court.

03-66

Case Result: Settlement in favor of plaintiff.

Case: Rose Roper V. Nissan North America, et al. Superior Court of the State Of California for the County Of Los Angeles – Central Civil West. Civil Action. NC041739

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to multiple chemicals, including benzene, who later developed a respiratory distress. A review of the individual’s medical and occupational history was performed to prepare an exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to respiratory irritants. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: O’Neil V. Sherwin Williams, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to petroleum distillates who later developed a bladder cancer. A review of the individual’s medical and occupational history was performed to prepare a quantitative exposure assessment. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Summary judgment for defendants.

Case: Moore V., Shell Oil Company, et al. Superior Court of the State Of California for the County Of Los Angeles

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to chemicals while benzene who later developed a leukogenic disease. A review of the individual’s medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.



03-66
Cont.

Case Result: Settlement in favor of plaintiff.

Case: Raymond Saltonstall V. Fuller O'Brien, KILZ, and Zinsser, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Richard Boyer and Elizabeth Boyer, husband and wife, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-7G.

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.



03-66
Cont.

Case: JoAnne R. Cook, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-9R

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of an individual exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Patrick Allen And Susan Allen, husband and wife, and Andrew Allen, a minor, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-W

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Michael Fahey, Susan Fahey V. Atlantic Richfield Company, et al. United States District Court Central District of California Civil Action Number CV-06 7109 JCL.



03-66
Cont.

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Constance Acevedo, et al., V. California Spray-Chemical Company, et al., Superior Court of the State Of California, County Of Santa Cruz. Case No. CV 146344

Dr. Clark performed a comprehensive exposure assessment of community members exposed to toxic metals from a former lead arsenate manufacturing facility. The former manufacturing site had undergone a DTSC mandated removal action/remediation for the presence of the toxic metals at the site. Opinions were presented regarding the elevated levels of arsenic and lead (in attic dust and soils) found throughout the community and the potential for harm to the plaintiffs in question.

Case Result: Settlement in favor of defendant.

Case: Michael Nawrocki V. The Coastal Corporation, Kurk Fuel Company, Pautler Oil Service, State of New York Supreme Court, County of Erie, Index Number I2001-11247

Client: Richard G. Berger Attorney At Law, Buffalo, New York

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the



03-66
Cont.

known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Judgement in favor of defendant.

SELECTED AIR MODELING RESEARCH/PROJECTS

Client – Confidential

Dr. Clark performed a comprehensive evaluation of criteria pollutants, air toxins, and particulate matter emissions from a carbon black production facility to determine the impacts on the surrounding communities. The results of the dispersion model will be used to estimate acute and chronic exposure concentrations to multiple contaminants and will be incorporated into a comprehensive risk evaluation.

Client – Confidential

Dr. Clark performed a comprehensive evaluation of air toxins and particulate matter emissions from a railroad tie manufacturing facility to determine the impacts on the surrounding communities. The results of the dispersion model have been used to estimate acute and chronic exposure concentrations to multiple contaminants and have been incorporated into a comprehensive risk evaluation.

Client – Los Angeles Alliance for a New Economy (LAANE), Los Angeles, California

Dr. Clark is advising the LAANE on air quality issues related to current flight operations at the Los Angeles International Airport (LAX) operated by the Los Angeles World Airport (LAWA) Authority. He is working with the LAANE and LAX staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.



03-66
Cont.

Client – City of Santa Monica, Santa Monica, California

Dr. Clark is advising the City of Santa Monica on air quality issues related to current flight operations at the facility. He is working with the City staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client: Omnitrans, San Bernardino, California

Dr. Clark managed a public health survey of three communities near transit fueling facilities in San Bernardino and Montclair California in compliance with California Senate Bill 1927. The survey included an epidemiological survey of the effected communities, emission surveys of local businesses, dispersion modeling to determine potential emission concentrations within the communities, and a comprehensive risk assessment of each community. The results of the study were presented to the Governor as mandated by Senate Bill 1927.

Client: Confidential, San Francisco, California

Summarized cancer types associated with exposure to metals and smoking. Researched the specific types of cancers associated with exposure to metals and smoking. Provided causation analysis of the association between cancer types and exposure for use by non-public health professionals.

Client: Confidential, Minneapolis, Minnesota

Prepared human health risk assessment of workers exposed to VOCs from neighboring petroleum storage/transport facility. Reviewed the systems in place for distribution of petroleum hydrocarbons to identify chemicals of concern (COCs), prepared comprehensive toxicological summaries of COCs, and quantified potential risks from carcinogens and non-carcinogens to receptors at or adjacent to site. This evaluation was used in the support of litigation.

Client – United Kingdom Environmental Agency

Dr. Clark is part of team that performed comprehensive evaluation of soil vapor intrusion of VOCs from former landfill adjacent residences for the United Kingdom’s Environment



03-66
Cont.

Agency. The evaluation included collection of liquid and soil vapor samples at site, modeling of vapor migration using the Johnson Ettinger Vapor Intrusion model, and calculation of site-specific health based vapor thresholds for chlorinated solvents, aromatic hydrocarbons, and semi-volatile organic compounds. The evaluation also included a detailed evaluation of the use, chemical characteristics, fate and transport, and toxicology of chemicals of concern (COC). The results of the evaluation have been used as a briefing tool for public health professionals.

EMERGING/PERSISTENT CONTAMINANT RESEARCH/PROJECTS

Client: Ameren Services, St. Louis, Missouri

Managed the preparation of a comprehensive human health risk assessment of workers and residents at or near an NPL site in Missouri. The former operations at the Property included the servicing and repair of electrical transformers, which resulted in soils and groundwater beneath the Property and adjacent land becoming impacted with PCB and chlorinated solvent compounds. The results were submitted to U.S. EPA for evaluation and will be used in the final ROD.

Client: City of Santa Clarita, Santa Clarita, California

Dr. Clark is managing the oversight of the characterization, remediation and development activities of a former 1,000 acre munitions manufacturing facility for the City of Santa Clarita. The site is impacted with a number of contaminants including perchlorate, unexploded ordinance, and volatile organic compounds (VOCs). The site is currently under a number of regulatory consent orders, including an Immanent and Substantial Endangerment Order. Dr. Clark is assisting the impacted municipality with the development of remediation strategies, interaction with the responsible parties and stakeholders, as well as interfacing with the regulatory agency responsible for oversight of the site cleanup.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of perchlorate in environment. Dr. Clark evaluated the production, use, chemical characteristics, fate and transport, toxicology, and remediation of perchlorate. Perchlorates form the basis of solid rocket fuels and have recently been detected in water supplies in the United States. The results of this research



O3-66
Cont.

were presented to the USEPA, National GroundWater, and ultimately published in a recent book entitled *Perchlorate in the Environment*.

Client – Confidential, Los Angeles, California

Dr. Clark is performing a comprehensive review of the potential for pharmaceuticals and their by-products to impact groundwater and surface water supplies. This evaluation will include a review if available data on the history of pharmaceutical production in the United States; the chemical characteristics of various pharmaceuticals; environmental fate and transport; uptake by xenobiotics; the potential effects of pharmaceuticals on water treatment systems; and the potential threat to public health. The results of the evaluation may be used as a briefing tool for non-public health professionals.

PUBLIC HEALTH/TOXICOLOGY

Client: Brayton Purcell, Novato, California

Dr. Clark performed a toxicological assessment of residents exposed to methyl-tertiary butyl ether (MTBE) from leaking underground storage tanks (LUSTs) adjacent to the subject property. The symptomology of residents and guests of the subject property were evaluated against the known outcomes in published literature to exposure to MTBE. The study found that residents had been exposed to MTBE in their drinking water; that concentrations of MTBE detected at the site were above regulatory guidelines; and, that the symptoms and outcomes expressed by residents and guests were consistent with symptoms and outcomes documented in published literature.

Client: Confidential, San Francisco, California

Identified and analyzed fifty years of epidemiological literature on workplace exposures to heavy metals. This research resulted in a summary of the types of cancer and non-cancer diseases associated with occupational exposure to chromium as well as the mortality and morbidity rates.

Client: Confidential, San Francisco, California

Summarized major public health research in United States. Identified major public health research efforts within United States over last twenty years. Results were used as a briefing tool for non-public health professionals.



O3-66
Cont.

Client: Confidential, San Francisco, California

Quantified the potential multi-pathway dose received by humans from a pesticide applied indoors. Part of team that developed exposure model and evaluated exposure concentrations in a comprehensive report on the plausible range of doses received by a specific person. This evaluation was used in the support of litigation.

Client: Covanta Energy, Westwood, California

Evaluated health risk from metals in biosolids applied as soil amendment on agricultural lands. The biosolids were created at a forest waste cogeneration facility using 96% whole tree wood chips and 4 percent green waste. Mass loading calculations were used to estimate Cr(VI) concentrations in agricultural soils based on a maximum loading rate of 40 tons of biomass per acre of agricultural soil. The results of the study were used by the Regulatory agency to determine that the application of biosolids did not constitute a health risk to workers applying the biosolids or to residences near the agricultural lands.

Client – United Kingdom Environmental Agency

Oversaw a comprehensive toxicological evaluation of methyl-*tertiary* butyl ether (MtBE) for the United Kingdom’s Environment Agency. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of MtBE. The results of the evaluation have been used as a briefing tool for public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of *tertiary* butyl alcohol (TBA) in municipal drinking water system. TBA is the primary breakdown product of MtBE, and is suspected to be the primary cause of MtBE toxicity. This evaluation will include available information on the production, use, chemical characteristics, fate and transport in the environment, absorption, distribution, routes of detoxification, metabolites, carcinogenic potential, and remediation of TBA. The results of the evaluation were used as a briefing tool for non-public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of methyl *tertiary* butyl ether (MTBE) in municipal drinking water system. MTBE is a chemical added to gasoline to increase the octane



O3-66
Cont.

rating and to meet Federally mandated emission criteria. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of MTBE. The results of the evaluation have been used as a briefing tool for non-public health professionals.

Client – Ministry of Environment, Lands & Parks, British Columbia

Dr. Clark assisted in the development of water quality guidelines for methyl tertiary-butyl ether (MTBE) to protect water uses in British Columbia (BC). The water uses to be considered includes freshwater and marine life, wildlife, industrial, and agricultural (e.g., irrigation and livestock watering) water uses. Guidelines from other jurisdictions for the protection of drinking water, recreation and aesthetics were to be identified.

Client: Confidential, Los Angeles, California

Prepared physiologically based pharmacokinetic (PBPK) assessment of lead risk of receptors at middle school built over former industrial facility. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client: Kaiser Venture Incorporated, Fontana, California

Prepared PBPK assessment of lead risk of receptors at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

RISK ASSESSMENTS/REMEDIAL INVESTIGATIONS

Client: Confidential, Atlanta, Georgia

Researched potential exposure and health risks to community members potentially exposed to creosote, polycyclic aromatic hydrocarbons, pentachlorophenol, and dioxin compounds used at a former wood treatment facility. Prepared a comprehensive toxicological summary of the chemicals of concern, including the chemical characteristics, absorption, distribution, and carcinogenic potential. Prepared risk characterization of the carcinogenic and non-carcinogenic chemicals based on the exposure assessment to quantify the potential risk to members of the surrounding community. This evaluation was used to help settle class-action tort.



03-66
Cont.

Client: Confidential, Escondido, California

Prepared comprehensive Preliminary Endangerment Assessment (PEA) of dense non-aqueous liquid phase hydrocarbon (chlorinated solvents) contamination at a former printed circuit board manufacturing facility. This evaluation was used for litigation support and may be used as the basis for reaching closure of the site with the lead regulatory agency.

Client: Confidential, San Francisco, California

Summarized epidemiological evidence for connective tissue and autoimmune diseases for product liability litigation. Identified epidemiological research efforts on the health effects of medical prostheses. This research was used in a meta-analysis of the health effects and as a briefing tool for non-public health professionals.

Client: Confidential, Bogotá, Columbia

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of a 13.7 hectares plastic manufacturing facility in Bogotá, Colombia. The risk assessment was used as the basis for the remedial goals and closure of the site.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally cadmium) and VOCs from soil and soil vapor at 12-acre former crude oilfield and municipal landfill. The site is currently used as a middle school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and was used as the basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Managed remedial investigation (RI) of heavy metals and volatile organic chemicals (VOCs) for a 15-acre former manufacturing facility. The RI investigation of the site included over 800 different sampling locations and the collection of soil, soil gas, and groundwater samples. The site is currently used as a year round school housing approximately 3,000 children. The Remedial Investigation was performed in a manner



03-66
Cont.

that did not interrupt school activities and met the time restrictions placed on the project by the overseeing regulatory agency. The RI Report identified the off-site source of metals that impacted groundwater beneath the site and the sources of VOCs in soil gas and groundwater. The RI included a numerical model of vapor intrusion into the buildings at the site from the vadose zone to determine exposure concentrations and an air dispersion model of VOCs from the proposed soil vapor treatment system. The Feasibility Study for the Site is currently being drafted and may be used as the basis for granting closure of the site by DTSC.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally lead), VOCs, SVOCs, and PCBs from soil, soil vapor, and groundwater at 15-acre former manufacturing facility. The site is currently used as a year round school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and will be basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of VOC vapor intrusion into classrooms of middle school that was former 15-acre industrial facility. Using the Johnson-Ettinger Vapor Intrusion model, the evaluation determined acceptable soil gas concentrations at the site that did not pose health threat to students, staff, and residents. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client –Dominguez Energy, Carson, California

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of 6-acre portion of a 500-acre oil and natural gas production facility in Carson, California. The risk assessment was used as the basis for closure of the site.

Kaiser Ventures Incorporated, Fontana, California

Prepared health risk assessment of semi-volatile organic chemicals and metals for a fifty-year old wastewater treatment facility used at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.



03-66
Cont.

ANR Freight - Los Angeles, California

Prepared a comprehensive Preliminary Endangerment Assessment (PEA) of petroleum hydrocarbon and metal contamination of a former freight depot. This evaluation was as the basis for reaching closure of the site with lead regulatory agency.

Kaiser Ventures Incorporated, Fontana, California

Prepared comprehensive health risk assessment of semi-volatile organic chemicals and metals for 23-acre parcel of a 1,100-acre former steel mill. The health risk assessment was used to determine clean up goals and as the basis for granting closure of the site by lead regulatory agency. Air dispersion modeling using ISCST3 was performed to determine downwind exposure point concentrations at sensitive receptors within a 1 kilometer radius of the site. The results of the health risk assessment were presented at a public meeting sponsored by the Department of Toxic Substances Control (DTSC) in the community potentially affected by the site.

Unocal Corporation - Los Angeles, California

Prepared comprehensive assessment of petroleum hydrocarbons and metals for a former petroleum service station located next to sensitive population center (elementary school). The assessment used a probabilistic approach to estimate risks to the community and was used as the basis for granting closure of the site by lead regulatory agency.

Client: Confidential, Los Angeles, California

Managed oversight of remedial investigation most contaminated heavy metal site in California. Lead concentrations in soil excess of 68,000,000 parts per billion (ppb) have been measured at the site. This State Superfund Site was a former hard chrome plating operation that operated for approximately 40-years.

Client: Confidential, San Francisco, California

Coordinator of regional monitoring program to determine background concentrations of metals in air. Acted as liaison with SCAQMD and CARB to perform co-location sampling and comparison of accepted regulatory method with ASTM methodology.



03-66
Cont.

Client: Confidential, San Francisco, California

Analyzed historical air monitoring data for South Coast Air Basin in Southern California and potential health risks related to ambient concentrations of carcinogenic metals and volatile organic compounds. Identified and reviewed the available literature and calculated risks from toxins in South Coast Air Basin.

IT Corporation, North Carolina

Prepared comprehensive evaluation of potential exposure of workers to air-borne VOCs at hazardous waste storage facility under SUPERFUND cleanup decree. Assessment used in developing health based clean-up levels.

Professional Associations

- American Public Health Association (APHA)
- Association for Environmental Health and Sciences (AEHS)
- American Chemical Society (ACS)
- California Redevelopment Association (CRA)
- International Society of Environmental Forensics (ISEF)
- Society of Environmental Toxicology and Chemistry (SETAC)

Publications and Presentations:

Books and Book Chapters

- Sullivan, P., J.J. J. Clark, F.J. Agardy, and P.E. Rosenfeld. (2007). *Synthetic Toxins In The Food, Water and Air of American Cities*. Elsevier, Inc. Burlington, MA.
- Sullivan, P. and J.J. J. Clark. 2006. *Choosing Safer Foods, A Guide To Minimizing Synthetic Chemicals In Your Diet*. Elsevier, Inc. Burlington, MA.
- Sullivan, P., Agardy, F.J., and J.J.J. Clark. 2005. *The Environmental Science of Drinking Water*. Elsevier, Inc. Burlington, MA.
- Sullivan, P.J., Agardy, F.J., Clark, J.J.J. 2002. *America's Threatened Drinking Water: Hazards and Solutions*. Trafford Publishing, Victoria B.C.
- Clark, J.J.J. 2001. "TBA: Chemical Properties, Production & Use, Fate and Transport, Toxicology, Detection in Groundwater, and Regulatory Standards" in *Oxygenates in the Environment*. Art Diaz, Ed.. Oxford University Press: New York.
- Clark, J.J.J. 2000. "Toxicology of Perchlorate" in *Perchlorate in the Environment*. Edward Urbansky, Ed. Kluwer/Plenum: New York.
- Clark, J.J.J. 1995. Probabilistic Forecasting of Volatile Organic Compound Concentrations At The Soil Surface From Contaminated Groundwater. UMI.

03-66
Cont.

Baker, J.; **Clark, J.J.J.**; Stanford, J.T. 1994. Ex Situ Remediation of Diesel Contaminated Railroad Sand by Soil Washing. Principles and Practices for Diesel Contaminated Soils, Volume III. P.T. Kostecki, E.J. Calabrese, and C.P.L. Barkan, eds. Amherst Scientific Publishers, Amherst, MA. pp 89-96.

Journal and Proceeding Articles

Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equivalency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. Organohalogen Compounds, Volume 70 (2008) page 002254.

Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. Organohalogen Compounds, Volume 70 (2008) page 000527

Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** (2007). "Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." *Environmental Research*. 105:194-199.

Rosenfeld, P.E., **Clark, J. J.**, Hensley, A.R., and Suffet, I.H. 2007. "The Use Of An Odor Wheel Classification For The Evaluation of Human Health Risk Criteria For Compost Facilities" *Water Science & Technology*. 55(5): 345-357.

Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** 2006. "Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006, August 21 – 25, 2006. Radisson SAS Scandinavia Hotel in Oslo Norway.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2005. "The Value Of An Odor Quality Classification Scheme For Compost Facility Evaluations" The U.S. Composting Council's 13th Annual Conference January 23 - 26, 2005, Crowne Plaza Riverwalk, San Antonio, TX.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2004. "The Value Of An Odor Quality Classification Scheme For Urban Odor" WEFTEC 2004. 77th Annual Technical Exhibition & Conference October 2 - 6, 2004, Ernest N. Morial Convention Center, New Orleans, Louisiana.

Clark, J.J.J. 2003. "Manufacturing, Use, Regulation, and Occurrence of a Known Endocrine Disrupting Chemical (EDC), 2,4-Dichlorophenoxyacetic Acid (2,4-D) in California Drinking Water Supplies." National Groundwater Association Southwest Focus Conference: Water Supply and Emerging Contaminants. Minneapolis, MN. March 20, 2003.

03-66
Cont.

Rosenfeld, P. and J.J.J. Clark. 2003. "Understanding Historical Use, Chemical Properties, Toxicity, and Regulatory Guidance" National Groundwater Association Southwest Focus Conference: Water Supply and Emerging Contaminants. Phoenix, AZ. February 21, 2003.

Clark, J.J.J., Brown A. 1999. Perchlorate Contamination: Fate in the Environment and Treatment Options. In Situ and On-Site Bioremediation, Fifth International Symposium. San Diego, CA, April, 1999.

Clark, J.J.J. 1998. Health Effects of Perchlorate and the New Reference Dose (RfD). Proceedings From the Groundwater Resource Association Seventh Annual Meeting, Walnut Creek, CA, October 23, 1998.

Browne, T., Clark, J.J.J. 1998. Treatment Options For Perchlorate In Drinking Water. Proceedings From the Groundwater Resource Association Seventh Annual Meeting, Walnut Creek, CA, October 23, 1998.

Clark, J.J.J., Brown, A., Rodriguez, R. 1998. The Public Health Implications of MtBE and Perchlorate in Water: Risk Management Decisions for Water Purveyors. Proceedings of the National Ground Water Association, Anaheim, CA, June 3-4, 1998.

Clark J.J.J., Brown, A., Ulrey, A. 1997. Impacts of Perchlorate On Drinking Water In The Western United States. U.S. EPA Symposium on Biological and Chemical Reduction of Chlorate and Perchlorate, Cincinnati, OH, December 5, 1997.

Clark, J.J.J.; Corbett, G.E.; Kerger, B.D.; Finley, B.L.; Paustenbach, D.J. 1996. Dermal Uptake of Hexavalent Chromium In Human Volunteers: Measures of Systemic Uptake From Immersion in Water At 22 PPM. Toxicologist. 30(1):14.

Dodge, D.G.; Clark, J.J.J.; Kerger, B.D.; Richter, R.O.; Finley, B.L.; Paustenbach, D.J. 1996. Assessment of Airborne Hexavalent Chromium In The Home Following Use of Contaminated Tapwater. Toxicologist. 30(1):117-118.

Paulo, M.T.; Gong, H., Jr.; Clark, J.J.J. (1992). Effects of Pretreatment with Ipratroprium Bromide in COPD Patients Exposed to Ozone. American Review of Respiratory Disease. 145(4):A96.

Harber, P.H.; Gong, H., Jr.; Lachenbruch, A.; Clark, J.; Hsu, P. (1992). Respiratory Pattern Effect of Acute Sulfur Dioxide Exposure in Asthmatics. American Review of Respiratory Disease. 145(4):A88.

McManus, M.S.; Gong, H., Jr.; Clements, P.; Clark, J.J.J. (1991). Respiratory Response of Patients With Interstitial Lung Disease To Inhaled Ozone. American Review of Respiratory Disease. 143(4):A91.

Gong, H., Jr.; Simmons, M.S.; McManus, M.S.; Tashkin, D.P.; Clark, V.A.; Detels, R.; Clark, J.J. (1990). Relationship Between Responses to Chronic Oxidant and Acute

03-66
Cont.

Ozone Exposures in Residents of Los Angeles County. American Review of Respiratory Disease. 141(4):A70.

Tierney, D.F. and J.J.J. Clark. (1990). Lung Polyamine Content Can Be Increased By Spermidine Infusions Into Hyperoxic Rats. American Review of Respiratory Disease. 139(4):A41.

↑
03-66
Cont.

EXHIBIT B



WILSON IHRIG
ACOUSTICS, NOISE & VIBRATION

CALIFORNIA
WASHINGTON
NEW YORK

WI #24-002.34

July 15th, 2024

Ms. Kelilah D. Federman
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, California 94080

**SUBJECT: Aquabella Specific Plan DSEIR
City of Beverly Hills, California
DRAFT- Comments on Noise Analysis**

Dear Ms. Federman,

As requested, we have reviewed the information and noise impact analysis for the Draft Subsequent Environmental Impact Report (DSEIR) for the Aquabella Specific Plan in Moreno Valley, CA. The project consists of the construction of 15,000 multifamily housing units, a 49,900 square feet mixed-use commercial and retail Town Center with a 300-room hotel and 80 acres of parks, as well as up to three elementary school sites.

03-67

Currently, the project site is undeveloped. Existing land uses in the vicinity of the site include single and multi-family surrounding the project, with the Riverside University Health System Medical Center to the north, and the Kaiser Permanente Moreno Valley Medical Center Vista del and Lago High School to the south. This letter is based on Appendix I, the Noise Technical Report, of the Aquabella Specific Plan Amendment Project DSEIR prepared by Dudek and dated May 2024.

03-68

Wilson Ihrig is an acoustical consulting firm that has practiced exclusively in the field of acoustics since 1966. During our almost 58 years of operation, we have prepared hundreds of noise studies for Environmental Impact Reports and Statements. We have one of the largest technical laboratories in the acoustical consulting industry. We also utilize industry-standard acoustical programs such as Roadway Construction Noise Model (RCNM), SoundPLAN, and CadnaA. In short, we are well qualified to prepare environmental noise studies and review studies prepared by others.

03-69

Adverse Effects of Noise¹

Although the health effects of noise are not taken as seriously in the United States as they are in other countries, they are real and, in many parts of the country, pervasive.

03-70

Noise-Induced Hearing Loss. If a person is repeatedly exposed to loud noises, he or she may experience noise-induced hearing impairment or loss. In the United States, both the Occupational Health and Safety Administration (OSHA) and the National Institute for Occupational Safety and

¹ More information on these and other adverse effects of noise may be found in *Guidelines for Community Noise*, eds B Berglund, T Lindvall, and D Schwela, World Health Organization, Geneva, Switzerland, 1999. (<https://www.who.int/docstore/peh/noise/Comnoise-1.pdf>)

WILSON IHRIG
Aquabella Specific Plan DSEIR
Comments on Noise Analysis

Health (NIOSH) promote standards and regulations to protect the hearing of people exposed to high levels of industrial noise.

Speech Interference. Another common problem associated with noise is speech interference. In addition to the obvious issues that may arise from misunderstandings, speech interference also leads to problems with concentration fatigue, irritation, decreased working capacity, and automatic stress reactions. For complete speech intelligibility, the sound level of the speech should be 15 to 18 dBA higher than the background noise. Typical indoor speech levels are 45 to 50 dBA at 1 meter, so any noise above 30 dBA begins to interfere with speech intelligibility. The common reaction to higher background noise levels is to raise one’s voice. If this is required persistently for long periods of time, stress reactions and irritation will likely result.

Sleep Disturbance. Noise can disturb sleep by making it more difficult to fall asleep, by waking someone after they are asleep, or by altering their sleep stage, e.g., reducing the amount of rapid eye movement (REM) sleep. Noise exposure for people who are sleeping has also been linked to increased blood pressure, increased heart rate, increase in body movements, and other physiological effects. Not surprisingly, people whose sleep is disturbed by noise often experience secondary effects such as increased fatigue, depressed mood, and decreased work performance.

Cardiovascular and Physiological Effects. Human’s bodily reactions to noise are rooted in the “fight or flight” response that evolved when many noises signaled imminent danger. These include increased blood pressure, elevated heart rate, and vasoconstriction. Prolonged exposure to acute noises can result in permanent effects such as hypertension and heart disease.

Impaired Cognitive Performance. Studies have established that noise exposure impairs people’s abilities to perform complex tasks (tasks that require attention to detail or analytical processes) and it makes reading, paying attention, solving problems, and memorizing more difficult. This is why there are standards for classroom background noise levels and why offices and libraries are designed to provide quiet work environments.

Analysis Miscites and Underrepresents Construction Vibration Thresholds

Section 9.10.010 of the City of Moreno Valley Municipal Code lists performance standards that set “maximum tolerance limits on certain adverse effects created by any use or development of land” and states in section 9.10.170 that “no vibration shall be permitted which can be felt at or beyond the property line.”² On page 24 of Appendix I, the DSEIR states that “for the purposes of this analysis, Caltrans’ vibration annoyance threshold of 0.2 in/sec shall be used.”

However, the cited Caltrans report³ shows in Table 19 that the 0.2 in/sec value is a recommended threshold for building damage for transient sources. The more appropriate threshold based on section 9.10.170 of the Moreno Valley Municipal Code would be the annoyance criteria, not the building damage criteria. Additionally, Caltrans states that “transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include ... vibratory compaction equipment.” Since the worst-case construction scenario is a vibratory roller, a piece of ‘vibratory compaction equipment’, the continuous/frequent intermittent sources threshold

03-70
Cont.

03-71

² <https://ecode360.com/43230868#43230883>

³ <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf>

WILSON IHRIG
*Aquabella Specific Plan DSEIR
Comments on Noise Analysis*

should have been used. The continuous/frequent intermittent source vibration annoyance threshold for a 'distinctly perceptible' response is 0.04 in/sec PPV, which is more stringent than the 0.2 PPV used in the analysis.

Assuming that "construction activities that are no closer than 60 feet from vibration sensitive uses" as stated on page 35 of Appendix I of the DSEIR, the modeled level of a vibratory roller is .056 in/sec PPV. This qualifies as an impact over vibration annoyance thresholds and mitigation, such as a construction control plan, should be implemented.

Analysis Incorrectly Underestimates Noise Impacts

Appendix C of Appendix I of the DSEIR presents worksheets detailing construction noise calculations. One column is "Allowable Operation Time" which is consistently set at 6 hours. The next column is "predicted 8-hour Leq." This means that only 6 hours of the day was modeled, but an 8-hour noise metric was presented. There is no explanation of why this was chosen, nor what levels were used when construction was not operating. Since there are only 6 hours of noise included in the model, not 8, it inherently underestimates noise.

Re-creating the model for Site Preparation on Table 14 with the proper 8 hours of usage gives a level of 86.4 dBA, over a decibel higher than the 85.2 dBA presented in Appendix C. This error should be corrected, and the analysis of mitigation options should be updated to account for proper source levels.

Analysis Incorrectly Underestimates Noise Impacts

On page 41 of Appendix I of the DSEIR, the analysis states that "Construction Noise Receivers" are located at CR1 through CR-6. However, on pages 25-27, the DSEIR's Noise Technical Report includes noise modeling for only receivers CR1 and CR2 and omits any quantitative analysis of noise impacts to CR3-CR6. Noise impacts at CR 3 through CR6 may be significant but the DSEIR fails to analyze construction impacts to receptors CR3 through CR6. The DSEIR therefore fails to quantify, analyze or mitigate noise impacts to all construction noise receivers. As a result, the City failed to proceed in the manner required by law in analyzing the Project's construction noise impacts and lacks substantial evidence to support the DSEIR's conclusions regarding the Project's construction noise impacts.

Analysis Presents an Unsupported and Unvalidated Traffic Noise Model

Section 3.2 of Appendix I details the process used in determining if the increase in traffic levels due to the project would create a significant noise impact at nearby receivers, and results are presented in Table 17. The analysis concludes that using future 2045 traffic conditions would exceed operational noise thresholds at nearby receivers in the community.

However, there is no citation or discussion on how the model was validated. It is vital to verify that the model was built correctly in order to ensure its accuracy. The analysis in the DSEIR must show its work and without such information, the conclusions are unsupported.

There are several programs that are frequently used to model traffic noise, the most common of which is the Federal Highway Administration's Traffic Noise Model (TNM) program. The FHWA

03-71
Cont

03-72

03-73

03-74

considers validation an important part of the noise model process⁴ for correct use of the software. Such a program requires traffic inputs in the model to obtain noise levels. A typical approach is to build the model, validate that noise levels taken from a physical measurement match modeled levels taken from traffic counts obtained from a period as close as possible to the measurement date, and then use this validated model to predict noise levels for different traffic conditions. The analysis makes no mention of validating the model. Without matching the results of the model to a known measurement result, there is no proof that the geometry of the model was built correctly.

03-74
Cont.

This is especially important considering the mitigation recommended by Appendix I, which states in Mitigation Measure MM N-3 that “average speeds on the impacted segments of John F Kennedy Drive, Kitching and Mason Streets shall be reduced by 5 miles per hour.” Without validating that the model is correct, it is unknown whether this reduction is sufficient to reduce impacts to a less than significant level. As such, there is no confirmation that the model was built correctly with accurate predicted levels and the conclusions regarding noise impacts in the DSEIR are unsupported.

Analysis Underestimates Operational Noise Levels

Table 19 in Appendix I shows predicted HVAC noise levels at nearby sensitive receptors. We believe that these may be underestimated based on our models. Since plans are not finalized, the DSEIR makes assumptions on locations and source levels of the equipment, based on the data currently available. The assumptions listed in Section 3.3 – one 5-ton unit for each apartment unit, located on the roof – are entirely reasonable. However, when we re-create this model, our numbers are significantly higher than what was presented as results in Table 19.

Without shielding from the corner of the building or from a parapet, a single unit as described in the DSEIR would have a modeled level of 34 dBA at 80 feet. Assuming 5 dB of reduction from shielding, a level of 29 dBA is modeled, similar to the results in Table 19.

03-75

However, this only accounts for one unit. The DSEIR states on page 31 that “Buildings H1 – H14 each represent a garden apartment building housing 20 dwelling units, with 20 HVAC packages mounted on the building roof.” This means multiple sources would combine to create higher levels than a single unit would on its own. Rooftop commercial HVAC units may reach as high as 88 dBA at a 3 feet reference level. Doubling the sound source typically means 3 dB of increase. This would not be a uniform doubling; other units would be further away from whatever sensitive receiver is modeled, and thus quieter at the modeled point. However, it does imply that either multiple units were not modeled correctly, or the CadnaA model has shielding within the building edge that may not represent a reasonable worst case scenario, such as HVAC units offset far from the edge of the building or a tall parapet. It is worth noting that the source level, 70 dBA sound power from a cited a Bryant BH16-060 unit, is significantly lower than what is typically used for most multi-family buildings, which is why making sure one device was modeled per dwelling unit is important for the accuracy of the calculation. The DSEIR should be updated with correctly modeled levels or a more thorough explanation of the HVAC noise model.

Conclusion

The DSEIR’s analysis includes several omissions and errors, such as incorrectly chosen construction vibration thresholds, unsubstantiated assumptions on modeled time for a construction noise

03-76

⁴ https://www.fhwa.dot.gov/Environment/noise/resources/reviewing_noise_analysis/#toc494123470, section 2.8

WILSON IHRIG
Aquabella Specific Plan DSEIR
Comments on Noise Analysis

analysis, an unvalidated traffic noise model, and inconsistent levels on a mechanical noise model. As such, the DSEIR should be updated, with discussions of potential mitigation measures and their effectiveness. Please feel free to contact me with any questions on this information.

↑ 03-76
Cont.

Very truly yours,
WILSON IHRIG



Jack Meighan
Associate

meighan - aquabella specific plan - comments on noise analysis.docx



JACK MEIGHAN

Associate

Jack joined Wilson Ihrig in 2021 and is an experienced acoustics engineer with expertise in projects involving rail transit systems, highways, CEQA analysis, environmental noise reduction, mechanical drawing reviews, and construction noise and vibration mitigation. He has hands-on experience with project management, including client coordination and presentations, as well as in designing, developing, and testing MATLAB code used in acoustics applications. Additionally, his expertise includes taking field measurements, developing test plans and specifying, purchasing, setting up and repairing acoustic measurement equipment. He has experience in using Traffic Noise Model (TNM), CadnaA, EASE, Visual Basic, LabView, and CAD software.

Education

- B.S. in Mechanical Engineering, University of Southern California, Los Angeles, CA

Project Experience

Metro Regional Connector, Los Angeles CA

Planned, took, and processed measurements as part of a team to determine the effectiveness of floating slab trackwork for a new subway in downtown Los Angeles that travels below the Walt Disney Concert Hall and the Colburn School of Music.

Rodeo Credit Enterprise CEQA Analysis for New Construction, Palmdale, CA

Wrote an accepted proposal and executed it for a noise study project to determine noise mitigation requirements on a new housing development. Led all aspects of the project and managed the budget during all phases of project completion. Completed 5 separate projects of this type for this developer.

Blackhall Studios, Santa Clarita, CA

Led the vibration measurement effort for a new soundstage directly adjacent to an existing freight and commuter rail line. Tested equipment, processed data, and analyzed results to determine the vibration propagation through the soil to the proposed soundstage locations, and was part of the team that developed mitigation techniques for the office spaces directly next to the rail line.

Octavia Residential Condos CEQA Study, San Francisco, CA

Calculated the STC ratings for the proposed windows to meet Title 24 requirements, modeled the acoustic performance of floor and ceiling structures, researched noise codes, helped with a mechanical design review, and wrote a report summarizing the results for a new Condominium project being developed in San Francisco.

San Diego International Airport Terminal I Replacement, CA

Conducted interior noise and vibration measurements, analyzed measurement data to help determine project criteria, modeled the existing and future terminals in CadnaA, and was part of a team that did a complete HVAC analysis of the entire terminal, as part of a CEQA analysis where a new terminal for the airport is being designed.

03-77

Five Points Apartments Noise Study, Whittier, CA

Took measurements, researched sound data and solutions, and recommended mitigation for a new apartment complex that was located next to an existing car wash, as part of a CEQA review.

USC Ellison Vibration Survey, Los Angeles, CA

Conducted vibration measurements as part of a survey to determine the effectiveness of vibration isolation platforms that are used to insulate cell growth in a cancer research facility. Determined the effectiveness and presented this information to the client. Researched and recommended a permanent monitoring system so the client could view data in real time.

TEN50 Condos 'Popping' Noise Investigation, Los Angeles, CA

Was part of a team that investigated the noise source of an unwanted popping noise in luxury condos in Downtown Los Angeles. Helped isolate the noise source location with accelerometers to determine where vibrations were occurring first and used an acoustic camera to determine where in the condo the noise was coming from.

2000 University Project, Berkeley, CA

Wrote a construction noise monitoring plan based on environmental noise calculations, wrote a report summarizing the results, and attending a meeting with the client to discuss options.

Bay Area Rapid Transit (BART) On-Track, CA, San Francisco Bay Area, CA*

Day to day project manager, responsible for meetings, presentations, and coordination with the client for an ongoing noise study on the BART system. Developed MATLAB code to process measurements and determine areas where high corrugation was present, contributing to excessively high in-car noise levels. Performed noise measurements inside both the right of way and the vehicle cabin, in addition to rail corrugation measurements.

California I-605/SR-60 Interchange Improvement, Los Angeles, CA*

Developed a noise model of the area that predicted sound levels for abatement design, in addition to conducting noise measurements and analysis. Led the Team in use of the FHWA Traffic Noise Model Software for the project, involving three major highways and two busy interchanges extending over 17 miles in southern California.

Sound Transit On-Track, Seattle, WA*

Took measurements, fixed equipment, and developed software in MATLAB to process Corrugation Analysis Trolley measurements as part of an ongoing noise study on the Sound Transit Link system. Tested vibration data to determine the best measurement and processing techniques to store the data in an online database for in-car measurements.

LA Metro CRRC Railcar Testing, Los Angeles, CA*

Led the effort to plan the measurements, determine measurement locations and finalize the test plan. Formulated a method to capture speed data directly from legacy train vehicles. Executed noise and vibration specification measurements for new rail cars delivered by CRRC.

City of Los Angeles, Pershing Square Station Rehabilitation Noise Monitoring, CA*

Built noise models, wrote a construction noise plan, and assisted in on-site construction noise issues as they arose for a renovation of the Pershing Square metro station in downtown Los

03-77
Cont.

* Work done prior to working for Wilson Ihrig

WILSON IHRIG
Jack Meighan – Page 3

Angeles. Trained construction personnel in techniques for noise reduction and how to conduct noise monitoring measurements to meet project specifications.

City of Orange Metrolink Parking Garage Construction Monitoring, CA*

Wrote an adaptive management vibration monitoring plan, set up equipment to monitor live vibration levels, and generated weekly reports as part of an effort to build a new parking garage. Designed, planned, and completed measurements to predict and mitigate pile driving construction impacts at three historic building locations adjacent to the construction site. Coordinated with the client whenever an on-site problem arose.

LA Metro Westside Subway Construction, Los Angeles, CA*

Planned, organized, and processed noise measurements for the Purple Line extension construction. Implemented both long term microphones to measure noise levels and accelerometers to measure vibration levels in existing subway tunnels. Oversaw noise monitoring at sensitive construction sites for the project and worked with the contractor to find ways to reduce construction noise levels by approximately 10dB.

Montreal Réseau Express Métropolitain, Canada*

Conducted vibration propagation measurements used to create models to predict operational vibration levels for an under-construction transit line. Managed equipment, solved problems in the field, and wrote parts of the report summarizing the findings of the acoustic study.

NHCRP Barrier*

Took on-highway measurements and wrote, designed, developed, and tested MATLAB code to identify specific spectrograms to use for analyses for a project evaluating barrier reflected highway traffic noise differences in the presence of a single absorptive or reflective noise barrier.

Siemens Railcar Testing for Sound Transit, Seattle, WA*

Measured in-car noise and vibration for new rail cars delivered by Siemens. Developed new internal techniques for measurements based on the written specifications. Contributed to the team that helped identify issues that new cars had in meeting the Sound Transit specifications for noise and vibration. Participated in developing the test plan and specified then acquired new equipment for the measurement.

Toronto/Ontario Eglinton Crosstown Light Rail, Final Design, Canada*

Assisted in vibration propagation measurements, analysis, and recommendations for mitigation for a 12-mile light-rail line both on and under Eglinton Avenue. Set up and ran equipment for at-grade measurements with an impact hammer for underground measurements with an impact load cell that was used during pre-construction borehole drilling.

03-77
Cont.

* Work done prior to working for Wilson Ihrig

EXHIBIT C

1 ROB BONTA
 Attorney General of California
 2 CHRISTIE VOSBURG
 Supervising Deputy Attorney General
 3 OMONIGHO OIYEMHONLAN
 (State Bar No. 331053)
 4 Deputy Attorney General
 1515 Clay Street, 20th Floor
 5 P.O. Box 70550
 Oakland, California 94612-0550
 6 Telephone: (510) 879-1984
 Facsimile: (510) 622-2170
 7 Omonigho.Oiyemhonlan@doj.ca.gov

FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF RIVERSIDE

MAY 06 2024

K. Rahlwes

AA 1

MAY 07 2024

FB

8 Attorneys for Petitioner and Plaintiff- Intervenor
 THE PEOPLE OF THE STATE OF CALIFORNIA
 9

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 11 COUNTY OF RIVERSIDE
 12 RIVERSIDE HISTORIC COURTHOUSE
 13

14 SIERRA CLUB,
 15 Petitioner and Plaintiff,
 16 v.
 17 THE CITY OF MORENO VALLEY; the
 18 CITY COUNCIL OF THE CITY OF
 MORENO VALLEY; and DOES 1
 through 10,
 19 Respondents and Defendants,
 20 THE PEOPLE OF THE STATE OF
 21 CALIFORNIA,
 22 Petitioner and Plaintiff-
 23 Intervenor.

Case No. CVRI2103300

[PROPOSED] JUDGMENT

ASSIGNED FOR ALL PURPOSES TO:
 HON. CHAD FIRETAG, DEPT. 3

Action Filed: July 15, 2021

03-78

[Proposed] Judgment
 Case No. CVRI2103300

1 Petitioner and Plaintiff Sierra Club and Intervenor the People of the State of California
2 (“People”) challenged the decision of Respondents and Defendants City of Moreno Valley and
3 its City Council (collectively, “City”) to approve and adopt the MoVal 2040 Comprehensive
4 General Plan Update (“GPU”), the City of Moreno Valley Climate Action Plan (“CAP”), and
5 associated zoning amendment (collectively, “Project”), and to certify the associated
6 Environmental Impact Report (“EIR”).

7 The hearing on Sierra Club’s First Amended Verified Petition for Writ of Mandate and
8 Complaint for Declaratory Relief and the People’s Petition for Writ of Mandate in Intervention
9 (collectively “Petitions”) was held on February 23, 2024, before the Honorable Chad Firetag in
10 Department 3 of the Riverside County Superior Court.

11 On March 5, 2024, having reviewed the Administrative Record, the briefs and papers
12 submitted by counsel, and the arguments of counsel; and the matter having been submitted for
13 decision, the Court issued a Ruling and Statement of Decision (“Ruling”), attached hereto as
14 Exhibit A and incorporated herein.

15 IT IS HEREBY ORDERED AND ADJUDGED that:

16 1. The Petitions, which seek a peremptory writ of mandate and declaratory relief, are
17 granted in part and denied in part, for the reasons stated in the Ruling. The Court finds in favor
18 of Sierra Club and the People on their claims concerning the following issues:

19 (a) The Court finds that the EIR:

20 (i) Uses a legally inadequate environmental baseline for analyzing the
21 Project’s air quality, greenhouse gas, and energy use impacts;

22 (ii) Contains an invalid analysis of air quality impacts by (1)
23 misapplying adopted thresholds of significance; (2) failing to support its finding of
24 less than significant air quality impacts with substantial evidence in the record; (3)
25 lacking analysis and mitigation of impacts to sensitive receptors; (4) lacking
26 analysis and mitigation of toxic air contaminants; and (5) failing to identify and
27 correlate Project emissions to adverse health impacts;

03-78
Cont.

1 (iii) Contains an invalid analysis of impacts from increased greenhouse
2 gas emissions by (1) failing to acknowledge the Project’s significant climate
3 impacts or identifying mitigation measures to reduce those impacts; (2) failing to
4 support its adopted threshold of significance with substantial evidence; and (3)
5 failing to support its conclusion of less than significant climate impacts with
6 substantial evidence; and

7 (iv) Contains an invalid analysis of the Project’s energy use impacts.

8 (b) The Court also finds that the City failed to preserve records as required by
9 Public Resources Code section 21167.6.

10 (c) Finally, the Court finds that the City’s CAP does not satisfy CEQA’s
11 requirements for tiering and streamlining and, therefore, the City may not rely on the
12 CAP to tier and streamline the analysis of future projects’ greenhouse gas emissions.

13 2. The Court finds against Sierra Club and the People on their claim that the EIR
14 failed to analyze impacts the Project’s proposed land use changes will have on the Edgemont
15 neighborhood in western Moreno Valley, and the growth-inducing impact the proposed land use
16 changes will have in northeast Moreno Valley.

17 3. A peremptory writ of mandate (“Writ”) directed to the City shall issue under seal
18 of this Court, ordering the City to:

19 (a) set aside all Project approvals (including Resolution No. 2021-46
20 [certifying the EIR and adopting the findings, a Statement of Overriding Considerations,
21 and a Mitigation, Monitoring and Reporting Program], Resolution No. 2021-47
22 [approving the GPU and CAP, and adopting related findings], and Ordinance No. 981
23 [approving zoning ordinance amendment PEN21-0030 and adopting related findings]);
24 and

25 (b) set aside the certification of the EIR for the Project.

26 4. The City shall not readopt the Project approvals or certify a revised EIR unless and
27 until the City complies with CEQA by correcting the deficiencies in the EIR as identified in the
28 attached Ruling.

03-78
Cont.

1 5. This Court finds that the contents of the peremptory writ of mandate are consistent
2 with Public Resources Code section 21168.9.

3 6. Until such time as (a) this Court has determined that the City has taken the actions
4 specified herein to correct the deficiencies in the EIR, as identified in the attached Ruling, and
5 bring the Project Approvals into compliance with CEQA, and (b) this Court has discharged the
6 writ, the City, its respective agents, employees, and persons acting in concert with them are
7 enjoined from all activities that are based upon or related to the Project Approvals that could
8 result in any change or alteration to the physical environment.

9 7. The court hereby declares and decrees that the CAP does not satisfy CEQA's
10 tiering and streamlining requirements, and the City may not rely on the CAP to tier and
11 streamline the analysis of future projects' greenhouse gas emissions.

12 8. Sierra Club and the People are prevailing parties. Sierra Club and the People may
13 apply to recover their costs in an amount to be determined by this Court pursuant to a timely
14 filed and served memorandum of costs. (Cal. Rules of Court, rule 3.1700.)

15 9. The Court retains jurisdiction to consider claims for attorneys' fees that may be
16 filed in accordance with applicable law and rules of court.

17 10. The Court retains jurisdiction to ensure compliance with the Writ issued pursuant
18 to this Judgment.

19 11. In accordance with Public Resources Code Section 21168.9(c), the Court does not
20 direct the City to exercise its lawful discretion in any particular way.

21 The Clerk is ordered to enter this Judgment.

22
23 DATED: May 6, 2024

24
25 
26 HON. CHAD EIRETAG
27 JUDGE OF THE SUPERIOR COURT
28

03-78
Cont.

EXHIBIT A

(Statement of Decision Regarding Hearing on Peremptory Writ of Mandate [CEQA])

Page 75 of 139 in Comment Letter O3

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE**

<p>SIERRA CLUB</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>CITY OF MORENO VALLEY, et al,</p> <p style="text-align: center;">Respondents,</p> <p>PEOPLE OF THE STATE OF CALIFORNIA</p> <p style="text-align: center;">Plaintiff in Intervention.</p>	<p style="text-align: center;">FILED <small>SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE</small></p> <p style="text-align: center;">MAR 05 2024</p> <p style="text-align: center;">K. Rahlwes</p>				
<p>COUNSEL</p> <p style="text-align: center;">Edward Terry Schexnayder Abigail Adams Smith For Petitioner Sierra Club</p> <p style="text-align: center;">Michael Ryan Cobden Arthur Coon For Respondents City of Moreno Valley</p> <p style="text-align: center;">Omonigho Oiyemhonlan Scott Lichtig Attorney General of California For Plaintiff in Intervention</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">DEPT. 3</td> <td style="width: 50%; padding: 2px;">CASE NUMBER:</td> </tr> <tr> <td style="padding: 2px;">DATE 03/05/24</td> <td style="padding: 2px;">CVRI2103300</td> </tr> </table>	DEPT. 3	CASE NUMBER:	DATE 03/05/24	CVRI2103300
DEPT. 3	CASE NUMBER:				
DATE 03/05/24	CVRI2103300				

STATEMENT OF DECISION RE HEARING ON PEREMPTORY WRIT OF MANDATE (CEQA)

03-78
Cont.

Brief Statement of Ruling

The Court grants the Petition on the issues of inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses.

The Court denies the Petition on the issue of land use analysis.

Factual/Procedural Context:

Petitioner Sierra Club (Petitioner or Sierra Club) challenges Respondent City of Moreno Valley’s and its City Council’s (collectively City) 6/15/21 decision to approve the MoVal 2040 Project, which consists of the 2021 General Plan update (GPU) including a Housing Element Update, a Climate Action Plan (CAP), and associated zoning amendments, and to certify an Environmental Impact Report (EIR) for the Project, which provides for large increases in industrial and commercial development within the City.

The Project is intended to replace the existing 2006 General Plan (2006 GP) and its elements, and to establish “a planning and policy framework” through 2040. (see Administrative Record [AR] 866.) Petitioner asserts that “the land use element incorporates all of the projects that were under City review or have been adopted since 2006 (AR 393), and includes plans for three mixed-use ‘centers’ and additional mixed-use development along major transportation corridors.” (AR 4102-4105.) The GPU “also changes the land use designations for some residential areas to high-density residential, commercial, and “business flex,” which allows for commercial and light-industrial warehouse uses.” (AR 103-105, 116, 875, 4106.)

Petitioner asserts that the City violated the California Environmental Quality Act (CEQA), and its Guidelines 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 environmental impacts on air quality, and greenhouse gas (GHG) emissions.

Factual Background

The City of Moreno Valley, where over 200,000 residents live, suffers from severe air pollution. The City is in the South Coast Air Basin (designated as in nonattainment of federal and state air quality standards), which has a severe pollution burden and other disadvantages. The last comprehensive General Plan update was adopted by the City in 2006. Since that time, the City has approved many new warehouse projects, including the 40+ million square foot (SF) World Logistics Center (one of the largest in the United States), which allow substantial GHG and diesel emissions in the City.

The GPU, CAP and zoning amendment released on 4/2/21 demonstrate significant new growth, including in locations adjacent to existing residential communities. (First Amended Petition [FAP] ¶ 25 [“business flex” zone].) Petitioner, Sierra Club, alleged the proposed GPU includes new land use designations that

03-78
Cont.

dramatically increase “residential density in the largely-rural northeast Moreno Valley”, and would exacerbate impacts there “by redesignating nearby areas for “highway/commercial” uses” increasing traffic and other impacts. Petitioner asserts that the EIR indicates that the Project would increase emissions, but then claims air quality and GHG emission impacts were less than significant and required no mitigation.

Procedural Background

The City began the Project in October of 2019. Between 2/9/20 and 4/9/20, the City circulated a Notice of Preparation of a Draft EIR for the Project. On 4/2/21, the City released the proposed GPU, CAP, and zoning amendment to the public along with the Draft EIR for a 45-day comment period. On 5/17/21, Sierra Club submitted extensive comments on the Draft EIR. (FAP ¶ 33.) In addition, other commenters noted that the City’s proposed CAP was insufficient by failing to identify GHG reduction measures. (FAP ¶ 34.) On 5/24/21, the City released the Final EIR (EIR), which allegedly failed to address these comments, or to revise the analysis leaving the Project’s key components unchanged. (FAP ¶ 35.) Thereafter, the Planning Commission was to consider the Final EIR on 5/27/21, but that meeting was delayed. (FAP ¶ 36.) The Project was considered and recommended for approval by the Planning Commission on 6/8/21. (AR 189, 224, 228.) On 6/15/21, and on 8/3/21, the City Council considered the Project, and despite a vacant seat (representing over 25% of City residents), and the errors identified by commenters, the City Council voted to approve the Project and certify the EIR. (AR 7, 139, 178.) On 6/17/21, the City filed a Notice of Determination for the Project. (AR 1-6.)

Petition

On 10/28/21, Petitioner, Sierra Club, filed its verified First Amended Petition for Writ of Mandate and Complaint for Declaratory Relief (FAP), alleging three causes of action: 1) violations of CEQA – Pub. Res. Code § 21000, *et. seq.*; State CEQA Guidelines: CCP §§ 1085, 1094.5); 2) violations of CEQA and the Moreno Valley Municipal Code (MVMC §§ 2.60.010-2.60.100); and 3) declaratory relief.

The Project

Prior to this Project, the City had been operating under the 2006 GP. Since 2006, the population in the City has increased by 25%. (AR 3131.) The City asserts that since the 2006 GP was adopted, there have been legislative updates, changes in economic conditions and technology, environmental conditions, and demographic shifts that warrant an update. (AR 3131, 3133.) New state law significantly changed the requirements for a Housing Element Update (HEU)¹ and the City’s share of the

¹ The Legislature enacted the Housing Element Law, which requires local governments to adopt a “housing element” as a component of its GP. (Govt. Code § 65580, *et. seq.*; *Fonseca v. City of Gilroy* (2007) 148 Cal.App.4th 1174, 1183.) The Housing Element Law ensures that cities take part in the state housing goal, including providing “housing affordable to low- and moderate- income households.” (Govt. Code §§ 65581(a), 65580(c).) The HEU of a GP must be reviewed and revised every five to eight years. (Govt. Code §§ 65583, 65588(b), (e).) It must also contain specific components, analyses, goals

03-78
Cont.

Regional Housing Needs Allocation (RHNA.) (AR 848-849, 867, 875, 3133, 4091.)

The process for the developing the General Plan Update (GPU) began in 2016 with adoption of a strategic plan called "Momentum MoVal". (AR 849-850.) In 2019, the Project was called "MoVal 2040", and included four phases of development through three documents: the 2021 GPU, the CAP, and the HEU. (AR 851-852.) The City asserts that these three documents "represent the implementation of the vision for the City of Moreno Valley through 2040 that was articulated by residents, local businesses, property owners and other interested parties, the GP Advisory Committee, the Planning Commission, and the City Council during the outreach phase of the GPU." (AR 3159, 4091.)

Sierra Club's Opening Brief

Sierra Club asserted that the City rushed to approve the 2021 GPU, without adequately addressing the public's environmental concerns; and that the City set public meetings at inconvenient times, which impaired the public's ability participate. Sierra Club argued that the EIR is deficient in the following respects: 1) the air pollution and energy use analyses fail to compare the Project's environmental impacts against *existing* conditions; instead, the impacts are compared to *assumed* impacts under the former GP, which understates the impacts from the present Project; 2) the air quality impacts are contrary to law and not supported by substantial evidence; 3) although GHG emissions will be substantially increased under the Project, the EIR has no *enforceable* mitigation measures (MMs) to reduce them; instead it relies on "reduction strategies" in the CAP that are voluntary and/or unfunded; 4) the energy use impacts analysis is legally inadequate; 5) the EIR does not consider the Project's land use changes that would allow new warehouses directly adjacent to homes in the Edgemont community, and other planned new development in the City; and 6) the City violated CEQA by not retaining all materials and public correspondence for the administrative record (AR) in this case.

Attorney General's Opening Brief

Intervenor, People of the State of California (People), represented by the Attorney General (AG) argued that by certifying the program EIR and approving the Project without proper environmental review, the City abused its discretion in violation of CEQA, and requests the Court declare that the Moreno Valley CAP does not comply with CEQA's tiering and streamlining requirements and cannot be used to streamline analysis of future projects' GHG emissions. The People argued that the City failed to fully disclose, analyze, and mitigate the Project's air quality impacts: 1) the EIR analysis that Project emissions are consistent with the 2016 Air Quality Management Plan (AQMP) is flawed and unsupported by substantial evidence; 2) the EIR failed to adequately analyze the Project's air quality impacts to sensitive receptors; 3) the EIR failed to analyze the Project's diesel particulate matter (DPM)

and policies. (Govt. Code § 65583(a), (c).)

03-78
Cont.

emissions and related impacts; 4) the EIR failed to identify and correlate the emissions to human health effects; and, 5) the EIR failed to mitigate the significant, adverse effects caused by the Project's emissions.

In addition, The People argued that the City's Climate Action Plan (CAP) is ineligible for tiering and streamlining environmental review of the GHG emission analysis for the development proposed in the project because it does not satisfy CEQA's tiering and streamlining requirements.

Combined Brief in Opposition

The City argued that the EIR used an existing conditions baseline of 2018, and compared those conditions to both the 2006 GP and buildout of the proposed 2021 GPU, which comparison was intended to explain to the public the choice between keeping the 2006 GP or adopting a new 2021 GPU. City also argues that Sierra Club failed to exhaust administrative remedies; that the City has discretion to choose methodologies; and that this Project involved a program level EIR (or Programmatic EIR), which is not held to the same standard as for project level EIRs.

The City also argued that comparing the buildout of the GPU with the existing 2006 GP was an appropriate method for applying the chosen thresholds of significance; that the EIR accurately described the existing baseline physical conditions; that the EIR properly compared buildouts of competing GPs against the 2018 baseline to establish significant impacts; and, that even if it was error to compare the buildouts of the existing GP and the GPU, that error was not prejudicial because the EIR provided data on existing air quality.

The City further argued that the air quality analysis is sufficient because: 1) the EIR properly analyzed Criteria Pollutant Thresholds (CPT) at a programmatic level and declined to speculate as to specific impacts of future site-specific projects; and, 2) the EIR correctly concluded that the Project is consistent with the AQMP. The City argues that the EIR properly addressed potential impacts on sensitive receptors; correctly disclosed climate impacts and adopted appropriate mitigation measures (MM) for a program-level EIR; correctly analyzed the Project's energy use impacts, and land use impacts for this type of program level EIR; that the CAP satisfies CEQA's tiering requirements; and, that there is no authority for invalidating an EIR where some emails could not be included in the AR because they were unintentionally deleted.

Oral Argument

The day before oral argument on 02/23/24, the Court posted a tentative ruling largely granting Petitioner's Writ with the exception of the Land Use Issues. After hearing oral argument from all parties, the Court took the matter under submission.

///

///

///

03-78
Cont.

Analysis

Administrative Record

The Administrative Record (AR) consists of just over 34,000 pages of documents, which was submitted on a USB drive on 5/10/22. Thereafter, on 7/29/22, Sierra Club filed a Notice of Lodgment of Supplemental Administrative Record, which supersedes the prior AR lodged in May of 2022. (see 7/29/22 Notice of Lodging of Supplemental Administrative Record.) The supplemental AR contains approximately 500 additional pages.

Request for Judicial Notice

Western States Petroleum Assn. v. Sup. Ct. (1995) 9 Cal.4th 559 is the primary authority on extra-record evidence and provides that such evidence is generally inadmissible. However, if the extra-record evidence does not directly contradict the agency's evidence, extra-record evidence is admissible "for background information ... or for the limited purposes of ascertaining whether the agency considered all the relevant factors or fully explicated its course of conduct or grounds of decision." (*Id.* at 579.)

In support of the Combined Brief in Opposition (RB), the City requests judicial notice of certain documents: 1) Resolution No. 2022-81 (Moreno Valley Business Park) (Ex. "A"); 2) Resolution No. XXX (Brodiaea Commerce Center PEN17-0145) (Ex. "B"); 3) 2006 General Plan Final EIR (Ex. "C"); 4) California Air Pollution Control Officers Association (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures (2010) (Ex. "D"). (see City's 11/6/23 Request for Judicial Notice [RJN].) Exhibits "C" and "D" were downloaded from online websites. (see RJN, Dec.Cobden ¶¶ 3-4.)

The City seeks judicial notice of these documents pursuant to Evid. Code § 452(b) ["[r]egulations and legislative enactments issued by or under the authority of ... any public entity in the United States,"], (c) ["[o]fficial acts of the legislative, executive, and judicial departments of ... any state of the United States"], and (h) ["[f]acts and propositions that are of such common knowledge within the territorial jurisdiction of the court that they cannot reasonably be the subject of dispute"]. The City argued that these documents are matters of public record, that are relevant to the issues raised in the Opposition and/or referenced in the subject EIR. The documents fit squarely within the cited portions of the Evidence Code, and there is no opposition to the RJN. Although the RJN itself does not state a specific purpose for the document, the City's brief references them as background information. To that extent, they are admissible. Thus, the Court shall take judicial notice of these documents.

In support of the Reply, Sierra Club requested judicial notice of: 1) excerpts from Mitigated Negative Declaration (MND) for the Moreno Valley Business Center Project (June 2022) (Ex. "1"); 2) excerpts from MND for the Cottonwood & Edgemont Project (Feb. 2023) (Ex. "2"); and, 3) Notice of Preparation of an EIR for Bay & Day Commerce Center Project (9/5/22) (Ex. "3"). (see Sierra Club's 12/18/23 RJN.) Sierra Club seeks judicial notice pursuant to Evid. Code § 452(c) and (h).

03-78
Cont.

Sierra Club asserts that Ex. "1" is to show that the Moreno Valley Business Center consists of more than 150,000 square feet (SF) of warehousing space in proximity to residences in the Edgemont neighborhood and located in the GPU's new Business Flex zone. (see RJN, Ex. "1" at pp. 8, 18-21.) Ex. "2" is to show that the Cottonwood & Edgemont Project consists of nearly 100,000 SF of warehousing space close to residences in the Edgemont neighborhood. (*Id.* Ex. "2" at 2, 7, 13-16.) And, Ex. "3" shows that the Bay & Day Project consists of nearly 200,000 SF of warehousing space close to the Edgemont neighborhood. (*Id.* Ex. "3" at pp. 1-2, 4-7.)

Sierra Club argues that these documents demonstrate "that warehouse development was a plainly foreseeable consequence" of the GPU's Business Flex land use change in Edgemont, which is significant to correct the City's misleading statement that it is not possible to predict whether warehouses would be located in the new Business Flex zone in Edgemont.

Here, the documents are being used to directly contradict the City's position regarding potential land use in the Edgemont neighborhood. While the Project contemplates new warehouse development, which may be placed near residential areas in Edgemont, information about previously approved warehouses does not establish the City's statement was misleading. Thus, the Court denies judicial notice of these documents.

The EIR at issue

An agency may choose to begin CEQA review at the planning stage using one of the streamlining processes, which may then be followed by later actions or approvals. (Kostka & Zischke, Practice Under the CEQA (CEB 2023) § 10.3.) Among the types of CEQA streamlining processes are: 1) "tiering" EIRs, which cover general matters in broad EIRs for planning of policy level actions, and covering more project-specific matters in focused or site-specific EIRs or negative declarations (Pub. Res. Code ("PRC") §§ 21068, 21093; 14 Cal. Code of Regulations [CCR] ("CEQA Guidelines" or "Guidelines") § 15152); 2) program EIRs for a series of related actions that can be characterized as one large project (Guidelines §15168(a)); and, 3) combining the EIR for a city general plan, and the general plan itself into a single document (Guidelines §15166.) (Kostka & Zischke, *supra.* at § 10.2.) In some situations, more than one CEQA streamlining provision may apply. (*Ibid.*) In such cases, the lead agency has discretion to determine which provisions to use. (*Id.* citing Guidelines § 15152(h).)

City asserts that the subject EIR – the 2021 GPU – is a program-level EIR.² Program EIRs can be used: 1) to avoid multiple EIRs – this allows an agency "to characterize an overall program as the project that is proposed for approval", which "[i]f sufficiently comprehensive and specific", may allow the agency "to dispense with

² "[T]he title placed on an EIR is not necessarily significant in determining whether it is legally adequate. It is the substance of the EIR's analysis, not the label applied to it, that matters." (Kostka & Zischke, *supra.* at § 10.3 citing *Citizens for a Sustainable Treasure Island v. City & County of San Francisco* (2014) 227 Cal.App.4th 1036, 1051 [rejecting the argument that the EIR should have been described as a program EIR rather than as a project EIR.]

03-78
Cont.

further environmental review of activities within the program that are adequately covered by the program EIR”; 2) to simplify later environmental review – this may be used “to address environmental impacts, mitigation measures, and alternatives that apply to the program as a whole to simplify later review for activities within the program”; and, 3) to consider broad programmatic issues – “to consider broad programmatic issues for related actions at an early state of the planning process.” (*Id.* at § 10.14 citing *Center for Biological Diversity v. Department of Fish & Wildlife (CBD)* (2015) 234 Cal.App.4th 214, 233.)

Notably, “[t]he Guidelines do not specify the level of analysis required in a program EIR. All EIRs must cover the same elements, but the level of specificity is determined by the nature of the underlying activity covered by the EIR.” (*Id.* citing Guidelines § 15146; *San Franciscans for Livable Neighborhoods v. City & County of San Francisco* (2018) 26 Cal.App.5th 596, 608.) “A program EIR that is prepared to support approval of an overall program, and to simplify later environmental review as activities within the program are considered, may focus on program-wide issues and leave to later EIRs detailed analysis of issues specific to particular program components.” (*Id.* citing Guidelines § 15168(b); *City of Hayward v. Board of Trustees of Cal. State Univ.* (2015) 242 Cal.App.4th 833, 849; *Town of Atherton v. California High-Speed Rail Auth.* (2014) 228 Cal.App.4th 314, 345.) “By contrast, a program EIR that is designed to allow approval activities within the program without the need for further CEQA review should provide description of the activities that would implement the program and a specific and comprehensive evaluation of the program’s foreseeable environmental impacts, so that later activities can be approved on the basis of the program EIR.” (*Id.* citing Guidelines § 15168(c)(1), (2), (5); *CBD, supra*. 234 Cal.App.4th 214, 237.) These two approaches may be combined. (*Id.* citing, e.g., *Mission Bay Alliance v. Office of Community Inv. & Infrastructure* (2016) 6 Cal.App.5th 160, 172.)

Similar to any EIR, “a program EIR must provide decision-makers with “sufficient analysis to intelligently consider the environmental consequences of the project,” and “designating the EIR as a program EIR in itself does not decrease the level of analysis otherwise required.” (*Id.* citing *Cleveland Nat’l Forest Found. v. San Diego Ass’n of Gov’ts (SANDAG)*. (2017) 17 Cal.App.5th 413, 426.) “A lead agency preparing a program EIR must disclose what it reasonably can, and any determinations that it is not feasible to provide specific information must be supported by substantial evidence.” (*Id.* citing *SANDAG, supra*. at 440.)

If the agency determines “that the activity’s environmental effects were examined in the program EIR and that a subsequent EIR would not be required”, the City “may approve the activity as being within the scope of the project covered by the program EIR.” (*Id.* at § 10.16.) However, the proposed activity cannot be approved based on a program EIR “if its impacts were not evaluated in the EIR.” (*Id.* citing *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1164; see also, *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1321 [activity cannot be approved based on a program EIR if it is not “within the scope of the project, program,

03-78
Cont.

or plan described in the program EIR.”)

Standards of Review

Generally, a CEQA matter is subject to judicial review pursuant to Public Resources Code § 21168.5, which provides that judicial review is limited “only to whether there is a prejudicial abuse of discretion.” This is established either “if the agency did not proceed in a manner required by law” or “if the agency’s decision is not supported by substantial evidence.” (Pub. Res. Code, § 21168.5; *Vineyard Area Citizens v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 427.)

In order to decide the proper standard of review for the legal adequacy of an EIR, the court must first find the nature of the alleged defect and then determine whether the claim is one for improper procedure or a dispute over the facts. (*Ebbetts Pass Forest Watch v. Department of Forestry & Fire Protection* (2008) 43 Cal.4th 936, 949.) Courts independently review an EIR’s compliance with procedural requirements, but a review of factual findings is accomplished under the substantial evidence test. (*Id.* at 954.) Where petitioner challenges an EIR on the ground it omitted essential information, this is a procedural question that is also reviewed de novo. (*Banning Ranch Conservancy v. City of Newport Beach (Banning Ranch)* (2017) 2 Cal.5th 918, 935.)

Sierra Club and the AG assert that that courts apply a “dual standard of review” to CEQA claims. Thus, the applicable standard of review depends on the particular issue presented. For instance, the AG argues that the analysis that Project emissions are consistent with the regional air quality plan is reviewed under the highly deferential substantial evidence test. (People’s Opening Brief [AG’s OBI], pp. 11:28-12:2.) The substantial evidence standard applies to challenges to “conclusions, findings and determinations” and “to the scope of an EIR’s analysis of a topic, the methodology used for studying an impact, and the reliability or accuracy of the data” that the EIR relied on, since “those challenges involve factual questions.” (*City of Hayward v. Board of Trustees of Cal. State Univ.* (2015) 242 Cal.App.4th 833, 839.) The reviewing court does not undertake a “scientific critique” of the EIR’s analysis and does not pass on the validity of an EIR’s environmental conclusions. (*Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376.) Instead, the reviewing court considers the evidence as a whole to determine whether substantial evidence exists to support the analysis in the EIR. (*Id.* at 408.)

However, where the EIR is challenged because it failed to adequately analyze an issue (e.g., air quality impacts on sensitive receptors), they are reviewed de novo. (*Banning Ranch, supra.*) The City acknowledges the same standards of review. The City states: “[a]lleged legal error, in the form of failure to comply with CEQA’s procedural or substantive requirements, is reviewed de novo, but all factual determinations are reviewed according to the substantial evidence standard.” (City’s Responding Brief [RB] p. 13:28-14:2.) These standards of review are addressed, in context, below.

03-78
Cont.

Exhaustion of Administrative Remedies

Courts cannot consider an issue that was not first presented to the public agency during the administrative process. (PRC § 21177.) “The essence of the exhaustion doctrine is the public agency’s opportunity to receive and respond to articulated factual issues and legal theories before its actions are subjected to judicial review.” (*North Coast Rivers Alliance v. Marin Municipal Water Dist. Bd.* (2013) 216 Cal.App.4th 614, 623 [Citations omitted].) Petitioner is required to prove exhaustion by citation to the record. (*Id.* at 624.) This rule is jurisdictional, and is binding on all courts. (*Clews Land & Livestock, LLC v. City of San Diego* (2017) 19 Cal.App.5th 161, 184.) The City argues that many of the issues raised by Sierra Club were not first raised administratively. This issue is discussed below in the context of each section, as applicable.³

I. BASELINE (ENVIRONMENTAL SETTING)

The EIR’s Baseline is Legally Inadequate

Sierra Club argues that one of the most glaring deficiencies in the EIR is that the air pollution and energy use analyses fail to compare the respective impacts with *existing* conditions (baseline), which understates the potential environmental impacts created by the Project.

“An EIR must include a description of the physical environmental conditions in the vicinity of the project ... as they exist at the time the notice of preparation is published or, if no notice of preparation is published, at the time the environmental analysis is commenced.” (Guidelines §15125(a), (a)(1); *Communities for a Better Env’t v. South Coast Air Quality Mgmt. Dist. (CBE)* (2010) 48 Cal.4th 310, 320.) The EIR “must delineate environmental conditions prevailing absent the project, defining a ‘baseline’ against which predicted effects can be described and quantified.” (*Neighbors for Smart Rail v. Exposition Metro Line Constr. Auth. (Neighbors)* (2013) 57 Cal.4th 439, 447.) Lead agencies have significant discretion in determining the appropriate “existing conditions” baseline. (*Id.* at 453.) The EIR’s description of the existing environmental setting or baseline should be comprehensive enough so that the project’s significant impacts can “be considered in the full environmental context.” (Guidelines §15125(a).) The assessment of project impacts should normally be limited to changes in those existing physical conditions. (Guidelines § 15126.2(a); see *King & Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814, 849.) While the description is important to set the starting point for the impact analysis, it is not required to be as comprehensive and detailed as the impact analysis itself. (Guidelines §15125(a),(c).)

The EIR’s analysis should use a realistic baseline. (*CBE, supra.* at 328.) “An

³ As to the AG, the rule of exhaustion is inapplicable. (PRC § 21177(d).) The City acknowledges this, but argues that it applies in full to Sierra Club, which has the burden to demonstrate compliance for each argument and cited *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 536. However, the cited portion of this case does not support the argument. And, even though not relevant here, the City also fails to consider that any other member of the public could have raised the issue.

03-78
Cont.

agency that elects not to provide an analysis based on conditions existing at the time the environmental analysis began must, however, provide an adequate justification for doing so.” (*Id.* citing, *Poet, LLC v. State Air Resource Bd.* (2017) 12 Cal.App.5th 52, 80.)

A lead agency may use two baselines to analyze an impact, one defined by existing conditions and another defined by expected future conditions, as long as the description of future conditions is supported by reliable predictions based on substantial evidence in the record.” (*Id.* at § 12.19 citing Guidelines § 15125(a)(1).) “A justification for use of a future conditions baseline is required only if the lead agency substitutes a “future conditions” analysis for an “existing conditions” analysis; no justification is required if the EIR analyzes impacts against both an existing conditions baseline and a future conditions baseline.” (*Id.* at § 12.25 citing, *Neighbors*, *supra.* 57 Cal.4th 439, 454.)

Where an EIR compares “a proposed project with an existing plan, the EIR must examine existing conditions at the time of the notice of preparation as well as future conditions envisioned in the plan.” (Guidelines § 15125(e).) An EIR must focus on impacts on the environment from the project as opposed to hypothetical situations. (Guidelines § 15126.2(a)(3); see *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 952.) “An EIR that fails to consider the project’s impacts of the existing environment, and limits its analysis to a comparison with future development that would be allowed by existing zoning and other land use plans, is legally inadequate.” (Kostka & Zischke, *supra.* at § 12.19 citing *Woodward Park HOA v. City of Fresno* (2007) 150 Cal.App.4th 683, 707 [“EIR for planning and zoning changes for new commercial development rejected because EIR compared proposed development only to hypothetical office park that could be developed under preexisting plan but did not compare proposed development with existing physical conditions on site”]; *Environmental Planning & Info. Council v. County of El Dorado (EPIC)* (1982) 131 Cal.App.3d 350 [“EIR on proposed new general plan must address existing level of physical development as a baseline for impact analysis, not existing plan, even though new plan would allow less growth than existing plan.”])

Air Quality Baseline

Sierra Club argues that the City used the same unlawful approach invalidated in *Woodward* and *EPIC*. It is acknowledged that compared to existing conditions, the Project will substantially increase emissions of certain air pollutants: PM₁₀, PM_{2.5}, and Reactive Organic Gas (ROG). (AR 934.) These emissions will increase by 20%, 10%, and 55%, respectively. (*Ibid.*) But this comparison was not used to determine if the Project’s air quality impacts were significant. Instead, the EIR compared projected emissions by buildout in the 2021 GPU to emissions by buildout of the existing 2006 GP. (AR 937.) The EIR then concluded air quality impacts were less than significant. (AR 934, 938.) This hypothetical comparison avoids full disclosure of the air quality impacts. (*CBE*, 48 Cal.4th at 322 quoting *EPIC*, 131 Cal.App.3d at 359.)

03-78
Cont.

Energy Use Baseline

As to energy use impacts, Sierra Club argues that the analysis suffers from the same flaw. The EIR sets forth existing transportation- and building-related energy use in the Planning Area. (AR 1039-1040.) It shows daily vehicle miles traveled (VMT) would increase by almost 44% compared to existing conditions. (AR 1039, 1890 [from 3.1 million miles to 4.5 million miles.]) It also shows building electricity consumption would more than double. (AR 1040 [from 803,725,709 kWh to 1,695,632,252 kWh.]) The EIR then concludes less than significant impacts because it solely compared the projected increases to *theoretical* buildout under the 2006 GP. (AR 1039, 1040.)

While the City responded to public comments, and indeed repeated said arguments during the hearing, indicating there was a comparison to both existing conditions and the 2006 GP, the Court finds an insufficient comparison occurred. (see AR 934, 938; 1039-1040.) The EIR does not use existing conditions to determine whether air quality and energy use impacts are significant. Instead, existing conditions were merely stated, not analyzed. (*Ibid*; see *EPIC, supra.* at 358-359; *Woodward Park, supra.* at 710.)

Exhaustion

Returning briefly to the issue of exhaustion, the City's position on the baseline issue begins with its claim that Sierra Club failed to raise this issue during the review and comment period so, it never had a chance to address it. The City then concludes that Sierra Club is jurisdictionally barred for failure to exhaust administrative remedies. (*Stop Syar Expansion v. County of Napa* (2021) 63 Cal.App.5th 444, 453.) The City adds that Sierra Club also seems to be arguing that the EIR did not use a correct threshold of significance, which was also not raised below. (RB, p. 21:6-8.)

The Court does not find the City's argument persuasive. As noted above, PRC § 21177 does not apply to the AG, who joined and fully incorporated Sierra Club's argument that the EIR relies on a legally inadequate baseline. (SC's OB p. 10, fn. 2.) More to the point, however, exhaustion can be achieved where any member of the public "fairly apprises" the City of the issue. (see *Save the Hill Group v. City of Livermore* (2022) 76 Cal.App.5th 1092, 1104-1105.) Moreover, Sierra Club persuasively points out that the Court should be skeptical of this defense in light of the fact that "the City has *admitted* to destroying documents, including communications from the public, that could form the basis for exhaustion." (SC's Reply p. 7:19-20; see also, section VI below.) Finally, Sierra Club raised the baseline issue thereby satisfying the exhaustion requirements. (see AR 5991, 9785.)

Baseline

The City argued that it complied with CEQA by describing existing environmental conditions "using 2018 as an existing-conditions baseline year" and compared the baseline year conditions to conditions under both the 2006 GP buildout and the 2021 GPU buildout. (RB, p. 7:19, 22-24; see also, AR 930, 934, 1070, 1556.) The City claims that to determine which impacts were significant, the EIR chose to

03-78
Cont.

compare changed conditions from the Project to changes that would have occurred without the Project (impacts from buildout of the existing 2006 GP) and then analyzes consistency of the Project’s impacts to the applicable air quality plan. The City argued that this approach is authorized by CEQA (Guidelines § 15125(e)), and that it states the actual impact of the Project. Indeed, the City asserted that its choice was between the 2006 GP and the 2021 GPU (collectively GPs). It was not between the 2018 baseline and adoption of a GPU. As a result, the City concluded it was necessary to “compare apples to apples” (the existing 2006 GP to the 2021 GPU.)

To this point, the City has made several arguments both in its written oppositions as well as at oral argument. The City argued that the EIR examined and described the existing baseline physical conditions. The City asserted that there is a detailed analysis of existing air quality conditions, which “describes multiple monitoring station measurements for air quality indicators from 2015 through 2019.” (RB, p. 20:11-12; see AR 921-923, Table 4.3-1.) The City moreover claimed that existing conditions were intended to be compared to both GPs. (AR 930-931.) For instance, the EIR asserts that vehicle traffic is the main source of emissions in the Planning Area. (AR 931.) As to VMT (vehicle miles traveled) the existing conditions (2018) are stated in the EIR alongside the two GPs. (AR 931, 934, Table 4.3-4.) However, while the City’s citations to the record indicate that the 2018 existing conditions were stated in the EIR, the comparison was made between the two GPs, not between the 2018 baseline and each GP. (AR 931.) Based on this comparison, the EIR then concluded that the 2021 GPU would have less than significant emissions impacts because the buildout of the 2021 GPU is estimated to produce less emissions than the existing 2006 GP. (AR 930, 934.)

The City asserted the same approach was used for climate change impacts (GHG emissions) using the CAP. (AR 1070.) The City added that the CAP also provides the baseline information. (AR 4283; see also 4284-4285.) Then, the City asserted that the CAP’s Business As Usual (BAU) discussion shows the comparison between the 2018 conditions as compared to both GPs. (AR 4294-4298; 4298-4300.) The CAP states that “[t]he BAU forecast assumes the 2006 General Plan land use and circulation system, as amended through 2018, and estimates emissions through the year 2040” (AR 4283, 4294 [same].) It also states: “The emissions inventory is calculated for the year 2018, which is the baseline year for existing land use buildout and vehicle miles traveled.” (AR 4283; see also, AR 4295 [e.g., “This is estimated at 1.5 percent per year through 2040, based on 2040 buildout of the 2006 General Plan land use map, as amended through 2018.”]) Significantly, there is no direct comparison between the 2018 baseline and each GP, which establishes that the City used the same approach - comparing the two GPs against each other. Thus, the same approach used for air quality is also used for GHG emissions.

The City argued that comparing the buildouts of the two GPs against the 2018 baseline was proper for purposes of determining significant impacts. The City asserts impacts were evaluated by establishing four thresholds of significance including consistency with the AQMP. (AR 931.) Under the AQMP, the City asserted the

03-78
Cont.

EIR evaluated two criteria: 1) whether the project would exceed the assumptions in the AQMP; and, 2) whether the project results in an increase in the frequency or severity of existing air quality violations, causes or contributes to new violations, or delays timeline attainment of air quality standards. (AR 933.) The City asserted that the AQMP assumes land use designations and buildout projections for the 2006 GP buildout and “pipeline” projects through 2016. (AR 933, 391-395.) The City then argued that because the AQMP makes these assumptions, consistency can only be measured by comparing the two GPs, which “is simply a function of how the AQMP is prepared and used.” (AR 8794.137.) The conclusion reached is that there will not be any significant impact because under the 2021 GPU the increase is less than projected under the 2006 GP. But, this is not a comparison to 2018 baseline conditions; it is a comparison between GP buildouts.

Notably, there is no dispute that the City has discretion to select the methodology to be used, which is reviewed under the substantial evidence test. (Guidelines § 15064.4(b), (c); *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1198; *Tiburon Open Space Committee v. County of Marin* (2022) 78 Cal.App.5th 700, 728; *Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th 1059, 1068; *Lotus v. Dept. of Transp.* (2014) 223 Cal.App.4th 645, 655, fn. 7 [“The standard of significance applicable in any instance is a matter of discretion exercised by the public agency depending on the nature of the area affected.”]; *Mission Bay Alliance v. Office of Community Investment & Infrastructure* (2016) 6 Cal.App.5th 160, 192.) The City also has authority to use future conditions as the sole baseline if using existing conditions would be misleading or lack informative value so long as that baseline is supported by substantial evidence. (CEQA Guidelines § 15125.) As an example, the City cites to *Fairview Neighbors v. County of Ventura* (1999) 70 Cal.App.4th 238, 240, where the project required a Conditional Use Permit (CUP) to expand mining operations. The County chose to evaluate the potential increase in traffic, caused by the project, by comparison to the maximum potential traffic under existing conditions, which comparison was upheld on appeal. (*Id.* at 242-243.) There, the Court determined that to assume relatively low traffic would continue into the future was unrealistic. (*Id.* at 243.) Then, the City argues that the same is true in this case. However, this is a different argument from claiming that existing (2018) conditions were evaluated. Here, the City claims it is unreasonable to assume growth is static and would not continue to increase under the 2006 GP if the 2021 GPU were not adopted. The City argues that the two GP comparison more realistically presents the actual choice that needs to be made – which GP is in effect for the future.

The problem with the City’s arguments is that the EIR must compare the Project’s impacts against the existing conditions, and *use* that comparison to evaluate whether the Project’s impacts are significant. (*EPIC, supra*. 131 Cal.App.3d 350, 357-358.) Much of what the City argued is that they described the existing conditions; but it is not enough to just describe the existing conditions without evaluating whether a project’s changes are significant. (see *CBE 48* Cal.4th 310, 320-321.) Sierra Club asserts that, contrary to the City’s position, this rule applies to specific projects

03-78
Cont.

as well as planning-level projects like a GP. (see *EPIC, supra.* at 357-358; see also, *Cleveland Nat'l Forest Found. v. San Diego Assn. of Governments (SANDAG)* (2017) 17 Cal.App.5th 413, 426.)

The Court notes that Sierra Club is not arguing that the Project (e.g., 2021 GPU) should be evaluated *only* against existing conditions; it can also be evaluated with the future conditions in the existing plan (e.g., 2006 GP.) (*Woodward Park, supra.* 150 Cal.App.4th at 707.) The problem here is that the EIR did not evaluate the air quality and energy impacts of either GP *as against the existing conditions.* (*EPIC, supra.*) Importantly, an agency has discretion not to use an existing-conditions baseline *only* where a project has “unusual aspects” that would make a comparison to existing conditions misleading or uninformative. (*Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 451-454.) In this case, no such determination was made (that *using* an existing-conditions baseline would be misleading or uninformative.) Moreover, Sierra Club points out that the City’s position was rejected by the Supreme Court. (*Id.* at 461-462 [holding that a project’s long-term impacts are “a characteristic of the *project in operation*, not a characteristic of the *environmental baseline*” and cannot justify not performing an existing-conditions analysis.]) Here, as pointed out by Sierra Club, that using an existing-conditions analysis will be informative in this context, and not misleading.

Sierra Club further demonstrates that the City’s argument concerning thresholds of significance conflates a baseline with a threshold of significance, both of which are required, but have different purposes. Baseline of existing conditions is what the project’s effects are compared to. (Guidelines § 15125(a).) The threshold of significance is the “level of a particular environmental effect” showing what changes are significant, and those that are not. (Guidelines § 15064.7(a).) Notably, Sierra Club did not challenge the City’s choice of air quality thresholds. The challenge is to the fact that the City identified the thresholds, but then did not use them to establish whether the Project’s impacts to existing conditions were significant. (*EPIC, supra.* at 357-359.) Sierra Club also asserts that the EIR does not evaluate the Project’s energy use impacts against existing conditions, which assertion is undisputed.

Lastly, the City argued that even if its approach was in error, it was not prejudicial because the EIR provided data on existing air quality. The City cites to *Cleveland Nat'l Forest Found. v. San Diego Assn. of Governments (SANDAG)* (2017) 3 Cal.5th 497, 516, for the proposition that where an EIR presents the required information so that the public can easily make their own comparison, the EIR is not required to do so “just for the sake of form.” The City argues that even if it was required to use 2018 data for the baseline to measure impacts against, any error is not prejudicial because the 2018 data was presented alongside the projected buildout data for the two GPs. (see AR 930-931; 934; 1070; 4283-4285; 4294-4300; 4299.) However, there is no easy comparison to be made in this case. While the data is stated in the EIR, it is ignored in the analysis itself.

In other words, critical analysis has been omitted – a procedural error, which is presumptively prejudicial. (*Martis Camp Community Assn. v. County of Placer*

03-78
Cont.

(2020) 53 Cal.App.5th 569, 606-607.) Sierra Club also points out that SANDAG is not to the contrary because there, the project impacts were compared against existing conditions. (SANDAG, supra. at 510, 515-516.) The EIR's failure to use the existing conditions as the baseline prevented all readers from understanding the Project's impacts and the significance so they could be mitigated, reduced or avoided (e.g., by alternatives.)

In sum, “[a]n agency that elects not to provide an analysis based on conditions existing at the time the environmental analysis began must, however, provide an adequate justification for doing so.” (Id. citing, Poet, LLC v. State Air Resource Bd. (2017) 12 Cal.App.5th 52, 80.) The City has not sufficiently justified its failure to actually consider existing conditions as to air quality and energy use. Therefore, the Petition is granted on the issue of the City's use of an improper baseline.

II. AIR QUALITY

The EIR's Conclusions Regarding Air Quality Impacts are Contrary to Law and Unsupported by Substantial Evidence

The Applied Thresholds of Significance Obscures Substantial Evidence of Potentially Significant Air Quality Impacts

Sierra Club asserted that the EIR applies two thresholds of significance to conclude that the Project's air quality impacts are less than significant, which thresholds require an assessment of whether the Project will (1) “[r]esult in a cumulatively considerable net increase of any criteria pollutant for which the project region is [in] nonattainment” (the Criteria Pollutant Threshold or CPT) or (2) “[c]onflict with or obstruct implementation of the applicable air quality plan (Plan-Consistency Threshold or PCT). (AR 931.) As to the first assessment, Sierra Club argues that there is substantial evidence on the face of the record that the Project will cause a net increase in nonattainment criteria pollutants that will significantly impact air quality. (AR 921-922 [nonattainment]; 8794.34; Table 4.3-4 [AR 934].) Specifically, there will be substantial emissions of PM₁₀, PM_{2.5}, and ROGs, which are precursors for ground-level ozone. (AR 934; see Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3rd 692, 718 [even relatively small amounts of ozone precursor emissions could be significant “in light of the serious nature of the ozone problems in this air basin”].)

However, the EIR concludes there would be no cumulatively considerable net increase in any criteria pollutant so, air quality impacts would be less than significant. (AR 938.) This conclusion is based on evaluating Project emissions only against buildout of the 2006 GP. But, this comparison fails to consider substantial evidence in the record showing the emissions are significant. (see East Sacramento, supra. 5 Cal.App.5th at 303; see also, Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th 1099, 1109.) Sierra Club also argued that the City claims GPs are evaluated for consistency with the local air quality plan, but consistency is evaluated under the separate PCT, but since the CPT was also adopted, the EIR was required to evaluate both thresholds.

03-78
Cont.

In response, the City argued both were discussed. As to the CPT (Criteria Pollutant Threshold), the EIR provides a hypothetical construction project to model how future projects could be developed in the future. (AR 822; 934-938.) But the EIR found that CPT analysis was too speculative at the program-level, and is best left for specific projects. (AR 936.) The City claims this is an authorized approach. (Guidelines § 15145; see *Atherton v. Board of Supervisors* (1983) 146 Cal.App.3d 346, 351; see also *Residents Ad Hoc Stadium Com. v. Board of Trustees* (1979) 89 Cal.App.3d 274, 286; *Marin Mun. Water Dist. V. Kg Land Cal. Corp.* (1991) 235 Cal.App.3d 1652, 1662.) The City argues that the EIR was in compliance with CEQA by analyzing impacts in general terms, and deferring project-level analysis to subsequent project-level EIRs. (*In re Bay-Delta* (2008) 43 Cal.4th 1143, 1172; see also, *Town of Atherton v. California High-Speed Rail Authority* (2014) 228 Cal.App.4th 314, 342.)

Sierra Club replied that as to the CPT, the EIR shows the Project buildout will cause substantial, daily increases in emissions of PM₁₀ by 21%, PM_{2.5} by 10% and ROG_s by 54%. (AR 930-931, 934.) But the EIR does not determine whether the Project's cumulative increases are significant under the CPT even though CEQA requires it. (see *Friends of Oroville v. City of Oroville* (2013) 219 Cal.App.4th 832, 840-842.)

As to the City's argument that the impacts under the CPT are too speculative in a program-level EIR, the subject EIR states otherwise. (AR 934.) Sierra Club correctly asserts that the anticipated increases were calculated, but not whether they were significant. The City failed to apply the CPT at all even though it chose this metric to evaluate significance, which is unlawful. (*East Sacramento, supra.* at 5 Cal.App.5th 281, 303 [an EIR cannot apply a threshold of significance in a manner that "foreclose[s] the consideration of substantial evidence tending to show the environmental effect to which the threshold related might be significant."]; see also, *Amador Waterways, supra.* at 116 Cal.App.4th at 1109 [same].)

The Court finds that while the City tries to distinguish these cases, they relate to an EIR improperly using stated significance thresholds to ignore evidence that impacts could be significant. (*East Sacramento, supra.* at 287; *Amador Waterways, supra.* at 1103.) Sierra Club asserts that the City's cited cases do not compel a different result. (see *In re Bay-Delta Programmatic EIR Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1156, 1170-1171; *Town of Atherton, supra.* 228 Cal.App.4th 314, 346.) While some analysis may be deferred when project details are uncertain, there is no uncertainty here. Since the Project's cumulative, program-level emissions, were disclosed, the EIR should evaluate them under the CPT.

The Explanation of Consistency with the Air Quality Plan is Legally Inadequate and Unsupported by Substantial Evidence [SC]

Sierra Club argues that the EIR's PCT (Plan Consistency Threshold) analysis violates CEQA by omitting details that would allow non-preparers of the EIR to understand the issues created by the Project. (see *Sierra Club v. County of Fresno*

03-78
Cont.

(2018) 6 Cal.5th 502, 510.) Sierra Club asserts that the EIR cannot show how the 2021 GPU (which expands warehouse spaces approved since 2006), remains consistent with the 2016 AQMP.

Since the 2006 GP was adopted, the City has considered over 50 million SF of industrial warehousing and commercial space, which is incorporated into the 2021 GPU along with further commercial and industrial development. (AR 5994, 393, and 4095.) However, Sierra Club argues that the City claims the 2016 RTP/SCS relies on land use amendments approved since adoption of the 2006 GP so, all growth under the 2021 GPU was incorporated into the AQMP's assumptions. (AR 391.) Sierra Club argues the City's assertion on this point is false because while some warehouse projects were incorporated into the 2021 GPU, some were planned after the SCAG published the RTP/SCS in 2016. (see AR 5994 [two projects approved in 2017 and 2021].) Thus, Sierra Club concludes there is no evidence in the record that the RTP/SCS or the AQMP considered the City's later growth after July of 2015; that there is no evidence of what projects were included in the 2016 RTP/SCS; that there is no evidence that the AQMP accounts for all planned growth since 2006. Sierra Club adds that failing to include sufficient detail of specific projects in the AQMP's growth assumptions shows the EIR's conclusion of consistency with the AQMP is not supported by substantial evidence. (see *East Sacramento, supra.* at 300.)

The City attempted to justify its approach by asserting that the two missing projects are relatively small (less than 1% of warehouse projects), and include conditions of approval for compliance with regional air quality regulations. And, the City asserted that the AQMP accounts for the WLC (World Logistics Center), which accounts for 80% of the warehouse projects approved since the 2006 GP was adopted. (AR 393-394.) The City concluded that at the time of preparation, the list of projects in the AQMP included all but, the two minor warehouses described above. However, this argument does not sufficiently counter Sierra Club's position. To the extent that the 2016 AQMP does not contain data after July of 2015, the consistency analysis is incomplete. Sierra Club points out that the record does not contain a list of the projects that the 2016 AQMP *actually* includes.

Thus, the Court finds that EIR's statement that the 2016 AQMP accounts for the growth expected under the 2021 GPU omits critical data that should be included in the PCT analysis. Moreover, the finding that impacts would be less than significant due to the purported consistency with the 2016 AQMP is not supported by substantial evidence. (AR 933-934; see also, AR 391, 393, 395, 888, 932-935.)

City Failed to Fully Disclose, Analyze, and Mitigate the AQ Impacts (AG)

Similar to Sierra Club, the AG argued that the EIR obscures the Project's damaging effects on the City's air quality by claiming there will not be a detrimental effect due to consistency with the regional air quality plan. (AR 933-934, 944.) The AG adds that the EIR indicates that Project emissions do not conflict with the AQMP because there will be fewer emissions than estimated in the 2006 GP. (AR 933-934.) But, the AG argued that neither the record nor the law supports these conclusions.

03-78
Cont.

Project Emissions are Significant Because They Conflict with the AQMP [AG]

The AG acknowledges that one of the four thresholds evaluating the Project's impacts is whether Project emissions will conflict with the 2016 AQMP. (AR 931.) The EIR compared Project emissions against theoretical buildout of the 2006 GP, and concluded there was no conflict with the AQMP because the Project will generate less emissions than the 2006 GP. (AR 933-934.) However, similar to Sierra Club's position, this plan-to-plan comparison is not permitted under CEQA. (CEQA Guidelines §15125(e); see *League to Save Lake Tahoe Mountain etc. v. County of Placer* (2022) 75 Cal.App.5th 63, 152; see also, *EPIC, supra.* at 358; *Christward Ministry v. Sup. Ct.* (1986) 184 Cal.App.3d 180, 190-191; *City of Carmel-By-The-Sea v. Board of Supervisors* (1986) 183 Cal.App.3d 229, 246-247; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1416 [rejecting arguments "that a project's effects cannot be significant as long as they are not greater than those deemed acceptable in a general plan"] (emphasis in the original).)

As to Project consistency with the AQMP, the AG argues that the analysis is similarly flawed by making the same type of illusory comparison. (AR 921-923.) In addition, the AG points to other evidence in the record indicating that Project emissions will conflict with the AQMP (e.g., if several projects are constructed simultaneously or overlap in time.) (AR 933, 935-936.)

The EIR states that operational emissions "would far exceed" daily emission thresholds, but then concludes that measure is not for program-level analysis. (AR 936.) But, the EIR finds that the Project would not conflict with the AQMP; since operational emissions would be less under the 2021 GPU than under the 2006 GP, the Project would not result in significant impacts. (AR 938.) Nor would the operational emissions have a cumulatively considerable net increase so, impacts would be less than significant. (AR 946.) The program-level analysis is defective due to the comparison to the 2006 GP. The AG points out that adding Project emissions in the City's nonattainment area will create serious air quality violations that will delay attainment of air quality standards, which will conflict with the AQMP. (AR 933; see *Banning Ranch, supra.* at 2 Cal.5th 918, 938-939.) The AG adds that while the City adopted the 2016 AQMP, it did not evaluate Project emissions using it; the City did not engage with the content in the 2016 AQMP or use the conformance criteria to assess the significance of the emissions on air quality. (see *Lotus, supra.* 223 Cal.App.4th at 653-658.)

The AG argued that the City treats the 2006 GP as a "proxy" for the AQMP significance threshold, which violates CEQA because: 1) the City did not adopt the 2006 GP as an air quality significance threshold for the Project, and *Fairview Neighbors, supra.* at 70 Cal.App.4th 242-243, does not support adopting the AQMP as a significance threshold, and then using a different metric (buildout under the 2006 GP) to analyze air quality impacts; 2) there is no reasonable basis for the City to treat the 2006 GP as a substitute for the 2016 AQMP as each has a different purpose; the record lacks substantial evidence to support that these documents are

03-78
Cont.

interchangeable; 3) using buildout of the 2006 GP to measure the significance of the Project's emissions does not provide an accurate depiction of the nature and magnitude of the Project's effect on the City's air quality (*EPIC, supra.* at 131 Cal.App.3d 350, 355-358); and, 4) the inclusion of the 2018 baseline figures does not cure the error in the baseline analysis.

The EIR's finding that the Project's emissions are less than significant is illusory when considering the evidence in the record that demonstrates significantly increased emissions.

EIR Lacks Analysis and Mitigation of Impacts to Sensitive Receptors

The AG argued that another threshold is to evaluate whether the Project emissions would expose "sensitive receptors to substantial pollutant concentrations. (AR 931.) If so, mitigation measures are required. (Guidelines § 15126.4(a)(2).) Sensitive receptors are "children, pregnant women, the elderly, and communities already experiencing high levels of air pollution and related diseases." (*SANDAG, supra.* at 438.) The EIR should define sensitive receptors and describe "substantial concentrations of pollution." (*Sunnyvale West Neighborhood Assn. v. City of Sunnyvale City Council* (2010) 190 Cal.App.4th 1351, 1390.) The analysis in the EIR also lacks "a reasoned estimate of the number and location of sensitive receptors." (*SANDAG, supra.* at 439-440.)

The AG asserted that the EIR failed to perform the sensitive receptor analysis, and then concluded no significant adverse impact on air quality. (AR 939-940, 942.) The proposed land uses include industrial and commercial development in western Moreno Valley. (AR 875; 940; 1127; 1129; 1139-1141.) The Project will place more warehouses and distribution centers in that area, which will affect sensitive receptors, but they were not considered nor mitigated. (AR 402-403, 31122, 5993-5994.) The City deferred analysis and mitigation for future proposed individual projects in violation of CEQA. (AR 937, 940, 942, 948, 937-938, 944-945; Guidelines § 15144; *SANDAG, supra.* at 438-440.)

In response, the City asserted that potential impacts on sensitive receptors were discussed in the EIR, in section 4.3.5.3(b). (AR 823, 832, 938-942.) It asserted sensitive receptors and sensitive receptor areas were defined in the 2006 GP, which was incorporated by reference. (City's RJN, Ex. "C" at p. 5.3-10) and that EIR Figures 4.15-1 and 4.11-1 show the locations. (AR 1213, 1128.) Moreover, the EIR showed future locations (AR 4176, 4106.) The City asserted that while operational impacts would be less than significant (AR 937-942), the EIR provides MMs to reduce them even further. (AR 935-936 [construction], 936-937 [operations], 940.) The City adds that impacts will vary widely considering what specific project is proposed, which "could only be meaningfully assessed and mitigated on a project-level" EIR analysis. (AR 605, 626, 822-823, 940-942, 947-948.) However, the citations to the record only briefly mention sensitive receptors, without any details. The City argues that under this program-level EIR, detailed information and mitigation can be deferred to a specific project-level EIR in the future. (CEQA Guidelines §§ 15152(c), 15126.4.)

03-78
Cont.

The Court finds that the City relies on incorporation of the sensitive receptor analysis from the prior 2006 GP, but no such incorporation is addressed in the 2021 GPU. (AR 938-942.) The City failed to comply with CEQA's requirements regarding incorporation. (CEQA Guidelines § 15150(b), (c).) In addition, while the City seeks judicial notice of the 2006 GP, it contains only a few sentences rather than long, descriptive, or technical materials. (*Id.* § 15150(f).) Thus, the EIR fails to disclose the number and location of sensitive receptors in the proximity of the Project as well as whether they will be exposed to "substantial pollutant concentrations." (AR 931; see *SANDAG, supra*. 17 Cal.App.5th at 438-440.) In addition, all of the analysis and potential mitigation relating to sensitive receptors was deferred to future specific individual projects. (AR 937, 940; see also, AR 942, 948, 937-938, 944-945.) While this approach may be appropriate in some situations, the City is required to provide whatever information is available to it at this point. (*SANDAG, supra*. at 440.) The analysis on this issue is minimal.

EIR Lacks Analysis and Mitigation of Toxic Air Contaminants

The AG argued that there has been no effort by the City to analyze and mitigate the Project's toxic air contaminants emissions. (AR 939-942.) Diesel exhaust particulate matter (DPM) is such a contaminant. (AR 924; see Health & Safety Code § 39655(a).) In the EIR, it is stated that DPM is generated by construction equipment (e.g., grading), and during various industrial and commercial processes. (AR 939, 940.) But, it contains no estimates for how much DPM will be generated (even though it did so for other pollutants.) The AG asserted that the EIR was also vague as to the number of diesel truck trips generated under the Project. The City's response was that the information was provided in the VMT (vehicle miles traveled) analysis. (AR 390, 392-393, 1890.) The AG asserts that while the City referenced a technical report, it only discussed assumptions in the VMT analysis. (AR 402, 1877-1890.) The AG argues that the public should not have to search to find this data, and then make its own determination about DPM emissions. (*Banning Ranch, supra*. at 941.) The City's conclusions about the DPM emissions (e.g., "short-lived", "highly dispersive", and "occur[ing] intermittently) are useless without knowing how much DPM will be emitted by the Project. (AR 939.)

The City failed to oppose this argument.

EIR Failed to Identify/Correlate Project Emissions to Adverse Health Impacts

The AG argues that an EIR must disclose health and safety problems caused by the Project's changes on the environment. (CEQA Guidelines § 15126.2(a).) But the subject EIR fails to "describe the nature and magnitude of the adverse effect" and provide a nexus to adverse impacts on human health. (*Sierra Club v. City of Fresno* (2018) 6 Cal.5th 502, 518; see also, *SANDAG, supra*. at 514-515; *Bakersfield Citizens, supra*. 124 Cal.App.4th at 1219-1220; *Berkeley Keep Jets, supra*. 941 Cal.App.4th at 1371.) For instance, while the EIR discloses pollutants (ozone and particulate matter) and toxic air contaminants (DPM), which will result in significant air quality impacts

03-78
Cont.

(AR 934, 936, 939), the adverse human health effects related to such exposure were not disclosed or analyzed. The AG asserts that this omission occurred even though health effects from each pollutant are “well-known and accessible.” (AG’s OB, p. 22:4.)

According to the AG, what is missing is “evidence of the anticipated parts per million (ppm) of [DPM] as a result of the Project.” (AG’s OB p. 22:18-19.) The AG asserts that EIRs must: 1) disclose the type and tons of pollutants a project will emit each year; 2) provide “a general description of each pollutant and how it affects human health”; 3) indicate the concentration levels for each pollutant that would trigger adverse public health impacts; and 4) correlate project emissions to adverse human health impacts. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 518-519.)

The City failed to oppose this argument. Accordingly, the City violated CEQA by failing to disclose what it reasonably could about the Project’s emissions impact on residents. (*CNFF, supra.* at 441.) Thus, the Petition is granted on this issue.

III. CLIMATE CHANGES

The EIR’s Analysis of Climate Change Impacts Is Unsupported by Substantial Evidence

Sierra Club asserts that the EIR states GHG emissions will far exceed California’s 2040 GHG reduction targets. (AR 1073-1074.) GHG emissions will increase by over 50% under the Project from 866,410 metric tons of carbon dioxide equivalent per year (MT CO₂E) to 1,325,101. (AR 1074.) Per capita emissions will increase by 25% from 4.17 to 5.25 MT CO₂E. (*Ibid.*) Despite this increase, the EIR concludes the Project will have less than significant climate change impacts and requires no mitigation. (AR 1080.) This is because the EIR has incorporated the CAP’s GHG reduction strategies into the Project, which purportedly will reduce emissions by 425,594 MT CO₂E. (AR 1074-1081.)

The EIR Fails to Acknowledge the Project’s Significant Climate Impacts or Identify Mitigation Measures to Reduce those Impacts

Sierra Club asserted that EIRs are required to discuss a project’s significant environmental effect and *separately* discuss mitigation measures (MMs). (PRC § 21100(b)(1), (3); see also, Guidelines § 15126.4(c).) Sierra Club asserts the EIR improperly combines impacts and mitigation into a single discussion. Although the Project will not meet the GHG reduction targets by 2040, the EIR does not consider MMs to reduce the Project’s significant effects. Instead, it incorporates the CAP’s GHG reduction strategies to conclude less than significant effects. Sierra Club argues that this approach is prohibited under CEQA. (*Lotus v. Dept. of Transp.* (2014) 223 Cal.App.4th 645, 656 [when the impact and mitigation analyses are combined, it creates a “structural deficiency in the EIR”, which prevents proper MMs and findings.])

In addition, the City needed to make express findings regarding MMs to mitigate or avoid significant environmental impacts and adopt a Mitigation

03-78
Cont.

Monitoring and Reporting Program (MMRP). (Pub. Res. Code §§ 21081(a)(1), 21081.6(a)(1).) But, the City did not meet these requirements. The EIR states the Project will have no impact or less than significant direct or cumulative impacts and requires no mitigation. (AR 151-152.) And, the City's MMRP does not mention any MMs to mitigate the climate change impacts. (AR 174-177.) The AG joins in this argument.

The City argues that Sierra Club's challenge to incorporation of the CAP's GHG reduction strategies is misplaced because the CAP is a part of the Project, and is self-mitigating. (AR 4096; see Guidelines § 15126.4(a)(2).) The City argues that it is not improper for an EIR to evaluate self-mitigating measures as part of the project to conclude that impacts will be less than significant.

However, there is no dispute that the Project will substantially increase GHG emissions by more than 50%; this is stated in the EIR. (AR 1074.) But Sierra Club argues that the CAP is mitigation under CEQA. (Guidelines § 15183.5(b).) While specific design features that further project objectives and that are useful beyond reducing impacts may be considered part of the project, measures that are intended to avoid or minimize impacts are MMs. (*Lotus, supra.* at 223 Cal.App.4th 645, 655-656, fn. 8.) The City concedes that the reduction strategies are "designed to mitigate the adverse impacts of growth", but then also claims they are part of the Project. (RB, p. 37:17-18.) The problem is that the City has not elaborated as to how the reduction strategies further project objectives or are useful beyond reducing impacts. (see *Save the Plastic Bag Coalition v. City and County of San Francisco* (2013) 222 Cal.App.4th 863 [the 10-cent bag fee furthered the purpose of limiting single-use bags].) To the extent that the CAP's reduction strategies were intended as mitigation (AR 1074, 4263-4264, 4312, 4333, 4334-4350.), they must be analyzed as MMs, not part of the Project. This is true for program-level and project-level EIRs. *Lotus, supra.* at 656; see also, *SANDAG*, 17 Cal.App.5th at 426.)

In addition, Sierra Club asserts that MMs are only incorporated into a plan at the end of the CEQA process. (see PRC § 21108.6(b).) The EIR is required to: 1) adopt findings of significance (*Id.* § 21100(b)(1)); 2) determine whether feasible mitigation will minimize or avoid those impacts (*Id.* § 21100(b)(3)); 3) before project approval, make express findings adopting specific feasible MMs (*Id.* § 21081(a)(1)); and, 4) adopt a Mitigation Monitoring and Reporting Program (MMRP) to ensure compliance with the MMs (*Id.* § 21081.6(a)(1).)

The Court finds that this failure is prejudicial because the EIR fails to properly define the Project to include mitigation.

EIR's Conclusion that Climate Change Impacts are Less Than Significant is Not Supported by Substantial Evidence

Sierra Club argues that the EIR fails to adequately support the threshold of significance that the City chose, and there is a lack of evidence that the City can reduce the projected GHG emissions below that threshold. The City chose the State's 2017 Scoping Plan to select per capita emissions threshold of 4 MT CO₂E per year.

03-78
Cont.

(AR 1073.) However, Sierra Club argues that there is no explanation that this threshold is appropriate. Even if it was a proper threshold, substantial evidence does not support the conclusion that the Project's climate change impacts are less than significant. (*CBE, supra.* at 62 Cal.4th at 225.) Sierra Club asserts that the City's claim that the CAP's reduction strategies will reduce GHG emissions is unsupported because: 1) the EIR assumes that the voluntary, aspirational, and discretionary CAP strategies will actually reduce GHG emissions; 2) the EIR incorrectly assumes that strategies affecting a small subset of GHG sources applies to entire industry sectors, which grossly overestimates the reductions; 3) the EIR's claimed emissions reductions are inconsistent with CAP itself; and, 4) the record does not support the CAP's emission reduction calculations because the supporting studies are not in the record.

In response, rather than demonstrate compliance, the City repeated its argument that this program-level EIR does not require the detailed MMs that Sierra Club wants. (Guidelines § 15146.) The City asserts that a GP may identify specific MMs that may be implemented in subsequent specific project level EIRs provided, based on substantial evidence, that the City commits to the mitigation; adopts specific performance standards to be achieved; and, identifies the types of potential actions that can achieve each performance standard. (*Id.* § 15126.4(a)(1)(B).) The City claims the EIR and the CAP does this. (see AR 4315, 4333-4350 [CAP Appendix B].)

Moreover, the EIR's conclusion that the CAP strategies will reduce impacts below the significance threshold is not supported by substantial evidence, which is the City's burden. (*CBD, supra.* at 62 Cal.4th at 225.) In the context of this program EIR, the City does not demonstrate how any particular reduction strategy will be applied to any particular project.

The CAP is Ineligible for Tiering and Streamlining Environmental Review of the Development Proposed in the Project

The AG asserts that CAPs are a mechanism for lead agencies "to analyze and mitigate significant effects of greenhouse gas emissions at a programmatic level, such as in a general plan." (CEQA Guidelines § 15183.5(a).) CAPs can be used to fast track the GHG emissions analyses in future projects by tiering or streamlining to a properly compliant CAP. (*Id.* at subd. (b).) However, the AG disputes that the CAP in this matter can be used for environmental review of future projects because the CAP does not comply with tiering and streamlining requirements.

CAP Does Not Satisfy CEQA's Tiering and Streamlining Requirements

CAPs used for tiering and streamlining are required to "[s]pecify 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." (CEQA Guidelines § 15183.5(b)(1)(D).) GHG reduction measures included in the CAP must be feasible, fully enforceable, and additional. (CEQA Guidelines § 15041, § 15126.4(a).) But, the AG argues the strategies in the

03-78
Cont.

subject CAP are insufficiently defined, and lack clearly defined performance standards to be enforceable. (AR 1073-1074, 5998.) The AG also argues that a CAP is also required to establish a mechanism to monitor the plan’s progress, but this CAP does not do so. (AR 4317-4324; CEQA Guidelines § 15183.5(b)(1)(E).) The AG asserts that while the City claims the CAP is compliant and can be used for tiering and streamlining (AR 399-400, 828, 1073-1074), there is a genuine controversy about this. (see *Zeitlin v. Arnebergh* (1963) 59 Cal.2d 901, 908.)

The City acknowledges that some of the proposed GHG reduction strategies are voluntary, but claims the AG ignores those that are mandatory. (AR 4340 [smart meters in new construction]; AR 4347 [limits idling of heavy construction equipment].) The City argues that a measure’s effectiveness is based on industry standard methodologies (e.g., CAPCOA Quantifying GHG MMs), which methodologies were not challenged administratively. The City adds that just because the measures are voluntary does not mean they should be discounted.

The City then argues that since the Project is a GP, it is appropriate to incorporate MMs into the plan. (Guidelines § 15126.4(c)(5) [“...mitigation may include identification of specific measures that may be implemented on a project-by-project basis.”]) The City concludes that the CAP provides standards to support tiering depending on what requirements are appropriate for specific project-level analysis. (AR 4281.)

However, while the City offers an explanation for its approach, it does not dispute that it failed to comply with the statutory requirements. Similar to Sierra Club, the AG argues that there is no substantial evidence that the CAP strategies can achieve the GHG reductions needed, and there is no schedule to monitor and update the CAP. (Guidelines § 15183.5(b)(1)(D), (E).) At a minimum, the Court finds that the City should be required to comply with the applicable statutes.

IV. ENERGY USE

Energy Use Impacts Analysis is Legally Inadequate

Sierra Club argues that the EIR is required to state “measures to reduce the wasteful, inefficient, and unnecessary consumption of energy.” (§ 21100(b)(3); Guidelines, Appx. “F”.) While not all impacts and MMs apply in all cases, the EIR here should consider a project’s “energy requirements and ... energy use efficiencies by amount and fuel type for each stage of the project,” its “effects ... on ...demands for electricity,” and its “projected transportation energy use requirements.” (Guidelines, Appx. “F” § II.C.) MMs may include “siting, orientation, and design to minimize energy consumption,” “reducing peak energy demand,” and use of renewable fuels and energy systems. (*Id.* at § II.D, and § 15126.2(b).)

However, the EIR omits analysis of energy impacts from construction claiming it is too speculative at the program-level. (AR 1038.) Similarly, it fails to analyze transportation-related energy use. (AR 1049.) But, more is required. The EIR is to provide whatever information it reasonably can now. (Guidelines § 15144.) Sierra Club notes that in the air quality section, the City analyzed a typical construction

03-78
Cont.

project. (AR 930, 935-936.) But, as to energy use/transportation-related energy use, no similar analysis was performed. More importantly, without the initial analysis, mitigation of any impacts cannot be rendered less than significant. (see AR 1038.)

While the analysis of *building-related* energy use is addressed in the EIR by stating it would more than double, it never discusses the applicable MMs stated in the Guidelines. Instead, the EIR merely concludes that compliance with the state Green Building Code and promoting voluntary energy-efficiency programs will reduce impacts to less than significant levels. (AR 1040.) More is required. (*Calif. Clean Energy Comm. v. City of Woodland (Clean Energy)* (2014) 225 Cal.App.4th 173, 211 [re CEQA Guidelines, Appx. F]; *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 Cal.App.4th 256, 265; Guidelines § 15126.2(b).)

The City argues that the energy use impacts analysis is sufficient for a program-level EIR, and includes Appendix F topics. (AR 1032-1033, 1036-1038, 1040.) Based on this, the City asserts that the projected energy use is not wasteful or in conflict with applicable regulations. (AR 1041-1042.) The City mischaracterizes Sierra Club's argument by stating that Sierra Club wrongfully expects energy use projections in detail "for every future project possible under a general plan." (RB, p. 43:21.) The City argues that what the EIR presents is the City's determination that the analysis is entirely speculative so, CEQA requires the conclusion be noted, and terminate the analysis. (Guidelines § 15145; see also *Atherton, supra.* at 146 Cal.App.3d at 351.) The City also notes that *Ukiah Citizens* involves a project-level EIR, with no discussion of energy impacts. (*Id.* at 260, 263.)

However, the City did not address Sierra Club's arguments as to transportation-related and/or building-related energy use impacts, and therefore, cannot conclude that they are less than significant. As to transportation-related energy impacts, the EIR provides VMT under the Project (AR 1039) but, it does not describe the energy impacts of those trips. (see *Ukiah Citizens, supra.* at 264-265.) Without the analysis, the conclusion that the impacts are less than significant is unreasonable. (*Clean Energy, supra.* at 210.)

Sierra Club adds that it did not argue that the EIR is required to show energy impacts "for every future project." (RB, p. 43:21.) But, it must provide the information that it reasonably can now. Moreover, as to building-related energy use, the EIR does not explain how the Project could more than double the electricity use (AR 1040), but also does not use unnecessary energy resources. This issue was not properly or adequately analyzed nor were MMs considered.

The Petition is granted on this issue.

V. LAND USE

Land Use Changes

Sierra Club argues that the Project's land use changes will allow substantial new development, including new warehouses right next to homes in the Edgemont

03-78
Cont.

community, and land use changes in northeast Moreno Valley, but none of the foreseeable environmental impacts have been analyzed in the EIR.

Sierra Club asserted both in its written papers and at oral argument that the Project changes land use designations from purely residential uses to "Business Flex", which will allow light manufacturing, warehouses, distribution centers, among others. (AR 116, 14, 940.) The EIR then defers analysis to later project-level review. (AR 776-778.) Sierra Club takes issue with this deferral arguing that the designations will place large warehouses next to homes causing health risks due to increased DPM from trucks; that the character of the neighborhoods will be disrupted due to "massive walls" next to homes; and that setbacks should be larger next to non-residential uses. (AR 9263-9464.) In this instance, the argument is limited to the Edgemont neighborhood. However, without a clear concept of any proposed development, the Court finds that deferral is appropriate.

Indeed, the City argued that to meet its Housing Element update obligation, it had to find suitable locations for higher density housing. (AR 875, 883.) The City asserts that this was fully analyzed in the EIR including access to services and infrastructure, energy conservation, affordability, state mandates, interest of current residents, and other factors. (AR 884-885.) Also, population growth and housing changes were analyzed. (AR 1203-1210.) The City essentially argues that these were analyzed from a program-level point of view. (AR 890.)

While there are consequences of placing warehouses and industrial development close to residential areas, this is acknowledged by the EIR. (AR 940.) The Court finds this program-level analysis was adequate.

Sierra Club also argues that the EIR fails to analyze the "reasonably foreseeable growth-inducing impacts of the land use changes in northeast Moreno Valley." (SC's OB, p. 31:13-15.) The Project's land use designations are to change from lower-density residential and hillside residential to highway office/commercial and higher density residential. (AR 103-105, 872, 877.) Sierra Club argues that the EIR fails to analyze the impacts (e.g., infrastructure extensions.) (AR 1284; Guidelines § 15126.2(e), Appx. G, § XIV(a).)

However, similar to the argument above as to the Edgemont neighbor, the impacts are too speculative to evaluate without a specific project. The Petition is denied on this issue.

VI. PRESERVING DOCUMENTS

City Violated CEQA By Failing to Preserve Records

Sierra Club argues that the City violated CEQA by failing to retain all documents, including public correspondence, that is required for the AR. The City admitted that it could not produce internal emails because its servers only retained them for 90 days, after which they are automatically deleted and unrecoverable. (Dec.McKerley ¶¶ 19-21.) This failure by the City violates CEQA. (§ 21167.6(e);

03-78
Cont.

Golden Door Properties, LLC v. Sup. Ct. of San Diego County (2020) 53 Cal.App.5th 733, 764.)

The question thus begs what the remedy should be for the destruction of these materials? In *Golden Door*, the Court concluded that the appropriate remedy for the destruction of hundreds or thousands of emails from the record was somewhat nuanced. In that case, the Court ordered the parties to meet and confer, and if they could not agree, then the "superior court shall afford Plaintiffs a reasonable opportunity to bring motions to compel" in light of the other findings by the appellate court. (*Golden Door, supra*, at p. 794.)

The Court gleans from *Golden Door* that courts should have flexibility to fashion an appropriate remedy when needed. In this case, the Court has already made some findings that Sierra Club did not fail to exhaust all administrative remedies, and indeed, has found that the AG is not subject to that requirement. However, the Court also acknowledges, as pointed out by Sierra Club, the City is attempting to benefit from the loss of these materials by arguing that many issues were not exhausted administratively.

The Court recognizes that the destruction of these materials was inadvertent, but there still should be a remedy. Thus, recognizing that the Court has already determined that the City's exhaustion defenses were not valid in other respects, the Court finds that the City should not benefit from any fact or argument not specifically addressed, especially given that it was the City that destroyed these administrative records. Thus, the City's objections to Sierra Club on exhaustion remedies is overruled.

///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///
 ///

03-78
 Cont.

VII. CONCLUSION

Based on the foregoing, the Petition is granted on the issues of baseline (existing conditions analysis), air quality, climate changes (GHG emissions), and energy use. It is denied as to land use.


This shall constitute the court's Statement of Decision pursuant to Code of Civil Procedure section 632 and Rule 3.1590 of the California Rules of Court. Within 15 days after the proposed Statement of Decision has been served, any party affected by the Statement of Decision may make, serve and file objections to the proposed Statement of Decision. After expiration of the time for filing objections to the proposed Statement of Decision, the Statement of Decision will be considered final.

At the end of the expiration period that time, Counsel for Petitioner Sierra Club is ordered to prepare and submit the judgment in accordance with the above Statement of Decision within 10 days.

The Court shall set an OSC re submission of Judgment on May 10, 2024 at 8:30am. If the Court has signed the Judgment, the Court shall take the OSC off calendar.

GOOD CAUSE APPEARING, IT IS SO ORDERED:

Dated: March 5, 2024



CHAD W. FIRETAG
Judge of the Superior Court

03-78
Cont.

EXHIBIT D

Page 105 of 139 in Comment Letter 03

1 ROB BONTA
 Attorney General of California
 2 CHRISTIE VOSBURG
 Supervising Deputy Attorney General
 3 OMONIGHO OIYEMHONLAN
 (State Bar No. 331053)
 4 Deputy Attorney General
 1515 Clay Street, 20th Floor
 5 P.O. Box 70550
 Oakland, California 94612-0550
 6 Telephone: (510) 879-1984
 Facsimile: (510) 622-2170
 7 Omonigho.Oiyemhonlan@doj.ca.gov

FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF RIVERSIDE

MAY 06 2024

K. Rahlwes

AA 1

MAY 07 2024

FB

8 Attorneys for Petitioner and Plaintiff- Intervenor
 THE PEOPLE OF THE STATE OF CALIFORNIA
 9

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 11 COUNTY OF RIVERSIDE
 12 RIVERSIDE HISTORIC COURTHOUSE
 13

14 SIERRA CLUB,
 15 Petitioner and Plaintiff,
 16 v.
 17 THE CITY OF MORENO VALLEY; the
 18 CITY COUNCIL OF THE CITY OF
 MORENO VALLEY; and DOES 1
 through 10,
 19 Respondents and Defendants,
 20 THE PEOPLE OF THE STATE OF
 21 CALIFORNIA,
 22 Petitioner and Plaintiff-
 23 Intervenor.

Case No. CVRI2103300

[PROPOSED] JUDGMENT

ASSIGNED FOR ALL PURPOSES TO:
 HON. CHAD FIRETAG, DEPT. 3

Action Filed: July 15, 2021

03-79

[Proposed] Judgment
 Case No. CVRI2103300

1 Petitioner and Plaintiff Sierra Club and Intervenor the People of the State of California
2 (“People”) challenged the decision of Respondents and Defendants City of Moreno Valley and
3 its City Council (collectively, “City”) to approve and adopt the MoVal 2040 Comprehensive
4 General Plan Update (“GPU”), the City of Moreno Valley Climate Action Plan (“CAP”), and
5 associated zoning amendment (collectively, “Project”), and to certify the associated
6 Environmental Impact Report (“EIR”).

7 The hearing on Sierra Club’s First Amended Verified Petition for Writ of Mandate and
8 Complaint for Declaratory Relief and the People’s Petition for Writ of Mandate in Intervention
9 (collectively “Petitions”) was held on February 23, 2024, before the Honorable Chad Firetag in
10 Department 3 of the Riverside County Superior Court.

11 On March 5, 2024, having reviewed the Administrative Record, the briefs and papers
12 submitted by counsel, and the arguments of counsel; and the matter having been submitted for
13 decision, the Court issued a Ruling and Statement of Decision (“Ruling”), attached hereto as
14 Exhibit A and incorporated herein.

15 IT IS HEREBY ORDERED AND ADJUDGED that:

16 1. The Petitions, which seek a peremptory writ of mandate and declaratory relief, are
17 granted in part and denied in part, for the reasons stated in the Ruling. The Court finds in favor
18 of Sierra Club and the People on their claims concerning the following issues:

19 (a) The Court finds that the EIR:

20 (i) Uses a legally inadequate environmental baseline for analyzing the
21 Project’s air quality, greenhouse gas, and energy use impacts;

22 (ii) Contains an invalid analysis of air quality impacts by (1)
23 misapplying adopted thresholds of significance; (2) failing to support its finding of
24 less than significant air quality impacts with substantial evidence in the record; (3)
25 lacking analysis and mitigation of impacts to sensitive receptors; (4) lacking
26 analysis and mitigation of toxic air contaminants; and (5) failing to identify and
27 correlate Project emissions to adverse health impacts;

03-79
Cont.

1 (iii) Contains an invalid analysis of impacts from increased greenhouse
2 gas emissions by (1) failing to acknowledge the Project’s significant climate
3 impacts or identifying mitigation measures to reduce those impacts; (2) failing to
4 support its adopted threshold of significance with substantial evidence; and (3)
5 failing to support its conclusion of less than significant climate impacts with
6 substantial evidence; and

7 (iv) Contains an invalid analysis of the Project’s energy use impacts.

8 (b) The Court also finds that the City failed to preserve records as required by
9 Public Resources Code section 21167.6.

10 (c) Finally, the Court finds that the City’s CAP does not satisfy CEQA’s
11 requirements for tiering and streamlining and, therefore, the City may not rely on the
12 CAP to tier and streamline the analysis of future projects’ greenhouse gas emissions.

13 2. The Court finds against Sierra Club and the People on their claim that the EIR
14 failed to analyze impacts the Project’s proposed land use changes will have on the Edgemont
15 neighborhood in western Moreno Valley, and the growth-inducing impact the proposed land use
16 changes will have in northeast Moreno Valley.

17 3. A peremptory writ of mandate (“Writ”) directed to the City shall issue under seal
18 of this Court, ordering the City to:

19 (a) set aside all Project approvals (including Resolution No. 2021-46
20 [certifying the EIR and adopting the findings, a Statement of Overriding Considerations,
21 and a Mitigation, Monitoring and Reporting Program], Resolution No. 2021-47
22 [approving the GPU and CAP, and adopting related findings], and Ordinance No. 981
23 [approving zoning ordinance amendment PEN21-0030 and adopting related findings]);
24 and

25 (b) set aside the certification of the EIR for the Project.

26 4. The City shall not readopt the Project approvals or certify a revised EIR unless and
27 until the City complies with CEQA by correcting the deficiencies in the EIR as identified in the
28 attached Ruling.

03-79
Cont.

1 5. This Court finds that the contents of the peremptory writ of mandate are consistent
2 with Public Resources Code section 21168.9.

3 6. Until such time as (a) this Court has determined that the City has taken the actions
4 specified herein to correct the deficiencies in the EIR, as identified in the attached Ruling, and
5 bring the Project Approvals into compliance with CEQA, and (b) this Court has discharged the
6 writ, the City, its respective agents, employees, and persons acting in concert with them are
7 enjoined from all activities that are based upon or related to the Project Approvals that could
8 result in any change or alteration to the physical environment.

9 7. The court hereby declares and decrees that the CAP does not satisfy CEQA's
10 tiering and streamlining requirements, and the City may not rely on the CAP to tier and
11 streamline the analysis of future projects' greenhouse gas emissions.

12 8. Sierra Club and the People are prevailing parties. Sierra Club and the People may
13 apply to recover their costs in an amount to be determined by this Court pursuant to a timely
14 filed and served memorandum of costs. (Cal. Rules of Court, rule 3.1700.)

15 9. The Court retains jurisdiction to consider claims for attorneys' fees that may be
16 filed in accordance with applicable law and rules of court.

17 10. The Court retains jurisdiction to ensure compliance with the Writ issued pursuant
18 to this Judgment.

19 11. In accordance with Public Resources Code Section 21168.9(c), the Court does not
20 direct the City to exercise its lawful discretion in any particular way.

21 The Clerk is ordered to enter this Judgment.

22
23 DATED: May 6, 2024

24
25 
26 _____
27 HON. CHAD EIRETAG
28 JUDGE OF THE SUPERIOR COURT

03-79
Cont.

EXHIBIT A

(Statement of Decision Regarding Hearing on Peremptory Writ of Mandate [CEQA])

Page 110 of 139 in Comment Letter 03

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE**

<p>SIERRA CLUB</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>CITY OF MORENO VALLEY, et al,</p> <p style="text-align: center;">Respondents,</p> <p>PEOPLE OF THE STATE OF CALIFORNIA</p> <p style="text-align: center;">Plaintiff in Intervention.</p>	<p>FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE</p> <p>MAR 05 2024</p> <p>K. Rahlwes</p>				
<p>COUNSEL</p> <p style="text-align: center;">Edward Terry Schexnayder Abigail Adams Smith For Petitioner Sierra Club</p> <p style="text-align: center;">Michael Ryan Cobden Arthur Coon For Respondents City of Moreno Valley</p> <p style="text-align: center;">Omonigho Oiyemhonlan Scott Lichtig Attorney General of California For Plaintiff in Intervention</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">DEPT. 3</td> <td style="width: 50%; padding: 2px;">CASE NUMBER:</td> </tr> <tr> <td style="padding: 2px;">DATE 03/05/24</td> <td style="padding: 2px;">CVRI2103300</td> </tr> </table>	DEPT. 3	CASE NUMBER:	DATE 03/05/24	CVRI2103300
DEPT. 3	CASE NUMBER:				
DATE 03/05/24	CVRI2103300				

STATEMENT OF DECISION RE HEARING ON PEREMPTORY WRIT OF MANDATE (CEQA)



03-79
Cont.

Brief Statement of Ruling

The Court grants the Petition on the issues of inadequate baseline, air quality/climate changes (GHG emissions)/energy use analyses.

The Court denies the Petition on the issue of land use analysis.

Factual/Procedural Context:

Petitioner Sierra Club (Petitioner or Sierra Club) challenges Respondent City of Moreno Valley’s and its City Council’s (collectively City) 6/15/21 decision to approve the MoVal 2040 Project, which consists of the 2021 General Plan update (GPU) including a Housing Element Update, a Climate Action Plan (CAP), and associated zoning amendments, and to certify an Environmental Impact Report (EIR) for the Project, which provides for large increases in industrial and commercial development within the City.

The Project is intended to replace the existing 2006 General Plan (2006 GP) and its elements, and to establish “a planning and policy framework” through 2040. (see Administrative Record [AR] 866.) Petitioner asserts that “the land use element incorporates all of the projects that were under City review or have been adopted since 2006 (AR 393), and includes plans for three mixed-use ‘centers’ and additional mixed-use development along major transportation corridors.” (AR 4102-4105.) The GPU “also changes the land use designations for some residential areas to high-density residential, commercial, and “business flex,” which allows for commercial and light-industrial warehouse uses.” (AR 103-105, 116, 875, 4106.)

Petitioner asserts that the City violated the California Environmental Quality Act (CEQA), and its Guidelines 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 environmental impacts on air quality, and greenhouse gas (GHG) emissions.

Factual Background

The City of Moreno Valley, where over 200,000 residents live, suffers from severe air pollution. The City is in the South Coast Air Basin (designated as in nonattainment of federal and state air quality standards), which has a severe pollution burden and other disadvantages. The last comprehensive General Plan update was adopted by the City in 2006. Since that time, the City has approved many new warehouse projects, including the 40+ million square foot (SF) World Logistics Center (one of the largest in the United States), which allow substantial GHG and diesel emissions in the City.

The GPU, CAP and zoning amendment released on 4/2/21 demonstrate significant new growth, including in locations adjacent to existing residential communities. (First Amended Petition [FAP] ¶ 25 [“business flex” zone].) Petitioner, Sierra Club, alleged the proposed GPU includes new land use designations that

03-79
Cont.

dramatically increase “residential density in the largely-rural northeast Moreno Valley”, and would exacerbate impacts there “by redesignating nearby areas for “highway/commercial” uses” increasing traffic and other impacts. Petitioner asserts that the EIR indicates that the Project would increase emissions, but then claims air quality and GHG emission impacts were less than significant and required no mitigation.

Procedural Background

The City began the Project in October of 2019. Between 2/9/20 and 4/9/20, the City circulated a Notice of Preparation of a Draft EIR for the Project. On 4/2/21, the City released the proposed GPU, CAP, and zoning amendment to the public along with the Draft EIR for a 45-day comment period. On 5/17/21, Sierra Club submitted extensive comments on the Draft EIR. (FAP ¶ 33.) In addition, other commenters noted that the City’s proposed CAP was insufficient by failing to identify GHG reduction measures. (FAP ¶ 34.) On 5/24/21, the City released the Final EIR (EIR), which allegedly failed to address these comments, or to revise the analysis leaving the Project’s key components unchanged. (FAP ¶ 35.) Thereafter, the Planning Commission was to consider the Final EIR on 5/27/21, but that meeting was delayed. (FAP ¶ 36.) The Project was considered and recommended for approval by the Planning Commission on 6/8/21. (AR 189, 224, 228.) On 6/15/21, and on 8/3/21, the City Council considered the Project, and despite a vacant seat (representing over 25% of City residents), and the errors identified by commenters, the City Council voted to approve the Project and certify the EIR. (AR 7, 139, 178.) On 6/17/21, the City filed a Notice of Determination for the Project. (AR 1-6.)

Petition

On 10/28/21, Petitioner, Sierra Club, filed its verified First Amended Petition for Writ of Mandate and Complaint for Declaratory Relief (FAP), alleging three causes of action: 1) violations of CEQA – Pub. Res. Code § 21000, *et. seq.*; State CEQA Guidelines: CCP §§ 1085, 1094.5); 2) violations of CEQA and the Moreno Valley Municipal Code (MVMC §§ 2.60.010-2.60.100); and 3) declaratory relief.

The Project

Prior to this Project, the City had been operating under the 2006 GP. Since 2006, the population in the City has increased by 25%. (AR 3131.) The City asserts that since the 2006 GP was adopted, there have been legislative updates, changes in economic conditions and technology, environmental conditions, and demographic shifts that warrant an update. (AR 3131, 3133.) New state law significantly changed the requirements for a Housing Element Update (HEU)¹ and the City’s share of the

¹ The Legislature enacted the Housing Element Law, which requires local governments to adopt a “housing element” as a component of its GP. (Govt. Code § 65580, *et. seq.*; *Fonseca v. City of Gilroy* (2007) 148 Cal.App.4th 1174, 1183.) The Housing Element Law ensures that cities take part in the state housing goal, including providing “housing affordable to low- and moderate- income households.” (Govt. Code §§ 65581(a), 65580(c).) The HEU of a GP must be reviewed and revised every five to eight years. (Govt. Code §§ 65583, 65588(b), (e).) It must also contain specific components, analyses, goals

03-79
Cont.

Regional Housing Needs Allocation (RHNA.) (AR 848-849, 867, 875, 3133, 4091.)

The process for the developing the General Plan Update (GPU) began in 2016 with adoption of a strategic plan called "Momentum MoVal". (AR 849-850.) In 2019, the Project was called "MoVal 2040", and included four phases of development through three documents: the 2021 GPU, the CAP, and the HEU. (AR 851-852.) The City asserts that these three documents "represent the implementation of the vision for the City of Moreno Valley through 2040 that was articulated by residents, local businesses, property owners and other interested parties, the GP Advisory Committee, the Planning Commission, and the City Council during the outreach phase of the GPU." (AR 3159, 4091.)

Sierra Club's Opening Brief

Sierra Club asserted that the City rushed to approve the 2021 GPU, without adequately addressing the public's environmental concerns; and that the City set public meetings at inconvenient times, which impaired the public's ability participate. Sierra Club argued that the EIR is deficient in the following respects: 1) the air pollution and energy use analyses fail to compare the Project's environmental impacts against *existing* conditions; instead, the impacts are compared to *assumed* impacts under the former GP, which understates the impacts from the present Project; 2) the air quality impacts are contrary to law and not supported by substantial evidence; 3) although GHG emissions will be substantially increased under the Project, the EIR has no *enforceable* mitigation measures (MMs) to reduce them; instead it relies on "reduction strategies" in the CAP that are voluntary and/or unfunded; 4) the energy use impacts analysis is legally inadequate; 5) the EIR does not consider the Project's land use changes that would allow new warehouses directly adjacent to homes in the Edgemont community, and other planned new development in the City; and 6) the City violated CEQA by not retaining all materials and public correspondence for the administrative record (AR) in this case.

Attorney General's Opening Brief

Intervenor, People of the State of California (People), represented by the Attorney General (AG) argued that by certifying the program EIR and approving the Project without proper environmental review, the City abused its discretion in violation of CEQA, and requests the Court declare that the Moreno Valley CAP does not comply with CEQA's tiering and streamlining requirements and cannot be used to streamline analysis of future projects' GHG emissions. The People argued that the City failed to fully disclose, analyze, and mitigate the Project's air quality impacts: 1) the EIR analysis that Project emissions are consistent with the 2016 Air Quality Management Plan (AQMP) is flawed and unsupported by substantial evidence; 2) the EIR failed to adequately analyze the Project's air quality impacts to sensitive receptors; 3) the EIR failed to analyze the Project's diesel particulate matter (DPM)

and policies. (Govt. Code § 65583(a), (c).)

03-79
Cont.

emissions and related impacts; 4) the EIR failed to identify and correlate the emissions to human health effects; and, 5) the EIR failed to mitigate the significant, adverse effects caused by the Project's emissions.

In addition, The People argued that the City's Climate Action Plan (CAP) is ineligible for tiering and streamlining environmental review of the GHG emission analysis for the development proposed in the project because it does not satisfy CEQA's tiering and streamlining requirements.

Combined Brief in Opposition

The City argued that the EIR used an existing conditions baseline of 2018, and compared those conditions to both the 2006 GP and buildout of the proposed 2021 GPU, which comparison was intended to explain to the public the choice between keeping the 2006 GP or adopting a new 2021 GPU. City also argues that Sierra Club failed to exhaust administrative remedies; that the City has discretion to choose methodologies; and that this Project involved a program level EIR (or Programmatic EIR), which is not held to the same standard as for project level EIRs.

The City also argued that comparing the buildout of the GPU with the existing 2006 GP was an appropriate method for applying the chosen thresholds of significance; that the EIR accurately described the existing baseline physical conditions; that the EIR properly compared buildouts of competing GPs against the 2018 baseline to establish significant impacts; and, that even if it was error to compare the buildouts of the existing GP and the GPU, that error was not prejudicial because the EIR provided data on existing air quality.

The City further argued that the air quality analysis is sufficient because: 1) the EIR properly analyzed Criteria Pollutant Thresholds (CPT) at a programmatic level and declined to speculate as to specific impacts of future site-specific projects; and, 2) the EIR correctly concluded that the Project is consistent with the AQMP. The City argues that the EIR properly addressed potential impacts on sensitive receptors; correctly disclosed climate impacts and adopted appropriate mitigation measures (MM) for a program-level EIR; correctly analyzed the Project's energy use impacts, and land use impacts for this type of program level EIR; that the CAP satisfies CEQA's tiering requirements; and, that there is no authority for invalidating an EIR where some emails could not be included in the AR because they were unintentionally deleted.

Oral Argument

The day before oral argument on 02/23/24, the Court posted a tentative ruling largely granting Petitioner's Writ with the exception of the Land Use Issues. After hearing oral argument from all parties, the Court took the matter under submission.

///

///

///

03-79
Cont.

Analysis

Administrative Record

The Administrative Record (AR) consists of just over 34,000 pages of documents, which was submitted on a USB drive on 5/10/22. Thereafter, on 7/29/22, Sierra Club filed a Notice of Lodgment of Supplemental Administrative Record, which supersedes the prior AR lodged in May of 2022. (see 7/29/22 Notice of Lodging of Supplemental Administrative Record.) The supplemental AR contains approximately 500 additional pages.

Request for Judicial Notice

Western States Petroleum Assn. v. Sup. Ct. (1995) 9 Cal.4th 559 is the primary authority on extra-record evidence and provides that such evidence is generally inadmissible. However, if the extra-record evidence does not directly contradict the agency's evidence, extra-record evidence is admissible "for background information ... or for the limited purposes of ascertaining whether the agency considered all the relevant factors or fully explicated its course of conduct or grounds of decision." (*Id.* at 579.)

In support of the Combined Brief in Opposition (RB), the City requests judicial notice of certain documents: 1) Resolution No. 2022-81 (Moreno Valley Business Park) (Ex. "A"); 2) Resolution No. XXX (Brodiaea Commerce Center PEN17-0145) (Ex. "B"); 3) 2006 General Plan Final EIR (Ex. "C"); 4) California Air Pollution Control Officers Association (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures (2010) (Ex. "D"). (see City's 11/6/23 Request for Judicial Notice [RJN].) Exhibits "C" and "D" were downloaded from online websites. (see RJN, Dec.Cobden ¶¶ 3-4.)

The City seeks judicial notice of these documents pursuant to Evid. Code § 452(b) ["[r]egulations and legislative enactments issued by or under the authority of ... any public entity in the United States,"], (c) ["[o]fficial acts of the legislative, executive, and judicial departments of ... any state of the United States"], and (h) ["[f]acts and propositions that are of such common knowledge within the territorial jurisdiction of the court that they cannot reasonably be the subject of dispute"]. The City argued that these documents are matters of public record, that are relevant to the issues raised in the Opposition and/or referenced in the subject EIR. The documents fit squarely within the cited portions of the Evidence Code, and there is no opposition to the RJN. Although the RJN itself does not state a specific purpose for the document, the City's brief references them as background information. To that extent, they are admissible. Thus, the Court shall take judicial notice of these documents.

In support of the Reply, Sierra Club requested judicial notice of: 1) excerpts from Mitigated Negative Declaration (MND) for the Moreno Valley Business Center Project (June 2022) (Ex. "1"); 2) excerpts from MND for the Cottonwood & Edgemont Project (Feb. 2023) (Ex. "2"); and, 3) Notice of Preparation of an EIR for Bay & Day Commerce Center Project (9/5/22) (Ex. "3"). (see Sierra Club's 12/18/23 RJN.) Sierra Club seeks judicial notice pursuant to Evid. Code § 452(c) and (h).

03-79
Cont.

Sierra Club asserts that Ex. "1" is to show that the Moreno Valley Business Center consists of more than 150,000 square feet (SF) of warehousing space in proximity to residences in the Edgemont neighborhood and located in the GPU's new Business Flex zone. (see RJN, Ex. "1" at pp. 8, 18-21.) Ex. "2" is to show that the Cottonwood & Edgemont Project consists of nearly 100,000 SF of warehousing space close to residences in the Edgemont neighborhood. (*Id.* Ex. "2" at 2, 7, 13-16.) And, Ex. "3" shows that the Bay & Day Project consists of nearly 200,000 SF of warehousing space close to the Edgemont neighborhood. (*Id.* Ex. "3" at pp. 1-2, 4-7.)

Sierra Club argues that these documents demonstrate "that warehouse development was a plainly foreseeable consequence" of the GPU's Business Flex land use change in Edgemont, which is significant to correct the City's misleading statement that it is not possible to predict whether warehouses would be located in the new Business Flex zone in Edgemont.

Here, the documents are being used to directly contradict the City's position regarding potential land use in the Edgemont neighborhood. While the Project contemplates new warehouse development, which may be placed near residential areas in Edgemont, information about previously approved warehouses does not establish the City's statement was misleading. Thus, the Court denies judicial notice of these documents.

The EIR at issue

An agency may choose to begin CEQA review at the planning stage using one of the streamlining processes, which may then be followed by later actions or approvals. (Kostka & Zischke, Practice Under the CEQA (CEB 2023) § 10.3.) Among the types of CEQA streamlining processes are: 1) "tiering" EIRs, which cover general matters in broad EIRs for planning of policy level actions, and covering more project-specific matters in focused or site-specific EIRs or negative declarations (Pub. Res. Code ("PRC") §§ 21068, 21093; 14 Cal. Code of Regulations [CCR] ("CEQA Guidelines" or "Guidelines") § 15152); 2) program EIRs for a series of related actions that can be characterized as one large project (Guidelines §15168(a)); and, 3) combining the EIR for a city general plan, and the general plan itself into a single document (Guidelines §15166.) (Kostka & Zischke, *supra.* at § 10.2.) In some situations, more than one CEQA streamlining provision may apply. (*Ibid.*) In such cases, the lead agency has discretion to determine which provisions to use. (*Id.* citing Guidelines § 15152(h).)

City asserts that the subject EIR – the 2021 GPU – is a program-level EIR.² Program EIRs can be used: 1) to avoid multiple EIRs – this allows an agency "to characterize an overall program as the project that is proposed for approval", which "[i]f sufficiently comprehensive and specific", may allow the agency "to dispense with

² "[T]he title placed on an EIR is not necessarily significant in determining whether it is legally adequate. It is the substance of the EIR's analysis, not the label applied to it, that matters." (Kostka & Zischke, *supra.* at § 10.3 citing *Citizens for a Sustainable Treasure Island v. City & County of San Francisco* (2014) 227 Cal.App.4th 1036, 1051 [rejecting the argument that the EIR should have been described as a program EIR rather than as a project EIR.]

03-79
Cont.

further environmental review of activities within the program that are adequately covered by the program EIR”; 2) to simplify later environmental review – this may be used “to address environmental impacts, mitigation measures, and alternatives that apply to the program as a whole to simplify later review for activities within the program”; and, 3) to consider broad programmatic issues – “to consider broad programmatic issues for related actions at an early state of the planning process.” (*Id.* at § 10.14 citing *Center for Biological Diversity v. Department of Fish & Wildlife (CBD)* (2015) 234 Cal.App.4th 214, 233.)

Notably, “[t]he Guidelines do not specify the level of analysis required in a program EIR. All EIRs must cover the same elements, but the level of specificity is determined by the nature of the underlying activity covered by the EIR.” (*Id.* citing Guidelines § 15146; *San Franciscans for Livable Neighborhoods v. City & County of San Francisco* (2018) 26 Cal.App.5th 596, 608.) “A program EIR that is prepared to support approval of an overall program, and to simplify later environmental review as activities within the program are considered, may focus on program-wide issues and leave to later EIRs detailed analysis of issues specific to particular program components.” (*Id.* citing Guidelines § 15168(b); *City of Hayward v. Board of Trustees of Cal. State Univ.* (2015) 242 Cal.App.4th 833, 849; *Town of Atherton v. California High-Speed Rail Auth.* (2014) 228 Cal.App.4th 314, 345.) “By contrast, a program EIR that is designed to allow approval activities within the program without the need for further CEQA review should provide description of the activities that would implement the program and a specific and comprehensive evaluation of the program’s foreseeable environmental impacts, so that later activities can be approved on the basis of the program EIR.” (*Id.* citing Guidelines § 15168(c)(1), (2), (5); *CBD, supra*. 234 Cal.App.4th 214, 237.) These two approaches may be combined. (*Id.* citing, e.g., *Mission Bay Alliance v. Office of Community Inv. & Infrastructure* (2016) 6 Cal.App.5th 160, 172.)

Similar to any EIR, “a program EIR must provide decision-makers with “sufficient analysis to intelligently consider the environmental consequences of the project,” and “designating the EIR as a program EIR in itself does not decrease the level of analysis otherwise required.” (*Id.* citing *Cleveland Nat’l Forest Found. v. San Diego Ass’n of Gov’ts (SANDAG)*. (2017) 17 Cal.App.5th 413, 426.) “A lead agency preparing a program EIR must disclose what it reasonably can, and any determinations that it is not feasible to provide specific information must be supported by substantial evidence.” (*Id.* citing *SANDAG, supra*. at 440.)

If the agency determines “that the activity’s environmental effects were examined in the program EIR and that a subsequent EIR would not be required”, the City “may approve the activity as being within the scope of the project covered by the program EIR.” (*Id.* at § 10.16.) However, the proposed activity cannot be approved based on a program EIR “if its impacts were not evaluated in the EIR.” (*Id.* citing *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1164; see also, *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1321 [activity cannot be approved based on a program EIR if it is not “within the scope of the project, program,

03-79
Cont.

or plan described in the program EIR.”)

Standards of Review

Generally, a CEQA matter is subject to judicial review pursuant to Public Resources Code § 21168.5, which provides that judicial review is limited “only to whether there is a prejudicial abuse of discretion.” This is established either “if the agency did not proceed in a manner required by law” or “if the agency’s decision is not supported by substantial evidence.” (Pub. Res. Code, § 21168.5; *Vineyard Area Citizens v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 427.)

In order to decide the proper standard of review for the legal adequacy of an EIR, the court must first find the nature of the alleged defect and then determine whether the claim is one for improper procedure or a dispute over the facts. (*Ebbetts Pass Forest Watch v. Department of Forestry & Fire Protection* (2008) 43 Cal.4th 936, 949.) Courts independently review an EIR’s compliance with procedural requirements, but a review of factual findings is accomplished under the substantial evidence test. (*Id.* at 954.) Where petitioner challenges an EIR on the ground it omitted essential information, this is a procedural question that is also reviewed de novo. (*Banning Ranch Conservancy v. City of Newport Beach (Banning Ranch)* (2017) 2 Cal.5th 918, 935.)

Sierra Club and the AG assert that that courts apply a “dual standard of review” to CEQA claims. Thus, the applicable standard of review depends on the particular issue presented. For instance, the AG argues that the analysis that Project emissions are consistent with the regional air quality plan is reviewed under the highly deferential substantial evidence test. (People’s Opening Brief [AG’s OBI], pp. 11:28-12:2.) The substantial evidence standard applies to “conclusions, findings and determinations” and “to the scope of an EIR’s analysis of a topic, the methodology used for studying an impact, and the reliability or accuracy of the data” that the EIR relied on, since “those challenges involve factual questions.” (*City of Hayward v. Board of Trustees of Cal. State Univ.* (2015) 242 Cal.App.4th 833, 839.) The reviewing court does not undertake a “scientific critique” of the EIR’s analysis and does not pass on the validity of an EIR’s environmental conclusions. (*Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376.) Instead, the reviewing court considers the evidence as a whole to determine whether substantial evidence exists to support the analysis in the EIR. (*Id.* at 408.)

However, where the EIR is challenged because it failed to adequately analyze an issue (e.g., air quality impacts on sensitive receptors), they are reviewed de novo. (*Banning Ranch, supra.*) The City acknowledges the same standards of review. The City states: “[a]lleged legal error, in the form of failure to comply with CEQA’s procedural or substantive requirements, is reviewed de novo, but all factual determinations are reviewed according to the substantial evidence standard.” (City’s Responding Brief [RB] p. 13:28-14:2.) These standards of review are addressed, in context, below.

03-79
Cont.

Exhaustion of Administrative Remedies

Courts cannot consider an issue that was not first presented to the public agency during the administrative process. (PRC § 21177.) “The essence of the exhaustion doctrine is the public agency’s opportunity to receive and respond to articulated factual issues and legal theories before its actions are subjected to judicial review.” (*North Coast Rivers Alliance v. Marin Municipal Water Dist. Bd.* (2013) 216 Cal.App.4th 614, 623 [Citations omitted].) Petitioner is required to prove exhaustion by citation to the record. (*Id.* at 624.) This rule is jurisdictional, and is binding on all courts. (*Clews Land & Livestock, LLC v. City of San Diego* (2017) 19 Cal.App.5th 161, 184.) The City argues that many of the issues raised by Sierra Club were not first raised administratively. This issue is discussed below in the context of each section, as applicable.³

I. BASELINE (ENVIRONMENTAL SETTING)

The EIR’s Baseline is Legally Inadequate

Sierra Club argues that one of the most glaring deficiencies in the EIR is that the air pollution and energy use analyses fail to compare the respective impacts with *existing* conditions (baseline), which understates the potential environmental impacts created by the Project.

“An EIR must include a description of the physical environmental conditions in the vicinity of the project ... as they exist at the time the notice of preparation is published or, if no notice of preparation is published, at the time the environmental analysis is commenced.” (Guidelines §15125(a), (a)(1); *Communities for a Better Env’t v. South Coast Air Quality Mgmt. Dist. (CBE)* (2010) 48 Cal.4th 310, 320.) The EIR “must delineate environmental conditions prevailing absent the project, defining a ‘baseline’ against which predicted effects can be described and quantified.” (*Neighbors for Smart Rail v. Exposition Metro Line Constr. Auth. (Neighbors)* (2013) 57 Cal.4th 439, 447.) Lead agencies have significant discretion in determining the appropriate “existing conditions” baseline. (*Id.* at 453.) The EIR’s description of the existing environmental setting or baseline should be comprehensive enough so that the project’s significant impacts can “be considered in the full environmental context.” (Guidelines §15125(a).) The assessment of project impacts should normally be limited to changes in those existing physical conditions. (Guidelines § 15126.2(a); see *King & Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814, 849.) While the description is important to set the starting point for the impact analysis, it is not required to be as comprehensive and detailed as the impact analysis itself. (Guidelines §15125(a),(c).)

The EIR’s analysis should use a realistic baseline. (*CBE, supra.* at 328.) “An

³ As to the AG, the rule of exhaustion is inapplicable. (PRC § 21177(d).) The City acknowledges this, but argues that it applies in full to Sierra Club, which has the burden to demonstrate compliance for each argument and cited *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 536. However, the cited portion of this case does not support the argument. And, even though not relevant here, the City also fails to consider that any other member of the public could have raised the issue.

03-79
Cont.

agency that elects not to provide an analysis based on conditions existing at the time the environmental analysis began must, however, provide an adequate justification for doing so.” (*Id.* citing, *Poet, LLC v. State Air Resource Bd.* (2017) 12 Cal.App.5th 52, 80.)

A lead agency may use two baselines to analyze an impact, one defined by existing conditions and another defined by expected future conditions, as long as the description of future conditions is supported by reliable predictions based on substantial evidence in the record.” (*Id.* at § 12.19 citing Guidelines § 15125(a)(1).) “A justification for use of a future conditions baseline is required only if the lead agency substitutes a “future conditions” analysis for an “existing conditions” analysis; no justification is required if the EIR analyzes impacts against both an existing conditions baseline and a future conditions baseline.” (*Id.* at § 12.25 citing, *Neighbors*, *supra.* 57 Cal.4th 439, 454.)

Where an EIR compares “a proposed project with an existing plan, the EIR must examine existing conditions at the time of the notice of preparation as well as future conditions envisioned in the plan.” (Guidelines § 15125(e).) An EIR must focus on impacts on the environment from the project as opposed to hypothetical situations. (Guidelines § 15126.2(a)(3); see *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 952.) “An EIR that fails to consider the project’s impacts of the existing environment, and limits its analysis to a comparison with future development that would be allowed by existing zoning and other land use plans, is legally inadequate.” (Kostka & Zischke, *supra.* at § 12.19 citing *Woodward Park HOA v. City of Fresno* (2007) 150 Cal.App.4th 683, 707 [“EIR for planning and zoning changes for new commercial development rejected because EIR compared proposed development only to hypothetical office park that could be developed under preexisting plan but did not compare proposed development with existing physical conditions on site”]; *Environmental Planning & Info. Council v. County of El Dorado (EPIC)* (1982) 131 Cal.App.3d 350 [“EIR on proposed new general plan must address existing level of physical development as a baseline for impact analysis, not existing plan, even though new plan would allow less growth than existing plan.”])

Air Quality Baseline

Sierra Club argues that the City used the same unlawful approach invalidated in *Woodward* and *EPIC*. It is acknowledged that compared to existing conditions, the Project will substantially increase emissions of certain air pollutants: PM₁₀, PM_{2.5}, and Reactive Organic Gas (ROG). (AR 934.) These emissions will increase by 20%, 10%, and 55%, respectively. (*Ibid.*) But this comparison was not used to determine if the Project’s air quality impacts were significant. Instead, the EIR compared projected emissions by buildout in the 2021 GPU to emissions by buildout of the existing 2006 GP. (AR 937.) The EIR then concluded air quality impacts were less than significant. (AR 934, 938.) This hypothetical comparison avoids full disclosure of the air quality impacts. (*CBE*, 48 Cal.4th at 322 quoting *EPIC*, 131 Cal.App.3d at 359.)

03-79
Cont.

Energy Use Baseline

As to energy use impacts, Sierra Club argues that the analysis suffers from the same flaw. The EIR sets forth existing transportation- and building-related energy use in the Planning Area. (AR 1039-1040.) It shows daily vehicle miles traveled (VMT) would increase by almost 44% compared to existing conditions. (AR 1039, 1890 [from 3.1 million miles to 4.5 million miles.]) It also shows building electricity consumption would more than double. (AR 1040 [from 803,725,709 kWh to 1,695,632,252 kWh.]) The EIR then concludes less than significant impacts because it solely compared the projected increases to *theoretical* buildout under the 2006 GP. (AR 1039, 1040.)

While the City responded to public comments, and indeed repeated said arguments during the hearing, indicating there was a comparison to both existing conditions and the 2006 GP, the Court finds an insufficient comparison occurred. (see AR 934, 938; 1039-1040.) The EIR does not use existing conditions to determine whether air quality and energy use impacts are significant. Instead, existing conditions were merely stated, not analyzed. (*Ibid*; see *EPIC, supra.* at 358-359; *Woodward Park, supra.* at 710.)

Exhaustion

Returning briefly to the issue of exhaustion, the City's position on the baseline issue begins with its claim that Sierra Club failed to raise this issue during the review and comment period so, it never had a chance to address it. The City then concludes that Sierra Club is jurisdictionally barred for failure to exhaust administrative remedies. (*Stop Syar Expansion v. County of Napa* (2021) 63 Cal.App.5th 444, 453.) The City adds that Sierra Club also seems to be arguing that the EIR did not use a correct threshold of significance, which was also not raised below. (RB, p. 21:6-8.)

The Court does not find the City's argument persuasive. As noted above, PRC § 21177 does not apply to the AG, who joined and fully incorporated Sierra Club's argument that the EIR relies on a legally inadequate baseline. (SC's OB p. 10, fn. 2.) More to the point, however, exhaustion can be achieved where any member of the public "fairly apprises" the City of the issue. (see *Save the Hill Group v. City of Livermore* (2022) 76 Cal.App.5th 1092, 1104-1105.) Moreover, Sierra Club persuasively points out that the Court should be skeptical of this defense in light of the fact that "the City has *admitted* to destroying documents, including communications from the public, that could form the basis for exhaustion." (SC's Reply p. 7:19-20; see also, section VI below.) Finally, Sierra Club raised the baseline issue thereby satisfying the exhaustion requirements. (see AR 5991, 9785.)

Baseline

The City argued that it complied with CEQA by describing existing environmental conditions "using 2018 as an existing-conditions baseline year" and compared the baseline year conditions to conditions under both the 2006 GP buildout and the 2021 GPU buildout. (RB, p. 7:19, 22-24; see also, AR 930, 934, 1070, 1556.) The City claims that to determine which impacts were significant, the EIR chose to

03-79
Cont.

compare changed conditions from the Project to changes that would have occurred without the Project (impacts from buildout of the existing 2006 GP) and then analyzes consistency of the Project's impacts to the applicable air quality plan. The City argued that this approach is authorized by CEQA (Guidelines § 15125(e)), and that it states the actual impact of the Project. Indeed, the City asserted that its choice was between the 2006 GP and the 2021 GPU (collectively GPs). It was not between the 2018 baseline and adoption of a GPU. As a result, the City concluded it was necessary to "compare apples to apples" (the existing 2006 GP to the 2021 GPU.)

To this point, the City has made several arguments both in its written oppositions as well as at oral argument. The City argued that the EIR examined and described the existing baseline physical conditions. The City asserted that there is a detailed analysis of existing air quality conditions, which "describes multiple monitoring station measurements for air quality indicators from 2015 through 2019." (RB, p. 20:11-12; see AR 921-923, Table 4.3-1.) The City moreover claimed that existing conditions were intended to be compared to both GPs. (AR 930-931.) For instance, the EIR asserts that vehicle traffic is the main source of emissions in the Planning Area. (AR 931.) As to VMT (vehicle miles traveled) the existing conditions (2018) are stated in the EIR alongside the two GPs. (AR 931, 934, Table 4.3-4.) However, while the City's citations to the record indicate that the 2018 existing conditions were stated in the EIR, the comparison was made between the two GPs, not between the 2018 baseline and each GP. (AR 931.) Based on this comparison, the EIR then concluded that the 2021 GPU would have less than significant emissions impacts because the buildout of the 2021 GPU is estimated to produce less emissions than the existing 2006 GP. (AR 930, 934.)

The City asserted the same approach was used for climate change impacts (GHG emissions) using the CAP. (AR 1070.) The City added that the CAP also provides the baseline information. (AR 4283; see also 4284-4285.) Then, the City asserted that the CAP's Business As Usual (BAU) discussion shows the comparison between the 2018 conditions as compared to both GPs. (AR 4294-4298; 4298-4300.) The CAP states that "[t]he BAU forecast assumes the 2006 General Plan land use and circulation system, as amended through 2018, and estimates emissions through the year 2040" (AR 4283, 4294 [same].) It also states: "The emissions inventory is calculated for the year 2018, which is the baseline year for existing land use buildout and vehicle miles traveled." (AR 4283; see also, AR 4295 [e.g., "This is estimated at 1.5 percent per year through 2040, based on 2040 buildout of the 2006 General Plan land use map, as amended through 2018."]) Significantly, there is no direct comparison between the 2018 baseline and each GP, which establishes that the City used the same approach - comparing the two GPs against each other. Thus, the same approach used for air quality is also used for GHG emissions.

The City argued that comparing the buildouts of the two GPs against the 2018 baseline was proper for purposes of determining significant impacts. The City asserts impacts were evaluated by establishing four thresholds of significance including consistency with the AQMP. (AR 931.) Under the AQMP, the City asserted the

03-79
Cont.

EIR evaluated two criteria: 1) whether the project would exceed the assumptions in the AQMP; and, 2) whether the project results in an increase in the frequency or severity of existing air quality violations, causes or contributes to new violations, or delays timeline attainment of air quality standards. (AR 933.) The City asserted that the AQMP assumes land use designations and buildout projections for the 2006 GP buildout and “pipeline” projects through 2016. (AR 933, 391-395.) The City then argued that because the AQMP makes these assumptions, consistency can only be measured by comparing the two GPs, which “is simply a function of how the AQMP is prepared and used.” (AR 8794.137.) The conclusion reached is that there will not be any significant impact because under the 2021 GPU the increase is less than projected under the 2006 GP. But, this is not a comparison to 2018 baseline conditions; it is a comparison between GP buildouts.

Notably, there is no dispute that the City has discretion to select the methodology to be used, which is reviewed under the substantial evidence test. (Guidelines § 15064.4(b), (c); *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1198; *Tiburon Open Space Committee v. County of Marin* (2022) 78 Cal.App.5th 700, 728; *Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th 1059, 1068; *Lotus v. Dept. of Transp.* (2014) 223 Cal.App.4th 645, 655, fn. 7 [“The standard of significance applicable in any instance is a matter of discretion exercised by the public agency depending on the nature of the area affected.”]; *Mission Bay Alliance v. Office of Community Investment & Infrastructure* (2016) 6 Cal.App.5th 160, 192.) The City also has authority to use future conditions as the sole baseline if using existing conditions would be misleading or lack informative value so long as that baseline is supported by substantial evidence. (CEQA Guidelines § 15125.) As an example, the City cites to *Fairview Neighbors v. County of Ventura* (1999) 70 Cal.App.4th 238, 240, where the project required a Conditional Use Permit (CUP) to expand mining operations. The County chose to evaluate the potential increase in traffic, caused by the project, by comparison to the maximum potential traffic under existing conditions, which comparison was upheld on appeal. (*Id.* at 242-243.) There, the Court determined that to assume relatively low traffic would continue into the future was unrealistic. (*Id.* at 243.) Then, the City argues that the same is true in this case. However, this is a different argument from claiming that existing (2018) conditions were evaluated. Here, the City claims it is unreasonable to assume growth is static and would not continue to increase under the 2006 GP if the 2021 GPU were not adopted. The City argues that the two GP comparison more realistically presents the actual choice that needs to be made – which GP is in effect for the future.

The problem with the City’s arguments is that the EIR must compare the Project’s impacts against the existing conditions, and *use* that comparison to evaluate whether the Project’s impacts are significant. (*EPIC, supra*. 131 Cal.App.3d 350, 357-358.) Much of what the City argued is that they described the existing conditions; but it is not enough to just describe the existing conditions without evaluating whether a project’s changes are significant. (see *CBE 48* Cal.4th 310, 320-321.) Sierra Club asserts that, contrary to the City’s position, this rule applies to specific projects

03-79
Cont.

as well as planning-level projects like a GP. (see *EPIC, supra.* at 357-358; see also, *Cleveland Nat'l Forest Found. v. San Diego Assn. of Governments (SANDAG)* (2017) 17 Cal.App.5th 413, 426.)

The Court notes that Sierra Club is not arguing that the Project (e.g., 2021 GPU) should be evaluated *only* against existing conditions; it can also be evaluated with the future conditions in the existing plan (e.g., 2006 GP.) (*Woodward Park, supra.* 150 Cal.App.4th at 707.) The problem here is that the EIR did not evaluate the air quality and energy impacts of either GP *as against the existing conditions.* (*EPIC, supra.*) Importantly, an agency has discretion not to use an existing-conditions baseline *only* where a project has “unusual aspects” that would make a comparison to existing conditions misleading or uninformative. (*Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 451-454.) In this case, no such determination was made (that *using* an existing-conditions baseline would be misleading or uninformative.) Moreover, Sierra Club points out that the City’s position was rejected by the Supreme Court. (*Id.* at 461-462 [holding that a project’s long-term impacts are “a characteristic of the *project in operation*, not a characteristic of the *environmental baseline*” and cannot justify not performing an existing-conditions analysis.]) Here, as pointed out by Sierra Club, that using an existing-conditions analysis will be informative in this context, and not misleading.

Sierra Club further demonstrates that the City’s argument concerning thresholds of significance conflates a baseline with a threshold of significance, both of which are required, but have different purposes. Baseline of existing conditions is what the project’s effects are compared to. (Guidelines § 15125(a).) The threshold of significance is the “level of a particular environmental effect” showing what changes are significant, and those that are not. (Guidelines § 15064.7(a).) Notably, Sierra Club did not challenge the City’s choice of air quality thresholds. The challenge is to the fact that the City identified the thresholds, but then did not use them to establish whether the Project’s impacts to existing conditions were significant. (*EPIC, supra.* at 357-359.) Sierra Club also asserts that the EIR does not evaluate the Project’s energy use impacts against existing conditions, which assertion is undisputed.

Lastly, the City argued that even if its approach was in error, it was not prejudicial because the EIR provided data on existing air quality. The City cites to *Cleveland Nat'l Forest Found. v. San Diego Assn. of Governments (SANDAG)* (2017) 3 Cal.5th 497, 516, for the proposition that where an EIR presents the required information so that the public can easily make their own comparison, the EIR is not required to do so “just for the sake of form.” The City argues that even if it was required to use 2018 data for the baseline to measure impacts against, any error is not prejudicial because the 2018 data was presented alongside the projected buildout data for the two GPs. (see AR 930-931; 934; 1070; 4283-4285; 4294-4300; 4299.) However, there is no easy comparison to be made in this case. While the data is stated in the EIR, it is ignored in the analysis itself.

In other words, critical analysis has been omitted – a procedural error, which is presumptively prejudicial. (*Martis Camp Community Assn. v. County of Placer*

03-79
Cont.

(2020) 53 Cal.App.5th 569, 606-607.) Sierra Club also points out that SANDAG is not to the contrary because there, the project impacts were compared against existing conditions. (SANDAG, supra. at 510, 515-516.) The EIR's failure to use the existing conditions as the baseline prevented all readers from understanding the Project's impacts and the significance so they could be mitigated, reduced or avoided (e.g., by alternatives.)

In sum, “[a]n agency that elects not to provide an analysis based on conditions existing at the time the environmental analysis began must, however, provide an adequate justification for doing so.” (Id. citing, Poet, LLC v. State Air Resource Bd. (2017) 12 Cal.App.5th 52, 80.) The City has not sufficiently justified its failure to actually consider existing conditions as to air quality and energy use. Therefore, the Petition is granted on the issue of the City's use of an improper baseline.

II. AIR QUALITY

The EIR's Conclusions Regarding Air Quality Impacts are Contrary to Law and Unsupported by Substantial Evidence

The Applied Thresholds of Significance Obscures Substantial Evidence of Potentially Significant Air Quality Impacts

Sierra Club asserted that the EIR applies two thresholds of significance to conclude that the Project's air quality impacts are less than significant, which thresholds require an assessment of whether the Project will (1) “[r]esult in a cumulatively considerable net increase of any criteria pollutant for which the project region is [in] nonattainment” (the Criteria Pollutant Threshold or CPT) or (2) “[c]onflict with or obstruct implementation of the applicable air quality plan (Plan-Consistency Threshold or PCT). (AR 931.) As to the first assessment, Sierra Club argues that there is substantial evidence on the face of the record that the Project will cause a net increase in nonattainment criteria pollutants that will significantly impact air quality. (AR 921-922 [nonattainment]; 8794.34; Table 4.3-4 [AR 934].) Specifically, there will be substantial emissions of PM₁₀, PM_{2.5}, and ROG_s, which are precursors for ground-level ozone. (AR 934; see Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3rd 692, 718 [even relatively small amounts of ozone precursor emissions could be significant “in light of the serious nature of the ozone problems in this air basin”].)

However, the EIR concludes there would be no cumulatively considerable net increase in any criteria pollutant so, air quality impacts would be less than significant. (AR 938.) This conclusion is based on evaluating Project emissions only against buildout of the 2006 GP. But, this comparison fails to consider substantial evidence in the record showing the emissions are significant. (see East Sacramento, supra. 5 Cal.App.5th at 303; see also, Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th 1099, 1109.) Sierra Club also argued that the City claims GPs are evaluated for consistency with the local air quality plan, but consistency is evaluated under the separate PCT, but since the CPT was also adopted, the EIR was required to evaluate both thresholds.

03-79
Cont.

In response, the City argued both were discussed. As to the CPT (Criteria Pollutant Threshold), the EIR provides a hypothetical construction project to model how future projects could be developed in the future. (AR 822; 934-938.) But the EIR found that CPT analysis was too speculative at the program-level, and is best left for specific projects. (AR 936.) The City claims this is an authorized approach. (Guidelines § 15145; see *Atherton v. Board of Supervisors* (1983) 146 Cal.App.3d 346, 351; see also *Residents Ad Hoc Stadium Com. v. Board of Trustees* (1979) 89 Cal.App.3d 274, 286; *Marin Mun. Water Dist. V. Kg Land Cal. Corp.* (1991) 235 Cal.App.3d 1652, 1662.) The City argues that the EIR was in compliance with CEQA by analyzing impacts in general terms, and deferring project-level analysis to subsequent project-level EIRs. (*In re Bay-Delta* (2008) 43 Cal.4th 1143, 1172; see also, *Town of Atherton v. California High-Speed Rail Authority* (2014) 228 Cal.App.4th 314, 342.)

Sierra Club replied that as to the CPT, the EIR shows the Project buildout will cause substantial, daily increases in emissions of PM₁₀ by 21%, PM_{2.5} by 10% and ROG_s by 54%. (AR 930-931, 934.) But the EIR does not determine whether the Project's cumulative increases are significant under the CPT even though CEQA requires it. (see *Friends of Oroville v. City of Oroville* (2013) 219 Cal.App.4th 832, 840-842.)

As to the City's argument that the impacts under the CPT are too speculative in a program-level EIR, the subject EIR states otherwise. (AR 934.) Sierra Club correctly asserts that the anticipated increases were calculated, but not whether they were significant. The City failed to apply the CPT at all even though it chose this metric to evaluate significance, which is unlawful. (*East Sacramento, supra.* at 5 Cal.App.5th 281, 303 [an EIR cannot apply a threshold of significance in a manner that "foreclose[s] the consideration of substantial evidence tending to show the environmental effect to which the threshold related might be significant."]; see also, *Amador Waterways, supra.* at 116 Cal.App.4th at 1109 [same].)

The Court finds that while the City tries to distinguish these cases, they relate to an EIR improperly using stated significance thresholds to ignore evidence that impacts could be significant. (*East Sacramento, supra.* at 287; *Amador Waterways, supra.* at 1103.) Sierra Club asserts that the City's cited cases do not compel a different result. (see *In re Bay-Delta Programmatic EIR Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1156, 1170-1171; *Town of Atherton, supra.* 228 Cal.App.4th 314, 346.) While some analysis may be deferred when project details are uncertain, there is no uncertainty here. Since the Project's cumulative, program-level emissions, were disclosed, the EIR should evaluate them under the CPT.

The Explanation of Consistency with the Air Quality Plan is Legally Inadequate and Unsupported by Substantial Evidence [SC]

Sierra Club argues that the EIR's PCT (Plan Consistency Threshold) analysis violates CEQA by omitting details that would allow non-preparers of the EIR to understand the issues created by the Project. (see *Sierra Club v. County of Fresno*

03-79
Cont.

(2018) 6 Cal.5th 502, 510.) Sierra Club asserts that the EIR cannot show how the 2021 GPU (which expands warehouse spaces approved since 2006), remains consistent with the 2016 AQMP.

Since the 2006 GP was adopted, the City has considered over 50 million SF of industrial warehousing and commercial space, which is incorporated into the 2021 GPU along with further commercial and industrial development. (AR 5994, 393, and 4095.) However, Sierra Club argues that the City claims the 2016 RTP/SCS relies on land use amendments approved since adoption of the 2006 GP so, all growth under the 2021 GPU was incorporated into the AQMP's assumptions. (AR 391.) Sierra Club argues the City's assertion on this point is false because while some warehouse projects were incorporated into the 2021 GPU, some were planned after the SCAG published the RTP/SCS in 2016. (see AR 5994 [two projects approved in 2017 and 2021].) Thus, Sierra Club concludes there is no evidence in the record that the RTP/SCS or the AQMP considered the City's later growth after July of 2015; that there is no evidence of what projects were included in the 2016 RTP/SCS; that there is no evidence that the AQMP accounts for all planned growth since 2006. Sierra Club adds that failing to include sufficient detail of specific projects in the AQMP's growth assumptions shows the EIR's conclusion of consistency with the AQMP is not supported by substantial evidence. (see *East Sacramento, supra.* at 300.)

The City attempted to justify its approach by asserting that the two missing projects are relatively small (less than 1% of warehouse projects), and include conditions of approval for compliance with regional air quality regulations. And, the City asserted that the AQMP accounts for the WLC (World Logistics Center), which accounts for 80% of the warehouse projects approved since the 2006 GP was adopted. (AR 393-394.) The City concluded that at the time of preparation, the list of projects in the AQMP included all but, the two minor warehouses described above. However, this argument does not sufficiently counter Sierra Club's position. To the extent that the 2016 AQMP does not contain data after July of 2015, the consistency analysis is incomplete. Sierra Club points out that the record does not contain a list of the projects that the 2016 AQMP *actually* includes.

Thus, the Court finds that EIR's statement that the 2016 AQMP accounts for the growth expected under the 2021 GPU omits critical data that should be included in the PCT analysis. Moreover, the finding that impacts would be less than significant due to the purported consistency with the 2016 AQMP is not supported by substantial evidence. (AR 933-934; see also, AR 391, 393, 395, 888, 932-935.)

City Failed to Fully Disclose, Analyze, and Mitigate the AQ Impacts (AG)

Similar to Sierra Club, the AG argued that the EIR obscures the Project's damaging effects on the City's air quality by claiming there will not be a detrimental effect due to consistency with the regional air quality plan. (AR 933-934, 944.) The AG adds that the EIR indicates that Project emissions do not conflict with the AQMP because there will be fewer emissions than estimated in the 2006 GP. (AR 933-934.) But, the AG argued that neither the record nor the law supports these conclusions.

03-79
Cont.

Project Emissions are Significant Because They Conflict with the AQMP [AG]

The AG acknowledges that one of the four thresholds evaluating the Project's impacts is whether Project emissions will conflict with the 2016 AQMP. (AR 931.) The EIR compared Project emissions against theoretical buildout of the 2006 GP, and concluded there was no conflict with the AQMP because the Project will generate less emissions than the 2006 GP. (AR 933-934.) However, similar to Sierra Club's position, this plan-to-plan comparison is not permitted under CEQA. (CEQA Guidelines §15125(e); see *League to Save Lake Tahoe Mountain etc. v. County of Placer* (2022) 75 Cal.App.5th 63, 152; see also, *EPIC, supra.* at 358; *Christward Ministry v. Sup. Ct.* (1986) 184 Cal.App.3d 180, 190-191; *City of Carmel-By-The-Sea v. Board of Supervisors* (1986) 183 Cal.App.3d 229, 246-247; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1416 [rejecting arguments "that a project's effects cannot be significant as long as they are not greater than those deemed acceptable in a general plan"] (emphasis in the original).)

As to Project consistency with the AQMP, the AG argues that the analysis is similarly flawed by making the same type of illusory comparison. (AR 921-923.) In addition, the AG points to other evidence in the record indicating that Project emissions will conflict with the AQMP (e.g., if several projects are constructed simultaneously or overlap in time.) (AR 933, 935-936.)

The EIR states that operational emissions "would far exceed" daily emission thresholds, but then concludes that measure is not for program-level analysis. (AR 936.) But, the EIR finds that the Project would not conflict with the AQMP; since operational emissions would be less under the 2021 GPU than under the 2006 GP, the Project would not result in significant impacts. (AR 938.) Nor would the operational emissions have a cumulatively considerable net increase so, impacts would be less than significant. (AR 946.) The program-level analysis is defective due to the comparison to the 2006 GP. The AG points out that adding Project emissions in the City's nonattainment area will create serious air quality violations that will delay attainment of air quality standards, which will conflict with the AQMP. (AR 933; see *Banning Ranch, supra.* at 2 Cal.5th 918, 938-939.) The AG adds that while the City adopted the 2016 AQMP, it did not evaluate Project emissions using it; the City did not engage with the content in the 2016 AQMP or use the conformance criteria to assess the significance of the emissions on air quality. (see *Lotus, supra.* 223 Cal.App.4th at 653-658.)

The AG argued that the City treats the 2006 GP as a "proxy" for the AQMP significance threshold, which violates CEQA because: 1) the City did not adopt the 2006 GP as an air quality significance threshold for the Project, and *Fairview Neighbors, supra.* at 70 Cal.App.4th 242-243, does not support adopting the AQMP as a significance threshold, and then using a different metric (buildout under the 2006 GP) to analyze air quality impacts; 2) there is no reasonable basis for the City to treat the 2006 GP as a substitute for the 2016 AQMP as each has a different purpose; the record lacks substantial evidence to support that these documents are

03-79
Cont.

interchangeable; 3) using buildout of the 2006 GP to measure the significance of the Project's emissions does not provide an accurate depiction of the nature and magnitude of the Project's effect on the City's air quality (*EPIC, supra.* at 131 Cal.App.3d 350, 355-358); and, 4) the inclusion of the 2018 baseline figures does not cure the error in the baseline analysis.

The EIR's finding that the Project's emissions are less than significant is illusory when considering the evidence in the record that demonstrates significantly increased emissions.

EIR Lacks Analysis and Mitigation of Impacts to Sensitive Receptors

The AG argued that another threshold is to evaluate whether the Project emissions would expose "sensitive receptors to substantial pollutant concentrations. (AR 931.) If so, mitigation measures are required. (Guidelines § 15126.4(a)(2).) Sensitive receptors are "children, pregnant women, the elderly, and communities already experiencing high levels of air pollution and related diseases." (*SANDAG, supra.* at 438.) The EIR should define sensitive receptors and describe "substantial concentrations of pollution." (*Sunnyvale West Neighborhood Assn. v. City of Sunnyvale City Council* (2010) 190 Cal.App.4th 1351, 1390.) The analysis in the EIR also lacks "a reasoned estimate of the number and location of sensitive receptors." (*SANDAG, supra.* at 439-440.)

The AG asserted that the EIR failed to perform the sensitive receptor analysis, and then concluded no significant adverse impact on air quality. (AR 939-940, 942.) The proposed land uses include industrial and commercial development in western Moreno Valley. (AR 875; 940; 1127; 1129; 1139-1141.) The Project will place more warehouses and distribution centers in that area, which will affect sensitive receptors, but they were not considered nor mitigated. (AR 402-403, 31122, 5993-5994.) The City deferred analysis and mitigation for future proposed individual projects in violation of CEQA. (AR 937, 940, 942, 948, 937-938, 944-945; Guidelines § 15144; *SANDAG, supra.* at 438-440.)

In response, the City asserted that potential impacts on sensitive receptors were discussed in the EIR, in section 4.3.5.3(b). (AR 823, 832, 938-942.) It asserted sensitive receptors and sensitive receptor areas were defined in the 2006 GP, which was incorporated by reference. (City's RJN, Ex. "C" at p. 5.3-10) and that EIR Figures 4.15-1 and 4.11-1 show the locations. (AR 1213, 1128.) Moreover, the EIR showed future locations (AR 4176, 4106.) The City asserted that while operational impacts would be less than significant (AR 937-942), the EIR provides MMs to reduce them even further. (AR 935-936 [construction], 936-937 [operations], 940.) The City adds that impacts will vary widely considering what specific project is proposed, which "could only be meaningfully assessed and mitigated on a project-level" EIR analysis. (AR 605, 626, 822-823, 940-942, 947-948.) However, the citations to the record only briefly mention sensitive receptors, without any details. The City argues that under this program-level EIR, detailed information and mitigation can be deferred to a specific project-level EIR in the future. (CEQA Guidelines §§ 15152(c), 15126.4.)

03-79
Cont.

The Court finds that the City relies on incorporation of the sensitive receptor analysis from the prior 2006 GP, but no such incorporation is addressed in the 2021 GPU. (AR 938-942.) The City failed to comply with CEQA's requirements regarding incorporation. (CEQA Guidelines § 15150(b), (c).) In addition, while the City seeks judicial notice of the 2006 GP, it contains only a few sentences rather than long, descriptive, or technical materials. (*Id.* § 15150(f).) Thus, the EIR fails to disclose the number and location of sensitive receptors in the proximity of the Project as well as whether they will be exposed to "substantial pollutant concentrations." (AR 931; see *SANDAG, supra*. 17 Cal.App.5th at 438-440.) In addition, all of the analysis and potential mitigation relating to sensitive receptors was deferred to future specific individual projects. (AR 937, 940; see also, AR 942, 948, 937-938, 944-945.) While this approach may be appropriate in some situations, the City is required to provide whatever information is available to it at this point. (*SANDAG, supra*. at 440.) The analysis on this issue is minimal.

EIR Lacks Analysis and Mitigation of Toxic Air Contaminants

The AG argued that there has been no effort by the City to analyze and mitigate the Project's toxic air contaminants emissions. (AR 939-942.) Diesel exhaust particulate matter (DPM) is such a contaminant. (AR 924; see Health & Safety Code § 39655(a).) In the EIR, it is stated that DPM is generated by construction equipment (e.g., grading), and during various industrial and commercial processes. (AR 939, 940.) But, it contains no estimates for how much DPM will be generated (even though it did so for other pollutants.) The AG asserted that the EIR was also vague as to the number of diesel truck trips generated under the Project. The City's response was that the information was provided in the VMT (vehicle miles traveled) analysis. (AR 390, 392-393, 1890.) The AG asserts that while the City referenced a technical report, it only discussed assumptions in the VMT analysis. (AR 402, 1877-1890.) The AG argues that the public should not have to search to find this data, and then make its own determination about DPM emissions. (*Banning Ranch, supra*. at 941.) The City's conclusions about the DPM emissions (e.g., "short-lived", "highly dispersive", and "occur[ing] intermittently) are useless without knowing how much DPM will be emitted by the Project. (AR 939.)

The City failed to oppose this argument.

EIR Failed to Identify/Correlate Project Emissions to Adverse Health Impacts

The AG argues that an EIR must disclose health and safety problems caused by the Project's changes on the environment. (CEQA Guidelines § 15126.2(a).) But the subject EIR fails to "describe the nature and magnitude of the adverse effect" and provide a nexus to adverse impacts on human health. (*Sierra Club v. City of Fresno* (2018) 6 Cal.5th 502, 518; see also, *SANDAG, supra*. at 514-515; *Bakersfield Citizens, supra*. 124 Cal.App.4th at 1219-1220; *Berkeley Keep Jets, supra*. 941 Cal.App.4th at 1371.) For instance, while the EIR discloses pollutants (ozone and particulate matter) and toxic air contaminants (DPM), which will result in significant air quality impacts

03-79
Cont.

(AR 934, 936, 939), the adverse human health effects related to such exposure were not disclosed or analyzed. The AG asserts that this omission occurred even though health effects from each pollutant are “well-known and accessible.” (AG’s OB, p. 22:4.)

According to the AG, what is missing is “evidence of the anticipated parts per million (ppm) of [DPM] as a result of the Project.” (AG’s OB p. 22:18-19.) The AG asserts that EIRs must: 1) disclose the type and tons of pollutants a project will emit each year; 2) provide “a general description of each pollutant and how it affects human health”; 3) indicate the concentration levels for each pollutant that would trigger adverse public health impacts; and 4) correlate project emissions to adverse human health impacts. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 518-519.)

The City failed to oppose this argument. Accordingly, the City violated CEQA by failing to disclose what it reasonably could about the Project’s emissions impact on residents. (*CNFF, supra.* at 441.) Thus, the Petition is granted on this issue.

III. CLIMATE CHANGES

The EIR’s Analysis of Climate Change Impacts Is Unsupported by Substantial Evidence

Sierra Club asserts that the EIR states GHG emissions will far exceed California’s 2040 GHG reduction targets. (AR 1073-1074.) GHG emissions will increase by over 50% under the Project from 866,410 metric tons of carbon dioxide equivalent per year (MT CO₂E) to 1,325,101. (AR 1074.) Per capita emissions will increase by 25% from 4.17 to 5.25 MT CO₂E. (*Ibid.*) Despite this increase, the EIR concludes the Project will have less than significant climate change impacts and requires no mitigation. (AR 1080.) This is because the EIR has incorporated the CAP’s GHG reduction strategies into the Project, which purportedly will reduce emissions by 425,594 MT CO₂E. (AR 1074-1081.)

The EIR Fails to Acknowledge the Project’s Significant Climate Impacts or Identify Mitigation Measures to Reduce those Impacts

Sierra Club asserted that EIRs are required to discuss a project’s significant environmental effect and *separately* discuss mitigation measures (MMs). (PRC § 21100(b)(1), (3); see also, Guidelines § 15126.4(c).) Sierra Club asserts the EIR improperly combines impacts and mitigation into a single discussion. Although the Project will not meet the GHG reduction targets by 2040, the EIR does not consider MMs to reduce the Project’s significant effects. Instead, it incorporates the CAP’s GHG reduction strategies to conclude less than significant effects. Sierra Club argues that this approach is prohibited under CEQA. (*Lotus v. Dept. of Transp.* (2014) 223 Cal.App.4th 645, 656 [when the impact and mitigation analyses are combined, it creates a “structural deficiency in the EIR”, which prevents proper MMs and findings.])

In addition, the City needed to make express findings regarding MMs to mitigate or avoid significant environmental impacts and adopt a Mitigation

03-79
Cont.

Monitoring and Reporting Program (MMRP). (Pub. Res. Code §§ 21081(a)(1), 21081.6(a)(1).) But, the City did not meet these requirements. The EIR states the Project will have no impact or less than significant direct or cumulative impacts and requires no mitigation. (AR 151-152.) And, the City's MMRP does not mention any MMs to mitigate the climate change impacts. (AR 174-177.) The AG joins in this argument.

The City argues that Sierra Club's challenge to incorporation of the CAP's GHG reduction strategies is misplaced because the CAP is a part of the Project, and is self-mitigating. (AR 4096; see Guidelines § 15126.4(a)(2).) The City argues that it is not improper for an EIR to evaluate self-mitigating measures as part of the project to conclude that impacts will be less than significant.

However, there is not dispute that the Project will substantially increase GHG emissions by more than 50%; this is stated in the EIR. (AR 1074.) But Sierra Club argues that the CAP is mitigation under CEQA. (Guidelines § 15183.5(b).) While specific design features that further project objectives and that are useful beyond reducing impacts may be considered part of the project, measures that are intended to avoid or minimize impacts are MMs. (*Lotus, supra.* at 223 Cal.App.4th 645, 655-656, fn. 8.) The City concedes that the reduction strategies are "designed to mitigate the adverse impacts of growth", but then also claims they are part of the Project. (RB, p. 37:17-18.) The problem is that the City has not elaborated as to how the reduction strategies further project objectives or are useful beyond reducing impacts. (see *Save the Plastic Bag Coalition v. City and County of San Francisco* (2013) 222 Cal.App.4th 863 [the 10-cent bag fee furthered the purpose of limiting single-use bags].) To the extent that the CAP's reduction strategies were intended as mitigation (AR 1074, 4263-4264, 4312, 4333, 4334-4350.), they must be analyzed as MMs, not part of the Project. This is true for program-level and project-level EIRs. *Lotus, supra.* at 656; see also, *SANDAG*, 17 Cal.App.5th at 426.)

In addition, Sierra Club asserts that MMs are only incorporated into a plan at the end of the CEQA process. (see PRC § 21108.6(b).) The EIR is required to: 1) adopt findings of significance (*Id.* § 21100(b)(1)); 2) determine whether feasible mitigation will minimize or avoid those impacts (*Id.* § 21100(b)(3)); 3) before project approval, make express findings adopting specific feasible MMs (*Id.* § 21081(a)(1)); and, 4) adopt a Mitigation Monitoring and Reporting Program (MMRP) to ensure compliance with the MMs (*Id.* § 21081.6(a)(1).)

The Court finds that this failure is prejudicial because the EIR fails to properly define the Project to include mitigation.

EIR's Conclusion that Climate Change Impacts are Less Than Significant is Not Supported by Substantial Evidence

Sierra Club argues that the EIR fails to adequately support the threshold of significance that the City chose, and there is a lack of evidence that the City can reduce the projected GHG emissions below that threshold. The City chose the State's 2017 Scoping Plan to select per capita emissions threshold of 4 MT CO₂E per year.

03-79
Cont.

(AR 1073.) However, Sierra Club argues that there is no explanation that this threshold is appropriate. Even if it was a proper threshold, substantial evidence does not support the conclusion that the Project's climate change impacts are less than significant. (*CBE, supra.* at 62 Cal.4th at 225.) Sierra Club asserts that the City's claim that the CAP's reduction strategies will reduce GHG emissions is unsupported because: 1) the EIR assumes that the voluntary, aspirational, and discretionary CAP strategies will actually reduce GHG emissions; 2) the EIR incorrectly assumes that strategies affecting a small subset of GHG sources applies to entire industry sectors, which grossly overestimates the reductions; 3) the EIR's claimed emissions reductions are inconsistent with CAP itself; and, 4) the record does not support the CAP's emission reduction calculations because the supporting studies are not in the record.

In response, rather than demonstrate compliance, the City repeated its argument that this program-level EIR does not require the detailed MMs that Sierra Club wants. (Guidelines § 15146.) The City asserts that a GP may identify specific MMs that may be implemented in subsequent specific project level EIRs provided, based on substantial evidence, that the City commits to the mitigation; adopts specific performance standards to be achieved; and, identifies the types of potential actions that can achieve each performance standard. (*Id.* § 15126.4(a)(1)(B).) The City claims the EIR and the CAP does this. (see AR 4315, 4333-4350 [CAP Appendix B].)

Moreover, the EIR's conclusion that the CAP strategies will reduce impacts below the significance threshold is not supported by substantial evidence, which is the City's burden. (*CBD, supra.* at 62 Cal.4th at 225.) In the context of this program EIR, the City does not demonstrate how any particular reduction strategy will be applied to any particular project.

The CAP is Ineligible for Tiering and Streamlining Environmental Review of the Development Proposed in the Project

The AG asserts that CAPs are a mechanism for lead agencies "to analyze and mitigate significant effects of greenhouse gas emissions at a programmatic level, such as in a general plan." (CEQA Guidelines § 15183.5(a).) CAPs can be used to fast track the GHG emissions analyses in future projects by tiering or streamlining to a properly compliant CAP. (*Id.* at subd. (b).) However, the AG disputes that the CAP in this matter can be used for environmental review of future projects because the CAP does not comply with tiering and streamlining requirements.

CAP Does Not Satisfy CEQA's Tiering and Streamlining Requirements

CAPs used for tiering and streamlining are required to "[s]pecify 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." (CEQA Guidelines § 15183.5(b)(1)(D).) GHG reduction measures included in the CAP must be feasible, fully enforceable, and additional. (CEQA Guidelines § 15041, § 15126.4(a).) But, the AG argues the strategies in the

03-79
Cont.

subject CAP are insufficiently defined, and lack clearly defined performance standards to be enforceable. (AR 1073-1074, 5998.) The AG also argues that a CAP is also required to establish a mechanism to monitor the plan’s progress, but this CAP does not do so. (AR 4317-4324; CEQA Guidelines § 15183.5(b)(1)(E).) The AG asserts that while the City claims the CAP is compliant and can be used for tiering and streamlining (AR 399-400, 828, 1073-1074), there is a genuine controversy about this. (see *Zeitlin v. Arnebergh* (1963) 59 Cal.2d 901, 908.)

The City acknowledges that some of the proposed GHG reduction strategies are voluntary, but claims the AG ignores those that are mandatory. (AR 4340 [smart meters in new construction]; AR 4347 [limits idling of heavy construction equipment].) The City argues that a measure’s effectiveness is based on industry standard methodologies (e.g., CAPCOA Quantifying GHG MMs), which methodologies were not challenged administratively. The City adds that just because the measures are voluntary does not mean they should be discounted.

The City then argues that since the Project is a GP, it is appropriate to incorporate MMs into the plan. (Guidelines § 15126.4(c)(5) [“...mitigation may include identification of specific measures that may be implemented on a project-by-project basis.”]) The City concludes that the CAP provides standards to support tiering depending on what requirements are appropriate for specific project-level analysis. (AR 4281.)

However, while the City offers an explanation for its approach, it does not dispute that it failed to comply with the statutory requirements. Similar to Sierra Club, the AG argues that there is no substantial evidence that the CAP strategies can achieve the GHG reductions needed, and there is no schedule to monitor and update the CAP. (Guidelines § 15183.5(b)(1)(D), (E).) At a minimum, the Court finds that the City should be required to comply with the applicable statutes.

IV. ENERGY USE

Energy Use Impacts Analysis is Legally Inadequate

Sierra Club argues that the EIR is required to state “measures to reduce the wasteful, inefficient, and unnecessary consumption of energy.” (§ 21100(b)(3); Guidelines, Appx. “F”.) While not all impacts and MMs apply in all cases, the EIR here should consider a project’s “energy requirements and ... energy use efficiencies by amount and fuel type for each stage of the project,” its “effects ... on ...demands for electricity,” and its “projected transportation energy use requirements.” (Guidelines, Appx. “F” § II.C.) MMs may include “siting, orientation, and design to minimize energy consumption,” “reducing peak energy demand,” and use of renewable fuels and energy systems. (*Id.* at § II.D, and § 15126.2(b).)

However, the EIR omits analysis of energy impacts from construction claiming it is too speculative at the program-level. (AR 1038.) Similarly, it fails to analyze transportation-related energy use. (AR 1049.) But, more is required. The EIR is to provide whatever information it reasonably can now. (Guidelines § 15144.) Sierra Club notes that in the air quality section, the City analyzed a typical construction

03-79
Cont.

project. (AR 930, 935-936.) But, as to energy use/transportation-related energy use, no similar analysis was performed. More importantly, without the initial analysis, mitigation of any impacts cannot be rendered less than significant. (see AR 1038.)

While the analysis of *building-related* energy use is addressed in the EIR by stating it would more than double, it never discusses the applicable MMs stated in the Guidelines. Instead, the EIR merely concludes that compliance with the state Green Building Code and promoting voluntary energy-efficiency programs will reduce impacts to less than significant levels. (AR 1040.) More is required. (*Calif. Clean Energy Comm. v. City of Woodland (Clean Energy)* (2014) 225 Cal.App.4th 173, 211 [re CEQA Guidelines, Appx. F]; *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 Cal.App.4th 256, 265; Guidelines § 15126.2(b).)

The City argues that the energy use impacts analysis is sufficient for a program-level EIR, and includes Appendix F topics. (AR 1032-1033, 1036-1038, 1040.) Based on this, the City asserts that the projected energy use is not wasteful or in conflict with applicable regulations. (AR 1041-1042.) The City mischaracterizes Sierra Club's argument by stating that Sierra Club wrongfully expects energy use projections in detail "for every future project possible under a general plan." (RB, p. 43:21.) The City argues that what the EIR presents is the City's determination that the analysis is entirely speculative so, CEQA requires the conclusion be noted, and terminate the analysis. (Guidelines § 15145; see also *Atherton, supra.* at 146 Cal.App.3d at 351.) The City also notes that *Ukiah Citizens* involves a project-level EIR, with no discussion of energy impacts. (*Id.* at 260, 263.)

However, the City did not address Sierra Club's arguments as to transportation-related and/or building-related energy use impacts, and therefore, cannot conclude that they are less than significant. As to transportation-related energy impacts, the EIR provides VMT under the Project (AR 1039) but, it does not describe the energy impacts of those trips. (see *Ukiah Citizens, supra.* at 264-265.) Without the analysis, the conclusion that the impacts are less than significant is unreasonable. (*Clean Energy, supra.* at 210.)

Sierra Club adds that it did not argue that the EIR is required to show energy impacts "for every future project." (RB, p. 43:21.) But, it must provide the information that it reasonably can now. Moreover, as to building-related energy use, the EIR does not explain how the Project could more than double the electricity use (AR 1040), but also does not use unnecessary energy resources. This issue was not properly or adequately analyzed nor were MMs considered.

The Petition is granted on this issue.

V. LAND USE

Land Use Changes

Sierra Club argues that the Project's land use changes will allow substantial new development, including new warehouses right next to homes in the Edgemont

03-79
Cont.

community, and land use changes in northeast Moreno Valley, but none of the foreseeable environmental impacts have been analyzed in the EIR.

Sierra Club asserted both in its written papers and at oral argument that the Project changes land use designations from purely residential uses to "Business Flex", which will allow light manufacturing, warehouses, distribution centers, among others. (AR 116, 14, 940.) The EIR then defers analysis to later project-level review. (AR 776-778.) Sierra Club takes issue with this deferral arguing that the designations will place large warehouses next to homes causing health risks due to increased DPM from trucks; that the character of the neighborhoods will be disrupted due to "massive walls" next to homes; and that setbacks should be larger next to non-residential uses. (AR 9263-9464). In this instance, the argument is limited to the Edgemont neighborhood. However, without a clear concept of any proposed development, the Court finds that deferral is appropriate.

Indeed, the City argued that to meet its Housing Element update obligation, it had to find suitable locations for higher density housing. (AR 875, 883.) The City asserts that this was fully analyzed in the EIR including access to services and infrastructure, energy conservation, affordability, state mandates, interest of current residents, and other factors. (AR 884-885.) Also, population growth and housing changes were analyzed. (AR 1203-1210.) The City essentially argues that these were analyzed from a program-level point of view. (AR 890.)

While there are consequences of placing warehouses and industrial development close to residential areas, this is acknowledged by the EIR. (AR 940.) The Court finds this program-level analysis was adequate.

Sierra Club also argues that the EIR fails to analyze the "reasonably foreseeable growth-inducing impacts of the land use changes in northeast Moreno Valley." (SC's OB, p. 31:13-15.) The Project's land use designations are to change from lower-density residential and hillside residential to highway office/commercial and higher density residential. (AR 103-105, 872, 877.) Sierra Club argues that the EIR fails to analyze the impacts (e.g., infrastructure extensions.) (AR 1284; Guidelines § 15126.2(e), Appx. G, § XIV(a).)

However, similar to the argument above as to the Edgemont neighbor, the impacts are too speculative to evaluate without a specific project. The Petition is denied on this issue.

VI. PRESERVING DOCUMENTS

City Violated CEQA By Failing to Preserve Records

Sierra Club argues that the City violated CEQA by failing to retain all documents, including public correspondence, that is required for the AR. The City admitted that it could not produce internal emails because its servers only retained them for 90 days, after which they are automatically deleted and unrecoverable. (Dec.McKerley ¶¶ 19-21.) This failure by the City violates CEQA. (§ 21167.6(e);

03-79
Cont.

Golden Door Properties, LLC v. Sup. Ct. of San Diego County (2020) 53 Cal.App.5th 733, 764.)

The question thus begs what the remedy should be for the destruction of these materials? In *Golden Door*, the Court concluded that the appropriate remedy for the destruction of hundreds or thousands of emails from the record was somewhat nuanced. In that case, the Court ordered the parties to meet and confer, and if they could not agree, then the "superior court shall afford Plaintiffs a reasonable opportunity to bring motions to compel" in light of the other findings by the appellate court. (*Golden Door, supra*, at p. 794.)

The Court gleans from *Golden Door* that courts should have flexibility to fashion an appropriate remedy when needed. In this case, the Court has already made some findings that Sierra Club did not fail to exhaust all administrative remedies, and indeed, has found that the AG is not subject to that requirement. However, the Court also acknowledges, as pointed out by Sierra Club, the City is attempting to benefit from the loss of these materials by arguing that many issues were not exhausted administratively.

The Court recognizes that the destruction of these materials was inadvertent, but there still should be a remedy. Thus, recognizing that the Court has already determined that the City's exhaustion defenses were not valid in other respects, the Court finds that the City should not benefit from any fact or argument not specifically addressed, especially given that it was the City that destroyed these administrative records. Thus, the City's objections to Sierra Club on exhaustion remedies is overruled.

///
///
///
///
///
///
///
///
///
///
///
///
///
///
///
///
///
///
///
///
///
///

03-79
Cont.

VII. CONCLUSION

Based on the foregoing, the Petition is granted on the issues of baseline (existing conditions analysis), air quality, climate changes (GHG emissions), and energy use. It is denied as to land use.


This shall constitute the court's Statement of Decision pursuant to Code of Civil Procedure section 632 and Rule 3.1590 of the California Rules of Court. Within 15 days after the proposed Statement of Decision has been served, any party affected by the Statement of Decision may make, serve and file objections to the proposed Statement of Decision. After expiration of the time for filing objections to the proposed Statement of Decision, the Statement of Decision will be considered final.

At the end of the expiration period that time, Counsel for Petitioner Sierra Club is ordered to prepare and submit the judgment in accordance with the above Statement of Decision within 10 days.

The Court shall set an OSC re submission of Judgment on May 10, 2024 at 8:30am. If the Court has signed the Judgment, the Court shall take the OSC off calendar.

GOOD CAUSE APPEARING, IT IS SO ORDERED:

Dated: March 5, 2024



CHAD W. FIRETAG
Judge of the Superior Court

03-79
Cont.

INTENTIONALLY LEFT BLANK

Response to Comment Letter O3

Organization

Adams Broadwell Joseph & Cardozo – Californians Allied for a Responsible Economy
July 15, 2024

03-1 The City acknowledges the comment as an introduction to comments that follow. The Adams Broadwell Joseph & Cardozo law firm submits the letter on behalf of Californians Allied for a Responsible Economy (CARE CA).

The comment does not address the adequacy of any section of the Draft SEIR; therefore, no further response is required or necessary. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision.

03-2 The comment states that the Aquabella Draft SEIR was reviewed with the assistance of two technical consultants: James J. Clark, PhD, on the subjects of air quality and hazardous resources, and Jack Meighan, MS, on the subject of acoustics. The comment also attaches the consultants' comments and resumes as exhibits (A and B).

These responses address all comments in the letter and attachments consistent with CEQA and CEQA Guidelines Section 15088.

In reviewing the comments and attachments from Dr. Clark and Mr. Meighan, the City also conferred with the Dudek expert consultants in the areas of air quality, health risk, hazardous resources, and noise/acoustics. Attachment C to this document includes professional resumes of Dudek preparers, including Jonathan Leech, AICP, INCE, noise specialist; Eric Schniewind, senior geologist, hydrologist, and hazardous materials specialist; Audrey Herschberger, PE, environmental engineer; Jennifer Reed, air resources specialist, air quality services manager; Matthew Morales, air resources specialist; and Ames Noll, air resources specialist.

The comment summarizes CARE CA's comments that follow, including comments claiming that the Draft SEIR "fails to comply with the requirements of CEQA"—specifically that the Draft SEIR's project description section (Chapter 3, Project Description) does not provide an accurate project description, nor "disclose, analyze, or mitigate the Project's potentially significant air quality, health risk, soil contamination, noise, transportation, energy, water supply, and land use impacts." This summary does not explain the alleged failings of the project description, nor detail any specific "deficiency" with respect to the Draft SEIR's air quality, health risk, soils/hazards, noise, transportation, energy, water supply, or land use impacts, except to conclude that the Draft SEIR "lacks" substantial evidence to support its findings.

The focus of the City's responses to comments is the "disposition of significant environmental issues raised" in the comments (14 CCR 15088[c]). Detailed responses are not provided for comments that either do not relate to significant environmental issues or provide an unsupported opinion regarding the Draft SEIR or the Draft SEIR's significance findings. The analysis in the Draft SEIR is based on scientific and factual data and has been reviewed by the City and reflects its independent judgement. CEQA permits disagreements among experts with respect to environmental issues addressed in an EIR; such disagreement does not make an EIR inadequate (14 CCR 15151). Further, courts do not require

perfection, but instead look for adequacy, completeness and a good faith effort at full disclosure (14 CCR 15151).

The comments do not address any specific inadequacy in any section of the Draft SEIR; therefore, no further response is required or necessary. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision.

03-3 The comment claims that the City cannot approve the Project until the “errors and omissions” in the Draft SEIR are “remedied, and a revised draft SEIR is recirculated.” The comment also contains a footnote that reserves the right to “supplement” the comments during later hearings and proceedings. The City has considered the recirculation request, and finds that recirculation is not required by CEQA or the CEQA Guidelines for the reasons that follow.

CEQA Guidelines Section 15088.5 provides the legal criteria that a lead agency is to consider when deciding whether it is required to recirculate an EIR. Recirculation is required when “significant new information” is added to the EIR after public notice of the availability of the draft EIR is given, but before certification (14 CCR 15088.5[a]). “Significant new information,” as defined in CEQA Guidelines Section 15088.5(a), means information added to an EIR that changes the EIR so as to deprive the public of a meaningful opportunity to comment on a “substantial adverse environmental effect” 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.”

An example of significant new information provided by the CEQA Guidelines is the disclosure showing that a “new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented” (14 CCR 15088.5[a][1]). Other examples involve situations where 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” (14 CCR 15088.5[a][2]). Further examples involve a setting where 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” (14 CCR 15088.5[a][3]).

Recirculation is not required where “the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR” (14 CCR 15088.5[b]). Recirculation also is not required simply because new information is added to the EIR—indeed, new information is regularly added given CEQA’s public/agency comment and response process and CEQA’s requirement to circulate proposed responses to comments submitted by public agencies to those agencies before certifying the final EIR. In short, recirculation is “intended to be an *exception* rather than the general rule” (*Laurel Heights Improvement Assn. v. Regents of University of California* [1993] 6 Cal.4th 1112, 1132, emphasis added).

Here, the comment does not identify any specific significant environmental issue or topic that would trigger SEIR recirculation, particularly when, as here, the Project site has been the subject of extensive prior environmental review and analysis (see Draft SEIR Section 2.1, pp. 2-1 through 2-3, and Section 3.3.1, pp. 3-4 through 3-6).

- 03-4** The comment provides general “project background” of the Project and its description, though the description is incomplete in some respects. For that reason, this response refers to Draft SEIR Section 1A.2, pp. 1A-1 through 1A-7, for a more complete description of the Project overview, objectives, location, and summary. Additionally, the comment incorrectly refers to the Project site as comprising 770.5 acres. The previously approved Specific Plan area encompassed 770.2 acres. Since that time, portions of the previously approved Specific Plan have been developed (e.g., Nason Street, Vista del Lago High School, apartment units). As such, this Project updates the vision for the development of the remaining 658.6-acre site, plus an additional 10-acre parcel that would be added to the Specific Plan, for a total Project area of approximately 668.6 acres (see Draft SEIR Section 1A.2, p. 1A-1). The comment does not raise any specific environmental issues regarding the adequacy of the Draft SEIR; therefore, no further response is necessary or required.
- 03-5** The comment summarizes the Project’s prior history, approvals, and environmental review and analysis, which are covered in the Draft SEIR (see Draft SEIR Section 1A.2, pp. 1A-1 through 1A-7, for a more complete description of the Project overview, objectives, location, and history). Because the comment only generally summarizes the Project background and raises no significant environmental issues regarding the adequacy of the Draft SEIR, no further response is needed or required. However, the City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision.
- 03-6** The comment introduces CARE CA. The comment and those that immediately follow under the heading “Statement of Interest” state that individual members of the labor union live, work, and recreate in the City and in Riverside County and would be directly affected by the Project’s environmental impacts. No facts or data are provided to support these comments. The City acknowledges the comment as a further introduction to comments that follow. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.
- 03-7** The comment expands on CARE CA’s interests and suggests that its union members may work on the Project site and be exposed to health and safety hazards on site. No facts or data are provided to support the comments. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.
- 03-8** The comment further expands on CARE CA’s interests. No facts or data are provided to support the comment, nor does it raise any significant environmental issue or topic with respect to the adequacy of the Draft SEIR. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.
- 03-9** The comment cites CEQA, the CEQA Guidelines, and CEQA cases as background information to support the comments that follow. As stated, the focus of the City’s responses to comments is the “disposition of significant environmental issues raised” in the comments (14 CCR 15088[c]). Detailed responses are not provided for comments that do not relate either to significant environmental issues or provide an unsupported opinion regarding the Draft SEIR or the Draft SEIR’s significance findings. Contrary to the comment’s statements and as substantiated in responses below, the analysis in the Draft SEIR is based on scientific and factual data and has been reviewed by the City and reflects its independent judgement. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.

03-10 Please refer to Response to Comment 03-9, above.

03-11 Please refer to Response to Comment 03-9, above.

03-12 The comment states that the “2040 General Plan Update was adopted June 2021 and is presently in effect.” The comment then refers to the City’s 2040 General Plan Update litigation and notes that prior to the litigation set-aside of the 2040 General Plan Update, the Project applicant submitted a Senate Bill (SB) 330 preliminary application and paid the requisite fee on September 6, 2023, which “effectively ‘locks’ in the development requirements and standards upon the date of submittal.” The comment represents background information and not any significant environmental issue concerning the adequacy of the Draft SEIR. Please also refer to Response to Comment 03-9, above.

This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.

03-13 The comment generally refers to the Draft SEIR’s evaluation of the Project’s consistency with the 2040 General Plan. In response, the City notes that the Draft SEIR evaluated the Project’s consistency with *both* the 2040 General Plan (which was in litigation during the processing of the Draft SEIR) and the 2006 General Plan. For additional information, please refer to footnote 1 in Draft SEIR Section 3.2, Statement of Project Objectives, p. 3-2; Draft SEIR Section 4.11, Land Use and Planning, pp. 4.11-1 and 4.11-11 through 4.11-12, including Table 4.11-1, 2040 General Plan Land Use Consistency; and Draft SEIR Appendix A, Specific Plan Amendment, Appendix 8.1, Aquabella Consistency with 2040 General Plan, and Appendix 8.2, Aquabella Consistency with 2006 General Plan.

The comment also acknowledges that the Draft SEIR is “a stand-alone Project analysis, which does not tier from the 2040 General Plan EIR or any other EIR document,” and that the Draft SEIR “contains its own separate analysis of the environmental implications of the Project and its alternatives.”

The comment further acknowledges the Draft SEIR’s statement that, if the prior 2006 General Plan “is the effective General Plan when the Project goes before the City Council,” the “SEIR and Specific Plan Amendment (SEIR, Appendix A) also includes analysis of Project consistency with that prior Plan.” Again, the City concurs with these comments.

This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.

03-14 This comment, and the comment that immediately follows, claim that the City was required to set aside its Climate Action Plan (CAP) following the trial court’s decision in the General Plan Update litigation (*Sierra Club v. City*, No. CVR 12103300). The comment states that the Project cannot base its consistency analysis on the “invalidated” CAP and 2040 General Plan. This response addresses both the CAP and the 2040 General Plan “consistency” comments.

Climate Action Plan

Draft SEIR Section 4.8, Greenhouse Gas Emissions, explicitly provides that the Aquabella Project “is not using the CAP’s streamlined environmental review process; instead, the Project has committed to the preparation of this SEIR. This SEIR includes an analysis of the Project’s consistency with the

effective CAP as it existed at the time the Project applicant filed a [SB 330] preliminary application with the City (in September 2023), while also undertaking a separate, stand-alone analyses of Project-generated construction and operational GHG emissions against other significance thresholds/criteria. Note the Specific Plan Amendment (SEIR, Appendix A) also includes analysis of Project consistency with the 2006 General Plan, including policies related to GHG emissions” (see footnote 7 in Draft SEIR Section 4.8, p. 4.8-27).

2040 General Plan

Please refer to Topical Response 1, SB 330 and General Plan Consistency Analysis. This response explains why the Project can validly evaluate the Project’s consistency against the 2040 General Plan Update, though it was set-aside in the General Plan litigation (*Sierra Club v. City*, No. CVR 12103300) subject to corrective action and the City reconsideration and readoption of the 2040 General Plan. See Topical Response 1 for further explanation.

03-15 Please refer to Response to Comment 03-14, above. As demonstrated therein, the Draft SEIR—consistent with CEQA’s informational disclosure objectives—appropriately considered the consistency of the Project with both the City’s CAP and 2040 General Plan, while planning ahead and accounting for potential contingencies that might flow from the General Plan Update litigation. The inclusion of such information and analysis does not violate the tenets of CEQA, but rather furthers CEQA’s purpose to provide disclosure of the planning process in place at the time of the Draft SEIR’s preparation.

03-16 The comment and the comment immediately below provide citations to CEQA, the CEQA Guidelines, and CEQA cases regarding the legal standards governing an “adequate” project description. The comments do not raise any specific issue regarding the adequacy of the Draft SEIR. As previously stated, the focus of the City’s responses to comments is the “disposition of significant environmental issues raised” in the comments (14 CCR 15088[c]). Detailed responses are not provided for comments that do not relate either to significant environmental issues or provide an unsupported opinion regarding the Draft SEIR.

Further, Draft SEIR Chapter 3 contains a lengthy description of the Project, consisting of 38 pages, including tables and figures, consistent with CEQA Guidelines Section 15124. The analysis in Draft SEIR Chapter 3 is based on facts and data that have been reviewed by the City and reflect its independent judgement. This comment and the one that follows do not question the adequacy of this analysis.

The Final SEIR includes the comments for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.

03-17 Please refer to Response to Comment 03-16, above.

03-18 The comment addresses the Project applicant’s application for a development agreement and related topics. Refer to Response to Comment 02-2.

03-19 Please see Response to Comment 03-18, above.

03-20 Please see Response to Comment 03-18, above.

03-21 The comment states that the Draft SEIR must be revised and recirculated because the Project's Development Agreement was not made available for public review or expressly included in the Draft SEIR's analysis. Refer to Response to Comment O2-2 concerning the Draft SEIR's consideration of the Development Agreement.

For a response regarding CEQA's recirculation standards, please see Response to Comment O3-3 above. No requirement exists in CEQA, the CEQA Guidelines, or the CEQA case law for a public agency to attach a draft development agreement, still subject to negotiation, to an SEIR.

03-22 The comment is a summary of prior comments related to the Project's Development Agreement. Please refer to Responses to Comments O2-2, O3-18, and O3-21, above.

03-23 The comment provides general background information regarding the requirements of CEQA, including with respect to the content of EIRs, the inclusion of all feasible mitigation where needed to address potentially significant impacts, and the necessity of substantial evidence to support CEQA determinations. The City notes the comment, which is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.

03-24 The comment provides general background information regarding the judicial standard of review applicable in legal proceedings challenging a lead agency's CEQA determination. The City notes the comment, which is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.

03-25 The comment provides additional information regarding the judicial standard of review applicable in legal proceedings challenging a lead agency's CEQA determination. The City notes the comment, which is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.

03-26 The comment is a subheading that introduces the commenter's specific concern regarding the adequacy of the Draft SEIR's consideration of valley fever exposure. The comment states that the Draft SEIR fails to adequately analyze and mitigate Project-related impacts associated with valley fever exposure.

The Draft SEIR considered whether the Project would result in a significant impact attributable to valley fever (also known by the scientific name "coccidioidomycosis"). This topic is neither new to California nor new to CEQA, as valley fever is a recognized fungal infection that occurs *via* the inhalation of spores that reside in soil.¹¹ The California Department of Public Health (CDPH) has a surveillance system to track valley fever cases and has been collecting case data since 1995 (OEHA 2022, p. VI-20). This topic is discussed in further detail in the responses to more specific comments that follow.

Valley fever is first introduced on page 4.3-8 of the Draft SEIR, in Section 4.3, Air Quality. The Draft SEIR discloses that valley fever is a fungal infection caused by the inhalation of *Coccidioides immitis* spores, which grow in the soils of the southwestern United States under certain climatic conditions (Draft SEIR Section 4.3, pp. 4.3-8, 4.3-57). The Draft SEIR reports that Riverside County—where the Project site is

¹¹ For information on the symptoms of Valley Fever, as well as the rates of infection for individuals presenting with mild, moderate and severe symptoms, please see CDPH's *Preventing Work-Related Coccidioidomycosis (Valley Fever)* (CDPH 2013, p. 3).

located—is not considered by the scientific and regulatory communities to be a highly endemic county for valley fever, based on the reporting data collected by the CDPH (Draft SEIR Section 4.3, pp. 4.3-8, 4.3-56 through 4.3-57). In concluding that the Project would not result in a significant human health impact attributable to valley fever exposure, the Draft SEIR underscored the relevance of the Project location being in a non-highly endemic county and the Project’s required compliance with applicable regulatory standards for dust control measures, which would minimize the potential release and inhalation of fungal spores (Draft SEIR Section 4.3, p. 4.3-57; see also Draft SEIR Appendix D, pp. xxvii, 38, 123).

The Draft SEIR’s primarily qualitative approach to assessing the Project’s valley fever impact is consistent with CEQA Guidelines Sections 15064, 15064.7 and 15142. It also was informed by the fact that neither the California Air Resources Board nor the South Coast Air Quality Management District (SCAQMD) provide qualitative or quantitative thresholds of significance for addressing valley fever in the CEQA context. As discussed in greater detail in the responses that follow, the less-than-significant impact conclusion is supported by substantial evidence in the form of the most recently updated reporting data and recommended standards of practice from multiple public agencies with expertise.

For background information regarding the totality of the Draft SEIR’s air quality analysis, please refer to Topical Response 2, Air Quality. As illustrated therein, the Draft SEIR’s consideration of the Project’s valley fever impacts is just one component of a multifaceted assessment that surveys and evaluates Project impacts attributable to criteria air pollutants, toxic air contaminants, and other issues of concern in the air quality context. The technical analysis supporting the Draft SEIR’s assessment was prepared by three air resources specialists at Dudek: Jennifer Reed, Matthew Morales, and Ames Noll. The qualifications for each air resources specialist are included as Attachment C to the Final SEIR.

03-27 The comment states that the Project “may result in potentially significant impacts” from valley fever, questioning the Draft SEIR’s conclusion that construction activities would not necessarily increase the valley fever incidence rate. The comment relatedly states that the City “must identify” whether the fungal spores are present on the Project site. The comment opines that *if* the spores are present, then any soil disturbance “will necessarily increase the risk” of infection.

In response, based on information provided by the U.S. Centers for Disease Control and Prevention (CDC), “testing soil for *Coccidioides* is currently done only for scientific research. It is not typically used to predict disease spread” (CDC 2024a). Similarly, CDPH, the California Environmental Protection Agency, and California’s Office of Environmental Health Hazard Assessment all have reported that there are no commercially available tests to detect fungal spores in dirt or dust (CDPH 2024a).

Further, assuming that some testing method was to become available in the future, conducting testing on this 668.6-acre Project site over the anticipated 12-year construction period would not be necessary. This is because the Draft SEIR assumed the potential presence of the fungal spores in the soil located on the Project site. In order to ensure that the risk of exposure to the fungal spores—if released during the course of the construction period—would not be significant, the Draft SEIR cites the rigorous regulatory standards set forth in SCAQMD Rules 401 and 403 that are applicable to the Project, as well as the regulatory rubric applicable to employers under Title 8 of the California Code of Regulations (CCR) (Draft SEIR Appendix D, p. 123). These are briefly summarized below:

- **SCAQMD Rule 401, Visible Emissions:** A rule designed to regulate visible emissions from dust and other particulate matter based on the relative opacity of airborne matter. The rule prohibits unacceptable opacity levels that occur for more than 3 minutes in any 1 hour.
- **SCAQMD Rule 403, Fugitive Dust:** A rule designed to reduce the amount of fugitive dust emissions that become airborne. The rule sets forth specific best available control measures and standard procedures that must be implemented to minimize fugitive dust emissions, such as stabilizing soil via water or other chemical suppressants (see Rule 403, Table 1). Additionally, the rule includes elevated standards that apply to “large operations,” such as the construction activity that would be undertaken by the Project (see Rule 403, Table 2).¹²
- **CCR, Title 8, Sections 342, 3203, 5141, 5144, and 14300:** As recognized by the California Department of Industrial Relations (CDIR), employers have legal responsibilities to control their workers’ exposure to hazardous materials (CDIR 2024). These regulations require employers, among other responsibilities, to prepare and implement injury and illness prevention programs, provide respiratory protective equipment to prevent atmospheric contamination and control occupational diseases caused by breathing contaminated air, and undertake other actions for the protection of employees.

In sum, numerous worker safety protections already are required by law independent of this CEQA analysis.

The joint and complementary implementation of SCAQMD’s dust control regulatory rules and applicable labor standards support the Draft SEIR’s conclusion that that the potential health effects attributable to the Project’s disturbance of on-site soils that may contain valley fever fungal spores (depending on the climatic conditions that lead to their formation and dispersion)¹³ would not be significant.

This approach has been affirmed by CDPH and CDIR, which recommend that employers consult with the local air pollution control district regarding effective dust control measures for construction activities, specifically citing concepts like wetting soils, using soil binders/stabilizers, and suspending activity during heavy winds (CDPH 2013). Similar recommendations are offered by the U.S. Department of Labor’s Occupational Safety and Health Administration (OSHA), which recognizes the importance of using controls that reduce exposure to airborne dust (OSHA n.d.).

Additionally, the Project’s dust generation (as represented by the quantified coarse [PM₁₀] and fine [PM_{2.5}] particulate matter estimates) would be *well below* the applicable SCAQMD thresholds of significance for criteria air pollutants (see Draft SEIR Section 4.3, pp. 4.3-39 through 4.3-42). While these particular thresholds were developed to assess the significance of the Project’s PM_{2.5} and PM₁₀ emissions, the thresholds represent the overall amount of dust generation attributable to the Project. As any valley fever fungal spores would be a component of the overall dust profile, these thresholds and corresponding less-than-significant impact determinations are a relevant proxy for the magnitude of dust generation.

¹² For additional background information regarding Rule 403, please see SCAQMD’s Dust Control in the South Coast AQMD (SCAQMD n.d.).

¹³ Research indicates that spore formation increases in years when heavy winter rains are coupled with hot, dry summers. More specifically, wet winters encourage fungal growth and dry, hot summers desiccate the soil, stimulating dispersion of the spores when disturbed (see e.g., CDPH 2024a).

Further, the comment introduces a letter authored by Dr. James J. J. Clark, PhD, of Clark & Associates included as Exhibit A of the letter. The comment describes Dr. Clark’s letter, which is frequently cited and relied upon in the comments that follow, as providing “substantial evidence” that the release of valley fever fungal spores is a “reasonably foreseeable outcome” of the Project’s construction activities. In response, the pertinent question is not whether substantial evidence supports Dr. Clark’s position, but whether substantial evidence supports the analysis presented in the Draft SEIR. The CEQA Guidelines expressly recognize that “disagreement among experts does not make an EIR inadequate” (14 CCR 15151). In this instance, Dudek (the environmental consulting firm with air quality analysts responsible for the Draft SEIR’s valley fever analysis) has developed a record of substantial evidence on the topic of valley fever that reaches a different conclusion than the one reached by Dr. Clark. This is not an indicator of inadequacy. The disagreement is acknowledged and addressed throughout these responses, consistent with CEQA’s informational disclosure objectives.

03-28

The comment references a 2015 summary report regarding valley fever spread prepared by the Riverside University Health System (RUHS 2015 Report) (RUHS 2015). The comment states that the RUHS 2015 Report found that 52.3% of reported valley fever cases in Riverside County were from Western Riverside County residents, and that 3.7% of reported cases occurred in the City of Moreno Valley. The comment then opines that the incidence of valley fever “in the area is significant” and correspondingly expresses disagreement with the Draft SEIR’s conclusion that the Project would not result in a significant impact attributable to valley fever.

To begin, the RUHS 2015 Report referenced by the commenter contains the following pertinent background information on valley fever and calendar year–specific reporting data:

- Valley fever is not contagious
- The fungal spores are “predominantly found in the soil of the San Joaquin Valley”
- Most people who breath in the fungal spores do not become symptomatic and ill
- For those who do become symptomatic and ill, most will recover on their own
- In calendar year 2015, there were a total of 56 valley fever cases in Western Riverside County, 4 of which were located in the City of Moreno Valley

(The Riverside University Health System has not published any more recent summary reports on the topic of valley fever [RUHS 2024].)

The data presented in the RUHS 2015 Report do not support the comment’s proposition that the incidence rate for valley fever “in the area is significant.” To the contrary, the RUHS 2015 Report documents a very low number of cases in the City of Moreno Valley.

Relatedly, California Labor Code Section 6709 defines “highly endemic” areas for valley fever as those areas where the annual incidence rate is greater than 20 cases per 100,000 persons per year. Section 6709(c) requires employers located within highly endemic areas to provide specialized awareness training regarding valley fever on an annual basis to their employees. Section 6709(b) also identifies specific counties by name as highly endemic; this list does not include Riverside County. Section 6709 further provides that if additional counties are determined to be highly endemic (based on their annual incidence rate exceeding 20 cases per 100,000 persons per year), such counties will need to comply

with the awareness training requirements in the calendar year subsequent to the publication of the exceedance in CDPH’s annual report (California Labor Code Section 6709[e]).

The annual valley fever incidence rates for Riverside County identified by CDPH for the five most recent reporting years are as follows (CDPH 2023, 2024b):

- 2022: 14.3 cases per 100,000 persons
- 2021: 18.7 cases per 100,000 persons
- 2020: 12.9 cases per 100,000 persons
- 2019: 12.1 cases per 100,000 persons
- 2018: 6.0 cases per 100,000 persons

As shown, while the annual rate fluctuates, Riverside County has not exceeded the benchmark for identification of “highly endemic” valley fever areas. For context, Kern and Kings Counties (located in the Central Valley/San Joaquin Valley) reported 264.9 and 111 cases per 100,000 persons, respectively, in calendar year 2022 (CDPH 2023, 2024b).

03-29 The comment provides background information regarding the physical location of valley fever fungal spores in soil, the types of activities that can cause soil disturbance that releases fungal spores, the infectious dose rate, and the most common types of employees at risk for infection. The City acknowledges the comment, which is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.

03-30 The comment addresses fungal spore exposure concerns for both on-site construction workers and off-site non-construction workers. As discussed in Response to Comment 03-27 above, a comprehensive suite of regional air quality rules and state regulations serve to minimize dust generation impacting on- and off-site receptors and provide for the protection of workers. The regional air quality rules align with many of the CDIR, CDPH, OSHA, and CDC recommendations for reducing exposure to valley fever fungal spores during construction, such as using water and other soil stabilizers to reduce airborne dust, stabilizing stock piles, and suspending work during heavy winds (CDIR 2024; CDPH 2013; OSHA n.d.; CDC 2024b).

The comment also refers to the “non-selective raising of dust during Project construction.” While the intended meaning of “non-selective” is somewhat unclear, it is noted that the Project applicant has no environmental or economic incentive to conduct its construction activities in an inefficient manner. As illustrated in Draft SEIR Table 3-2, Anticipated Construction Phasing and Activity (p. 3-15), the Project would be built in six phases (see also Draft SEIR Section 4.13, p. 4.13-27). The Project does not require any on-site soils blasting activities to facilitate its build out and also proposes to balance grading material on site as much as possible (Draft SEIR Section 3.3.3, p. 3-15; Draft SEIR Section 4.13, p. 4.13-27). These design attributes would reduce the extent of dust generation and dirt transport to off-site locations.

Also, Draft SEIR Figure 3-4, Previously Disturbed Land (p. 3-35), illustrates that 65% (437 acres) of the approximate 669-acre Project site was subject to previous mass grading, thereby reducing the overall amount of mass grading activity that will occur on site, if the Project is approved.

03-31 The comment—citing data collected by CDPH—reports an increase in the number of valley fever cases in Riverside County between calendar years 2015 and 2019, and for the available case data (first 8 months) of calendar year 2023. The comment states that, because the prevalence of valley fever is “directly related” to soil disturbance, the City must analyze and mitigate the impacts of valley fever.

In response, as discussed in Response to Comment 03-28, the Draft SEIR did analyze Project-related impacts attributable to valley fever and found them to be less than significant. The Office of Environmental Health Hazard Assessment published a report, Indicators of Climate Change in California, that speaks to the rising trendline for valley fever prevalence statewide (OSHA 2022). As described in the report (OSHA 2022):

The incidence of Valley fever has increased over the past 20 years in California. Valley fever is caused by inhaling spores of the *Coccidioides* fungus that is endemic in the soil in the Central Valley and Central Coast regions of the state. Although the reasons for increased cases are likely multifactorial, drought, dry soil conditions, and other climate-related changes play a major role in fungal proliferation and spore dissemination, and eventual human and animal infection with Valley fever [p. i-15].

Population influx into endemic areas, increased construction and other soil-disturbing activities, and climatic changes that induce fungal proliferation and dissemination through air could be factors working in unison to increase Valley fever incidence in California [pp. VI-21 through VI-22].

While the prevalence of valley fever is increasing statewide, as well as in Riverside County, likely for the reasons identified in Indicators of Climate Change in California, that background increase alone does not demand a significant impact determination. Instead, under CEQA, the analysis must look at the significance of the Project’s potential contribution to valley fever incidence. As discussed in prior responses, the Project would be required—as a matter of law—to implement extensive best available control measures identified by SCAQMD for the minimization of dust generation. According to City expert consultants in this field, compliance with these standards, coupled with employee protections provided elsewhere in the regulatory rubric applicable to employers, would ensure that the Project would not result in a significant impact to valley fever.

Further, the incidence rate of valley fever is closely monitored by CDPH. When appropriate, CDPH issues health advisories to the medical community to alert them to rising case levels (see e.g., CDPH 2024c). These alerts help educate the medical community and ensure that its members promptly and correctly make diagnoses.

03-32 The comment states that windblown dust presents a particular concern with respect to the spread of valley fever fungal spores and refers to the “desert winds” as presenting the potential of raising “significant amounts of dust, even when conventional dust controls are used.” This concern is addressed via SCAQMD Rule 403, which explicitly contemplates enhanced dust controls for “high wind conditions,” defined as wind speeds that exceed 25 miles per hour. Rule 403 similarly requires disturbed surface areas and piles to be stabilized in a manner that “is resistant to wind-driven fugitive dust.” Additionally, Mitigation Measure (MM) AQ-5 in the Draft SEIR, which requires the preparation of a Dust Control Plan in accordance with SCAQMD Rule 403, requires all soil disturbance and travel on

unpaved surfaces to be suspended whenever wind speeds exceed 25 miles per hour (Draft SEIR Section 4.3, p. 4.3-66).

- 03-33** The comment states that many Project components are in the vicinity of sensitive receptors (e.g., residences, schools), observes that the winds can carry fungal spores into these immediately surrounding areas, and states that the “dust raised during construction could potentially expose a large number of people hundreds of miles away.” As underscored in prior responses, the Project would be required—as a matter of regulatory compliance—to adhere to a rigorous set of best available control measures developed by SCAQMD for dust minimization. These control measures would stabilize the soil, as recommended by multiple public agencies discussed above (e.g., CDPH, CDIR, OSHA, and CDC), and thereby minimize the release of fungal spores. The approximate 669-acre Project site has also been subject to considerable mass grading on approximately 65% of the site, which would serve to minimize the amount of soil disturbance needed on those portions of the Project site to prepare for horizontal and vertical infrastructure and development (see Response to Comment 03-30, above).
- 03-34** The comment restates the commenter’s position that the Project would result in a significant valley fever impact requiring mitigation. However, based on the substantial evidence and analysis presented in the Draft SEIR and the prior responses to comments, the less-than-significant impact determination reached in the Draft SEIR is supported.
- 03-35** The comment asserts that conventional dust control measures will not prevent the dissemination of valley fever fungal spores because such measures “largely focus on visible dust or larger dust particles – the PM₁₀ fraction – not the very fine particles” where the fungal spores are found. As such, the comment is critical of the Draft SEIR’s reliance on SCAQMD Rule 403 compliance and asserts that “sampling for and removal of impacted soils is the best solution.”

Published scientific literature disagrees with the representations made in the comment regarding the relevance of PM₁₀. For example, one article available via the National Library of Medicine reports that (Kollath et al. 2022):

PM₁₀ is a strong predictor of Valley fever cases because this particulate matter fraction contains fungal spores that cause infection. Particulate matter is an important gauge of air quality, and this metric quantifies the amount of pollutants and biological material such as allergens and potentially pathogenic fungi in the air [footnote omitted]. ... Several studies have shown that PM₁₀ is an effective predictor of certain infectious diseases that are environmentally acquired [footnotes omitted].

As discussed in Response to Comment 03-30 above, reliance on SCAQMD Rule 403 to control dust and correspondingly minimize exposure to fungal spores (should they be present in the soil) is consistent with the recommendations of CDPH, CDIR, OSHA, and CDC, among others. For example, the County of Los Angeles Department of Public Health also expressly recommends that employers adhere to SCAQMD Rule 403 as a valley fever preventative measure to be implemented during construction activities (LADPH 2019, 2022).¹⁴

¹⁴ On the topic of prevention, the instruction is to emphasize dust control.

Additionally, as discussed in Response 03-27 above, no commercially available testing options exist for purposes of sampling the Project site’s soils. Therefore, the “best solution” offered by the commenter is not a feasible, practicable, or achievable one.

03-36 The comment recommends a number of feasible mitigation measures to suppress the spread of valley fever. As discussed above, however, the Project would not result in a significant valley fever impact; therefore, no mitigation is required under CEQA (14 CCR 15126.4[a][3]). Nonetheless, the following is offered in response to the list of recommendations.

First, as to the referenced Injury and Illness Prevention Program, employers are already required by law to address valley fever in such plans via the provisions of CCR, Title 8, Section 3203 (CDIR 2024). No CEQA mechanism is required or appropriate in this instance; rather, employers should abide by the existing requirements of California labor laws.

Second, as discussed throughout these responses, SCAQMD Rule 403 already requires the Project to control dust exposure—consistent with the comment’s recommendations—by applying water and/or chemical stabilizers to exposed soil/dirt and stockpiles, ceasing construction activities during high-wind events, cleaning construction equipment and vehicles to minimize track-out, preventing spillage of bulk materials during transport, and ensuring no less than 6 inches of freeboard.

Many of these pre-existing regulatory requirements also are highlighted in MM-AQ-5 of the Draft SEIR, which identifies minimum standards that would be included in the Project’s Dust Control Plan to facilitate compliance with SCAQMD Rule 403 (see Draft SEIR Section 4.3, pp. 4.3-65 through 4.3-66). To illustrate this point, certain recommendations in the comment are presented below; the corresponding requirements of SCAQMD Rule 403 and MM-AQ-5 are then shown in italicized text.¹⁵

Comment Recommendations	SCAQMD Rule 403 and MM-AQ-5
<p>“Apply chemical stabilizers at least 24-hours prior to high wind event”</p>	<p>SCAQMD Rule 403 See, for example, Table 1, Control Measures 01-1, 01-2, 01-3, 02-1, 02-2, 02-3, 05-1, 05-2, 07-1, and 07-2; Table 2, Control Actions 2c, 4c, and 5a</p> <hr/> <p>MM-AQ-5</p> <ul style="list-style-type: none"> a. Water or another SCAQMD-approved non-toxic dust control agent shall be used on the grading areas at least three times daily. e. Grading areas shall be stabilized as quickly as possible. f. Chemical stabilizer shall be applied, a gravel pad shall be installed, or the last 100 feet of internal travel path within the construction site shall be paved prior to public road entry, as well as for all haul roads. l. Transported material in haul trucks shall be watered or treated.

¹⁵ Please note that the requirements of SCAQMD Rule 403 are not exhaustively captured in the italicized annotations; reference to Tables 1, 2, and 3 of Rule 403, and the supporting training materials identified in footnote 12, should be made for further detail.

Comment Recommendations	SCAQMD Rule 403 and MM-AQ-5
<p>“Avoid outdoor construction operations during unusually windy conditions or in dust storms”</p>	<p>SCAQMD Rule 403 In order to comply with Rule 403, the construction site must demonstrate a “stabilized surface,” which is defined in Rule 403(c)(31), as a surface that “is resistant to wind-driven fugitive dust.”</p> <hr/> <p>MM-AQ-5 m. All soil disturbance and travel on unpaved surfaces shall be suspended if winds (instantaneous gusts) exceed 25 mph.</p>
<p>“Thoroughly clean equipment, vehicles, and other items before they are moved off-site to other work locations”</p>	<p>SCAQMD Rule 403 See Rule 403(d)(5)</p> <hr/> <p>MM-AQ-5 g. Wheel washers shall be installed adjacent to the apron for tire inspection and washing prior to vehicle entry on public roads. h. Visible track-out into traveled public streets shall be removed with the use of sweepers, water trucks, or a similar method within 30 minutes of occurrence. j. Unpaved construction site egress points shall be graveled to prevent track-out. k. Construction access points shall be wet-washed at the end of the workday if any vehicle travel on unpaved surfaces has occurred.</p>
<p>“Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment’s floor, sides, and/or tailgate” and “Load all haul trucks such that the freeboard is not less than six inches when material is transported on any paved public access road and apply water to the top of the load sufficient to limit VDE to 20 percent opacity; or cover haul trucks with a tarp or other suitable cover”</p>	<p>SCAQMD Rule 403 See, for example, Table 1, Control Measures 09-2 and 17-2</p> <hr/> <p>MM-AQ-5 l. Transported material in haul trucks shall be watered or treated. n. On-site stockpiles of excavated material shall be covered.</p>

Third, while the Project’s valley fever impact would not be significant and no mitigation is required by CEQA, in response to this comment and the commenter’s overall concern with the subject of valley fever, the Project applicant has requested that the City adopt the following condition of approval in the Project’s record, should the Final SEIR be certified and the Project approved. This condition is intended to complement the Project’s required compliance with the existing regulatory rubric for control measures and engineering standards that address dust.

Condition of Approval

Valley Fever Exposure Minimization. The following strategies, while not required by CEQA, shall be administered in consideration of the potential release of valley fever fungal spores during the Project’s construction period.

First, the applicant or its designee shall monitor the California Department of Public Health's valley fever data dashboard and report Riverside County's annual incidence rate to the City on a yearly basis during the Project's construction period. In the event that Riverside County's annual incidence rate becomes "highly endemic," as that rate is defined in California Labor Code Section 6709(b), the City shall require the applicant or its designee to notify and remind all construction employers of their statutory compliance obligations under California Labor Code Section 6709 and regulatory compliance obligations in Title 8 of the California Code of Regulations. In doing so, the Project applicant or its designee also shall refer the referenced employers to the California Department of Industrial Relations' webpage for valley fever, particularly the information for employers therein.

Second, in the event that Riverside County's status changes to "highly endemic," the City shall reach out to the Riverside University Health System and the Riverside County Department of Environmental Health to request that Riverside County undertake a public notification, awareness, and education campaign regarding valley fever.

Third, prior to any ground disturbance activity in each of the Project's six phases of construction, and regardless of whether Riverside County has been found "highly endemic" or not, the Project applicant or its designee shall require the primary Project construction contractor to prepare and implement a worker training program that describes potential health hazards associated with valley fever, common symptoms, proper safety procedures required by California's employee protection laws to minimize health hazards, and notification procedures if suspected work-related symptoms are identified during construction. This worker training program is intended to align with the existing legal rubric applicable to employers, as identified by the California Department of Industrial Relations.

03-37 The comment summarizes the findings of the Draft SEIR's construction-related health risk assessment, prior to implementation of the recommended mitigation. The comment restates information contained in the Draft SEIR. The City acknowledges the comment, which is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.

03-38 The comment summarizes the findings of the Draft SEIR's construction-related health risk assessment, after implementation of the recommended mitigation. The comment then states that the Draft SEIR's pertinent mitigation measure (MM-AQ-2) has improperly conflated the use of Tier 4 Final and Interim engines.

The comment has identified an inadvertent error that has been corrected in the Final SEIR, as shown below. (The measure should have referenced Tier 4 Final equipment/engines and not Interim equipment/engines.)

MM-AQ-2 Construction Equipment Exhaust Minimization. Prior to the commencement of any construction activities, the applicant or its designee shall provide evidence to the City of Moreno Valley (City) that (1) for off-road equipment with engines rated at 25 horsepower or greater, no construction equipment shall be used that is less than Tier 4 Final, and (2) all generators, welders, and air compressors used during building construction and architectural coating of structures during residential (including combined residential and parking structure), retail, education (school), and hotel phases shall be electrically powered. Notably, generators, welders, and air compressors for

parks/recreational and asphalt for circulation and parking phases are excluded from electrification requirements in (2) due to feasibility considerations, but still subject to Tier 4 Final requirements in (1).

In the event of changed circumstances related to the availability of specific types of construction equipment, the applicant may submit a request to the City of Moreno Valley's Community Development Department to apply an equivalent method of achieving Project-generated construction emissions that fall below the criteria pollutant mass daily thresholds for construction, the applicable localized significance thresholds (LSTs), and the numeric cancer risk standards established by the South Coast Air Quality Management District (SCAQMD). An exemption from this requirement may be granted if (1) the applicant documents equipment with Tier 4 Interim engines are not reasonably available, and (2) the required corresponding reductions in criteria air pollutant emissions can be achieved for the project from other combinations of construction equipment. Before an exemption may be granted, the applicant's construction contractor shall: (1) demonstrate that at least 3 construction fleet owners/operators in Riverside County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Riverside County during the desired construction schedule; and (2) the proposed replacement equipment has been evaluated using California Emissions Estimator Model (CalEEMod) or other industry standard emission estimation method and documentation provided to the City to confirm that Project-generated construction emissions would remain below the applicable criteria pollutant mass daily thresholds for construction, the LSTs, and the cancer risk threshold established by SCAQMD. ~~necessary project-generated emissions reductions are achieved.~~

03-39 The comment continues to highlight the distinctions between Tier 4 Final and Interim engines, and the importance of modeling emission reductions that reflect the engine tier required. Please see Response 03-38, above. As discussed therein, the Draft SEIR contained an inadvertent error that has been corrected in the Final SEIR. The revised MM-AQ-2 requires Tier 4 Final engines and emission reductions equivalent to that engine classification. The reference to Tier 4 Interim engines has been removed.

03-40 The comment summarizes CEQA's requirements regarding the enforceability of mitigation measures, and states that the Draft SEIR fails as an information document due its "lack of clear mitigation methods" and "lack of sufficient data" to assess Project impacts. The comment states that the Draft SEIR must be revised and recirculated for additional public review.

In response, consistent with the requirements of CEQA, each mitigation measure contained in the Final SEIR would be part of a City-adopted Mitigation Monitoring and Reporting Program, in the event that the City's decision-making body certifies the adequacy of the environmental analysis and approves the Project (14 CCR 15097). The Mitigation Monitoring and Reporting Program, if adopted, would ensure enforcement of each measure listed in the plan.

Additionally, the City has considered the recirculation request, and finds that recirculation is not required by CEQA. For information regarding CEQA's recirculation standards, please see Response to Comment 03-3 above. The revisions shown above to the mitigation necessitate recirculation of the Draft SEIR based on the legal standards summarized in Response to Comment 03-3 above. The additional clarifying mitigation information does not require the Draft SEIR to be recirculated, after having already been the subject of a 45-day public review/comment period.

03-41 The comment states that the Project site is in the 67th percentile for “pollution burden associated with pesticides” and provides a comparison to census tract data. The comment also refers to the Project’s Phase I and II Environmental Site Assessments (ESA) appended to the Draft SEIR as Appendix G; the comment states that, because it was published on April 29, 1992, the Phase I ESA “may therefore be a (sic) incomplete disclosure of existing site conditions.”

In response, first, the 67th percentile reference is from Draft SEIR Appendix D (not Appendix A, as cited in the comment’s footnote). The reference is to the California Emissions Estimator Model (CalEEMod) output that presents the CalEnviroScreen Scores. That default output is automatically generated in CalEEMod based on a project’s location.

The purpose of CalEEMod is to provide a uniform platform for government agencies, land use planners, and environmental professionals to estimate ozone precursors, criteria pollutants, and greenhouse gases (collectively referred to as “emissions”) from land use development projects in California. CalEEMod also integrates data from the Office of Environmental Health Hazard Assessment’s CalEnviroScreen 4.0 and other sources to identify potential environmental and health burdens within the vicinity of a project. The scores are defaults and not based on site-specific data (CAPCOA 2022, pp. 1-2).

Second, the Draft SEIR contains three hazards technical reports completed for the Project site over the years: (1) the Phase I Preliminary Site Assessment, prepared by GeoSoils Inc., April 29, 1992 (Phase I Report); (2) the Limited Phase II ESA, prepared by GeoSoils Inc., January 9, 1993 (Phase II ESA); and (3) Limited Phase 2 ESA Report, prepared by TRC consultants, June 4, 2001 (TRC Phase 2 ESA). These three reports continue to provide useful, relevant and reliable information on the Project’s environmental site conditions.

Third, the Project’s environmental consultant, Dudek, completed Section 4.9, Hazards and Hazardous Materials, of the Draft SEIR in May 2024; this section analyzed the hazards and hazardous materials impacts of the Project. The Draft SEIR analysis is based on the three reports in Appendix G, as well as the regulatory records review of hazardous waste/substances (Cortese List and data); the current geotechnical report (Draft SEIR Appendix C); the City General Plan data; the March Air Reserve Base/Inland Port Land Use Compatibility Plan; the updated federal, state, and local regulatory framework; the applicable Moreno Valley Municipal Code requirements; and other public records and documents (see Draft SEIR Section 4.9, pp. 4.9-1 through 4.9-27). The Draft SEIR also evaluated the Project site conditions for hazards and hazardous materials against current CEQA significance criteria (Draft SEIR Section 4.9, pp. 4.9-28 through 4.9-37). The result of the SEIR analysis was the recommended adoption of four hazards mitigation measures (Draft SEIR Section 4.9, pp. 4.9-38 through 4.9-40).

Fourth, the Project site is vacant land; and it has been fenced continuously and monitored by the Project applicant. No land use activities (e.g., agricultural or other land uses) have occurred on site for decades except for partial site grading (approximately 65% of the site) in 2007, installation of riparian mitigation along the channel at the southern portion of the site, and grading and installation of street and other utility improvements. The Project applicant also reports no known illegal dumping or use of the site. As such, there has been no significant change to, nor any significant new information regarding, the Project site’s existing environmental site conditions.

Accordingly, due to the updated SEIR analysis, the site fencing and monitoring, no notable changes in site conditions, and the absence of any illegal on-site activities, the City finds that the Phase I Report, Phase II ESA, and TRC Phase 2 ESA continue to provide relevant and reliable technical data for use in the SEIR under CEQA.

03-42 The comment states that the Phase I Report “discloses significant contamination that requires additional characterization and cleanup prior to Project construction.” The comment refers to a buried dump site, an open pit dump site, use of the property as a ranch, and “experimental sewage sludge disposal areas.” The comment also refers to the Phase II ESA and TRC Phase 2 ESA and cites certain statements from those reports, including regarding soil contaminants, metals, groundwater, and methane. The comment questions the data as having been collected years ago. The comment concludes that the “state of the Project Site is not defined.” No further explanation is provided.

Draft SEIR Section 4.9 contains a figure depicting hazards found on site based on the Phase I Report, Phase II ESA and TRC Phase 2 ESA (Draft SEIR Figure 4.9-1, p. 4.9-43). The Draft SEIR and the three technical reports also extensively cover the on-site conditions referenced in this comment, and no evidence exists of any significant change in the Project site or its circumstances, nor is there any new significant information that calls into question the data presented in the Draft SEIR or the technical reports.

In summary, the Draft SEIR provided an extensive analysis of the Project site’s existing conditions, including an assessment of groundwater depth and quality (Draft SEIR Section 4.9, pp. 4.9-1 through 4.9-3, including Table 4.9-1). The analysis was performed because the on-site water wells would be used to refill the recreational surface lake on site; if the Project is approved, Section 4.9 discloses that the Project applicant would be required to obtain an individual permit under the National Pollutant Discharge Elimination System (NPDES) permit program before discharging groundwater to surface waters. The NPDES permit would be evaluated and issued by the Santa Ana Regional Water Quality Control Board. The NPDES permit process requires a description of the discharge (here, from the groundwater to the surface lake) and the method of treatment, including potential imposition of Waste Discharge Requirements imposed as conditions to the NPDES permit. Draft SEIR Table 4.9-1 (p. 4.9-2) summarizes elevated concentrations observed in on-site wells compared to applicable screening levels.

Section 4.9 also conducted a regulatory records review for hazardous materials, finding that the “Project site is not located on a Cortese List site, nor are any Cortese List sites located within 1 mile of the Project site” (Draft SEIR Section 4.9, p. 4.9-3). This evaluation also included a review of other databases that provide environmental information on releases and clean-up cases in California that are not included on the state’s Cortese List (Draft SEIR Section 4.9, pp. 4.9-4 through 4.9-5). No notable issues were identified.

Section 4.9 further discloses the previous environmental assessments conducted on site, including the Phase I Report, Phase II ESA, and TRC Phase 2 ESA.

As to the areas of concern located on the Project site referenced in the comment, the relatively small, buried dump area was used from approximately 1986 to 1988, at which time it was cleaned out and backfilled (Draft SEIR Appendix G, p. 24). As part of the previous environmental assessments, the Draft SEIR reported that the dump area was sampled (Draft SEIR Section 4.9, p. 4.9-8). The materials

included mulch, rags, rubber, and mulch-wood clippings, and the soil samples showed that pesticides, chlorinated herbicides, semi-volatile organic compounds, and other constituents were below applicable hazardous waste levels, and other contaminants of concern were not detected (Draft SEIR Section 4.9, p. 4.9-8).

The open dump site was used during 1991 and cleaned out in 1992 (Draft SEIR Appendix G, p. 24). It was evaluated by hand auger borings. The Draft SEIR and Phase II ESA reported that the small area was once used for dumping household debris and had been cleaned of visible debris; the boring samples showed that the identified contaminants in the soil were below hazardous waste levels (Draft SEIR Section 4.9, p. 4.9-8). Thus, though the technical reports refer to the two dump sites as “landfills,” they were relatively minor dump areas, and not best referred to as “landfills.”

Further, the Draft SEIR disclosed that numerous soil samples were collected and analyzed for pesticides, herbicides, metals, and other contaminants; the results showed that the detected concentrations were below hazardous waste levels (Draft SEIR Section 4.9, p. 4.9-8). Water samples were also collected from the Corey and Scott water supply wells on site and were determined to “generally meet Safe Drinking Water Standards” applicable at the time, citing the Phase II ESA (Draft SEIR Section 4.9, pp. 4.9-8 through 4.9-9).

The Phase II ESA also conducted an asbestos survey of the on-site building and irrigation lines, and found that the irrigation lines were made of “transite,” which contains asbestos. Those buildings and lines have since been removed from the site (Draft SEIR Section 4.9, p. 4.9-9). Electrical transformers were also on site; however, SoCalGas confirmed that there were no polychlorinated biphenyls in the old on-site transformers (Draft SEIR Section 4.9, p. 4.9-9).

The TRC Phase 2 ESA conducted additional soil and groundwater sampling (Draft SEIR Section 4.9, p. 4.9-9). Results were compared to regulatory screening levels applicable at the time (U.S. Environmental Protection Agency Region IX Residential Preliminary Remediation Goals) and hazardous waste levels (U.S. Environmental Protection Agency Total Threshold Limit Concentration). Results did not exceed applicable regulatory screening levels or hazardous waste levels in soils. The groundwater sampling exceeded applicable regulatory standards for drinking water; however, the Project does not propose to use groundwater for drinking water. Rather, the groundwater is proposed to be used to refill the surface lake feature (Draft SEIR Section 4.9, p. 4.9-9).

Both the Draft SEIR and Appendix G also disclosed methane concentrations detected in the small, buried dump site, with the methane attributed to decomposition of organic matter in the buried debris (Draft SEIR Section, p. 4.9-9; Appendix G, pp. 347–348, 350, 357, 364–367). The methane concentrations were “relatively minor” and Appendix G recommended that any proposed future development activities in the area overlying the former dump area should include a geotechnical evaluation as necessary (Draft SEIR Appendix G, p. 350), which was performed as part of the Draft SEIR (see Appendix C).

Sewage sludge was placed on site for experimental purposes in three specific locations (see Draft SEIR Appendix G, Figure 6, pp. 178, 180). Soil samples were taken within the areas. Based on the test results, the Phase II ESA reported that no remediation was required of the soils within these areas under current regulations (Draft SEIR, Appendix G, pp. 182–183).

Based on the Phase II ESA, the Project site was used for agricultural use under normal circumstances. There was no indication that the site was contaminated by hazardous materials or waste. The site was, therefore, considered suitable for residential and commercial community development (Draft SEIR Appendix G, pp. 186). The report also found, consistent with customary practices, that if unexpected contamination were to be discovered or occur during site grading, it should then be reviewed and mitigated in accordance with applicable agency requirements (Draft SEIR Appendix G, pp. 186).

After summarizing the previous environmental site assessment data, the Draft SEIR then compared those findings to “present day applicable regulatory screening levels,” and that comparison is shown in Draft SEIR Table 4.9-3 (pp. 4.9-11 through 4.9-13). The Draft SEIR also evaluated Project impacts on surface soils, the two minor dump areas, the methane area, and other potential accidental releases of hazardous materials (Draft SEIR Section 4.9, pp. 4.9-31 through 4.9-34).

The Draft SEIR and the technical reports disclosed and evaluated the Project site’s existing environmental conditions based on reliable and relevant available data. No further response is required or necessary.

03-43 The comment states that the presence of persistent organic pollutants in soils, volatile organic compounds in groundwater, and methane in the area of the “former landfill” represent “potentially significant risks to human health that must be fully evaluated” in a recirculated EIR. The comment also states that Dr. Clark found that, “absent an updated Phase II ESA,” the Draft SEIR lacks substantial evidence to support its conclusions that hazards impacts are less than significant, such that the contaminants are a foreseeable risk to Project residents and those near the site “when the soils are disturbed.”

In response, Draft SEIR Section 4.9—and the technical reports and other publicly available information used or referenced in completing Section 4.9—constitute substantial evidence to support the findings and conclusions that, with mitigation, the Project’s hazards impacts are less than significant under CEQA. The comments are not supported by facts that counter the findings in the Draft SEIR or its Appendix G technical reports. For further information, please refer to Response to Comment 03-42, above.

Relatedly, a new, “fourth” environmental assessment of the Project site is not needed. The Project site has not changed, nor has its circumstances or use. It is vacant land, fenced and monitored, and has not been used for any agricultural activities for several decades. The Project applicant also reports no illegal dumping or other illegal or unauthorized site activities. The Project site was previously approved for residential and non-residential uses, and approximately 65% of the site has been graded.

03-44 The comment states that Draft SEIR MM-HAZ-1 and MM-HAZ-2 are “inadequate because they constitute deferred analysis.” As the comment is an introduction to comments that follow, please see further responses below.

03-45 The comment expands on the claim that Draft SEIR MM-HAZ-1 and MM-HAZ-2 “result in improper deferral of required analysis until after project approval” and “may therefore not sufficiently mitigate impacts to construction workers exposed to soil contamination before the site is properly characterized and cleaned.”

In response, first, the comment only partially references the two mitigation measures at issue. The Draft SEIR includes both measures in full.

MM-HAZ-1 is nearly two pages in length and requires site characterization and remediation, but only *after* the Project design is finalized *and before* issuance of a grading permit. This timeline is provided to allow the Project design phase to be completed if the Project is approved and ensure there is no ground disturbance before the Project site is fully characterized and remediated as required by the detailed measure, which contains performance criteria.

The Project site was characterized by the previous environmental assessments and reports. MM-HAZ-1 now requires retention of a qualified environmental consultant to “fully characterize” the nature and extent of any remaining contamination at the site, pursuant to an investigation that requires a detailed soil sampling and analysis plan (SAP) that must be reviewed and signed by a registered engineer or geologist with experience in site characterization. The SAP must adhere to numerous performance standards and criteria, including a detailed soil management plan (SMP) and comprehensive soil vapor mitigation plan (SVMP) with their own requirements, procedures, and criteria, along with monitoring and modification requirements.

MM-HAZ-1 in the Final SEIR includes a clarification, adding Riverside County Department of Environmental Health (DEH) review and approval of the referenced plans prior to issuance of a grading permit. As revised, MM-HAZ-1 provides in full as follows:

MM-HAZ-1 Site Characterization and Remediation. Following Project design finalization, but prior to the issuance of a grading permit, the Project applicant/developer or their designated contractor shall retain a qualified environmental consultant to conduct subsurface investigations to fully characterize the nature and extent of contamination at the Project site. The investigation will include preparation of a soil sampling and analysis plan (SAP), which will be reviewed and signed by a registered engineer or geologist with experience in site characterization. The SAP shall take into account final design and proposed development of each area, including grading and excavation depths, building use and occupancy (commercial vs residential), and other features which could indicate applicable screening levels and screening requirements. The SAP shall include methods and procedures to evaluate areas of the Project site where there are known soil impacts, including the former tank storage areas, vehicle maintenance areas, areas with elevated metals and pesticides, and sludge application areas. Soil sampling shall include at least two depths at each sample location to properly characterize potential subsurface impacts, and shall include analysis for petroleum hydrocarbons, VOCs, SVOCs, and metals. Samples from at least two different depths shall be collected from more than two locations in each area of concern to properly characterize each area, including, at a minimum, each former UST location, each sludge application area, the vehicle maintenance and storage area, the wash down area, and areas with elevated metals and pesticides in surface soil samples (identified in the 1993 Phase II ESA) (shown in red and yellow on Figure 4.9-1). Soil vapor samples shall be collected in the UST, maintenance, washdown, and sludge application areas, at dual depths, to properly characterize potential soil and soil vapor contamination due to historical site uses. The SAP shall include applicable regulatory screening levels for both soil and soil vapor based on proposed site development. Site investigation will be conducted as outlined in the SAP.

For soils, based on the results of the sampling and analysis and comparison to applicable regulatory screening levels, a soil management plan (SMP) shall be prepared by a qualified environmental consultant. The SMP shall outline the proper screening, handling, characterization, transportation, and disposal procedures for contaminated soils on the Project site. The SMP shall outline criteria for reuse on site, based on the final development plan and land use in each area, including comparison to regulatory screening levels. The SMP shall include procedures for removal and disposal of soils that do not meet reuse criteria, including transportation, documentation, and landfilling requirements. The SMP shall include health and safety and training procedures for workers who may come in contact with contaminated soils, and will include health and safety and site control measures to prevent contaminated material emissions from the site (such as dust suppression and vehicle tracking). The SMP shall be implemented by the Project applicant or their designated contractor for all confirmed and suspected contaminated soils which require excavation and off-site disposal. The SMP shall also include procedures for the identification and proper abandonment of underground storage tanks, should any be identified during demolition and construction activities around the existing dairies and residences. The SMP shall include all applicable federal, state, and local regulations (including Riverside County Department of Environmental Health [DEH]) associated with handling, excavating, and disposing of contaminated soils; the proposed disposal facility that will accept the contaminated soils; and appropriate procedures, notifications, permitting requirements, handling, and disposal requirements for decommissioning any underground storage tanks.

For soil vapor, based on the results of the sampling and analysis and comparison to applicable regulatory screening levels, a soil vapor mitigation plan (SVMP) shall be prepared by a qualified environmental consultant. The SVMP shall outline appropriate vapor mitigation methods for any proposed on-site buildings in areas where elevated soil vapor concentrations are identified above the applicable screening levels for the proposed land use (open space, residences, schools, etc.). The SVMP shall be prepared with consideration of the SMP, as excavation of impacted soils may reduce soil vapor impacts. Vapor mitigation design features shall be implemented in accordance with the DTSC Vapor Intrusion Mitigation Advisory for all future residential buildings and enclosed structures in areas where soil vapor is present above applicable regulatory screening levels for the proposed land use. The construction contractor shall incorporate vapor mitigation design features into building plans that reduce potential vapor intrusion in buildings and enclosed structures on the Project site to below applicable screening levels. Vapor mitigation systems may be passive or active in nature, so long as they are designed to prevent vapor contamination in accordance with applicable DTSC regulations. Vapor mitigation systems shall be reviewed and approved by the permitting agency(ies) prior to construction and prior to issuance of any certificate of occupancy. Operation of the Project shall maintain functionality of these features as required to ensure protection from vapor intrusion. Following completion of construction and occupancy of the buildings, indoor air monitoring shall occur once every 6 months for 1 year to verify implemented measures are functioning properly and adequately mitigating vapor intrusion to below residential screening levels. If indoor air samples indicate vapor intrusion occurring at levels above applicable regulatory screening levels, modifications shall be made, as necessary, to the designed system to

improve the efficacy in reducing vapor intrusion to below applicable screening levels. The SAP, SMP, and SVMP shall be submitted to the Riverside County DEH for review and approval prior to issuance of a grading permit. Should the Riverside County DEH require a qualified consultant to review and make recommendations prior to Riverside County DEH approval of such plans, the Project applicant or designee shall pay for such consultant services.

MM-HAZ-2 is also a lengthy measure requiring full characterization and closure of both the buried and open dump site areas on site, which were previously characterized by the previous environmental assessments. The work requires further soil sampling and submittal of the results, along with a closure plan, to the Riverside County DEH for review and approval.

The “timing or trigger” for MM-HAZ-2 has been clarified in the Final SEIR. Like MM-HAZ-1, the requirements of MM-HAZ-2 will be triggered *after* final Project design *and before* issuance of a grading permit. As revised, MM-HAZ-2 provides in full as follows:

MM-HAZ-2 Characterization and Closure of Dump Sites. Following Project design finalization, but prior to the issuance of a grading permit, bBuried and open dump site areas identified on site shall be characterized to define nature and extent of waste and potential contamination in surrounding soils and soil vapor. Soil shall be sampled and analyzed for VOCs, metals, petroleum hydrocarbons, and SVOCs, while soil vapor will be analyzed for VOCs and methane. The full lateral and vertical extent of the waste shall be characterized and limits of both waste fill and contamination, if any, shall be determined based on this sampling and analysis. The results, along with a proposed closure plan, shall be submitted to Riverside County DEH Environmental Cleanup Program for review and approval. Closure requirements will depend on the nature and extent of contamination and shall ultimately be approved by Riverside County DEH in accordance with their rules and regulations. Excavation of the dump site area, if any, including exploration test pits, shall be conducted following SCAQMD Rule 1150. Final closure requirements shall be included in grading and development plans. If excavation is required, excavated wastes shall be appropriately characterized and landfilled at a permitted off-site landfill in accordance with federal, state, and local rules and regulations. The excavation shall be backfilled with either on-site soils or clean fill. Should imported fill be required, it shall meet clean fill requirements established by DTSC in its 2001 Information Advisory Clean Imported Fill Material Fact Sheet.

The two mitigation measures are also consistent with previous environmental assessments and CEQA. The full characterization of the Project site should only occur *if and when* the Project is approved for development. Full characterization is costly and not necessary, reasonable, or cost-feasible *unless and until* the Project is approved. Until then, there is no need to fully characterize the vacant, fenced, and monitored site.

03-46 The comment cites CEQA case law and concludes that the plans referenced in the Draft SEIR mitigation are “impermissibly deferred” under CEQA. Please refer to Responses to Comments 03-45, 03-47, and 03-49.

03-47 The comment refers to Dr. Clark's comments regarding Draft SEIR MM-HAZ-1 and states that the City must characterize the extent of the site contamination before approving the Project. The comment also states that the measure must "include a site cleanup plan (not just a Soil Management Plan) that ensures the cleanup of the impacted areas is to below the applicable thresholds (e.g., residential environmental screening levels or ESLs), which complies with all regulatory standards, and which requires remediation to be complete before any ground-disturbing project activities take place." An expert consultant, Dudek, has confirmed there is no such concurrence or consensus between Dudek and Dr. Clark.

While Dr. Clark opines that the City must characterize and clean up the Project site "before any ground-disturbing activities take place," that opinion is not consistent with CEQA. (See *City of Maywood v. Los Angeles Unified School Dist.* [2012] 208 Cal.App.4th 362, 412 [upholding a mitigation plan in which the school district committed itself to perform additional analysis of hazardous waste contamination and to remediate existing contamination pursuant to state and local statutory and regulatory requirements and under the supervision of a regulatory agency].) However, MM-HAZ-1 does require full characterization and remediation after project design and before issuance of a grading permit; therefore, the Project site will be fully characterized and remediated "before any ground-disturbing activities take place," as desired by Dr. Clark.

Additionally, Dr. Clark mentions the possibility of improper characterization techniques, and handling, but the comments are considered speculative considering that MM-HAZ-1 already requires that the SMP outline "the proper screening, handling, characterization, transportation, and disposal procedures for contaminated soils on the Project site." The SMP required by MM-HAZ-1 must also outline the "criteria for reuse [of soils] on site, based on the final development plan and land use in each area, including comparison to regulatory screening levels." Additionally, the SAP must already take into account "final design and proposed development of each area, including grading and excavation depths, building use and occupancy (commercial vs residential), and other features which could indicate applicable screening levels and screening requirements." This mitigation requirement ensures that the applicable regulatory screening levels will be imposed based on the appropriate criteria (e.g., grading/excavation depths, building use and occupancy [commercial vs. residential], and other features that are applied to determine the appropriate and applicable regulatory screening levels).

03-48 The comment refers to Draft SEIR MM-HAZ-2 and claims it improperly defers analysis and mitigation. In response, the previous environmental assessments characterized the Project site's environmental conditions, as explained above in Response to Comment 03-42. Draft SEIR Section 4.9 also summarized the previous analysis for the reviewer (Draft SEIR Section 4.9, pp. 4.9-6 through 4.9-15). MM-HAZ-2 is not improperly deferred mitigation for the reasons explained in Responses to Comments 03-45 and 03-49. MM-HAZ-2 requires full characterization and a detailed closure plan with criteria for the two relatively minor dump areas. There is no evidence to support the comment's claim that remediation of these areas could "take years."

03-49 The comment cites the CEQA Guidelines and cases and states that the Draft SEIR "does not state why specifying these SAP performance standards was impractical or infeasible at the time the DSEIR was drafted." The comment is also critical of the mitigation performance criteria that requires aspects of the mitigation to be approved by the Riverside County DEH.

In response, the first part of the comment misstates CEQA requirements. CEQA does not require an SEIR to specify why performance standards in mitigation were “impractical or infeasible at the time” the document was drafted. The correct test under CEQA is whether the lead agency deferred fully formulating the mitigation without stating why specifying performance standards in the mitigation was impractical or infeasible at the time the EIR was certified. In *Preserve Wild Santee v. City of Santee* (2012) (210 Cal.App.4th 260, 280-281), the Court of Appeal made clear that “the agency can commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time of project approval.” The Court also clarified that deferral of mitigation is only impermissible when “an EIR puts off analysis or orders a report without either setting standards or demonstrating how the impact can be mitigated in the manner described in the EIR.”

For this Project, MM-HAZ-1 requires full characterization and remediation of the Project site by a qualified environmental consultant pursuant to soil and vapor sampling based on final Project design and development of each site area, building use and occupancy, and other features pursuant to applicable regulatory screening levels and requirements, along with detailed plans (the SAP, SMP, and SVMP), all with applicable regulatory screening levels and requirements. The mitigation contains extensive performance criteria and requirements and detailed plans.

The City has also explained why the full characterization and plan completion will not occur prior to the City considering Project approval. Specifically, (1) the previous environmental assessments performed characterizations of the Project site, and consistent with the prior reports, it is appropriate to require full characterization now that the Project is proposing residential and non-residential development on site; (2) the identification of each development area and the final Project design are important in fully characterizing a site for remediation because they affect the applicable regulatory screening levels that will be applied; and (3) the mitigation will be triggered *after* final Project design *and before* issuance of a grading permit to allow the Project design phase to be completed if the Project is approved and ensure there is no ground disturbance through grading before the Project site is fully characterized and remediated as required by the detailed measure, which contains performance criteria and plan requirements.

Additionally, as stated above, full characterization of the Project site should only occur *if and when* the Project is approved for development. Full characterization is costly and not necessary, reasonable, or cost-feasible *unless and until* the Project is approved. Until then, there is no need to fully characterize the vacant, fenced, and monitored site.

The second part of this comment is critical of the MM-HAZ-2 requirement that aspects of the mitigation be approved by the Riverside County DEH. This comment is also incorrect. The comment does not explain why SAP approval by the Riverside County DEH “does not cure the informational defects in this DSEIR.”

CEQA and the cases state that further studies, reports, or plans required by mitigation may validly be completed by a project applicant, subject to review/approval by a lead agency or other regulatory agency (e.g., *Citizens for a Sustainable Treasure Island v. City and County of San Francisco* [2014] 227 Cal.App.4th 1036, 1059-1060; and *City of Maywood v. Los Angeles Unified School Dist.* [2012] 208 Cal.App.4th 362, 412 [upholding a mitigation plan in which the school district committed itself to perform additional analysis of hazardous waste contamination and to remediate existing contamination

pursuant to state and local statutory and regulatory requirements and under the supervision of a regulatory agency]).

Because there is no other alleged inadequacy of the Draft SEIR, no further response is required or necessary.

03-50 The City acknowledges the comment as an introduction to noise impact comments that follow. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. Please refer to additional responses below; no further response to this comment is required or necessary.

03-51 The comment refers to the lack of quantitative construction noise analysis at representative offsite receivers construction receptor (CR) 3 through CR6. The comment states that the noise analysis at receptors CR3 through CR6 is not provided.

Draft SEIR Section 4.13.4.2 Tables 4.13-4 through 4.13-9 (pp. 4.13-9 through 4.13-12) present the predicted construction noise exposure levels from both the closest phase construction boundary and the phase construction area geographic center (also known as acoustic center) to the nearest CR position shown in Draft SEIR Figure 4.13-2 (p. 4.13-27) for each of the six Project development phases. Unfortunately, the subheadings in Tables 4.13-5 through 4.13-9 (pp. 4.13-9 through 4.13-12) have typographical errors, referring to either “CR1” or “CR2” when they should in fact refer to the closest CR position; hence, CR3 is closest to Phase 3, CR4 is closest to Phase 4, CR5 is closest to Phase 5, and CR6 is closest to Phase 6. These distances are reflected in the construction noise worksheets appearing in Appendix C of the Noise Technical Report (Appendix I of the Draft SEIR). Consequently, the construction noise assessment is complete and accurate as-is, and no changes to the impact conclusions or mitigation measures are required. The inadvertent typographical errors in the above-referenced tables have been corrected in Final SEIR Section 4.13.

03-52 The comment states that the Project’s anticipated heating, ventilation, and air conditioning (HVAC) operational noise should be re-analyzed and suggests mitigation may be needed.

Since the exact equipment types and their positions on Project building rooftops were unspecified at the time the Draft SEIR was prepared, the current CadnaA based sound propagation model applies an area-type source on each of the 14 building masses appearing in Figure 4.13-4 of the Draft SEIR (p. 4.13-31). These area sources, spanning the roof areas of these building masses, were each assigned sound powers theoretically representing a combination of air handling unit fans and air-cooled condenser refrigeration system components in a quantity of “packaged units.” Unfortunately, this supporting CadnaA modeling input detail, intended to be Appendix E in the Noise Technical Report (Appendix I to the Draft SEIR) was inadvertently not included in the Draft SEIR. Final SEIR Appendix I includes the Appendix E material that supports the clarified aggregate operations noise prediction displayed in Figures 4.13-4 and 4.13-5. Results from the seven studied sample off-site receptor positions have been included in revised Draft SEIR Table 4.13-15 (p. 4.13-19).

As corrected and clarified in Final SEIR Section 4.13, Figures 4.13-4 and 4.13-5 illustrate each of the multifamily residential structures modeled as sound sources for operational noise levels. Buildings G1–G20 each represent a garden apartment building housing 40 dwelling units, with 40 two-ton (i.e., refrigeration capacity or cooling demand met) HVAC package units (or the functional equivalent with

respect to air-conditioning comfort delivered) mounted on each building roof. Buildings H1–H14 each represent a high-density apartment building housing 120 dwelling units, with 120 two-ton HVAC package units mounted on each building roof. In each case, one HVAC unit would be provided for each housing unit.

Final SEIR Table 4.13-15, as revised, presents the results of the operational noise modeling at the seven modeled receivers (refer to Figures 4.13-4 and 4.13-5) and compares these modeled operational noise levels to limits contained in the Moreno Valley Municipal Code. Detailed information for the operational noise modeling is provided in Final SEIR Appendix I (as revised).

As indicated in Final SEIR Table 4.13-15, even if all facility equipment operated simultaneously during the nighttime (10:01 p.m. to 7:59 a.m.), the predicted operational sound level at each of the modeled residential receiver locations would fall well below the most restrictive nighttime limit of 55 A-weighted decibels sound equivalent level for residential uses (Moreno Valley Municipal Code, Section 11.80.030.B.1). In addition, the predicted operational noise would remain at least 10 A-weighted decibels below recorded ambient noise levels in the Project vicinity; therefore, the addition of Project operational noise would not increase ambient noise levels above existing conditions. Other sources of operational noise would primarily be associated with noise generated by residents and their guests, which is not an environmental impact under CEQA (California Public Resources Code, Section 21085). Consequently, operational noise impacts of the Project would be less than significant, which is the same significance finding reflected in the Draft SEIR noise analysis.

03-53 The comment suggests that Section 9.10.170 of the Moreno Valley Municipal Code should have been used to assess groundborne vibration exposures attributed to Project construction activities. But this is incorrect, as Section 9.10.030.B of the City’s Municipal Code specifically exempts “temporary construction, maintenance, or demolition activities between the hours of seven a.m. and seven p.m.” from the Municipal Code Chapter 9.10, Performance Standards.

The comment then suggests that the 0.2 inches per second (ips) peak particle velocity (PPV) assessment criterion used in the Draft SEIR to evaluate vibration annoyance was inappropriate, and instead recommends a more stringent 0.04 ips PPV threshold that—if applied—would be less than predicted vibration from a vibratory roller at a distance of 60 feet. Per the 2020 California Department of Transportation’s Transportation and Construction Vibration Guidance Manual, the 0.2 ips PPV threshold is consistent with the level of human annoyance and the level of building damage risk for Class III structures (wooden ceilings and walls in masonry, typical of residences) exposed to continuous-type vibration sources. The comment calculates the Project’s vibration impacts to be 0.056 ips PPV. Per the 0.2 ips PPV threshold, such predicted worst-case vibration from the Project is expected to be a less-than-significant impact.

Based on the above, the City finds that the issue related to vibration noise presents differing expert data; the Draft SEIR appropriately relies on substantial evidence developed by the Dudek environmental consultants and their noise experts.

03-54 The comment suggests that the traffic noise findings in the Draft SEIR are unsupported due to the lack of discussion about traffic noise model validation. Section 2.2 of the Noise Technical Report (Appendix I of the Draft SEIR) discloses that “the short-term measurements were conducted to characterize typical daytime noise levels in the Project area as well as to gather data necessary to

calibrate the traffic noise model.” Additionally, Section 2.3 from the Noise Technical Report states “Table 7 provides a summary of the results for the analysis of roadway noise based on existing ADT [average daily traffic] volumes for each studied roadway segment. The traffic noise levels in Table 7 are based upon reported existing ADTs, and not on the manual traffic counts conducted during the short-term ambient noise measurements (short term manual counts are used in calibrating the model to ensure accuracy for local conditions).” These counts are presented as part of the “Dudek FORMS Field Data Report” content appearing in Appendix B of the Noise Technical Report. These data and disclosures help demonstrate that reasonable considerations were applied to the Federal Highway Administration–based modeling of existing traffic noise levels and help substantiate the usage of this modeling technique to predict future traffic noise for the 2045 Horizon year scenarios.

Based on the above, the City finds that the traffic noise impact issue presents differing expert opinion; the Draft SEIR appropriately relies on substantial evidence developed by the Dudek environmental consultants and their noise experts.

03-55 The comment refers to a modeling program used to evaluate traffic noise and reiterates a belief that validation is necessary. Please refer to Response to Comment 03-54, above.

03-56 The comment states that, without validation of the traffic noise model, it cannot be known that MM-NOI-3 will be sufficient to address the Project’s noise impacts. Please refer to Response to Comment 03-54, above.

The comment also states that the Draft SEIR should be revised and recirculated. See Response to Comment 03-54. The City has considered the recirculation request and finds that recirculation is not required by CEQA or the CEQA Guidelines. Refer to Response to Comment 03-3 for information regarding CEQA’s recirculation standards. In addition to providing responses to comments, the City finds that this Final SEIR includes relatively minor updates, corrections, and clarifications—none of which necessitate recirculating the Draft SEIR, which has already been the subject of a 45-day public/agency review and comment process.

03-57 The comment makes concluding remarks, expresses opinions, and does not raise an issue related to the adequacy of any specific section of the Draft SEIR. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.

03-58 The City acknowledges the comment as an introduction to comments that follow. The comment does not address the adequacy of any section of the Draft SEIR. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.

03-59 The comment summarizes the description of the Project, including the completed and certified prior environmental documentation. The comment does not address the adequacy of any section of the Draft SEIR. However, at the end of the comment, it states that the Draft SEIR’s “conclusions” are unsupported. The City disagrees with this general conclusion. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.

03-60 The comment addresses the adequacy of the Draft SEIR’s consideration of the Project’s potential valley fever impacts. The comment expressly disagrees with the Draft SEIR’s analysis and characterizes Riverside County as a valley fever “hot-spot.” The comment then provides a variety of information that was also presented and discussed in the main body of the comment letter.

Please see Responses to Comments 03-26 through 03-36, above, for information and analysis responsive to this comment.

As discussed in Response to Comment 03-28, Riverside County is not considered to be highly endemic for valley fever; therefore, the comment’s characterization of the County as a “hot-spot” is misplaced. Valley fever incidence rates are variable from year-to-year and most often appear to relate to annual climatic conditions (with years of heavy rainfall followed by hot, dry conditions associated with increased incidence rates).

03-61 The comment questions whether standard fugitive dust measures are adequate to protect humans from exposure to valley fever fungal spores. The comment also opines that sampling for and removing impacted soils is the “best solution.” However, as discussed in Responses to Comments 03-26 through 03-36 above, multiple public agencies recommend compliance with air quality dust control rules to address the potential presence of valley fever fungal spores and there is no commercially available soil test. Response to Comment 03-36 above also addresses, in detail, the strategies recommended in the comment to address valley fever.

03-62 The comment addresses the adequacy of the Draft SEIR’s consideration of the Project’s hazards analysis based on the age of technical materials discussed therein. Please refer to Responses to Comments 03-41 through 03-43, above.

03-63 The comment challenges two of the Draft SEIR’s mitigation measures that are designed to address potentially hazardous conditions on the Project site. Please refer to Responses to Comments 03-44 through 03-49, above.

03-64 After summarizing the findings of the Draft SEIR’s construction-related health risk assessment, the comment identifies an error in MM-AQ-2 that has been corrected and remedied, as discussed in Response to Comment 03-38 above. The comment also presents statewide data relating to the availability of construction equipment at the various engine tier levels, noting the limited availability of Tier 4 Final engines for certain equipment types. The Draft SEIR recognized that equipment availability constraints may be encountered during the Project’s 12-year construction period. As such, MM-AQ-2, which imposes engine specifications on the construction equipment, is structured to provide the Project with an alternative pathway that requires a demonstration that construction emissions would fall below the criteria pollutant mass daily thresholds for construction, the applicable localized significance thresholds, and the numeric cancer risk standards established by SCAQMD. This alternative pathway provides the flexibility that may be required during Project implementation while simultaneously ensuring that the Project’s less-than-significant with mitigation impact determination is valid.

03-65 This comment makes concluding remarks, expresses opinions, and does not raise an issue related to the adequacy of any specific section of the Draft SEIR. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.

- 03-66** The comment comprises the resume of James Clark, PhD. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.
- 03-67** The City acknowledges the comment as an introduction to comments that follow. The comment does not address the adequacy of any section of the Draft SEIR. Additionally, the comment briefly describes the Project. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.
- 03-68** The comment expands on its description of the Project and states that the comments are based on Appendix I of the Draft SEIR, which is the Noise Technical Report prepared by Dudek consultants. The comment does not address the adequacy of any section of the Draft SEIR. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.
- 03-69** The comment summarizes the acoustical consulting firm that provided the comment letter to the Adams Broadwell Joseph & Cardozo law firm. The comment does not address the adequacy of any section of the Draft SEIR. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.
- 03-70** The comment summarizes adverse effects of noise. It does not raise any environmental issue with respect to the adequacy of the Draft SEIR. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.
- 03-71** The comment addresses the Draft SEIR's construction vibration impact analysis. Please refer to Response to Comment 03-53.
- 03-72** The comment states that the Draft SEIR incorrectly assessed the Project's noise impacts because it compared 6 hours of noise generation to an 8-hour noise metric. According to Dudek's experts, while a heavy equipment operator shift generally spans an 8-hour workday, required rest breaks, equipment re-fueling, and downtime waiting for haul trucks or other equipment to perform related functions results in an average heavy equipment operations duration of no more than 6 hours in any given 8-hour work shift. The 8-hour averaging period is employed because that is the basis of the Federal Transit Administration recommendation for limiting construction noise exposure at nearby residential receivers (80 A-weighted decibels 8-hour equivalent sound level). Averaging 6 hours of active construction equipment operation over an 8-hour work day is a common practice for construction noise assessment.
- 03-73** The comment states that the Draft SEIR improperly evaluated construction-related noise impacts by failing to consider certain noise receptor locations. Please refer to Response to Comment 03-51.
- 03-74** The comment states that the Draft SEIR failed to adequately consider the Project's operational noise impacts because the analysis did not validate the traffic noise model. Please refer to Response to Comment 03-54.
- 03-75** The comment states that the Draft SEIR did not sufficiently account for on-site noise generated by rooftop HVAC units. Please refer to Response to Comment 03-52.

- 03-76** The comment makes concluding remarks, expresses opinions, and does not raise an issue related to the adequacy of any specific section of the Draft SEIR. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.
- 03-77** The comment comprises the resume of Jack Meighan. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.
- 03-78** The comment consists of the Judgment and Statement of Decision (along with attachments) in the Sierra Club General Plan Update litigation against the City (see *Sierra Club v. City of Moreno Valley*, No. CVR12103300). The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary.

INTENTIONALLY LEFT BLANK



CENTER for BIOLOGICAL DIVERSITY

Because life is good.

July 15, 2024

Kirt Coury
Case Planner
14177 Frederick St
Moreno Valley, CA 92552
planningnotices@moval.org

RE: Comments on Draft Subsequent Environmental Impact Report for the Aquabella Specific Plan Amendment Project (SCH# 2023100145)

Dear Oliver Mujica and Carey Fernandes,

These comments are submitted on behalf of the Center for Biological Diversity on the Draft Subsequent Environmental Impact Report (DSEIR) for the Aquabella Specific Plan Amendment Project (Proposed Project).

04-1

The Center is a non-profit environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. These comments are submitted on behalf of the Center’s 1.7 million staff, members, and supporters throughout California and beyond, many of whom live throughout southern California and enjoy visiting, studying, photographing, and hiking in the open spaces of Riverside County, including the areas on and around the proposed project site in Moreno Valley.

While the Proposed Project site has experienced some habitat disturbance and is located within the Western Riverside Multiple Species Habitat Conservation Plan and the Stephen’s kangaroo rat Habitat Conservation Plan, it remains habitat for some very imperiled species within western Riverside County. We suggest the following mitigations measures to ensure that these species are able to continue to thrive in the region.

04-2

I. Burrowing owl

The DSEIR acknowledges that burrowing owls have the potential to occur in the construction zone and thus have proposed mitigation consisting of pre-construction surveys and buffer zones from active nest sites (DSEIR 4.4-33). However, these measures are insufficient as the result is still loss of habitat for this population, which has suffered massive declines due to urbanization both onsite and across the State (Margolis 2023).

04-3

Burrowing owls represent an interesting contradiction. Because they have been historically considered an “urban adapter” and a “common species” through the Western United States, they have been easily dismissed during individual project environmental impact reports.

04-4

Arizona · California · Colorado · Florida · N. Carolina · Nevada · New Mexico · New York · Oregon · Washington, D.C. · La Paz, Mexico
BiologicalDiversity.org

Unfortunately, this neglect has had a cumulative impact on the species, leading to substantial declines in populations throughout its historic range.

Burrowing owls in western Riverside County are part of the Southwestern California population, which was petitioned for endangered status under the California Endangered Species Act (CESA) earlier this year (Miller, 2024).

In Riverside County historical records confirmed breeding from 1878 to 1890 and at Norco in 1927; and indicated probable breeding in Riverside in 1892 and 1893, at San Jacinto Lake in 1895, at Lake Elsinore in 1907, at the base of the San Jacinto Mountains in 1908, and near Moreno in 1941 (Bailey 1917; AMNH 2001; MVZ 2001; NMNH 2001; UWBM 2001; WFVZ 2001; CAS 2002a). Single nesting pairs documented in La Sierra and Norco in the 1980s were extirpated by the early 1990s (J. Bath, pers. comm., 2003 *in* Miller, 2024). Significant breeding colonies were documented at the San Jacinto Wildlife Area, near Lakeview, and at Lake Perris State Recreation Area (“SRA”) in the 1980s (CNDDDB 2001; LACM 2001).

The petition to list burrowing owls as endangered under CESA notes that the U. C. Riverside database developed for the Western Riverside County Multi-Species Habitat Conservation Plan (“MSHCP”) includes approximately 82 records of burrowing owls from the early 1990s to 2002. By the early 2000s, most remaining owl colonies in western Riverside County were very small, highly fragmented, unprotected, and on the brink of extirpation in the early 2000s (P. Bloom, D. Cooper, pers. comm., 2002 *in* Miller, 2024), and populations have continued to decline. Accounts from the early 2000s suggested around 300-350 owl pairs remained in western Riverside County; by 2010 the number had declined to around 150-300 pairs due to destruction of habitat and development (J. Kidd pers. comm., 2010 *in* Miller, 2024). Kidd et al., (2007) concluded that owl populations in western Riverside County were so fragmented and diminished that long term persistence was unlikely.

There are only six recent breeding season observations in the California Natural Diversity Database in western Riverside County from 2015-2023 (Miller, 2024). Almost all of the locations in which these birds were found were threatened by development, and many had threats such as wind turbines, weed abatement, vehicle strikes, domestic dogs/cats, trash, and homeless camps.

Significant evidence shows that burrowing owls are much more susceptible to development than previously thought. Therefore, it is critical to implement mitigation measures that center habitat protection for the remaining populations.

The DSEIR acknowledges that burrowing owls have the potential to occur in the construction zone and that “following the fledging of young from any active burrows, or if active burrows are detected outside of the nesting season, or during the nesting season but it has been determined that the burrow is not being used as a nest burrow, burrowing owls can be excluded from use of the burrow following CDFW protocols.” (DSEIR 4.4-33). This implies that passive relocation will occur if owls exist within the proposed project area.

O4-4
Cont.

O4-5

However, passive relocation of owls is not designed to mitigate for the habitat loss, habitat fragmentation, and reduced owl survivorship caused by development. Many of the relocation efforts for burrowing owls that have been monitored have failed to establish viable owl populations, with owls either disappearing completely, attempting to return to the project site (where their burrows have often been destroyed), or exhibiting low breeding success at the new site (Harris 1987; Delevoryas 1997; Trulio 1997). One of the reasons for this is that burrowing owls are very site tenacious and are not easily forced to move to a different burrow, especially during nesting season (Trulio 1997). Such burrow fidelity is a widely recognized trait, with owls regularly reusing burrows from one year to the next (Martin 1973; Wedgwood 1976; Green 1983). A study by Green (1983) found an average of 76% of owl burrows were reoccupied the next year. Trulio (1994) reported that over a 3-year time span at a site in northern California, 73% of nest burrows or burrows within 100 meters were reoccupied the next year.

These numbers don't improve even with active relocation efforts. Harris (1987) noted that only 1 of 8 (12.5%) previous active burrowing owl relocations in California was even remotely successful in terms of establishing breeding at the new location, with 2 of the 6 relocated owls in that instance remaining and breeding on the site for up to 3 years. Owls released during 2 spring relocations returned to the capture site within 1 month of release (Feeney 1997).

Delevoryas (1997) reported on the failed active relocation in 1990 of five pairs of owls from Mission College in Santa Clara to two sites 31 kilometers to the south. The owls were trapped in mid-February and released in mid-March, just as breeding season was getting underway. During the first breeding season, two of the five pairs (40%) bred successfully, with only two nestlings surviving to fledging (it is unclear if the fledglings survived to the following breeding season). Of the 10 translocated owls, five left the site, one was killed, and four adults plus the two fledglings remained at the relocation sites in 1991. By 1992 only two owls remained, and by 1994 only one owl remained. The site was not maintained for burrowing owls after the first year - the site was disked, and artificial burrows were not maintained (P. Delevoryas, pers. comm., 2003).

Trulio (1997) compiled known information on active burrowing owl relocations conducted in California, which further documented widespread failures of translocations. Of 27 owls relocated to new burrows, 17 (63%) disappeared within a year of release and seven (26%) flew back to their original site. Only four owls (14%) attempted to breed at their new locations (one owl bred at the new site before disappearing). Only two owls (7%) bred successfully, and only one owl (4%) stayed on the site for two breeding seasons. In addition to the failure of 93% of these owls to successfully breed at the relocation sites, the fate of most of the relocated owls was unknown, as the majority disappeared.

Successful active relocation is difficult to accomplish for numerous reasons. Many active relocation efforts involve moving owls to artificial burrows. A significant problem with artificial burrows is that they require permanent maintenance to provide long-term nesting habitat, otherwise they can become buried (P. Bloom, pers. comm., 2002). Additionally, active relocation likely stresses the birds (Trulio 1997). And in many cases, active relocation efforts lack

O4-5
Cont.

requirements for long-term management of owl habitat at release sites, leading to failure over the long term.

The unfortunate result of most active relocation efforts has been the loss of known occupied owl habitat to development, with very little proven nesting success at relocation sites and the ultimate fate of most translocated owls unknown. Clearly, the practice of active relocation of burrowing owls as a “mitigation” for development impacts is detrimental to preserving owl populations.

There have also been several failed reintroduction attempts of burrowing owls (long distance movement to formerly occupied parts of their range). DeSmet (1997) reported that of 169 young and 85 adults captured in South Dakota and released into temporary aviaries and artificial burrows in Manitoba, Canada, only 1 of these birds (0.4%), a juvenile, was seen the next year. Martell et al. (1994) reintroduced 104 fledgling owls from South Dakota to artificial burrows in Minnesota, distances of 450 and 600 kilometers away. None of these birds were seen after the summer they were released. Efforts to reintroduce owls from Washington State to British Columbia have similarly failed. After a decade of owl family relocations the program has not successfully established a self-sustaining population (Dyer 1988; Dyer pers. comm. as cited in Trulio 1997).

The mixed results of active relocation, the failure of reintroduction efforts, and the misuse of passive relocation techniques indicates that it is imperative to protect remaining occupied burrowing owl habitat and owl populations in situ. The practice of translocating owls as “mitigation” eliminates occupied habitat without adequate mitigation for the true impacts of development. As a relatively adaptable species, all that burrowing owls must be afforded in order to survive is habitat, and if that habitat is systematically removed for the convenience of development, owls will predictably disappear.

Therefore, all remaining burrowing owl habitat must be protected to ensure this population is provided the necessary space and resources to survive. If the proposed Project is allowed to proceed despite the loss of burrowing owl habitat that would result from Project construction, acquisition lands should be required as part of the mitigation to compensate for loss of nesting and foraging habitat and will need to be managed in perpetuity for conservation. Mitigation lands should be high-quality habitat and, at minimum 5:1 mitigation should be provided of all acres of burrowing owl habitat destroyed.

II. Stephen’s kangaroo rat

Protected habitat for Stephen’s kangaroo rat (*Dipodomys stephensi*) occurs within one-half mile of the proposed project area (DSEIR 4.4-13). Stephen’s kangaroo rats are known to be most abundant in areas with little to no shrub cover (U.S. Fish and Wildlife Service 2020). While the proposed project site has been used historically for agriculture (RCA MSHCP Location Map 2023), Stephen’s kangaroo rats may have used the intervening years to re-colonize the site. We

O4-5
Cont.

O4-6

O4-7

therefore recommend that surveys for federally and state threatened Stephen’s kangaroo rat be implemented.

However, the DSEIR erroneously concludes that there is a “low potential for Stephen’s kangaroo rat to occur” because they were “not observed during previous CEQA approval surveys.” (DEIR 4.4-12) It goes on to admit that “the site contains some grassland habitat and sparsely vegetated areas often utilized by this species,” but because of the surrounding development, the DSEIR concludes that it would be highly unlikely that the species would disperse to the site from known regional populations. (DEIR 4.4-12-13). This conclusion is based on out-of-date and incomplete information, and does not adequately represent existing conditions at the Project site. Relying on historical data is not sufficient evidence to conclude a “low potential to occur.” Many species migrate due to the pressures of development and a changing climate, and absence in one year does not mean absence in subsequent years. Thus, conducting current surveys is an essential first step in any environmental analysis. The DSEIR fails to provide an accurate baseline regarding Stephen’s kangaroo rat.

O4-7
Cont.

III. Bats

The California Natural Diversity Database (“CNDDDB Maps and Data” 2023) documents two bat Species of Special Concern as occurring on the proposed project site. They are the California mastiff bat, also known as the greater bonneted bat (*Eumops perotis californicus*) and the western yellow bat (*Lasiurus xanthinus*). However, despite admitting that these special-status species are present in the Project area, the DSEIR fails to conduct any bat surveys. Surveys for these Species of Special Concern must be conducted, including special-status bats, and the outcome of that survey effort must be included in the FSEIR. Both of these bats are fairly tolerant of urban/suburban areas (“*Eumops Perotis* | NatureServe” 2015; “*Lasiurus Xanthinus* | NatureServe” 2015). However the density of units proposed in this project may negatively affect these rare bats and eliminate the use of the proposed project site as habitat.

Development of new buildings in open spaces can also significantly impair movement of many bat species. Light pollution affects many nocturnal species, including bats, insects, and terrestrial mammals, among others. Impacts of light pollution are varied, and different species respond to artificial light at night in different ways. Individual impacts of light pollution include numerous physiological (e.g. hormone levels) and behavioral changes (e.g. shifts in activity patterns) that can impact an animal’s ability to survive and thrive in their environment (Aulsebrook et al., 2020). These individual impacts cascade into ecological changes like phenological mismatches and shifts in predation patterns that can disrupt population and ecosystem-level dynamics, including mortality, fecundity, and community productivity, among others (Gaston et al., 2013).

O4-8

If these species are located on the proposed project site, the CEQA review must fully analyze impacts as required. Identification of and implementation of avoidance, minimization

and if necessary, mitigation for impacts to the on-site sensitive bats must be included in the FSEIR.

IV. Conclusion

The DSEIR fails to adequately analyze or mitigate impacts to burrowing owl, Stephen's kangaroo rat, and bats. The FSEIR must correct the deficiencies outlined above by providing current data and analyses regarding biological impacts and other types of impacts from the Proposed Project on these imperiled species to fully document and mitigate the project's impacts on the region's biological resources.

Thank you for the opportunity to submit these comments.

Sincerely,



Elizabeth Reid-Wainscoat
Campaigner
Center for Biological Diversity

↑
04-8
Cont.
|
04-9
|

References:

- Aulsebrook, A. E., Connelly, F., Johnsson, R. D., Jones, T. M., Mulder, R. A., Hall, M. L., ... & Lesku, J. A. (2020). White and amber light at night disrupt sleep physiology in birds. *Current Biology*, 30(18), 3657-3663.
- Caissy, P., S. Klemet-N'Guessan, R. Jackiw, C. G. Eckert, and A. L. Hargreaves. 2020. "High Conservation Priority of Range-Edge Plant Populations Not Matched by Habitat 1 Protection or Research Effort 2." *Biological Conservation* 249, September 2020 249.
- California Burrowing Owl Consortium. 1993. "Burrowing Owl Survey Protocol and Mitigation Guidelines." <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83842&inline>.
- California Department of Fish and Game. 2012. "Staff Report on Burrowing Owl Mitigation."
- CNDDDB Maps and Data. 2023. Accessed Nov 21, 2023. <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>.
- Eumops Perotis | NatureServe. 2015. https://explorer.natureserve.org/Taxon/ELEMENT_GLOBAL.2.103930/Eumops_perotis.
- Farmer, Andrew M. 1993. "The Effects of Dust on Vegetation—a Review." *Environmental Pollution* 79 (1): 63–75. [https://doi.org/10.1016/0269-7491\(93\)90179-R](https://doi.org/10.1016/0269-7491(93)90179-R).
- Gaston, K. J., Bennie, J., Davies, T. W., & Hopkins, J. (2013). The ecological impacts of nighttime light pollution: a mechanistic appraisal. *Biological reviews*, 88(4), 912-927.
- Johnson, Lauren. 2019. "9 Oldest Living Plants in the World." *Oldest.Org* (blog). September 5, 2019. <https://www.oldest.org/nature/living-plants/>.
- Leppig, Gordon, and Jeffrey W. White. 2006. "Conservation of Peripheral Plant Populations in California." *Madrono* 53 (3): 264–74.
- Margolis, Jacob. 2023. "This Tiny Burrowing Owl Has A Big Problem In Southern California. What Will It Take For It To Thrive Again?" *LAist*, May 1, 2023, sec. Climate and Environment. <https://laist.com/news/climate-environment/western-burrowing-owl-southern-california-disappearing-threatened>
- May, Michael R., Mitchell C. Provence, Andrew C. Sanders, Norman C. Ellstrand, and Jeffrey Ross-Ibarra. 2009. "A Pleistocene Clone of Palmer's Oak Persisting in Southern California."
- Miller, J. (2007). Petition to list the Western Burrowing Owl in California. In *Proceedings of the California Burrowing Owl Symposium. Bird Populations Monograph* (No. 1).

RCA MSHCP Location Map. Accessed 11-21-2023 at
<https://wrcra.maps.arcgis.com/apps/webappviewer/index.html?id=2b9d4520bd5f4d35add35fb58808c1b7>

U.S. Fish and Wildlife Service. 2020. "Species Report for the Stephens' Kangaroo Rat (*Dipodomys Stephensi*).” Version 1.1. Sacramento, California.: U.S. Fish and Wildlife Service, Pacific Southwest Region. <https://ecos.fws.gov/ServCat/DownloadFile/214387>.

Response to Comment Letter O4

Organization
Center for Biological Diversity (CBD)
July 15, 2024

- 04-1** The comment states that the letter is on behalf of CBD and provides general background information about CBD. The City acknowledges the comment as an introduction to comments that follow. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.
- 04-2** The comment provides a general summary of the Project location within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) area and the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP) area and introduces comments that follow, including a focus on mitigation. The comment restates information in Section 4.4, Biological Resources, of the Draft SEIR. The City acknowledges the comment as an introduction to comments that follow. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.
- 04-3** The comment states that the Draft SEIR acknowledges burrowing owls (*Athene cunicularia*) may occur in the construction zone and has proposed mitigation consisting of pre-construction surveys and buffer zones from active nest sites. The comment asserts mitigation measures are “insufficient as the result is still loss of habitat for this population, which has suffered massive declines due to urbanization both onsite and across the State.”
- The comment restates information in Section 4.4 of the Draft SEIR. The City acknowledges the comment as an introduction to comments that follow. Please refer to responses to comments O4-4 through O4-9. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.
- 04-4** The comment provides general information regarding both the history of burrowing owls in western Riverside County and the petition filed by CBD and others with the California Fish and Game Commission on March 5, 2024, which seeks to list burrowing owl as endangered or threatened under the California Endangered Species Act (CESA). The comment also covers the need to implement mitigation measures to protect remaining populations.
- The City notes the comment provides general information that does not raise any specific environmental issue regarding the adequacy of the Draft SEIR; therefore, no further response is necessary or required.
- Nonetheless, the City acknowledges CBD et al. filed a petition on March 5, 2024, that seeks to list the burrowing owl as endangered or threatened. However, at this time, there has been no change in the status of burrowing owl, which remains designated as a state species of special concern under CESA (Draft SEIR Section 4.4, p. 4.4-8). Therefore, it does not qualify for the same legal protections as a listed endangered species.

Based on a review of the agenda for the August 14/15, 2024, meeting of the California Fish and Game Commission, it appears that the petition to list burrowing owl as threatened or endangered will not be discussed at this meeting. As such, the California Department of Fish and Wildlife (CDFW) has not issued its determination whether to recommend the listing. If CDFW recommends action on the petition, it will prepare a report to be made public for at least 30 days prior to a California Fish and Game Commission hearing. The commission will review the petition and CDFW's evaluation report and determine at a hearing whether sufficient scientific information indicates that the listing may be warranted. If not, the process ends. If so, the commission will designate the species as a "candidate species," publish a notice in the notice register, and mail the notice to affected parties.

Within a year, a status review report will be provided to the commission to be considered at another commission meeting. The commission will then decide whether the listing is warranted. If not, the process ends, and the species will be removed from the list of candidate species. If the commission finds the listing is warranted, the species will be added to the list of endangered species in California Fish and Game Code Section 670.5 (animals) through a regulation change. Notice of this change will be given and the regulation change filed with the California Office of Administrative Law, which has up to 30 business days to review it. Thereafter, the regulation will be filed with the California Secretary of State and becomes effective. The listing process ultimately takes approximately 1.5 to 2 years to complete. For additional information, please visit <https://fgc.ca.gov/cesa>.

The Draft SEIR did evaluate potential impacts to burrowing owl and adopted mitigation. Refer to responses to comments 04-5 to 04-6, below.

04-5

The comment states that the Draft SEIR acknowledges the potential presence of burrowing owls in the construction zone. It excerpts a quote from Mitigation Measure (MM) BIO-1: "following the fledging of young from any active burrows, or if active burrows are detected outside of the nesting season, or during the nesting season but it has been determined that the burrow is not being used as a nest burrow, burrowing owls can be excluded from use of the burrow following CDFW protocols" (Draft SEIR Section 4.4, p. 4.4-33). The comment states this language implies that passive relocation of owls will occur. It asserts this method does not mitigate habitat loss, habitat fragmentation, and reduced owl survivorship caused by development. It questions the effectiveness of passive and active relocation as mitigation for impacts to burrowing owl.

In response, first, as discussed in the Draft SEIR (Section 4.4, pp. 4.4-8 and 4.4-24) and the Biological Technical Report (Draft SEIR Appendix E), extensive protocol surveys for burrowing owl were conducted on the Project site in accordance with the Western Riverside MSHCP requirements. Initially, a Step 1 habitat assessment was conducted per the Burrowing Owl Survey Instructions for the Western Riverside MSHCP Area (RCA 2006). Based on this assessment, focused protocol-level burrowing owl surveys were conducted in 2023 following MSHCP guidance and the CDFW Staff Report on Burrowing Owl Mitigation (CDFG 2012; Draft SEIR Appendix E, pp. 13–14). These surveys included multiple survey passes for burrowing owl individuals, suitable burrows or burrow surrogates (artificial openings such as pipes, culverts, rock piles, etc.), and any signs indicating owl presence (i.e., owl pellets, molted feathers, abundant insect remains, and whitewash).

As indicated in the Biological Technical Report and as summarized in the Draft SEIR (Section 4.4.4.2, pp. 4.4-23 through 4.4-31), no burrowing owl individuals, indicative signs, or active burrows were observed during the 2023 focused owl survey effort (Draft SEIR Section 4.4, pp. 4.4-8, 4.4-24). One

burrowing owl was incidentally observed within the central portion of the Project site on January 13, 2023, during fairy shrimp protocol surveys. Since this individual was not observed during the breeding season, it was concluded that this individual was likely using the Project site temporarily during the winter months for foraging and potential roosting, which is typical during the non-breeding season when owls are relatively nomadic. No burrowing owls were observed in this area of the site or elsewhere on the site during the subsequent 4 months of fairy shrimp surveys. Additionally, no owls or recent signs were observed at or near this burrow during the focused burrowing owl survey effort in the summer (Draft SEIR Section 4.4, pp. 4.4-24 through 4.4-25).

Second, the Project site is generally considered low-quality habitat for burrowing owls. The site's soils are compacted and not as friable due to the extensive grading since the 1999 EIR, limiting the species' potential to occur in most areas. Roughly 70% of the Project site is characterized as highly disturbed due to past grading and other activities (Draft SEIR Section 4.4.1, pp. 4.4-1 through 4.4-14; see also Figure 3-4, p. 3-35). Consequently, the Project site is low-quality habitat for burrowing owls.

Third, the burrowing owl is a covered species under the Western Riverside MSHCP (Draft SEIR Sections 4.4.2, pp. 4.4-15 through 4.4-21, and 4.4.4.2, pp. 4.4-23 through 4.4-31). Any impacts to individual owls or related to habitat loss are authorized and mitigated by the take coverage, reserve assembly, and various conservation measures included in the MSHCP. The MSHCP's reserve assembly will form a 500,000-acre habitat reserve to benefit regional animal species, including at least 27,470 acres of suitable primary habitat and 22,120 acres of suitable secondary habitat for burrowing owl.¹⁶ The Regional Conservation Authority is on track to meet this goal with over 347,000 acres conserved (RCA 2024). Burrowing owl survey and reporting requirements ensure adequate monitoring and implementation of adaptive management strategies, as appropriate, by the Regional Conservation Authority.¹⁷ The Western Riverside MSHCP and related Final MSHCP EIR/EIS (SCH No. 2001101108) are incorporated by reference. Please refer to the following links for the MSHCP Volume 1 (Plan) and the Final EIR/EIS:

- https://www.wrc-rca.org/Permit_Docs/MSHCP/MSHCP-Volume%201.pdf
- https://www.wrc-rca.org/Permit_Docs/MSHCP/MSHCP-Volume4.pdf

As discussed above, the Project complied with MSHCP burrowing owl protocol survey requirements. The Project also complies with pre-construction survey, nest avoidance, and passive relocation requirements of the MSHCP, California Fish and Game Code, and the federal Migratory Bird Treaty Act (Draft SEIR Sections 4.4.4.2, pp. 4.4-23 through 4.4-31, and 4.4.6.2, pp. 4.4-32 through 4.4-36). MSCHP conservation objective 5 for burrowing owls states that, if protocol surveys identify fewer than 3 pairs of burrowing owls, "then the on-site burrowing owls will be passively or actively relocated following accepted protocols" (County of Riverside 2003, p. B-65). Conservation objective 6 requires 30-day pre-construction surveys for burrowing owls. If owls are found, "Take of active nests will be avoided. Passive relocation (use of one-way doors and collapse of burrows) will occur when owls are present outside the nesting season" (County of Riverside 2003, p. B-65). California Fish and Game Code (Sections 3503 and 3513) and the federal Migratory Bird Treaty Act prohibit the take of active nests of most raptor and other avian species.

¹⁶ Refer to MSHCP burrowing owl conservation objectives (County of Riverside 2003, p. B-64).

¹⁷ Refer to MSHCP burrowing owl conservation objectives (County of Riverside 2003, pp. B-63 to B-65).

No burrowing owls were observed during the MSHCP protocol surveys and only one owl was incidentally observed during fairy shrimp protocol surveys. Thus, per the MSHCP, passive or active relocation would be appropriate for any burrowing owls found on site.

Draft SEIR MM-BIO-1 and MM-BIO-3 require 30-day pre-construction surveys and avoidance of active nests (Draft SEIR Section 4.4.6.2, pp. 4.4-32 through 4.4-36). These measures include (1) pre-construction surveys for burrows or suitable artificial openings that may support roosting or nesting burrowing owls; (2) steps to be taken if active burrows/surrogate burrows are located during the surveys, including avoidance of active nests and establishment of 500-foot no-disturbance buffers until the burrows are determined to be no longer active; (3) monitoring by a qualified biologist when construction or ground disturbance activities will occur within 600 feet of an active nest burrow to ensure no impacts; (4) daily inspection of on the ground pipes, tubes, or other artificial openings associated with construction activities to ensure that no burrowing owls are temporarily utilizing them for shelter; and (5) exclusion from burrows following CDFW protocols for owls found on site outside the nesting season and/or for burrows determined not to be nest burrows. CDFW exclusion protocols provide for passive relocation through the use of one-way doors and collapse of burrows (CDFG 2012). These measures are explained in more detail in Draft SEIR Section 4.4.6.2, pp. 4.4-32 through 4.4-36.

Accordingly, the Draft SEIR concluded that impacts to burrowing owls, including through habitat modification, would be less than significant. Additionally, the mitigation measures for burrowing owl pre-construction surveys and passive relocation are consistent with the MSHCP, the federal Migratory Bird Treaty Act, and Sections 3503 and 3513 of the California Fish and Game Code.

04-6 The comment states that all remaining burrowing owl habitat must be protected and, if the Project would result in the loss of burrowing owl habitat, mitigation lands should be required at a 5:1 mitigation ratio.

Refer to Response to Comment 04-5, above. No further mitigation is required or appropriate for this less than significant impact. Further, the burrowing owl is a covered species under the Western Riverside MSHCP, and extensive mitigation lands are already provided or are in the process of being completed per targets established by the Regional Conservation Authority. As stated, no further mitigation is required.

04-7 The comment states that protected habitat for Stephens' kangaroo rat (*Dipodomys stephensi*) occurs within 0.5 miles of the Project site, suggesting that Stephens' kangaroo rat may have re-colonized the site since its agricultural use. It criticizes the Draft SEIR for concluding there is low potential for Stephens' kangaroo rat presence based on surveys associated with past CEQA approvals. The comment asserts that this does not adequately represent existing conditions or provide an accurate baseline regarding Stephens' kangaroo rat.

In response, first, the Draft SEIR correctly discloses that the property is located outside of the SKR HCP Core Reserve Area and that the nearest mapped Stephens' kangaroo rat occurrence is approximately 0.5 miles south of the Project site, within an SKR HCP Core Reserve Area. The Draft SEIR explains the Project site is "essentially surrounded by urban development, which may limit the ability of the species to access the site from known regional populations" (Draft SEIR Section 4.4, pp. 4.4-12 through 4.4-13). This urban barrier supports the conclusion that there is low potential for Stephens' kangaroo rat

presence on the site, particularly since no Stephens' kangaroo rat were observed during previous surveys conducted as part of the 1999 EIR (Draft SEIR Section 4.4, p. 4.4-22).

Second, no Stephens' kangaroo rat were incidentally observed during any of the most recent on-site biological surveys and assessments discussed in the Draft SEIR, including those associated with site vegetation mapping, fairy shrimp, burrowing owl, least Bell's vireo (*Vireo bellii pusillus*), Crotch's bumble bee (*Bombus crotchii*), and bats.

Third, the Draft SEIR explains that the Project site falls within the SKR HCP Fee Area, which means that it is covered by the comprehensive mitigation measures contained in the SKR HCP. Established in 1996, this plan includes the creation of Core Reserves and a Development Mitigation Fee that supports the management and preservation of Stephens' kangaroo rat habitats (RCHCA 1996; Draft SEIR Section 4.4, p. 4.4-7). The Project site is located outside of the SKR HCP Core Reserve Area but is within the SKR HCP Fee Area (Draft SEIR Section 4.4, p. 4.4-7). Compliance with the SKR HCP, through the payment of the mitigation fee, ensures that any potential impacts to Stephens' kangaroo rat are fully mitigated; provides take coverage under CEQA, the National Environmental Policy Act, CESA, and the federal Endangered Species Act; and contributes to the acquisition/preservation of Stephens' kangaroo rat habitat. Even if the species does not occur on the Project site, the developer is required to pay the SKR HCP fee to the City. This fee was paid in full to the City in 2006 prior to the initial grading of the Specific Plan Area (Draft SEIR Section 4.4, pp. 4.4-7, 4.4-22, 4.4-30).¹⁸ As such, any potential impacts to the species have been mitigated through payment of the SKR HCP fee and would be further mitigated through compliance with the MSHCP.

Fourth, the comment misinterprets the "baseline" for this SEIR; the site has undergone comprehensive environmental review in the 1999 Final EIR, 2001 SEIR, and 2005 Addendum. This Draft SEIR has been prepared in accordance with CEQA Guidelines Section 15162, which states that additional CEQA review is not required unless there are substantial project changes, new circumstances, or new information showing significant impacts not previously addressed (Draft SEIR Chapter 1, Introduction, p. 1-2). The Draft SEIR describes the Project's urban surroundings, which make it unlikely for Stephens' kangaroo rat to inhabit the site. Further, as stated with prior approvals, compliance with the SKR HCP through payment of the mitigation fee provides sufficient mitigation for any potential impacts to Stephens' kangaroo rat and its habitat. Thus, impacts would be similar to the prior project—less than significant with the previously completed mitigation. The Draft SEIR's conclusions are well-supported and consistent with regulatory requirements.

04-8 The comment states that the California Natural Diversity Database has identified two bat Species of Special Concern on the Project site, namely, the California mastiff bat (*Eumops perotis californicus*), and the western yellow bat (*Lasiurus xanthinus*). It asserts the Draft SEIR did not include needed bat surveys, which should be addressed in the Final SEIR. The comment states that buildings and light

¹⁸ The SKR HCP provides an important planning tool to protect Stephens' kangaroo rat, while streamlining review of local projects that may impact the species or its habitat. Completed in 1996 by the Riverside County Habitat Conservation Agency (RCHCA), CDFW, and U.S. Fish and Wildlife Service, the SKR HCP established seven "core reserves," totaling more than 41,000 acres, within a planning area of 533,000 acres. The RCHCA is responsible for "completing" the reserves through the addition of land in fee simple or through the acquisition of easements (RCHCA 1996). Participants of the SKR HCP can incorporate projects into the incidental "take" permit for Stephens' kangaroo rat if the project complies with the requirements of the SKR HCP. Payment of the mitigation fees for projects located within the Stephens' kangaroo rat mitigation fee area provides full mitigation under CEQA, the National Environmental Policy Act, and the CESA and federal Endangered Species Act for impacts to Stephens' kangaroo rat (RCHA 1996).

pollution may negatively impact these species and requests a full analysis and mitigation measures in the Final SEIR if these bats are present on the Project site.

In response, the Draft SEIR explains that generally the site lacks existing natural habitat, including bat roosts, that would support these bat species (Draft SEIR Section 4.4, p. 4.4-30). However, comments from CBD on the Notice of Preparation, dated December 4, 2023, requested surveys for these bats. Consequently, Dudek biologists were retained to perform the necessary bat surveys. Protocols indicate that surveys should occur between March 1 and July 31, outside the winter hibernation period and during the maternity period when colonies form and flightless young are present. Surveys conducted during migratory or winter hibernation seasons may yield less accurate results.

The surveys took place from March 19 to March 26, 2024, but the results, analysis, and final report were not available at the time of the Draft SEIR's circulation. The surveys confirm and clarify the Draft SEIR's conclusion that no special-status bat species roost or occur on site or within a 100-foot buffer of the Project boundary. The Results of Bat Roost and Acoustic Monitoring Surveys for the Aquabella Project, Riverside County, California, dated June 7, 2024, is attached to the Final EIR as Attachment D.¹⁹

These protocol-level surveys completed by Dudek biologists focused on identifying bat species that may be roosting or otherwise utilizing the Project site for breeding or foraging. The surveys particularly looked for special-status bat species that may occur in the region, including California mastiff bat and the western yellow bat, as cited by CBD.

The survey effort included a field habitat assessment for maternity and shelter/hibernaculum roost sites, emergence surveys for visual signs of bat emergence, and passive acoustic surveys to collect and analyze acoustic signatures to the species level. Acoustic monitoring used Wildlife Acoustics SM4BAT full spectrum acoustic detectors at designated locations within the Project site for 1 week (7 consecutive nights). These recordings were processed and analyzed with the use of Sonobat 4.3.0 software.

No suitable bat roosting habitat was determined to be present within the Project site or immediately adjacent to the Project site. The disturbed habitat that dominates the site, primarily non-native grassland, does not support bat roosting. No bats were observed emerging from any of the on-site or off-site trees or vegetation (located primarily within the riparian revegetation area within the drainage channel) during the survey period. Active acoustic monitoring during the emergence survey found an absence of roosting bats in this channel. Passive acoustic analysis did not detect any foliage-roosting bats within the Project site during the survey period.

Passive acoustic monitoring results did not indicate any roosting at the site and did not identify any special-status bat species. Monitoring showed low bat diversity and low-to-moderate activity, with

¹⁹ The addition of the bat survey report to the Final SEIR does not require recirculation. The Draft SEIR stated the site lacks bat habitat, including bat roosts (Draft SEIR Section 4.4, p. 4.4-30). The bat survey report confirms, clarifies, amplifies, and makes insignificant modifications to the Draft SEIR's analysis (14 CCR 15088.5[a] and [b]; Draft SEIR Section 4.4, p. 4.4-30). The focused surveys were performed in response to comments from CBD. The surveys affirmed the lack of habitat, lack of roosts, and lack of special-status bat species on site. No new or more severe significant impacts have been identified. Thus, recirculation is not required (14 CCR 15088.5).

1,263 bat passes²⁰ identified to the species level during the 7-night monitoring period. These passes come from just two common species: Brazilian free-tailed bat (*Tadarida brasiliensis*) (1,214 passes; 96.1%) and California myotis (*Myotis californicus*) (49 passes; 3.9%). No special-status bat species were identified based on the acoustic analysis.

The low-to-moderate level of activity is not representative of a colony of bats that would be emerging from a roost, which can generate thousands of calls in a single night. Thus, the monitoring indicated that common bats may forage within the study area, but no bats are roosting on site, and no special-status species were detected.

In conclusion, no suitable bat roosting habitat was identified within the Project site or vicinity. Only two common bat species were detected, and no state or federally listed special-status bat species were found. No bats were observed to be roosting within the study area. Thus, the Project would not result in significant adverse impacts to roosting bats, special-status bat species, or their habitat.

Additionally, Project lighting will be designed to minimize spillover and comply with dark sky consideration and policies (see PDF-AQ/GHG-5). This includes compliance with Section 9.08.100, Lighting, of the City's Municipal Code. Lighting impacts to common nocturnal species would be thereby minimized.

04-9 This response addresses concluding comments, expresses the opinions of the commenter, and does not raise an issue related to the adequacy of any specific section of the Draft SEIR. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision. No further response is required or necessary.

²⁰ Total bat passes indicate two or more echolocation calls, not the total number of individual bats found, as one bat can record multiple calls.

INTENTIONALLY LEFT BLANK



July 15, 2024

Kirt Coury, Contract Planner
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553
Email: planningnotices@moval.org

RE: AQUABELLA SPECIFIC PLAN AMENDMENT PROJECT, SUBSEQUENT ENVIRONMENTAL IMPACT REPORT, PEN23-0109, PEN23-0127, PEN24-0041, PEN23-0111, PEN23-0118, PEN23-0119 (SCH No. 2023100145)

Dear Mr. Kirt Coury:

Riverside University Health System appreciates the opportunity to provide comments on the Draft Subsequent Environmental Impact Report (DSEIR) for the 2024 Aquabella Specific Plan Amendment (the project). The RUHS Medical Center, located immediately adjacent to the project, is a 520,000-square-foot state-of-the-art facility with 362 beds on site and 60+ hospital-based primary and specialty care clinics. The Medical Center is a Level I Trauma Center, is certified as a Primary Stroke Center and includes adult, pediatric and neonatal intensive care units. The campus' Medical Surgical Center features imaging services, pharmacy, laboratory, diagnostic services and physical therapy.

05-1

The Aquabella Specific Plan Amendment is proposing to develop 15,000 residential units, a 49,000-square foot commercial and retail town center, and a 300-bed hotel. RUHS understands the overall need for greater housing and expanded commercial and visitor tourism opportunities to serve the City of Moreno Valley and the region overall, including RUHS' workforce. We share mutual interests and believe that the operations of both facilities could be harmonious and complementary to each other, if designed and constructed appropriately.

05-2

We have taken the time to preliminarily review the project documents and have identified the following issues that have a need for further discussion and coordination so that hospital operations can continue with minimal disruption. Please note that these issues and comments are preliminary, and our full comments and concerns may not be limited to the items below:

- Air Quality during construction – A plan to address dust and construction equipment air emissions which may impact the Medical Center.
• Noise & Vibration during construction - The Medical Center includes testing equipment and instruments that are sensitive to outside noise and vibration influences.
• Light and glare – We note that the project is proposed to make extensive use of solar panels. Coordination regarding the placement and orientation of panels would minimize impacts on medical center patients.
• Access for Emergency Services - The RUHS Medical Center will share access roads with the Aquabella project. Coordination pertaining to the proposed improvements at Cactus Avenue and the Medical Center's access driveway to ensure ongoing and proper emergency and patient access.
• Traffic and Flood Control - Explore opportunities for collaboration on street, signal, and flood control improvements that address mutual infrastructure needs of the project and RUHS Medical Center expansion.
• Construction coordination – A plan for a 30- to 60-day advance noticing of construction activities that will occur within 500 feet of the Medical Center's property boundary, so that RUHS can plan accordingly for any needed minor operational adjustments to minimize disruption.

05-3
05-4
05-5
05-6
05-7
05-8

26520 Cactus Avenue, Moreno Valley, CA 92555 / 951-486-4000 / RUHealth.org



Given the sensitivity of potential impacts on the operations of the RUHS Medical Center campus, and that the County of Riverside cannot verify that notice was provided to RUHS or other County departments, we are requesting additional time to review the DSEIR and provide in-depth comments. RUHS is preparing its own campus expansion, and it will serve the best interests of both RUHS and the Aquabella project to allow for proper study time. Following this extended study and comment period, we would then like to hold meetings to address any issue areas identified.

If additional review time is not provided, we request at a minimum the opportunity to have ongoing discussions with the Aquabella developers to address areas of concern for RUHS & its patients. We stand ready to begin our discussions and work any concerns to arrive at collaborative solutions. Please notify Timothy Kirkconnell, RUHS Government Relations Officer, at t.kirkconnell@ruhealth.org when you are ready to begin and include Timothy Kirkconnell in any upcoming notices regarding the project as it continues through the development review process. We look forward to being neighbors and working in partnership to address these and other areas together, and the development of an MOU to memorialize our understandings.

05-9

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Cruikshank".

Jennifer Cruikshank

Chief Executive Officer

Riverside University Health System

26520 Cactus Avenue, Moreno Valley, CA 92555 / 951-486-4000 / RUHealth.org

Response to Comment Letter O5

Organization
Riverside University Health System
July 15, 2024

- 05-1** This comment includes a description of the Riverside University Health System (RUHS). The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.
- 05-2** The comment includes a brief description of the Project and an introduction to comments to follow. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.
- 05-3** The comment expresses concern regarding air quality during construction, specifically related to dust and air pollution during construction. Air quality impacts from Project construction were analyzed as part of Draft SEIR Section 4.3, Air Quality. The South Coast Air Quality Management District (SCAQMD) identifies sensitive receptors as residences, schools, playgrounds, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes (SCAQMD 1993). The Draft SEIR identifies three existing sensitive receptors in proximity to the Project site, including the RUHS. More specifically, Threshold 3 addresses exposure of sensitive receptors to substantial pollutant concentrations. As determined under Threshold 3, the Project would result in less-than-significant construction impacts associated with exposure of sensitive receptors to substantial pollutant concentrations with the incorporation of MM-AQ-2 (Draft SEIR Section 4.3.4.2, pp. 4.3-50 through 4.3-57). The Project will be required to comply with SCAQMD Rule 403 to control dust emissions during any dust-generating activities. SCAQMD Rule 403 requires implementation of various best available fugitive dust control measures for different sources for all construction activity sources within its jurisdictional boundaries.
- 05-4** The comment expresses concern about construction noise and vibration impacting testing equipment and instruments. Noise and vibration impacts were analyzed in Draft SEIR Section 4.13, Noise. As concluded in the Draft SEIR, impacts related to a temporary increase in ambient noise levels as a result of construction noise would be less than significant with incorporation of MM-NOI-1 and MM-NOI-2. As discussed under Threshold 2, groundborne vibration generated from construction equipment would be attenuated to 0.2 inches per second peak particle velocity (the threshold for human annoyance) at a distance of no greater than 60 feet from construction activity (Draft SEIR Section 4.13.4.2, pp. 4.13-20 through 4.13-21). Existing structures are no closer than approximately 70 feet from the boundary of any future Project construction zones. Impacts related to vibration would be less than significant.
- 05-5** The comment expresses concern regarding potential impacts related to glare from solar panels on patients at the medical center. As discussed in Draft SEIR Section 4.1, Aesthetics, photovoltaic solar panels would be provided at the site; however, such panels are designed to absorb light, not reflect it, and would be coated with anti-reflective materials to maximize light absorption. Therefore, the Project would result in less-than-significant impacts related to glare.
- 05-6** The comment expresses concern about emergency and patient access to the medical center during road improvements. The comment further requests coordination with RUHS during improvement

activities that could impact emergency vehicle access. As discussed in Draft SEIR Section 4.17, Transportation, any Project construction activities that could potentially impact adjacent roadways, and thereby interfere with emergency access, would be subject to the City's Traffic Control Plan Guidelines & Checklist, including its Temporary Traffic Control Requirements (City of Moreno Valley 2022). These requirements address applicable temporary traffic controls for all construction activities within the City public rights-of-way. This would include mandatory compliance with the latest California Manual on Uniform Traffic Control Devices and compliance with the requirement that emergency access to all nearby properties be maintained at all times. The Temporary Traffic Control Requirements also include requirements related to preparation of a custom Traffic Control Plan that addresses work on arterials, nighttime/weekend work, temporary changes to signal timing, work with any road closures, major encroachment, and major street improvements associated with commercial/residential developments.

05-7 The comment request collaboration on street, signal, and flood control improvements. The Project applicant will work with RUHS to collaborate on off-site improvements. The comment does not identify any specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

05-8 The comment requests noticing prior to construction for activities that are within 500 feet of the medical centers' property boundary. The Project applicant and City will work to ensure noticing in advance of construction within 500 feet of the medical center. The comment does not any identify specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

05-9 The comment requests additional time to review the Draft SEIR and for additional coordination between RUHS and the Project applicant. The comment does not any identify specific issue with respect to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.



SAN GORGONIO CHAPTER

Moreno Valley Group

Planner Kirt Coury,

July 15, 2024

Re Aquabella Specific Plan Amendment Project's Draft Subsequent Environmental Impact Report (Draft SEIR).

In the "Notice of Availability" for this project that will add 43,050 residents or more than 20% to our town there is only the following single sentence about the 2006 General Plan (GP) among five paragraphs about the project's "Description":

06-1

"If the 2006 General Plan is operative at the time of approval, the Project would require a GPA to amend the 2006 General Plan Land Use Map, Figure 2-2 to accommodate the Project".

According to the Draft SEIR's Table of Contents Figure 2-2 is on page 2-15. All that figure shows is the "Project Boundary" and the "Historic Specific Plan Boundary". Where within the Draft SEIR is the 2006 General Plan Land Use Map to allow the public information on which to comment — as required by CEQA? You must have been referring to Figure 2-2 in the 2006 General Plan (GP) and therefore it needed to be made available to the public. In fact the 2006 GP needed to be one of the Appendices to allow the public to make informed comments.

06-2

Putting in a several last minute footnotes throughout the Draft SEIR about the possibility of the 2006 General Plan being the effective General Plan when the project goes before the City Council doesn't cure the problems of the project not being consistent with major sections of what is now the General Plan that must be used in our City.

The Sierra Club appreciates the opportunity to express some concerns over the project's inconsistency with the City's 2006 General Plan. In Appendix A's pages 8-85 through 8-160 their is a poor attempt to try to convince the public and decision makers that the other 1,000's of pages designed for the 2040 General Plan (GP) also applies to the General Plan of 2006.

06-3

2006 Goal 2.1 A pattern of land uses, which organizes future growth, minimizes conflicts between land uses, and which promotes the rational utilization of presently underdeveloped and undeveloped parcels.

06-4

The 15,000 units of the proposed project does significantly conflict with with existing single family homes and the land use under the 2006 GP Land Use Map. The size of the buildings that are planned to accommodate 15,000 units will also conflict with the detached homes that are near to the project. The height, mass, and density of the project's buildings will also destroy view sheds surrounding residents currently enjoy.

2006 Policy 2.2.7 The primary purpose of areas designated Residential 5 is to provide for single-family detached housing on standard sized suburban lots. The maximum allowable density shall be 5.0 dwelling units per acre.

O6-5

The only way the project will be consistent is to change the existing 2006 GP of primarily Residential 5 for single-family detached housing with a density of 5.0 dwelling unit per acre is through a Specific Plan Amendment. Therefore the proposed project is not consistent. Based on this logic to show consistency any project could be made consistent with any GP by simple obtaining a General Plan Amendment (GPA), but that doesn't make the project consistent with the GP. In fact it leads to the GP to being internally inconsistent. This is what is happening with the proposed project.

2006 Objective 2.8 The major purpose of specific plans is to encourage and promote the development of largerscaled mixed-use developments for the purpose of providing adequate flexibility and innovation in residential building types, land use mixes, site design, and development concepts.

O6-6

This 15,000 unit project will have more people than many California cities. To reduce pollution generated by this little city there needs to be more commercial than 25 acres that is within walking distance and therefore the project is not consistent with this objective as well as others mentioning the project's commercial. This must be done without reducing planned smaller units, open space, parks and water features. The one alternative which proposes increasing the amount of commercial to reduce pollution from those driving offsite also maintains 15,000 units. Decreasing the number of units by at least 1,000 units to accommodate more commercial which can be reached by walking will reduce greenhouse gas (GHG) and other negative environmental impacts.

2006 Policy 2.10.1 Encourage a design theme for each new development that is compatible with surrounding existing and planned developments.

O6-7

Designing enough massive large/tall multi-family building to accommodate the majority of the 15,000 units will not be compatible with surrounding development. The planned buffering with the existing school needs to be revisited and improved to benefit those trying to teach and learn.

2006 Policy 2.10.7 On-site lighting should not cause nuisance levels of light or glare

O6-8

on adjacent properties.

Unless all the projects exterior lighting remains at 2700 Kelvin or lower to reduce glare, then it is not consistent. Even the light coming from within tall units will be an ongoing nuisance to adjacent properties.

↑
O6-8
Cont.

2006 Policy 2.14.3 Review development projects for their impacts on public services and facilities including, but not necessarily limited to, roadways, water, sewer, fire, police, parks, and libraries and require public services or facilities to be provided at the standards outlined in the Moreno Valley General Plan and the standards of applicable service agencies.

↑
O6-9

Traffic alone makes this project inconsistent with our 2006 General Plan. Doing studies and paying the inadequate TUMF, DIF and other applicable fees will not mitigate the project's traffic impacts on all Nason St intersections like Fir Ave when the all existing, proposed and foreseeable projects are factored in — such as the Village at Moreno Valley, Moreno Valley Town Center and the full build out of the World Logistic Center (WLC). The Draft SEIR and the project needs to be changed to have any chance of reducing these impacts.

2006 Policy 2.18.4 Encourage the development of senior citizens independent living and congregate care facilities in locations with convenient access to social, commercial, and medical services.

This policy and others only encourages housing for seniors which are both designed for them and are affordable with those with low income. The response is always we will build a variety of units which may include senior housing, but there is never a commitment to do so which makes the project inconsistent. Units must be designed for those with different physical disabilities which happens as one ages and as a result of serving in the military as well as everyday accident. With 15,000 units it would be good if at least 4% of them could be designed for such people of need.

↑
O6-10

2006 Policy 4.2.8 Encourage the development of recreational facilities within private developments, with appropriate mechanisms to ensure that such facilities are properly maintained and that they remain available to residents in perpetuity.

The City standards of 3 acres/1,000 people is not enough for people who live in multi-family units without any private backyard and this project doesn't not even meet that standard — onsite. The

↑
O6-11
↓

Sierra Club wants to be made aware of what near offsite parklands will be acquired and maintained for these residents who do not have their own backyard to enjoy. Until then the project is inconsistent. Water features are great, but are not something on which to recreate. Where will the pickleball and basketball courts and other active recreation opportunities be located in this small city. Based on the Moreno Valley USD's projections there will be thousands of elementary school age children and younger in these 15,000 units. Where are the various playground equipped micro parks located to serve all these children and their parents? Lake Perris cost \$10 to enjoy for one day and the San Jacinto Wildlife Area cannot be accessed by most from the north — people from this project would have to drive at least 20 minutes and again pay a daily fee. Neither of these state lands can be considered viable choices for regular recreation nor a replacement for much needed parks as part of the project. These comments for inconsistency are also valid for Policy 6.6.3 where the need for more local park acreage is required to reduce vehicle miles traveled and related pollution.

O6-11
Cont.

2006 Goal 5.1 Develop a safe, efficient, environmentally and financially sound, integrated vehicular circulation system consistent with the City General Plan Circulation Element Map, Figure 9-1, which provides access to development and supports mobility requirements of the system's users.

O6-12

Justifying consistency because of an Infrastructure plan or amendment related to the 3,000 unit senior community of Aguabella is unacceptable when it is planning to be replaced with a 15,000 unit new version of Aquabella. Four lanes for Nason St was fine when it was envisioned that Aquabella was designed for 3,000 units for senior citizens and not the new version of 15,000 units — an increase of 12,000 units which was not the plan in the 2006 GP. All of Nason St needs to be designed as a Complete Street which easily accommodates many forms of urban transportation. Where are all the curb cuts to allow buses to pull out of the flow of traffic to serve this small city?

2006 Objective 5.3 Maintain Level of Service (LOS) "C" on roadway links, wherever possible, and LOS "D" in the vicinity of SR 60 and high employment centers. Figure 9-2 depicts the LOS standards that are applicable to all segments of the General Plan Circulation Element Map.

O6-13

There is no way Level of Service (LOS) C will be maintained along all of Nason St intersections or even the SR-60 interchange. This is also true for LOS D when the project includes all cumulative impacts of current, approved and foreseeable project are factored in. Therefore it is inconsistent. The same is true with Policies 5.3.2, 5.3.4, 5.3.5 and 5.3.6. The project is not allowed to use the 2040 General Plan for justification and Complete streets can also have a LOS D. You do not need to sacrifice one for the other. TUMP and DIF fees are well know to be inadequate. When an intersection exceeds LOS D the project must be required to implement All mitigations measures — including buying more right-a-way.

2006 Policy 5.8.1 Support the development of high-speed transit linkages, or express routes, that would benefit the citizens and employers of Moreno Valley.

This project needs to find a way to allow Delphinium Ave and John F. Kennedy Dr to continue East to West through the project -- unimpeded. This restricts buses and transit and the car-using public. Too many developers have stopped our east/west roads from being complete causing more traffic on other roads. This project is doing the same thing which impacts many other roads causing their LOS to increase. Where are all the curb cuts along Nason St to accommodate transit buses to pull out of the flow of traffic? The project is not consistent because of the above.

O6-14

2006 Objective 6.6 Promote land use patterns that reduce daily automotive trips and reduce trip distance for work, shopping, school, and recreation.

Only 25 acres of Commercial is insufficient for people in this small city of 15,000 units to walk in order to accomplish many of their daily/weekly required activities. More is needed without reducing parks, open space and water features. There needs to be a reduction in the number of units which will also reduce other environmental impacts like GHG. These comments are also valid for Policies 6.6.1 and 6.6.2. Pointing out nearby hospitals and other non-commercial buildings do not substitute for the commercial that residents require and are willing to walk to for their needs — thereby reducing vehicle trips, pollution and GHG. These points showing inconsistency are also valid for Objective 6.6.1, Objective 6.7 and Policy 7.5.2 because the project can do much more to reduce mobile source of air pollutant emissions as explained above in many sections.

O6-15

2006 Goal 7.1 To achieve the wise use of natural resources within the City of Moreno Valley, its sphere of influence and planning area.

Mentioning the site has been somewhat degraded over time as a way to convince people that the 81 species on site of which 16 could be special status do not need any further mitigation. other than the amenities for people — like lakes and parks — is not good enough. The two riparian areas considered “sensitive” by the CDFW are not being mitigated or protected forever. “The riparian area that occurs at the eastern terminus of the Riverside Flood Control channel on the Project site (Figure 4.4-1) contains a well-defined natural drainage that joins the County flood control channel that bisects the southern portion of the Project site.” The area needs to be mitigated offsite at 3 to 1 because the project’s impacts will be too detrimental for it to function biologically. There are 31.1 acres of riparian habitat and while the project will be maintaining the existing about 13 acres of which most is from a long ago agreement it is not enough. Off-site mitigation needs to be required to be consistent. Where is the language to show how these 13.1 acres will be managed, protected, enhanced and funded after the small city of 15,000 units are built next to them? When the agreement on most of these acres were made it was not envisioned to have 15,000 units adjacent. Additional protection —forever— is now required as part of this project. This explanation of inconsistency is also valid for Objective 7.4.

O6-16

2006 Goal 8.7 Add to the number of affordable rental units for very low and low-income households

The response to this goal and others only encourages, but not require housing for seniors which are both designed for them and are affordable with those with low income. The response is always we will build a variety of units which may include senior housing, but there is never a commitment to do so which makes the project inconsistent. Units must be designed for those with different physical disabilities which happens as one ages and as a result of serving in the military. With 15,000 units it would be good if at least 4% of them could be designed for people with this need. This explanation of inconsistency and lack of wiliness to require units for low income, senior and people with disabilities is also valid for Goal 8.8 and Policy 8.7.1.

06-17

The following contain some additional thoughts:

It is very good that the project will be constructed based on Title 24. Since the project is planned to be phased in over several year, the Sierra Club expects the project to be required to use the current Title 24 at the time each building is constructed. All sections of Title 24 that could apply to this project must be required to be implemented.

06-18

Significant Irreversible Effect Due to the Proposed Project contains the following:
"Consumption of resources is not justified (e.g., the Project results in wasteful use of energy"

These documents read that the project will do what Title 24 requires in regards to solar, but that is limiting. The pollution and GHG this project will add to our non-attainment area is significant which requires all mitigations necessary. This means requiring more than 60% solar for All the project's energy demands. There is also a need for significant battery storage to supply at least four hours of backup energy for all areas of the project. The Sierra Club expects to see the battery storage required as part of the final proposal for the project. Everything must be done to mitigate the irreversible effects due to the project limit the "wasteful use of energy".

06-19

Will the multifamily buildings have covered and enclosed parking? Will the covered parking area be required to have solar or built to allow future solar? If the Moreno Valley Utility (MVU) eventually allows enough solar to meet more of the project's energy demands above its current limit, the project must be required to continually increase its solar panels to meet the new percentage.— using parking and other structures if necessary. Failing to do so makes these environmental documents inadequate and shows the continued "wasteful use of energy" that is not renewable.

Recycling appears to be part of the project, but it must be in each building near stairs/elevators and accessible to those with disabilities. There must also be bins for organic waste at each building.

06-20

The San Jacinto Wildlife Area (SJWA) and Lake Perris mentioned in the project's documents as possible place for project residents to recreate are known as a world class birding area. The San Bernardino Valley Audubon Society (SBVAS) Christmas Bird Count of the SJWA area usually spots 140 to 155 different species. This places it in the top 1% or 2% of all inland areas in North America for diversity of species. The SJWA is home at various times of the year to 25 species of raptors — including five species of owls. The surrounding areas keeps losing important raptor foraging areas and riparian habitat. That is why it is important for this project to provide some offsite mitigation for the loss of so much riparian habitat on their site.

06-21

There are cities and counties that require buildings to be built to reduce bird strikes that cause the death of tens of thousands of birds every year. The location of this project so near to a world class birding area should make it easy to understand the importance of adapting some of these measures during the construction of these multi-story buildings. Examples of such special building techniques can be found in the following links:

<https://www.fws.gov/sites/default/files/documents/reducing-bird-collisions-with-buildings.pdf>
Reducing Bird Collisions with Buildings and Building Glass - Best Practices

<https://pa.audubon.org/news/seven-ways-bird-collisions-buildings-can-be-prevented>
Seven Ways That Bird Collisions With Buildings Can Be Prevented | Audubon Pennsylvania

<https://www.buildings.com/architecture/article/10262789/how-to-design-bird-safe-buildings>
How to Design Bird-Safe Buildings | Buildings

Many, but not all, of the suggestions focus on windows and lighting. Each multistory building can be made safer for the many special birds in our area. The Audubon Society supports rooftop solar and therefore increasing the project's solar is not a problem. The Sierra Club expects to read how this project will include some of the suggestions into this project to better protect probably many 1,000's of birds from dying from bird strikes during the life of the project..

Significant and Unavoidable Project Impacts are listed as follows:

"Implementation of the Project would result in significant and unavoidable impacts to air quality related to conflict with the SCAQMD 2022 AQMP, and due to exceedance of criteria air pollutant operational thresholds established by the SCAQMD for volatile organic compounds (VOC), oxides of nitrogen (NOx), carbon monoxide (CO), and particulate matter (PM)10, and PM2.5.

The Project would result in emissions of criterial pollutants VOC and NOx in exceedance of the criteria air pollutant construction thresholds established by SCAQMD, as well as emissions of PM10 and PM2.5, in exceedance of the applicable SCAQMD localized significance thresholds, resulting exposure to sensitive receptors during construction.

The Project would also result in a potential impact related to construction TAC health risk impacts. However, the Project is subject to SCAQMD rules and regulations, including Rule 401, Rule 402, Rule 403, Rule 431.2, Rule 445, Rule 1110.2, Rule 1113, and Rule 1138. The Project would implement mitigation measures MM-AQ-1 through MM-AQ-11, which would reduce construction-generated criteria air pollutant emissions below the SCAQMD threshold and would reduce TAC health risk impacts to less than significant." (Draft SEIR pages 7-217-3)

The Sierra Club strongly believes the developer can do more in our non-attainment area to further reduce the unavoidable project impacts listed above. If left as they are, they will negatively impact the Health, Safety and Welfare of Moreno Valley residents. We look forward to reading those in the Final SEIR along with ways to be more compatible with the 2006 General Plan.

Please keep the Sierra Club informed on this project which will add 43,050 people or more than 20% to the population of our city. This includes all meetings and documents.

Sincerely,

George Hague

06-22

06-23

06-24

Sierra Club
Moreno Valley Group
Conservation Chair.

Response to Comment Letter O6

Organization
Sierra Club – San Geronimo Chapter, Moreno Valley Group
July 15, 2024

06-1 The comment states that in the Notice of Availability (NOA) project description, there is only one sentence about the 2006 General Plan.

The City acknowledges the comment, which restates information in the NOA and does not raise an environmental issue or procedural error under CEQA. The purpose of the NOA is to provide notice to the public that the Draft SEIR is available for public review and inform them of when and where they can provide comments. California Public Resources Code Section 21092(b)(1) and the CEQA Guidelines state that the NOA shall specify the following:

- the period during which comments will be received on the draft environmental impact report
- the date, time, and place of any public meetings or hearings on the proposed project
- a brief description of the proposed project and its location
- the significant effects on the environment, if any, anticipated as a result of the project
- the address where copies of the draft EIR and all documents referenced in the draft EIR are available for review
- a description of how the draft EIR can be provided in an electronic format

In compliance with CEQA, the NOA provides this information, describing the Project, its location, significant environmental effects, Draft SEIR availability (including electronically), and the 45-day comment period. The brief project description appropriately outlines the discretionary actions under consideration, which include a General Plan Amendment to the operative General Plan.

Please also see Topical Response 1, SB 330 and General Plan Consistency Analysis, which discusses the Project's proposed General Plan Amendment and the Draft SEIR's evaluation of Project consistency with the 2040 and 2006 General Plans.

The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers. No further response is required or necessary.

06-2 Referring to the sentence in the NOA that reads "If the 2006 General Plan is operative at the time of approval, the Project would require a GPA [General Plan Amendment] to amend the 2006 General Plan Land Use Map, Figure 2-2 to accommodate the Project," the comment states Figure 2-2 in the Draft SEIR is not a land use map and, thus, the reference must be to Figure 2-2 of the 2006 General Plan. The comment asserts the 2006 General Plan needs to be made available to the public and appended to the Draft SEIR. The comment states that footnotes about the 2006 General Plan being effective do not cure inconsistencies with major sections of the 2006 General Plan, which is "now the General Plan that must be used in our City."

In response, the NOA reference is to Figure 2-2 of the 2006 General Plan. Documents referenced, incorporated by reference, and relied upon in the Draft SEIR are listed in Section 8.0, SEIR References,

Consultation, and Preparation, with links to respective documents, where available. Chapter 8, SEIR References, Consultation, and Preparation, with links to respective documents, where available. The 2006 General Plan is made available at https://www.moval.org/city_hall/general-plan/06gpfinal/gp/gp-tot.pdf.

Please see Topical Response 1, which discusses the Project’s proposed General Plan Amendment and the Draft SEIR’s evaluation of Project consistency with the 2040 and 2006 General Plans.

Project consistency with the goals, objectives, and policies of the 2006 General Plan is thoroughly evaluated in Appendix A, Specific Plan Amendment, of the Draft SEIR. The Project is shown to be consistent with the 2006 General Plan. See also Response to Comment 06-3 below.

The City acknowledges the comment is an introduction to comments that follow. It is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision.

06-3 The comment states Appendix A, pages 8-85 through 8-160, is a “poor attempt to convince the public and decision-makers that the other 1,000’s of pages designed for the 2040 General Plan (GP) also applies to the General Plan of 2006.”

Please see Topical Response 1, which discusses the Project’s proposed General Plan Amendment and the Draft SEIR’s evaluation of Project consistency with the 2040 and 2006 General Plans.

As detailed therein, the Project’s Senate Bill (SB) 330 preliminary application was submitted on September 6, 2023, at a time when the following regulatory documents were in effect: the 2040 General Plan (adopted by Resolution No. 2021-47 in June 2021), the Climate Action Plan, and related zone changes (adopted by Ordinance No. 981 in June and August 2021). However, the 2040 General Plan was the subject of litigation, and in May 2024, the Riverside County Superior Court issued a Judgment and Writ directing that the City set aside certification of the 2040 General Plan EIR and approval of the 2040 General Plan, Climate Action Plan, and related Zoning Amendments until those errors are corrected (*Sierra Club v. City of Moreno Valley*, CVRI2103300, May 6, 2024, Writ).

Thus, Project consistency with the 2006 General Plan is evaluated in Appendix A of the Draft SEIR in the event it is the operative General Plan at the time of Project consideration for approval. Indeed, the City’s Resolution 2024-37 (approved June 25, 2024) rescinding the previous approvals of the 2040 General Plan and associated documents due to the referenced litigation states that “the 2006 General Plan, associated zoning, and associated EIR are no longer superseded and that the 2006 General Plan, Zoning, and associated EIR remain in place pending reconsideration and re-approval of the MoVal 2040 General Plan and associated zoning, and that the Housing Element (October 2022) remains in effect.”

The Draft SEIR evaluates Project consistency with the City’s 2040 General Plan, Climate Action Plan, zoning, and up-to-date regional planning documents because the Project is an SB 330 preliminary application housing development project. As such, upon the Project applicant’s submittal of the SB 330 application and payment of the required fee, the 2040 General Plan, Climate Action Plan, and zoning for the Project were locked in place (vested) and operate as the City’s valid regulations governing this SB 330 Project (despite the litigation) (see Topical Response 1).

Further, General Plan consistency is not generally a CEQA issue. Instead, a General Plan inconsistency is a significant impact under CEQA only if it results in a significant physical impact (14 CCR 15064.7[d]; *The Highway 68 Coalition v. County of Monterey* [2017] 14 Cal.App.5th 883, 894).

The City acknowledges the comment as an introduction to comments that follow and notes it expresses the opinions of the commenter. To the extent the comments that follow address political issues that do not appear to relate to any physical effect on the environment, the City will include the comments as part of the Final SEIR for consideration by the decision-makers prior to a final decision. However, no further response is required where the comments do not raise an environmental issue.

The final determination of consistency with the General Plan will be made by City Council. The Council's determination has been constrained by state housing law revisions in recent years to limit housing disapprovals. These revisions to the Housing Accountability Act (Government Code Section 65589.5) provide that only inconsistencies with objective (not subjective) standards can serve as the basis for housing disapproval and that these standards must be applied to facilitate and accommodate housing (Government Code Sections 65589.5[f][1], [f][4], [j]). Further, a project need not rigidly conform with every detail of the General Plan. It must only be "compatible with" the objectives, policies, general land uses, and programs specified in the General Plan (*Bankers Hill 150 v. City of San Diego* [2022] 74 Cal.App.5th 755, 776). A consistency finding is supported if there is any substantial evidence in the record that would allow a reasonable person to conclude it complies with objective standards, even if reasonable minds could differ or there is evidence to the contrary (Government Code Sections 65589.5 [f][4], [j]).

06-4

The comment recites 2006 General Plan Goal 2.1 to organize future growth, minimize land use conflicts, and promote the rational utilization of underdeveloped and undeveloped parcels. It states the Project significantly conflicts with existing single-family and detached homes and the land use designation under the 2006 General Plan Land Use map. It also states height, mass, and density will destroy viewsheds.

Refer to Responses to Comments 05-2 and 05-3 and Topical Response 1. Goal 2.1 is included in the Draft EIR. Refer to Appendix A of the Draft SEIR.

Section 3.4.1 of the Draft SEIR (pp. 3-27 through 3-28) explains that a General Plan Amendment would be needed to accommodate the Project. The Draft SEIR describes the General Plan Amendment proposed to *both* the 2040 General Plan and 2006 General Plan, in the event the 2006 General Plan is operative at the time of Project consideration for approval for the reasons described in Topical Response 1. With this amendment, the Project would no longer conflict with the 2006 General Plan Land Use map.

The City notes that the comment expresses the opinion of the commenter concerning subjective language regarding minimizing land use conflicts. The 2006 General Plan Consistency Table in Appendix A of the Draft SEIR describes the facts and substantial evidence supporting consistency with this goal. These include that the Project will focus development in the City's downtown center in an area that is complementary to adjacent residential densities, education, medical, school, and other uses. The Project will develop a vacant, undeveloped, and already graded site in a manner that would discourage sprawl into open space areas surrounding the City and integrate into the land use pattern of the existing community. Conflicts between land uses would be minimized.

The Project would support the demand for workforce, education, and other housing by developing homes proximate to major job centers in the City and region (e.g., Riverside University Health System Medical Center, the Kaiser Permanente Hospital and medical complex, Moreno Valley College, and the World Logistics Center). This would allow residents to live and work locally, cutting commute times and improving air quality. The Project site is also located along major transit routes and would support frequent and reliable transit service and other multimodal transportation measures, including walking and biking. The Riverside Transit Agency (RTA) provides existing bus routes close to the site. Route 31 runs along Nason Street to the Riverside University Medical Center. Route 20 also serves the site along Alessandro, Nason, and Moreno Beach Drive to Riverside University Medical Center, Kaiser Permanente Hospital, and Moreno Valley College, as well as along Nason and Lasselle Street. Route 41 serves the site from the Medical Center to Moreno Valley College and areas to the south. Route 20 bus service also connects passengers to the Moreno Valley/March Field Metrolink Station across Interstate 215.

The comment asserts there are conflicts related to aesthetic impacts. Section 4.1.4.2 of the Draft SEIR (pp. 4.1-7 through 4.1-12) evaluates Project impacts concerning aesthetics and visual changes, including as relates to height, massing, density, scenic vistas, and visual character and quality. Project impacts were determined to be less than significant. The CEQA thresholds focus on impacts to scenic vistas, scenic resources within a state scenic highway, and conflicts with regulations governing scenic quality in urban areas, *not* view impacts to individual residents from private property. Further, under CEQA, “the question is whether a project will affect the environment of persons in general, not whether a project will affect particular persons. Additionally, California landowners do not have a right of access to air, light and view over adjoining property” (*Mira Mar Mobile Community v. City of Oceanside* [2004] 119 Cal.App.4th 477, 492–493).²¹ However, the City acknowledges that residential views across the site would change with Project development. Refer to Draft SEIR Section 4.1.4.2 (pp. 4.1-7 through 4.1-12) and Figures 4.1-1 through 4.1-2h (pp. 4.1-15 through 4.1-31), depicting changes that would be anticipated from residential viewers located to the west, south, and east of the site.

Draft SEIR Section 4.1.4.2 (pp. 4.1-7 through 4.1-12) further explains that varied massing and roof types, planting design, color, articulated features, and materials are envisioned to establish a distinct visual identity, heighten visual interest, and break down the apparent scale of development. The Specific Plan Amendment, Appendix A to the Draft SEIR, includes design standards and guidelines to ensure intelligently designed massing, density, and height of buildings to achieve a cohesive yet varied community vision, retain pedestrian-scale features, and compliment adjacent uses.

06-5 The comment recites 2006 General Plan Policy 2.2.7, which provides that the primary purpose of the Residential 5 designation is single-family homes at 5 dwelling units per acre. The comment states that the only way the Project would be consistent with this is a Specific Plan Amendment. The comment states a General Plan Amendment leads to the General Plan being internally inconsistent.

²¹ The state legislature has specified that impacts on aesthetics are not required to be evaluated under CEQA for infill projects located within transit priority areas (TPAs) (California Public Resources Code, Section 21099[d][1]). While the Project is not currently considered to be within a TPA, it is anticipated that with Project buildout and implementation of the proposed bus rapid transit along Alessandro and mobility hub on site, the Project could qualify as a TPA (see Draft SEIR Section 4.17, pp. 4.17-32 through 4.17-33).

Refer to Responses to Comments 05-2, 05-3, and 05-4 and Topical Response 1. 2006 General Plan Policy 2.2.7 is included in the Draft SEIR. Refer to Appendix A of the Draft SEIR.

Further, the comment does not explain why the General Plan Amendment would make the General Plan internally inconsistent.

06-6

The comment recites 2006 General Plan Objective 2.8, which provides that a major purpose of specific plans is to encourage and promote the development of larger-scaled mixed-use developments for the purpose of providing adequate flexibility and innovation. The comment states the Project will have more people than many California cities, and to reduce pollution, more than 25 acres of commercial needs to be provided within walking distance without reducing smaller units, open space, parks, or water features. It states that the Project alternative that proposes to increase commercial would still maintain 15,000 units and suggests an alternative with 14,000 units and increased commercial to reduce greenhouse gases (GHGs) and other impacts.

Refer to Responses to Comments 05-2 and 05-3 and Topical Response 1. Objective 2.8 is included in the Draft EIR. Refer to Appendix A of the Draft SEIR.

The City notes that the comment expresses the opinion of the commenter concerning subjective language regarding specific plans. The comment is also contradicted by analysis supported by substantial evidence in the Draft SEIR. The 2006 General Plan Consistency Table in Appendix A of the Draft SEIR describes the facts and substantial evidence supporting consistency with this goal. The Specific Plan Amendment, Appendix A to the Draft SEIR, proposes flexible and innovative design to implement a large-scale development in alignment with the cited Objective.

The additional alternative to the Project suggested by the commenter is substantially similar to alternatives already considered in the Draft SEIR. CEQA Guidelines Section 15126.6(a) requires that an EIR “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” Section 15126.6(a) also provides that an EIR need not consider every conceivable alternative to a project; rather, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.

Further, an EIR need not include multiple variations of alternatives considered in the EIR or those that do not offer environmental advantages (14 CCR 15126.6[b]; *Villages of Laguna Beach, Inc. v. Board of Supervisors* [1982] 134 Cal.App.3d 1022, 1028; *Cherry Valley Pass Acres & Neighbors v. City of Beaumont* [2010] 190 Cal.App.4th 316, 355; *Tracy First v. City of Tracy* [2009] 177 Cal.App.4th 912, 929).

The Draft SEIR presented seven alternatives based on the Project’s identified significant environmental impacts, the objectives established for the Project (Draft SEIR Section 7.1.2, p. 7-2), feasibility, and consideration of public input. These included the following:

- 1 **Alternative 1:** No Project - No Development (Zero Units/No Development)
- 2 **Alternative 2:** Previously Approved Aquabella 2005 Specific Plan Amendment (2,702 Units)
- 3 **Alternative 3:** 2040 General Plan Downtown Center (2,702 Units/1,804,000 sf commercial/retail)

- 4 **Alternative 4:** Reduced Density – 10,000 Units
- 5 **Alternative 5:** Reduced Density – 7,500 Units
- 6 **Alternative 6:** Increased Commercial
- 7 **Alternative 7:** Increased Density – 20,000 Units

Thus, the Draft SEIR evaluated reduced density and increased commercial alternatives. Alternative 3 considered lower density and higher commercial square footage. Alternative 6 considered 150,000 square feet of commercial compared to the Project’s 49,900 square feet. Alternatives 2, 3, 4, and 5 all considered reduced density. These alternatives are substantially similar to that proposed by the commenter and allow for the evaluation of the commenter’s suggested alternative.

In evaluating Alternative 6, the Draft SEIR explains that increased commercial square footage does not, in fact, result in the reduced vehicle miles traveled (VMT) benefit being sought by the commenter to reduce GHGs and other impacts. To the contrary, per the Project’s expert transportation consultant and as summarized the alternatives analysis, increased commercial uses would be anticipated to draw or induce increased VMT from visitors and employees of the additional commercial buildings from outside the Project site, which would increase air quality and GHG emissions (Draft SEIR Chapter 7, pp. 7-20 to 7-21).

The Project’s 49,900 square feet of commercial/retail use contributed to the Project’s trip generation estimate, which is the amount of vehicular traffic a project would add to the surrounding roadway system (see Draft SEIR Appendix K1, Aquabella Master Plan Development Project Trip Generation Assessment [prepared by Fehr & Peers], pp. 1–6). Trip generation estimates for the Project were created for the daily condition and for the peak hour during the morning and evening commutes when traffic volumes on the adjacent streets are typically the highest (Draft SEIR Appendix K1, see Table 1, ITE Trip Generation Rates, and Table 2, Total Trip Generation).

Given the residential and mixed-use nature of the Project, the traffic analysis prepared by Fehr & Peers evaluated the combined effects of the Project’s mix of uses, regional location, demographics, and development scale. These factors contribute to “internalization” or “internal capture,” which account for trips beginning and ending on the Project site due to the mix of land uses (Draft SEIR Appendix K1, p. 6). This analysis used the U.S. Environmental Protection Agency’s MXD (mixed-use development) methodology to determine internalization, which is robust for considering these combined effects that may contribute in a reduction in off-site average weekday vehicle trips (Draft SEIR Appendix K1, pp. 6–9, including Tables 3 and 4). The MXD model is also refined for the study area because it accounts for various attributes, such as density of the site, distance to transit, density of intersections, employment, household size, and variables that reduce vehicle trip-making behavior (Draft SEIR Appendix K1, p. 7).

Fehr & Peers estimated a reduction in trips with implementation of the Project due to the proximity of complementary land uses within the development (e.g., residential-to-retail, residential-to-parks, residential-to-schools). In addition to trip reductions within the Project site due to the mix of land uses, Fehr & Peers anticipated that trips would be captured between the Project and neighboring complimentary uses at the existing high school and medical centers (Draft SEIR Appendix K1, pp. 7–8).

In contrast, and based on consultation with Fehr & Peers, if the Project were to increase the commercial/retail square footage, the increased use would function as a draw, attracting trips from

surrounding or more distant areas. This would induce additional vehicle trips to the site by visitors and employees from such locales, and thus, increase VMT compared to the Project. The increase in VMT would then increase operational emissions of criteria pollutants (volatile organic compounds, oxides of nitrogen, carbon monoxide, and coarse and fine particulate matter) when compared to the Project. Additionally, GHG emissions may increase compared to the Project, depending upon the amount of increased commercial usage. Traffic-related noise would also increase compared to the Project (Draft SEIR Section 7.4.6, pp. 7-20 through 7-22). Thus, increased commercial uses are anticipated to worsen—not improve—GHGs and other project impacts.

Regarding reducing unit count to offset increased impacts of commercial uses, even reducing the Project density to 10,000 units would result in similar impacts compared to the Project. Air quality impacts would remain significant and unavoidable. GHG emissions would be slightly reduced, but GHG impacts would remain less-than-significant, as with the Project. Accordingly, an alternative that increases commercial uses and reduces the unit count to 14,000 is not anticipated to result in reduced impacts to GHGs or air quality. Further, it would be anticipated to increase or induce VMT, worsening transportation impacts.

The Project’s proposed 49,900 square feet of retail is intended to be “right sized” for the site, offering retail, restaurant, and other uses in addition to Project’s planned recreational uses and amenities provided with the residential development. The Project’s Town Center would support a mix of options, including a small grocery/neighborhood market, a pharmacy/drug store, dry cleaner, tailor, nail/hair salon or barber shop, spa, sit-down and full-service restaurants, fast casual restaurant or carry-out, ice cream shop, coffee shop or café, apparel store or clothing store, furniture store, pet store, book store, sports store, music store, and other boutique retail and food and beverage opportunities.

The Project’s commercial uses would complement existing retail near the Project site, which includes shopping, grocery, pharmacy, big box stores, and restaurants. Additional retail may result in excess commercial uses and result in adverse impacts to an existing community that already has 10.5% commercial vacancy rates, approximately 8.2 million square feet of retail built, and another one million square feet of retail under production.

The City acknowledges that the comment expresses the opinion of the commenter in favor of an alternative that incorporates additional commercial square footage and limits housing to 14,000 units. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision.

06-7 The comment recites 2006 General Plan Policy 2.10.1, which encourages a design theme compatible with surrounding development. It asserts that the large/tall buildings proposed by the Project will not be compatible with surround development. It also states that the planned buffering with the existing school needs to be revisited and improved. Policy 2.10.1 is included in the Draft SEIR. Refer to Appendix A of the Draft SEIR.

The City notes that the comment expresses the opinion of the commenter concerning subjective language regarding specific plans. However, the City does not concur with the comment for the following reasons. The 2006 General Plan consistency table in Appendix A of the Draft SEIR describes the facts and substantial evidence supporting consistency with this policy. Specifically, the Specific Plan Amendment envisions development of a series of villages, each with an individual theme and identity

carried throughout that village's architectural style, landscaping, fencing, entry monumentation, and use of streets and open spaces. The individual themes will comply with the broader design guidelines established for the Specific Plan Area, which have been informed by the existing residential and medical uses, size and massing, color palettes, landscaping, and traditional and contemporary architectural style and character of the surrounding community. Refer to the Design Standards and Design Guidelines of the Specific Plan Amendment (Draft SEIR Appendix A) for additional information on height limits, architectural design, landscape design, massing, and streetscape design.

Additionally, Draft SEIR Section 4.1.4.2 (pp. 4.1-7 through 4.1-12) evaluates Project impacts concerning aesthetics and visual changes, including as relates to height, massing, density, scenic vistas, and the visual character and quality. Project impacts were determined to be less than significant.

As to buffers from existing schools, generally schools are considered compatible with residential uses. Further, Vista Del Lago High School and its associated impacts were also considered in the 1999 EIR as part of the original Specific Plan 218. The Project proposes to continue John F. Kennedy Drive adjacent to the high school to provide a potential access point to the Project site. Street improvements would include landscaping, a landscape setback, and a perimeter trail. The Project is separated from Landmark Middle School by existing Oliver Street. The Project proposes a landscape median, landscape setback on the development side, and multi-use trail on the development side of Oliver Street. Refer to Draft SEIR Appendix A Chapters 4 and 6, as well as Figure 6-4. Further, during Project construction, mitigation related to air quality and noise impacts would apply to reduce air quality and noise at school receptors. Refer to Sections 4.3, Air Quality, and 4.13, Noise, of the Draft SEIR. These comments will be included in the Final SEIR for consideration by decision-makers.

Finally, the portion of the General Plan referred to does not involve a physical impact on the environment. Refer to Response to Comment O6-3.

06-8 The comment recites 2006 General Plan Policy 2.10.7, which provides lighting should not cause nuisance or glare on adjacent properties. The comment states that unless exterior lighting is at 2700 Kelvin or below, it is not consistent and will be a nuisance to adjacent properties. 2006 General Plan Policy 2.10.7 is included in the Draft EIR. Refer to Appendix A of the Draft SEIR.

See Draft SEIR, Section 4.1.4.2 (pp. 4.1-7 through 4.1-12). The Draft SEIR evaluates Project impacts concerning light and glare and finds impacts would be less than significant:

The Project site is currently undeveloped and is surrounded by residences and two medical centers/hospitals. Surrounding residential and institutional land uses contain lighting typical of an urban setting, including, but not limited to, street lighting, signage lighting, and security lighting. Similar to the previously approved 2005 Aquabella SPA, development of the Project site would introduce new sources of light and glare to the Project site. Sources of lighting associated with the Project would be typical of residential and commercial uses, including streetlights, interior roadway and walkway/pathway lighting, and exterior mounted and interior lighting. Potential sources of glare would include windows on the Project's residential and commercial uses. As described in the Specific Plan, lighting fixtures on site would be properly shielded to prevent off-site glare and minimize light pollution. Spot fixtures would be directed downward and/or upward to illuminate specific items or areas within the site, not outward from the Project area. The

Project would be required to present exterior lighting plans for parking and other site areas are to demonstrate compliance with Section 9.08.100, Lighting, of the City's Municipal Code. Therefore, Project lighting sources would be similar to existing sources in the surrounding area and would comply with regulations governing lighting to confine light within the site and prevent glare onto adjacent properties.

To minimize the impacts of glare and reflectivity as a result of the new development, the Specific Plan design guidelines provide for clear glazing of windows and limited use of reflective materials for accent elements. Photovoltaic solar panels would be provided at the site. However, such panels are designed to absorb light, not reflect it, and would be coated with anti-reflective materials to maximize light absorption. In addition, solar panels face upward, resulting in a small likelihood of affecting nearby residents on the ground or in surrounding developments. Accordingly, the Project would not introduce a new substantial source of light or glare compared to the prior approvals, and impacts would remain less than significant.

Among other things, the Project will be required to comply with Municipal Code Section 9.08.100 standards for street lighting, exterior light shielding, lighting prohibitions, lighting curfew, and light spillover or trespass.

The comment will be included in the Final SEIR for consideration by decision-makers.

06-9

The comment recites 2006 General Plan Policy 2.14.3, which provides that projects should be reviewed for their impacts on public services and facilities. It states that traffic alone makes the Project inconsistent with the General Plan. The comment states that paying the Riverside County Transportation Uniform Mitigation Fee (TUMF), the City's development impact fees (DIFs), and other fees will not mitigate Project impacts when all existing, proposed, and foreseeable projects are factored in.

In response, the comment does not raise an environmental issue for CEQA purposes. Draft SEIR Section 4.17, Transportation, specifically Section 4.17.2, Regulatory Framework (pp. 4.17-9 through 4.17-16), explains that level of service (LOS) is no longer the CEQA metric used to evaluate transportation impacts.

In 2013, the state adopted SB 743, which mandated alternative metrics replace LOS for determining impacts relative to transportation in CEQA documents. In the past, environmental review focused on LOS and the delay vehicles experienced at intersections, which resulted in mitigation that involved increasing capacity. This, in turn, encouraged more vehicular travel and greater pollutant emissions. Additionally, improvements to increase vehicular capacity often discourage alternative forms of transportation, such as biking and walking.

Thus, in December 2018, the CEQA Guidelines were updated to add new Section 15064.3, which provides that transportation impacts under CEQA should be evaluated using a VMT metric, not LOS. This new VMT methodology has been required for use with land use projects since July 1, 2020. Project transportation impacts were therefore assessed using the VMT metric pursuant to state law in Draft SEIR Section 4.17. Impacts would be less than significant under this metric, and no mitigation is therefore required (Draft SEIR Section 4.17.5.2, pp. 4.17-29 through 4.17-46).

The Draft SEIR further explains that the City required a summary of the Project's traffic analysis using the LOS metric consistent with City General Plan requirements and for informational purposes and Policy 2.14.3. This LOS traffic analysis is provided as part of this Draft SEIR in Appendix K3 and considers the following scenarios:

- Existing (2023)
- Horizon Year (2045) Without Project (Approved SP), with World Logistics Center (WLC) Buildout
- Horizon Year (2045) With Project, with WLC Buildout

As explained in Section 1.2 of Appendix K3, the horizon year analysis utilized Riverside County's travel demand forecasting model (RIVCOM) updated to fully account for WLC buildout. This appendix provides the information requested by the commenter and also allows for a direct comparison to the prior LOS analyses completed for the prior projects.

The Horizon Year (2045) With Project scenario is utilized in the LOS analysis to determine the framework of ultimate improvement needs with completion of the Project. Subsequent traffic analyses will be conducted at each Project phase to determine the actual phasing of circulation improvements. The 2045 roadway network includes roadway connections consistent with the 2006 General Plan.

Exhibits 4-5, 4-7, 4-8, and 4-10 of Appendix K3 show the Project contributions to intersection volumes along Nason Street during AM and PM peak hours. Exhibits 4-11 and 4-13 show Project-only average daily traffic trips on Nason Street. Exhibits 6-1, 6-3, 6-4, and 6-6 of Appendix K3 show the Horizon Year (2045) plus Project intersection volumes along Nason Street during AM and PM peak hours. Exhibits 6-7 and 6-9 show Horizon Year (2045) plus Project daily traffic trips on Nason Street. Appendix K Table 6-2 provides an Intersection Analysis for Horizon Year (2045) with Project, including at intersections along Nason Street, with and without improvements. With improvements, all intersections evaluated along Nason Street are anticipated to meet the LOS standard at Horizon Year with Project, with the exception of Nason Street/Cottonwood Avenue in the AM peak hour.

Section 7 of Appendix K3 identifies that the Project would be subject to compliance with the City's DIF program, the Riverside County TUMF, and fair share contributions for traffic signal and other transportation improvements, which are all aimed at ensuring that Project area roadways and intersection expansions keep pace with the projected population increases. Table 7-1 provides the Project's fair share calculations for intersection improvements.

Section 8 of Appendix K3 summarizes the Project roadway and intersection improvements that will be completed, including those that will be completed as part of the Project on and off-site or that the Project will support through the payment of fair share fees. The recommended improvements needed to address the cumulative deficiencies identified under Horizon Year (2045) Without Project (Approved SP) and Horizon Year (2045) With Project traffic conditions are shown in Table 8-1 of Appendix K3. For those improvements listed in the Without Project (Approved SP) column of Table 8-1 and not already included in an adopted fee program (DIF, TUMF, etc.) or not already fully funded by a previously approved project (WLC, Kaiser Permanente Medical Center, etc.), the Project applicant's responsibility for the Project's contributions towards cumulatively deficient intersections will be fulfilled through payment of fair share fees that would be assigned to construction of the identified cumulative improvements.

In some cases, direct construction of the cumulative improvement by the Project may be eligible for fee credit or reimbursement through an applicable program where appropriate (to be determined at the City' discretion).

2006 General Plan Objective and Policies related to the target LOS are as follows (emphasis added):

- **Objective 5.3:** “Maintain Level of Service (LOS) ‘C’ on roadway links, *whenever possible*, and LOS ‘D’ in the vicinity of SR 60 and high employment centers.”
- **Policy 5.3.5:** “Ensure that new development pays a fair share of costs to provide local and regional transportation improvements and to mitigate cumulative traffic impacts. For this purpose, require new developments to participate in Transportation Uniform Mitigation Fee Program (TUMF), the Development Impact Fee Program (DIF) and any other applicable transportation fee programs and benefit assessment districts.”
- **Policy 5.3.6:** “Where new developments would increase traffic flows beyond the LOS C (or LOS D, where applicable), require *appropriate and feasible* mitigation measures as a condition of approval. Such measures may include extra right-of-way and improvements to accommodate left-turn and right-turn lanes at intersections, or other improvements.”
- **Policy 5.3.7:** “Provide consideration to projects that have overriding regional or local benefits that would be desirable even though the LOS standards cannot be met. These projects would be required to analyze traffic impacts and mitigate such impacts *to the extent that it is deemed feasible*.”

The LOS Traffic Analysis (Draft SEIR Appendix K3) and resulting framework of improvements are thus also consistent with Objective 5.3 and Policies 5.3.5, 5.3.6, and 5.3.7 of the 2006 General Plan. Table 6-1 of the LOS Traffic Analysis lists cumulative projects addressed in the traffic study, which include Village at Moreno Valley, Town Center at Moreno Valley Specific Plan, and WLC.

Pedestrian, bicycle, and transit access routes to/from the Project site are also addressed in the LOS Traffic Analysis with the goal of providing convenient and direct access for those users, consistent with 2006 General Plan Objectives 5.1 (safe, efficient, environmentally and financially sound provision of access and mobility), 5.2 (safe and adequate pedestrian and bicycle and public transit), 5.5 (efficiency of local circulation), 5.8 (accommodate efficient public transit), 5.9 (safe, efficient, and aesthetic pedestrian facilities), 5.10 (accommodate bicycling as an alternative), and 5.12 (efficient circulation at school sites).

Existing and planned transit routes, pedestrian facilities, and bikeways are identified for the Project area, and incorporation of the planned facilities into the proposed Project is discussed in Section 8.4 of the LOS Traffic Analysis. The internal street network will include a comprehensive sidewalk network to facilitate walking. The Project has begun coordination with RTA to implement transit improvements that are anticipated to improve transit access and connectivity for the Project and broadly the rest of the City of Moreno Valley.

In sum, the Draft SEIR contains a thorough analysis of impacts to roadways and 2006 General Plan standards related to roadways.

Further, consistent with 2006 General Plan Policy 2.14.3, the Draft SEIR contains an analysis of Project impacts to public services and facilities including, roadways, water, sewer, fire, police, parks, and libraries and other public services or facilities in Sections 4.15, 4.17, 4.19, 5.3.15, 5.3.17, and 5.3.19, as well as Appendix A of the Draft SEIR. The City has accordingly reviewed this development Project for its impacts to public services and facilities.

06-10 The comment recites 2006 General Plan Policy 2.18.4, which encourages the development of senior living and congregate care facilities. It states that there is no commitment to build senior housing as part of the Project and that it would be good if at least 4% of the Project would be designed for people with physical disabilities that come with age or because of military service.

Refer to Topical Response 6: Affordable Housing. As noted in Draft SEIR Appendix A and in the comment, this residential mixed-use Project would allow for uses that may include senior living and similar facilities, but does not require they be developed. The Project would also comply with all applicable laws, including Americans with Disabilities Act (ADA) and Title 24 building code requirements related to accommodating physical disabilities.

The City notes that the comment raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The portion of the General Plan referred to does not involve a physical impact on the environment. Refer to Response to Comment 06-3. The purpose of the SEIR is to evaluate potential impacts on the environment resulting from the Project and to identify mitigation measures and alternatives that would avoid or substantially lessen significant environmental impacts while attaining most of the objectives of the Project. The SEIR is required to focus on physical impacts on the environment. Issues that are socio-economic or political in nature are generally not required to be addressed within a CEQA document. Thus, the City will include the comment as part of the Final SEIR for review and consideration by the decision-makers. However, no further response is required because the comment does not raise an environmental issue.

06-11 The comment recites 2006 General Plan Policy 4.2.8, which encourages the development of recreational facilities with appropriate mechanisms to ensure they are maintained and remain available. It states City parkland standards are inadequate and the Project does not meet the standard on site. The commenter requests the location where off-site parkland would be acquired and maintained. The comment asserts that the water features (lakes) are not available for recreation and asks where active recreation and playground equipment will be located. It asserts that Lake Perris and the San Jacinto Wildlife Area cannot be considered viable choices for recreation and that more park acreage is needed to reduce VMT.

In response, parks and recreational facilities are discussed at length in Sections 4.15, Public Services, and 4.16, Recreation, of the Draft SEIR. The City has a parkland standard of 3 acres per 1,000 residents, which may be met through the provision of parkland, park facilities, the payment of in-lieu fees, or some combination of these actions. Here, 129.15 acres of parkland would be required for the Project to meet this standard for its residents; this acreage is proposed to be met on site and through payment of in-lieu fees.

The Project proposes the development of 80 acres of public parks on site, composed of 40 acres of lakes, a 15-acre lake promenade, and 25 acres of additional parks. The lake and lake promenade will offer a variety of recreational opportunities, including walking, biking, hiking, picnicking, meditating,

canoeing and kayaking, swimming, paddle boarding, and other passive and active recreational uses. Thus, contrary to the comment, the lakes would provide for active and passive recreational opportunities.

Neighborhood parks would provide passive and active recreational amenities as well, such as grass lawns, game courts (e.g., pickleball and basketball), children’s play facilities, group shade structures, picnic and cooking facilities, restrooms, seating, and trails. Landscaped, multi-use trails and walkways will traverse the site, connecting active and passive open space and parkland to the Town Center and neighborhoods. Appendix A of the Draft SEIR provides additional information concerning these on-site recreational facilities.

The Project would also include private amenities and open space, such as pools, gyms, common areas, rooftops, and private courtyards/plazas. The schools proposed at the Project site would provide recreational facilities for students residing within the Project, to be determined in coordination with the school district.

Section 7.3.7 of the Specific Plan Amendment, Appendix A to the Draft SEIR, addresses the financing and maintenance of improvements on site. The exact financing method would be determined in conjunction with phasing of development.

The Draft SEIR acknowledges an additional 49.15 acres of park facilities are needed, which are proposed off site. The site is envisioned as an urban core for the City, where the mixed uses of housing, schools, parks, lake, retail, and commerce strike a balance to create a vibrant and successful downtown. Thus, off-site park facilities are seen as appropriate. The need for an additional 49.15 acres of park facilities would be met by the Project through payment of an in-lieu fee in compliance with Municipal Code Sections 3.38 and 3.40. The City Council annually adjusts park fees. The City would use the In-lieu fees to maintain, improve, expand, or build new park facilities. Thus, parkland impacts were determined to be less than significant. The precise location of off-site park improvements would be determined by the City and subject to future CEQA compliance, including environmental analysis and mitigation, as appropriate. The 2040 General Plan identifies a number of potential future park locations throughout the City, including one at Redlands Boulevard and Cactus Avenue (approximately 2 miles from the Project site), one at Cottonwood Avenue (approximately 1.25 miles from the Project site), and one at Alessandro Boulevard and Perris Avenue (approximately 2 miles from the Project site).²²

Section 4.16, Recreation, of the Draft SEIR also describes existing parkland and recreation in the vicinity of the Project. This includes five neighborhood parks (Woodland Park, Parque Amistad, Vista Lomas Park, Celebration Park, and Fairway Park) located close to the Project site. As described in Table 4.15-4 (p. 4.15-5) in Draft SEIR Section 4.15, Public Services, these parks include barbecues, basketball courts, pickleball courts, an athletic field, playgrounds, tennis courts, softball/baseball fields, a soccer field, a tot lot, a volleyball court, walking paths, and other amenities (City of Moreno Valley 2021a). In addition, the Vista del Lago High School, Landmark Middle School, and La Jolla Elementary School provide indoor and outdoor recreational facilities for area students, including a football field, baseball/softball fields, tennis courts, track and field facilities, basketball courts, blacktop

²² The 2040 General Plan was not set aside on issues related to parkland. The City has identified approximately 67.69 acres of land for new parks.

courts, and playground facilities. The private Rancho del Sol Golf Club is located about 0.5 miles east of the Project site. The club includes an 18-hole golf course and disc golf course.

Approximately 0.5 miles south of the Project site is the 8,800-acre Lake Perris State Recreation Area, which provides a myriad of recreational activities, including hiking, bicycling, rock climbing, horseback riding, camping, picnicking, fishing, swimming, water sports, and boating. Improved trails are provided along the boundaries of and throughout the Lake Perris State Recreation Area. Other regional facilities include the 3,400-acre Box Springs Mountain Reserve Park (approximately 5.25 miles from the Project site), Norton Younglove Reserve (approximately 4 miles from the Project site), and the 19,000-acre San Jacinto Wildlife Area (approximately 3 miles from the Project site). The Draft SEIR does not rely on these off-site facilities, but nevertheless notes they will be available to serve Project and area residents.

In sum, the Project incorporates development of recreational facilities with appropriate mechanisms to ensure they are maintained and remain available and incorporates payment of in-lieu fees for appropriate off-site parkland acquisition and maintenance. The comment asserts the City's parkland standard of 3 acres per 1,000 residents or payment of an in-lieu fee is inadequate, but City notes the comment raises general economic, social, or political issues that are beyond the scope of this Project's Draft SEIR. However, the City will include the comment for consideration by the decision-makers.

06-12 The comment recites 2006 General Plan Goal 5.1, which aims to develop a safe, efficient, environmentally and financially sound, integrated vehicular circulation system consistent with Circulation Element Map, Figure 9-1. The comment objects to citing prior improvements where there has been a change in dwelling unit quantity. It requests redesign of Nason Street as a Complete Street with many forms of urban transportation (specifically with bus turnout curb cuts).

In response, overall the Project will implement an efficient, environmentally and fiscally sound, and integrated circulation system as set forth in Chapter 4, Infrastructure, of the Specific Plan Amendment (Draft SEIR Appendix A). Improvements already completed consistent with the 2006 General Plan Circulation Element related to prior project approvals include the realignment and development of four-lane Nason Street and other improvements along Cactus Avenue.

Within the Project area, Nason Street is a four-lane road with bicycle lanes and sidewalks on both sides. Nason Street is served by RTA Routes 20, 41, and 31 (see Section 3.1 of the LOS Traffic Analysis, Draft SEIR Appendix K3). Figure 6-5 of the Specific Plan Amendment (Draft SEIR Appendix A) shows Nason Street will be further improved to include a landscape median, landscape setback, and meandering Class I multi-use trail on the Project site. Nason Street terminates at the southern portion of the Project site.

Table 6-2 of the LOS Traffic Study (Draft SEIR Appendix K3) indicates that for Horizon Year 2045 With Project conditions, intersections along Nason Street within the Project boundary are anticipated to operate at LOS A, B, or C with improvements. Thus, four-lane Nason Street is anticipated to adequately serve the 15,000-unit Project.

Also, as explained in Section 4.17.7.2 of the Draft SEIR (p. 4.17-47), PDF-TRANS-1 through PDF-TRANS-12 (project design features), in addition to land use design features, would reduce the Project's trips and VMT. Project design features include the following:

Residential Trip Reduction Measures:

- Community-based travel planning
- Unbundle residential parking costs from property costs

Employee Commute Trip Reduction Measures:

- Commute Trip Reduction Program marketing
- Rideshare Program
- End-of-trip bicycle facilities
- Discounted Transit Program for work trips

Project-Generated Trip Reduction Measures:

- Micromobility on site and connecting to adjacent uses, such as schools and medical centers:
 - Non-Electric Bikeshare Program
 - Electric Scootershare Program

Transit Network Improvements:

- Extend transit network coverage to existing and future employment centers, such as WLC
 - Extend transit hours for all shift times, such as the midnight shift change at WLC
 - Increase transit service frequency
 - Bus rapid transit along Alessandro Boulevard
 - A state-of-the-art mobility hub is proposed on site to bolster the effectiveness of active transportation options

Curb cuts for bus turnouts will not be provided. According to the Federal Transit Administration, buses often experience substantial delays when reentering the traffic stream after a curbside stop in a bus turnout. This type of delay does not occur if the bus travels and stops in a curb lane (where on-street parking is not permitted). As far as bus passengers and operators are concerned, it is often best to avoid the use of bus bays if possible. Thus, the Project does not propose such curb cutouts. Transit network improvements would be coordinated with the RTA.

06-13

The comment recites 2006 General Plan Objective 5.3, which is to maintain LOS C on roadway links wherever possible and LOS D in the vicinity of State Route (SR) 60 and high employment centers. The comment states LOS C or D cannot be maintained along all Nason Street intersections or at the SR-60 interchange. The comment also references 2006 General Plan Policies 5.3.2, 5.3.4, 5.3.5, and 5.3.6. The comment asserts that TUMF and DIF fees are known to be inadequate, and that all mitigation measures are required to be implemented to achieve LOS D.

Refer to Response to Comment 06-9, which explains the comment does not raise an environmental issue for CEQA purposes as LOS is no longer the CEQA metric used to evaluate transportation impacts. Thus, the Project's CEQA transportation impact analysis in the Draft SEIR uses the VMT metric to

evaluate and disclose Project impacts in a manner consistent with CEQA and current state laws and policies.

Nonetheless, Response to Comment 06-9 also addresses the locations where the analysis of impacts and proposed improvements can be found in Appendix K3 of the Draft SEIR. The recommended improvements needed to address the cumulative deficiencies identified under Horizon Year (2045) Without Project (Approved SP) and Horizon Year (2045) With Project traffic conditions are shown in Table 8-1 of the LOS Traffic Analysis (SEIR Appendix K3).

For those improvements listed in the Without Project (Approved SP) column of Table 8-1 and not already included in an adopted fee program (DIF, TUMF, etc.) or not already fully funded by a previously approved project (WLC, Kaiser Permanente Medical Center, etc.), the Project applicant's responsibility for the Project's contributions towards cumulatively deficient intersections will be fulfilled through payment of fair share fees that would be assigned to construction of the identified cumulative improvements.

Table 6-2 of SEIR Appendix K3 indicates that Nason Street at the SR-60 interchange ramps would experience acceptable operations with the following improvements:

- Provide one northbound right turn lane
- Modify eastbound approach to provide the following:
 - One shared left/through lane
 - Two right turn lanes

With all feasible improvements at the Nason Street/Cottonwood Avenue intersection, operations at this one Nason Street intersection would not achieve LOS C operations for Horizon Year (2045) without or with project conditions.

The Project is not inconsistent with 2006 General Plan Objective 5.3. Furthermore, the Project is shown to be consistent with Policies 5.3.5 (pay fair share costs and participate in TUMF and DIF Programs) and 5.3.6 (include mitigation measures where appropriate and feasible) of the 2006 General Plan.

In response to the comment that the TUMF and DIF fees are known to be inadequate, the City and County regularly review these programs and adjust these fees to demonstrate adequate nexus between the fee imposed, development proposed, and need for capital improvements. Requiring the Project to pay more than its fair share for certain cumulative impacts would be inconsistent with state and federal law. Nonetheless, the City will include the comment as part of the Final SEIR for consideration by the decision-makers.

06-14 The comment recites 2006 General Plan Policy 5.8.1, which seeks to support the development of high-speed transit and express routes. The comment states that the Project needs to find a way to allow Delphinium Avenue and John F Kennedy Drive to continue unimpeded east to west through the Project. It suggests impediments restrict transit, buses, and cars, increasing traffic. The comment asks where the curb cuts are along Nason to accommodate buses, and asserts the Project is inconsistent with Policy 5.8.1 for those reasons.

In response, the Project is consistent with the 2006 General Plan Circulation Element Map, which does not include the extension of Delphinium Avenue and John F Kennedy Drive east-west through the Project site.

As noted in Response to Comment 06-12 above, curb cuts for bus turnouts will not be provided along Nason Street. Nason Street from Alessandro Boulevard to Cactus Avenue is currently a four-lane road with bicycle lanes and sidewalks on both sides. The stretch of Nason Street from Alessandro Boulevard to Cactus Avenue is served by RTA Routes 20, 41, and 31. From Cactus Avenue to Iris Avenue, Nason Street is a four-lane road with bicycle lanes and an east side sidewalk.

Table 6-2 of the LOS Traffic Study (SEIR Appendix K3) indicates that for Horizon Year 2045 With Project conditions, intersections along Nason Street within the Project boundary are anticipated to operate at LOS A, B, or C with improvements.

According to the Federal Transit Administration, buses often experience substantial delays when reentering the traffic stream after a curbside stop in a bus turnout. This type of delay does not occur if the bus travels and stops in a curb lane (where on-street parking is not permitted). As far as bus passengers and operators are concerned, it is often best to avoid the use of bus bays if possible. Thus, the Project does not propose such curb cutouts. Transit network improvements would be coordinated with the RTA.

The Project is generally consistent with Policy 5.8.1 for the reasons described in Draft SEIR Appendix A:

Residents will be able to make use of RTA bus routes and on-demand connections to the Metro and Amtrak station west of I-215. RTA may determine to implement additional high-speed transit and express routes in the City in the future. Enhanced transit/a tram, ridesharing, electric bicycles and vehicles, use of transportation network companies (Uber and Lyft), and intelligent transportation systems, transportation demand management measures will be provided as part of the Project. In addition, shuttles provided as part of the Project would connect the site, Downtown Center, and its adjacent hospital complex to the World Logistics Center, benefitting citizens and employers in the City.

See also Response to Comment 06-12, describing the transit network and other transportation related improvements proposed as Project design features (PDF-TRANS-1 through PDF-TRANS-12), outlined in Section 4.17.7.2 (p. 4.17-47) of the Draft SEIR.

06-15 The comment recites 2006 General Plan Objective 6.6, which seeks to promote land use patterns that reduce VMT and trip distance to work, shopping, schools, and recreation. The comment states 25 acres of commercial is insufficient and there needs to be a unit reduction. The comment cites Policies 6.6.1, 6.6.2, and 7.5.2 and Objective 6.7, and also states the Project can reduce mobile source air pollutant emissions.

In response, please see Response to Comment 06-6. This addresses the request for a greater commercial or reduced density alternative to the Project.

Section 4.17 of the Draft SEIR evaluates Project impacts related to VMT. The Draft SEIR found the Project would result in less than significant VMT impacts.

The Project proposes to develop a new commercial Town Center, which will provide a vibrant mix of business, entertainment, and other uses consistent with 2006 General Plan Policies 6.6.1 and 6.6.2, which address encouraging commercial uses near residential uses (and vice versa) and encouraging pedestrian travel. The surrounding hospitals and employment centers (e.g., Riverside University Health System Medical Center, the Kaiser Permanente Hospital and medical complex, Moreno Valley College, and the WLC) allow for reduced trips to work, consistent with Objective 6.6 and Policy 6.6.2.

2006 General Plan Objective 6.7 is related to reducing mobile and stationary source air pollutant emissions, while Policy 7.5.2 encourages energy efficient modes of transportation and fixed facilities. The commenter is referred to Sections 4.3, 4.8, and 4.17 of the Draft SEIR. The Project would implement numerous PDFs to reduce air quality and GHG emissions, particularly those related to transportation. These include PDF-AQ/GHG-1 through PDF-AQ/GHG-15, PDF-TRANS-1 through PDF-TRANS-15, and PDF-LU-1 through PDF-LU-11. Transportation and land use PDFs would reduce vehicle use and associated air pollutant emissions.

More specifically, on land use planning, PDF-LU-1 through PDF-LU-11 address how the Project's land use pattern reduces VMT and promotes walkability/bikability. The Project incorporates mixed-use design, an urban core, short walkable blocks of 600 feet in length, increased residential density, walkable/bikeable improvements (including to off-site job centers), transit benefits, integrated design and multi-modal programs, integrated project features, complete streets, traffic calming, and roundabouts to support multimodal transit and pedestrian, bike, and scooter travel. Concerning transportation and transit improvements, see Response to Comment O6-12, above, and Responses to Comments I1-13 to I1-15.

Mitigation was further identified for significant air quality impacts in MM-AQ-1 through MM-AQ-11. Despite the incorporation of all feasible mitigation, impacts to air quality would be significant and unavoidable. See Topical Response 2, Air Quality, for additional information.

See also Draft SEIR Appendix A, which provides additional reasons the Project would be consistent with the policies referenced. For each of these reasons, the City has determined the Project would be consistent with 2006 General Plan Objectives 6.6 and 6.7 and Policies 6.6.1, 6.6.2, and 7.5.2.

O6-16

The comment recites 2006 General Plan Goal 7.1, which aims to achieve the wise use of natural resources in the City. The comment states that special-status species may occur on site and require mitigation and that the proposed lakes and parks are insufficient. The comment states that the riparian area within the Riverside Flood Control channel needs to be mitigated at a 3:1 ratio and that there are 31.1 acres of riparian habitat, of which 13.1 acres are being protected. The comment asks how this will be managed and protected. It states the Project is also inconsistent with 2006 General Plan Objective 7.4.

Objective 7.4 is to "Maintain, protect, and preserve biologically significant habitats where practical, including the San Jacinto Wildlife Area, riparian areas, habitats of rare and endangered species, and other areas of natural significance." The Project is not inconsistent with Goal 7.1 or Objective 7.4 because the Project would develop an infill site that is 70% disturbed and was previously graded. This would prevent urban sprawl into areas with greater natural resources and would avoid sensitive habitats including the San Jacinto Wildlife Area, riparian areas, and habitats of rare and endangered species.

The Draft SEIR, pages 4.4-1 to 4.4-2 explains as follows:

Currently, approximately 70% of the Project site is characterized as highly disturbed due to historical agricultural operations and as a result of the initial grading of much of the site associated with earlier project approvals, particularly with contouring for a planned artificial lake feature. A total of 24% of the site is dominated by non-native grasses that have established following past agriculture and grading activities. As a result of the high level of historical disturbances, the Project site does not support the original natural landscape or soil surfaces that occurred prior to disturbance. As shown in Table 4.4-1, only approximately 6% of the site supports areas of native vegetation, most of which is within a riparian revegetation area extending along the Line F channel along the southern edge of the existing Riverside County flood control channel (Figure 4.4-1). This channel was established as a riparian restoration site to mitigate impacts to existing aquatic features under California Department of Fish and Wildlife (CDFW) and/or federal U.S. Army Corps of Engineers (USACE) jurisdiction associated with earlier project approvals in the early 2000s. A total of 11.9 acres of riparian vegetation was planted along this channel to satisfy CDFW/USACE mitigation requirements. In addition to serving as mitigation for impacts to aquatic resources, the Line F riparian mitigation channel was also intended to serve a number of resource-related purposes, including providing for short-term flood water retention and water flow energy dissipation; providing long-term storage of urban stormwater runoff; improving nutrient cycling and retention of soil particulates; and serving as important wildlife habitat for a number of common and sensitive wildlife species. The Line F riparian mitigation channel will be preserved in perpetuity.

Thus, the riparian area within the existing Riverside County flood control channel has already been mitigated and preserved in perpetuity as part of prior approvals.

The Draft SEIR also explains that while 81 species of plants were identified on site, none of the non-listed special-status plant species reported in the California Natural Diversity Database, U.S. Fish and Wildlife Service, and California Native Plant Society databases as occurring within the vicinity of the Project site were determined to have a potential to occur on the Project site. There are three listed special-status plant species—San Jacinto valley crownscale (*Atriplex coronata* var. *notator*) (federally endangered), thread-leaved brodiaea (*Brodiaea filifolia*) (state endangered, federally threatened), and spreading navarretia (*Navarretia fossalis*)—that were determined to have a low potential to occur within the Project site; however, the Project is not within a Criteria Area Species Survey Area or Narrow Endemic Plant Species Survey Area, and therefore these species are considered fully covered by the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) following payment of the Local Development Mitigation Fee (Draft SEIR Section 4.4.1, pp. 4.4-4 through 4.4-5).

The Draft SEIR also explains that a total of 16 special-status wildlife species reported in the California Natural Diversity Database and U.S. Fish and Wildlife Service databases as occurring within the vicinity of the Project site were determined to have some potential (albeit low) to nest/breed or otherwise occur on the Project site in its current condition (Draft SEIR Section 4.4.1, pp. 4.4-6 through 4.4-14, including Table 4.4-2). Of these species, 14 are considered “covered species” under the MSHCP (i.e., potential impacts or “take” of these species are addressed and mitigated for by various provisions in the MSHCP). Nine of these covered species require no additional surveys or analysis is required. Five of these species, burrowing owl (*Athene cunicularia*), least Bell’s vireo (*Vireo bellii pusillus*), Riverside fairy

shrimp (*Streptocephalus woottoni*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), and vernal pool fairy shrimp (*Branchinecta lynchi*), though covered by the MSHCP, are subject to additional surveys that were prepared, the results of which are provided in Appendix E of the Draft SEIR. Two species—long-eared owl (*Asio otus*) and Crotch's bumble bee (*Bombus crotchii*)—are not listed as covered species. Long eared owl has low potential to occur. Surveys were prepared for Crotch's bumble bee, and the species was not found (Draft SEIR, Appendix E).

Mitigation was incorporated in the Draft SEIR for potential impacts to nesting birds, including lease Bell's vireo and burrowing owl.

As for on-site riparian habitat, the Draft SEIR explains that only two vegetation communities are sensitive and that the riparian habitat is generally small and fragmented, such that the loss of these small patches of habitat is not considered a substantial effect on a riparian or sensitive natural community. It continues in Section 4.4.2, page 4.4-28, of the Draft SEIR :

While the cottonwood-red willow/arroyo willow/mulefat association occurring within the Line F mitigation channel will be preserved in perpetuity, the black willow/mulefat association occurring within the riparian area at the eastern terminus of the Riverside County flood control channel is just outside the Line F mitigation channel. Because the Black Willow/Mulefat Association in this area is relatively small, is fragmented from any other similar vegetation in the area, is essentially surrounded by residential development, and is disturbed through ongoing human activity (off-road vehicles and pedestrian traffic), the loss of this community, in and of itself, resulting from any proposed development within this area would not be considered a substantial adverse effect on any riparian habitat or other sensitive natural community. As such, these impacts would be less than significant. As previously noted, because least Bell's vireo is a covered species under the MSHCP, any loss of occupied habitat or direct take of this species in this riparian area would be mitigated through the conservation measures incorporated into the MSHCP.

Thus, the Draft SEIR found that impacts related to riparian habitat would be less than significant. Mitigation is not required for this less than significant impact.

06-17 The comment recites 2006 General Plan Goal 8.7, related to affordable rental units. The comment states the Project only encourages, but does not require, senior or low-income housing. It states 4% of housing units should be senior housing. It states this comment also applies to 2006 General Plan Goal 8.8 and Policy 8.7.1.

Goal 8.8 is to create affordable housing for seniors, while Policy 8.7.1 is to eliminate substandard housing for low-income renters. Refer to Response to Comment 06-10 and Topical Response 6. As explained therein and in Draft SEIR Appendix A, while the Project homes would not be income restricted, the Project would be affordable by design, as the Project's home types and sizes would be within the financial means of most people in the Project area, including seniors and others.

Additionally, the portion of the General Plan referred to does not involve a physical impact on the environment. Refer to Response to Comment 06-3.

06-18 The comment states since the Project is planned to be constructed over phases, compliance with current Title 24 should be required.

In response, the Project will be required to comply with current, updated Title 24 standards in effect at the time of submittal of the building permit application for the various phases of Project development. Thus, the Project is anticipated to become more energy efficient in future years.

06-19 Citing the “significant irreversible effects” discussion in the Draft SEIR, the comment states that Project solar requirements are limiting and that the Project should include backup battery storage and otherwise mitigate the “wasteful use of energy.” The comment asks whether the proposed buildings will have covered parking and whether such parking includes solar. The comment says the Project must continually increase solar to meet energy demands.

In response, while the Draft SEIR explains the Project would consume more energy than is currently consumed on site, it would consume less than prior approvals due to the many federal and state regulations that have been adopted that require the use of renewable resources and substantially reduced building energy consumption. Further, while a portion of the energy used would be provided by nonrenewable sources during operation, the commitment of nonrenewable resources would be modest and expected to continue to decline during Project operation.

The Project would implement numerous PDFs that reduce energy use, air pollutant emission, and GHGs, including PDF-AQ/GHG-1 through PDF-AQ/GHG-15, PDF-TRANS-1 through PDF-TRANS-15, and PDF-LU-1 through PDF-LU-11. These features provide for building electrification, solar photovoltaic, efficient energy use and reduced energy demand, reduced water use and demand, reduced solid waste generation, tree planting, and reduced vehicle trips and VMT. Thus, the Project would not result in the wasteful use of energy, and no mitigation is required.

Project PDF-AQ/GHG-4 requires the Project provide rooftop photovoltaic solar panels on all residential and non-residential buildings in accordance with Title 24. Annual solar production is identified at 48,122,091 kilowatt hours. Pools’ and spas’ heating demands will also be served by a minimum 50% solar water heating.

Remaining electricity needs would be provided by the Moreno Valley Electric Utility (MVU). MVU does not provide the option of opting into clean electricity. According to the 2022 power content label for MVU, renewable solar energy accounts for 33.4% of the utility’s overall energy resources; this percentage is anticipated to increase over time in compliance with state law (MVU 2023; Draft SEIR Section 4.6, p. 4.6-1). The state Regional Portfolio Standard program, as expanded and updated, currently requires the following percentage of retail sales of electricity to California end-use customers to come from eligible renewable energy resources and zero-carbon resources: 90% by December 31, 2035; 95% by December 31, 2040; and 100% by December 31, 2045. Because MVU is required to meet the state Regional Portfolio Standard milestones, the Project would benefit from this cleaner electricity provided by MVU. See Section 4.6.2 of the Draft SEIR (pp. 4.6-2 through 4.6-11) for discussion of Regional Portfolio Standard standards and milestones.

As for battery storage, the Project would comply with Title 24 standards, including those related to battery storage. The City further notes that battery storage does not reduce energy usage, but merely

diverts the timing of energy use. Connecting to MVU's electricity grid will similarly provide for the efficient—and progressively more renewable—use of energy.

Concerning Project garages and parking structures, Aquabella residential and Town Center parking will be provided in public and private multi-car parking garages as an integral part of the building architecture. Some projects may have open parking areas, which will be landscaped with hedges or decorative walls to screen the parking from adjacent streets. Exterior parking lots will incorporate shade trees in planters to reduce heat and provide visual relief. PDF-AQ/GHG-4 would apply to residential and non-residential parking structures. The Project would also be subject to Title 24 solar requirements, which factors in solar roof access area, which is the total of a building's roofs, covered parking, carports, and other structures that can support solar.

06-20 The comment states recycling must be included near stairs and elevators for people with disabilities and organic waste bins at each building. As detailed in Section 4.19.4.2 of the Draft SEIR (p. 4.19-23), the Project would be required to comply with the City's Municipal Code regarding solid waste and recyclable material storage areas (Municipal Code, Section 6.02.050). Additionally, the City's building code requires development projects to complete and submit a waste management and recycling plan for approval prior to issuance of building permits. The waste management and recycling plan would identify the project type and estimate the amount of materials to be recycled during construction. Finally, the Project would comply with the current California Green Building Code (Title 24), which requires construction waste recycling. Chapter 6.03 of the City's Municipal Code similarly provides for waste reduction and recycling, and Section 6.03.130 requires compliance with the California Green Building Code (Title 24) recycling requirements or more stringent requirements of the City for new construction. This includes providing access for "three container" collection services, which includes blue container recyclables and green container organics collection. Waste handling services within the City are provided under contract by Waste Management of Inland Valley, which provides trash, recycling, and green waste pickup (Draft SEIR Appendix A, Section 4.6). Accordingly, the Project will provide ample opportunities for residents to recycle, and would include organic waste bins.

06-21 The comment states the San Jacinto Wildlife Area and Lake Perris are world class birding areas and states it is important for the Project to provide off-site mitigation for loss of riparian habitat. See Response to Comment 06-16 regarding riparian habitat. Regarding raptor foraging, as described in Section 4.6.1 of the Draft SEIR (pp. 4.6-1 through 4.6-2), the Project site has been substantially disturbed due to historical agricultural activities and previous grading (associated with earlier Project approvals) that has occurred over the entire Project site over the past two decades. Currently, approximately 70% of the Project site is characterized as highly disturbed and unvegetated due to these past activities, with another 23% of the Project site dominated by non-native grasses that have established following the previous historical activities; the remaining 6% of the Project site supports areas of native scrub and riparian vegetation, most of which is within a riparian revegetation area extending along the southern edge of the existing County Flood Control Channel that was established and preserved as mitigation associated with previously acquired state and federal wetland permits.

As a result of the high level of historical disturbances, the approximately 668-acre Project site that would be impacted due to Project implementation does not support the original natural landscape or soil surfaces that occurred prior to such disturbance, thus providing limited habitat suitability for the prey base (small mammals) preferred by most raptor species in the Project area. In addition, the Project

site is surrounded by dense residential and commercial development. As such, the Project site is considered to be low quality foraging habitat for raptor species known to occur in the region.

Further, as the comment notes, approximately 27,800 acres of protected areas occur to the south and east of the Project (including 8,800 acres associated with Lake Perris State Recreation Area and 19,000 acres associated with the San Jacinto Wildlife Area). These large-scale areas include extensive areas of natural raptor foraging and nesting habitat for a variety of raptor species. Extensive undeveloped land also occurs east of Gilman Springs Road to the east of the Project site.

As such, given the heavily disturbed nature of the land within the Project site and its consequent low value as raptor foraging habitat, and given the extensive amount of high quality foraging habitat in the vicinity of the Project site, the loss of 668 acres of land associated with Project implementation does not give rise to a significant Project impact under CEQA; therefore, no mitigation for the loss of this acreage as potential raptor foraging habitat is necessary or required at the Project level.

06-22 The comment states that cities and counties require buildings to include techniques to reduce bird strikes, largely focused on windows and lighting. The comment asks how the Project will protect birds from striking buildings.

As discussed in Section 4.1, Aesthetics, of the Draft SEIR and Section 6, Design Guidelines, of the Specific Plan Amendment (Draft SEIR Appendix A), the Project incorporates numerous design features that would minimize bird strikes. The Project would be designed to minimize glare and reflective materials and finishes. Use of highly reflective building materials, such as polished metal or reflective glass, are discouraged and permitted only as accent elements. Glass would not be continuous. Lighting would be appropriately focused and shielded (see Response to Comment 06-8). Please refer to the Design Guidelines for further details on exterior materials and lighting, which complies with the suggested techniques to reduce bird strikes.

06-23 The comment notes the Project would result in significant and unavoidable impacts to air quality. The comment states the commenter believes more can be done to reduce significant and unavoidable impacts. Refer to Topical Response 2. As described in the Draft SEIR, health risk impacts would be reduced to below significance.

The comment otherwise addresses general subject areas, which received extensive analysis in the Draft SEIR. The Draft SEIR found impacts related to air quality would be significant and unavoidable. As the comment does not raise any specific issue regarding that analysis, no more specific response can be provided or is required. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project.

06-24 The City acknowledges the comment and notes it provides concluding remarks that do not raise new or additional environmental issues concerning the adequacy of the Draft SEIR. For that reason, the City provides no further response to this comment. The City notes the Sierra Club's request for notices and will add Sierra Club to its mailing list.

INTENTIONALLY LEFT BLANK



P: (626) 314-3821
F: (626) 389-5414
E: info@mitchtsailaw.com

Mitchell M. Tsai
Law Firm

139 South Hudson Avenue
Suite 200
Pasadena, California 91101

VIA E-MAIL

July 15, 2024

Kirt Coury
14177 Frederick Street
Moreno Valley, California, 92552
Em: kirtc@moval.org
Ph: (951) 413-3206

RE: City of Moreno Valley’s Aquabella Specific Plan Amendment Draft Subsequent Environmental Impact Report (SCH#: 2023100145).

Dear Kirt Coury:

On behalf of the Western States Regional Council of Carpenters (“**Western Carpenters**” or “**WSRCC**”), my Office is submitting these comments for the City of Moreno Valley’s (“**City**”) Draft Subsequent Environmental Impact Report (“**DSEIR**”) for the Aquabella Specific Plan Amendment (“**Project**”).

07-1

The Western Carpenters is a labor union representing almost 90,000 union carpenters in 12 states, including California, and has a strong interest in well-ordered land use planning and in addressing the environmental impacts of development projects.

07-2

This Specific Plan Amendment would include land use and other changes to accommodate 15,000 multifamily and workforce housing options; a 49,900 square-foot mixed-use commercial and retail Town Center with a 300-room hotel; approximately 80 acres of park space composed of a 40-acre lake, a 15-acre lake promenade encircling the lake, and an additional 25 acres of parkland; approximately 40 acres of schools with up to three elementary school sites and one middle school site; public services and facilities; infrastructure improvements; and other facilities and amenities. (DSEIR, p. 1-1).

07-3

Individual members of the Western Carpenters live, work, and recreate in the City and surrounding communities and would be directly affected by the Project’s environmental impacts.

07-4

City of Moreno Valley – Aquabella Specific Plan Amendment
July 15, 2024
Page 2 of 10

The Western Carpenters expressly reserves the right to supplement these comments at or prior to hearings on the Project, and at any later hearing and proceeding related to this Project. Gov. Code, § 65009, subd. (b); Pub. Res. Code, § 21177, subd. (a); see *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal.App.4th 1184, 1199-1203; see also *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal.App.4th 1109, 1121.

07-5

The Western Carpenters incorporates by reference all comments raising issues regarding the Environmental Impact Report (EIR) submitted prior to certification of the EIR for the Project. See *Citizens for Clean Energy v City of Woodland* (2014) 225 Cal.App.4th 173, 191 (finding that any party who has objected to the project’s environmental documentation may assert any issue timely raised by other parties).

07-6

Moreover, the Western Carpenters requests that the City provide notice for any and all notices referring or related to the Project issued under the California Environmental Quality Act (CEQA) (Pub. Res. Code, § 21000 *et seq.*), and the California Planning and Zoning Law (“**Planning and Zoning Law**”) (Gov. Code, §§ 65000–65010). California Public Resources Code Sections 21092.2, and 21167(f) and California Government Code Section 65092 require agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency’s governing body.

07-7

I. THE CITY SHOULD REQUIRE THE USE OF A LOCAL WORKFORCE TO BENEFIT THE COMMUNITY’S ECONOMIC DEVELOPMENT AND ENVIRONMENT

The City should require the Project to be built using a local workers who have graduated from a Joint Labor-Management Apprenticeship Program approved by the State of California, have at least as many hours of on-the-job experience in the applicable craft which would be required to graduate from such a state-approved apprenticeship training program, or who are registered apprentices in a state-approved apprenticeship training program.

07-8

Community benefits such as local hire can also be helpful to reduce environmental impacts and improve the positive economic impact of the Project. Local hire provisions requiring that a certain percentage of workers reside within 10 miles or less of the Project site can reduce the length of vendor trips, reduce greenhouse gas

City of Moreno Valley – Aquabella Specific Plan Amendment
July 15, 2024
Page 3 of 10

emissions, and provide localized economic benefits. As environmental consultants Matt Hagemann and Paul E. Rosenfeld note:

[A]ny local hire requirement that results in a decreased worker trip length from the default value has the potential to result in a reduction of construction-related GHG emissions, though the significance of the reduction would vary based on the location and urbanization level of the project site.

March 8, 2021 SWAPE Letter to Mitchell M. Tsai re Local Hire Requirements and Considerations for Greenhouse Gas Modeling.

Workforce requirements promote the development of skilled trades that yield sustainable economic development. As the California Workforce Development Board and the University of California, Berkeley Center for Labor Research and Education concluded:

[L]abor should be considered an investment rather than a cost—and investments in growing, diversifying, and upskilling California’s workforce can positively affect returns on climate mitigation efforts. In other words, well-trained workers are key to delivering emissions reductions and moving California closer to its climate targets.¹

Furthermore, workforce policies have significant environmental benefits given that they improve an area’s jobs-housing balance, decreasing the amount and length of job commutes and the associated greenhouse gas (GHG) emissions. In fact, on May 7, 2021, the South Coast Air Quality Management District found that that the “[u]se of a local state-certified apprenticeship program” can result in air pollutant reductions.²

Locating jobs closer to residential areas can have significant environmental benefits. As the California Planning Roundtable noted in 2008:

¹ California Workforce Development Board (2020) Putting California on the High Road: A Jobs and Climate Action Plan for 2030 at p. ii, available at <https://laborcenter.berkeley.edu/wp-content/uploads/2020/09/Putting-California-on-the-High-Road.pdf>.

² South Coast Air Quality Management District (May 7, 2021) Certify Final Environmental Assessment and Adopt Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program, and Proposed Rule 316 – Fees for Rule 2305, Submit Rule 2305 for Inclusion Into the SIP, and Approve Supporting Budget Actions, available at <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2021/2021-May7-027.pdf?sfvrsn=10>.

07-8
Cont.

City of Moreno Valley – Aquabella Specific Plan Amendment
July 15, 2024
Page 4 of 10

People who live and work in the same jurisdiction would be more likely to take transit, walk, or bicycle to work than residents of less balanced communities and their vehicle trips would be shorter. Benefits would include potential reductions in both vehicle miles traveled and vehicle hours traveled.³

Moreover, local hire mandates and skill-training are critical facets of a strategy to reduce vehicle miles traveled (VMT). As planning experts Robert Cervero and Michael Duncan have noted, simply placing jobs near housing stock is insufficient to achieve VMT reductions given that the skill requirements of available local jobs must match those held by local residents.⁴ Some municipalities have even tied local hire and other workforce policies to local development permits to address transportation issues. Cervero and Duncan note that:

In nearly built-out Berkeley, CA, the approach to balancing jobs and housing is to create local jobs rather than to develop new housing. The city’s First Source program encourages businesses to hire local residents, especially for entry- and intermediate-level jobs, and sponsors vocational training to ensure residents are employment-ready. While the program is voluntary, some 300 businesses have used it to date, placing more than 3,000 city residents in local jobs since it was launched in 1986. When needed, these carrots are matched by sticks, since the city is not shy about negotiating corporate participation in First Source as a condition of approval for development permits.

Recently, the State of California verified its commitment towards workforce development through the Affordable Housing and High Road Jobs Act of 2022, otherwise known as Assembly Bill No. 2011 (“**AB2011**”). AB2011 amended the Planning and Zoning Law to allow ministerial, by-right approval for projects being built alongside commercial corridors that meet affordability and labor requirements.

07-8
Cont.

07-9

³ California Planning Roundtable (2008) Deconstructing Jobs-Housing Balance at p. 6, available at <https://cprroundtable.org/static/media/uploads/publications/cpr-jobs-housing.pdf>

⁴ Cervero, Robert and Duncan, Michael (2006) Which Reduces Vehicle Travel More: Jobs-Housing Balance or Retail-Housing Mixing? Journal of the American Planning Association 72 (4), 475-490, 482, available at <http://reconnectingamerica.org/assets/Uploads/UTCT-825.pdf>.

The City should consider utilizing local workforce policies and requirements to benefit the local area economically and to mitigate greenhouse gas, improve air quality, and reduce transportation impacts.

07-10

II. THE CITY SHOULD IMPOSE TRAINING REQUIREMENTS FOR THE PROJECT'S CONSTRUCTION ACTIVITIES TO PREVENT COMMUNITY SPREAD OF COVID-19 AND OTHER INFECTIOUS DISEASES

Construction work has been defined as a Lower to High-risk activity for COVID-19 spread by the Occupations Safety and Health Administration. Recently, several construction sites have been identified as sources of community spread of COVID-19.⁵

Western Carpenters recommend that the Lead Agency adopt additional requirements to mitigate public health risks from the Project's construction activities. Western Carpenters requests that the Lead Agency require safe on-site construction work practices as well as training and certification for any construction workers on the Project Site.

07-11

In particular, based upon Western Carpenters' experience with safe construction site work practices, Western Carpenters recommends that the Lead Agency require that while construction activities are being conducted at the Project Site:

Construction Site Design:

- The Project Site will be limited to two controlled entry points.
- Entry points will have temperature screening technicians taking temperature readings when the entry point is open.
- The Temperature Screening Site Plan shows details regarding access to the Project Site and Project Site logistics for conducting temperature screening.

⁵ Santa Clara County Public Health (June 12, 2020) COVID-19 CASES AT CONSTRUCTION SITES HIGHLIGHT NEED FOR CONTINUED VIGILANCE IN SECTORS THAT HAVE REOPENED, available at <https://www.sccgov.org/sites/covid19/Pages/press-release-06-12-2020-cases-at-construction-sites.aspx>.

City of Moreno Valley – Aquabella Specific Plan Amendment
July 15, 2024
Page 6 of 10

- A 48-hour advance notice will be provided to all trades prior to the first day of temperature screening.
- The perimeter fence directly adjacent to the entry points will be clearly marked indicating the appropriate 6-foot social distancing position for when you approach the screening area. Please reference the Apex temperature screening site map for additional details.
- There will be clear signage posted at the project site directing you through temperature screening.
- Provide hand washing stations throughout the construction site.

Testing Procedures:

- The temperature screening being used are non-contact devices.
- Temperature readings will not be recorded.
- Personnel will be screened upon entering the testing center and should only take 1-2 seconds per individual.
- Hard hats, head coverings, sweat, dirt, sunscreen or any other cosmetics must be removed on the forehead before temperature screening.
- Anyone who refuses to submit to a temperature screening or does not answer the health screening questions will be refused access to the Project Site.
- Screening will be performed at both entrances from 5:30 am to 7:30 am.; main gate [ZONE 1] and personnel gate [ZONE 2]
- After 7:30 am only the main gate entrance [ZONE 1] will continue to be used for temperature testing for anybody gaining entry to the project site such as returning personnel, deliveries, and visitors.



07-11
Cont.

City of Moreno Valley – Aquabella Specific Plan Amendment
July 15, 2024
Page 7 of 10

- If the digital thermometer displays a temperature reading above 100.0 degrees Fahrenheit, a second reading will be taken to verify an accurate reading.
- If the second reading confirms an elevated temperature, DHS will instruct the individual that he/she will not be allowed to enter the Project Site. DHS will also instruct the individual to promptly notify his/her supervisor and his/her human resources (HR) representative and provide them with a copy of Annex A.

Planning

- Require the development of an Infectious Disease Preparedness and Response Plan that will include basic infection prevention measures (requiring the use of personal protection equipment), policies and procedures for prompt identification and isolation of sick individuals, social distancing (prohibiting gatherings of no more than 10 people including all-hands meetings and all-hands lunches) communication and training and workplace controls that meet standards that may be promulgated by the Center for Disease Control, Occupational Safety and Health Administration, Cal/OSHA, California Department of Public Health or applicable local public health agencies.⁶

The United Brotherhood of Carpenters and Carpenters International Training Fund has developed COVID-19 Training and Certification to ensure that Carpenter union members and apprentices conduct safe work practices. The Agency should require that all construction workers undergo COVID-19 Training and Certification before being allowed to conduct construction activities at the Project Site.

07-11
Cont.

⁶ See also The Center for Construction Research and Training, North America’s Building Trades Unions (April 27 2020) NABTU and CPWR COVIC-19 Standards for U.S. Construction Sites, available at https://www.cpwr.com/sites/default/files/NABTU_CPWR_Standards_COVID-19.pdf; Los Angeles County Department of Public Works (2020) Guidelines for Construction Sites During COVID-19 Pandemic, available at https://dpw.lacounty.gov/building-and-safety/docs/pw_guidelines-construction-sites.pdf

City of Moreno Valley – Aquabella Specific Plan Amendment
July 15, 2024
Page 8 of 10

Western Carpenters has also developed a rigorous Infection Control Risk Assessment (“ICRA”) training program to ensure it delivers a workforce that understands how to identify and control infection risks by implementing protocols to protect themselves and all others during renovation and construction projects in healthcare environments.⁷

ICRA protocols are intended to contain pathogens, control airflow, and protect patients during the construction, maintenance and renovation of healthcare facilities. ICRA protocols prevent cross contamination, minimizing the risk of secondary infections in patients at hospital facilities.

The City should require the Project to be built using a workforce trained in ICRA protocols.

III. THE DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT SHOULD BE REVISED AND RECIRCULATED

A. Background on Subsequent Environmental Impact Reports

CEQA provides little specific guidance regarding the scope of a subsequent EIR once the lead agency has determined the subsequent document is required. However, case law offers broader guidance regarding the scope and contents of a subsequent document. Generally, a subsequent EIR is required to evaluate only the changes in the project, changes in circumstances, or new information that led to the preparation of the further EIR. The purpose of CEQA’s subsequent review provisions is “to explore environmental impacts not considered in the original environmental document. The event of a change in a project is not an occasion to revisit environmental concerns laid to rest in the original analysis” (*Friends of the College of San Mateo Gardens v San Mateo County Community College Dist.* (2016) 1 C5th 937, 949, citing *Save Our Neighborhood v Lishman* (2006) 140 CA4th 1288, 1296, and *Mami Bros. Real Estate Group v City of Los Angeles* (2007) 153 CA4th 1385, 1398). Additionally, the project impacts reviewed in

07-11
Cont

07-12

⁷ For details concerning Western Carpenters’ ICRA training program, *see* <https://icrahealthcare.com/>.

City of Moreno Valley – Aquabella Specific Plan Amendment
July 15, 2024
Page 9 of 10

the prior EIR are treated as part of the environmental baseline in a subsequent EIR. (*Sierra Club v City of Orange* (2008) 163 CA4th 523, 542).

The Project’s DSEIR follows the previously approved 1999 EIR, 2003 Supplemental EIR, and 2005 Addendum. (DSEIR, p. 1-2). Specifically, the DSEIR addresses potential changes or new information resulting from the current Project’s proposed land use changes and increased residential density. (DSEIR, p. 1-2).

B. DSEIR improperly labels mitigation measures as “Project Design Features”

The DSEIR improperly labels mitigation measures as “Project Design Features” or “PDFs” which the DSEIR purports will “minimize potential environmental effects of the Project.” (DSEIR, p. 1A-12; DSEIR, Table 1A-2. Project Design Features.) Relying on the PDFs, the DSEIR concludes in many instances that the Project’s impacts are less than significant and that no mitigation is required (i.e., Transportation, Land Use, etc.)

However, it is established that “[a]voidance, minimization and / or mitigation measure’ . . . are not ‘part of the project.’ . . . compressing the analysis of impacts and mitigation measures into a single issue . . . disregards the requirements of CEQA.” (*Lotus v. Department of Transportation* (2014) 223 Cal. App. 4th 645, 656.)

When “an agency decides to incorporate mitigation measures into its significance determination, and relies on those mitigation measures to determine that no significant effects will occur, that agency must treat those measures as though there were adopted following a finding of significance.” (*Lotus*, supra, 223 Cal. App. 4th at 652 [citing CEQA Guidelines § 15091(a)(1) and Cal. Public Resources Code § 21081(a)(1).])

By labeling mitigation measures as project design features, the City violates CEQA by failing to disclose “the analytic route that the agency took from the evidence to its findings.” (Cal. Public Resources Code § 21081.5; CEQA Guidelines § 15093; *Village Laguna of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal. App. 3d 1022, 1035 [quoting *Topanga Assn for a Scenic Community v. County of Los Angeles* (1974) 11 Cal. 3d 506, 515.]

The DEIR’s use of “Project Design Features” further violates CEQA because such measures would not be included in the Project’s Mitigation Monitoring and Reporting Program CEQA requires lead agencies to adopt mitigation measures that are fully



City of Moreno Valley – Aquabella Specific Plan Amendment
July 15, 2024
Page 10 of 10

enforceable and to adopt a monitoring and/or reporting program to ensure that the measures are implemented to reduce the Project’s significant environmental effects to the extent feasible. (PRC § 21081.6; CEQA Guidelines § 15091(d).) Therefore, using Project Design Features in lieu of mitigation measures violates CEQA.

07-13
Cont.

C. Any Reliance on the City’s CAP and 2040 General Plan is Improper.

The Project’s consistency with the City’s 2040 General Plan, the Climate Action Plan (CAP) and related EIR is flawed as these documents are not currently in effect per court order. More specifically, these documents were found to have insufficient analysis relating to their findings and baseline determinations. As such, any reliance on said findings or utilization of any improper baselines must be removed from the DSEIR. The DSEIR must be revised and recirculated.

07-14

IV. CONCLUSION

The WSRCC request that the City require a local workforce, that the City impose training requirements for the Project’s construction activities to prevent community spread of COVID-19 and other infectious diseases. WSRCC further requests that the City perform further environmental review to support the findings relating to the Project’s PDFs and revised the DSEIR for any sections relying on the 2040 General Plan, the CAP, and related EIR. If the City has any questions, feel free to contact my Office.

07-15

Sincerely,



Grace Holbrook
Attorneys for Western States
Regional Council of Carpenters

Attached:

March 8, 2021 SWAPE Letter to Mitchell M. Tsai re Local Hire Requirements and Considerations for Greenhouse Gas Modeling (Exhibit A);
Air Quality and GHG Expert Paul Rosenfeld CV (Exhibit B); and
Air Quality and GHG Expert Matt Hagemann CV (Exhibit C).

07-16

EXHIBIT A

Page 11 of 270 in Comment Letter 07



2656 29th Street, Suite 201
Santa Monica, CA 90405

Matt Hagemann, P.G, C.Hg.
(949) 887-9013
mhagemann@swape.com

Paul E. Rosenfeld, PhD
(310) 795-2335
prosenfeld@swape.com

March 8, 2021

Mitchell M. Tsai
155 South El Molino, Suite 104
Pasadena, CA 91101

Subject: Local Hire Requirements and Considerations for Greenhouse Gas Modeling

Dear Mr. Tsai,

Soil Water Air Protection Enterprise (“SWAPE”) is pleased to provide the following draft technical report explaining the significance of worker trips required for construction of land use development projects with respect to the estimation of greenhouse gas (“GHG”) emissions. The report will also discuss the potential for local hire requirements to reduce the length of worker trips, and consequently, reduced or mitigate the potential GHG impacts.

Worker Trips and Greenhouse Gas Calculations

The California Emissions Estimator Model (“CalEEMod”) is a “statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects.”¹ CalEEMod quantifies construction-related emissions associated with land use projects resulting from off-road construction equipment; on-road mobile equipment associated with workers, vendors, and hauling; fugitive dust associated with grading, demolition, truck loading, and on-road vehicles traveling along paved and unpaved roads; and architectural coating activities; and paving.²

The number, length, and vehicle class of worker trips are utilized by CalEEMod to calculate emissions associated with the on-road vehicle trips required to transport workers to and from the Project site during construction.³

07-16
Cont.

¹ “California Emissions Estimator Model.” CAPCOA, 2017, available at: <http://www.aqmd.gov/caleemod/home>.

² “California Emissions Estimator Model.” CAPCOA, 2017, available at: <http://www.aqmd.gov/caleemod/home>.

³ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 34.

Specifically, the number and length of vehicle trips is utilized to estimate the vehicle miles travelled (“VMT”) associated with construction. Then, utilizing vehicle-class specific EMFAC 2014 emission factors, CalEEMod calculates the vehicle exhaust, evaporative, and dust emissions resulting from construction-related VMT, including personal vehicles for worker commuting.⁴

Specifically, in order to calculate VMT, CalEEMod multiplies the average daily trip rate by the average overall trip length (see excerpt below):

$$VMT_d = \sum(Average\ Daily\ Trip\ Rate_i * Average\ Overall\ Trip\ Length_i)_n$$

Where:

n = Number of land uses being modeled.⁵

Furthermore, to calculate the on-road emissions associated with worker trips, CalEEMod utilizes the following equation (see excerpt below):

$$Emissions_{pollutant} = VMT * EF_{running,pollutant}$$

Where:

Emissions_{pollutant} = emissions from vehicle running for each pollutant

VMT = vehicle miles traveled

EF_{running,pollutant} = emission factor for running emissions.⁶

Thus, there is a direct relationship between trip length and VMT, as well as a direct relationship between VMT and vehicle running emissions. In other words, when the trip length is increased, the VMT and vehicle running emissions increase as a result. Thus, vehicle running emissions can be reduced by decreasing the average overall trip length, by way of a local hire requirement or otherwise.

Default Worker Trip Parameters and Potential Local Hire Requirements

As previously discussed, the number, length, and vehicle class of worker trips are utilized by CalEEMod to calculate emissions associated with the on-road vehicle trips required to transport workers to and from the Project site during construction.⁷ In order to understand how local hire requirements and associated worker trip length reductions impact GHG emissions calculations, it is important to consider the CalEEMod default worker trip parameters. CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but the California Environmental Quality Act (“CEQA”) requires that such changes be justified by substantial evidence.⁸ The default number of construction-related worker trips is calculated by multiplying the



07-16
Cont.

⁴ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 14-15.

⁵ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 23.

⁶ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 15.

⁷ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 34.

⁸ CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 1, 9.

number of pieces of equipment for all phases by 1.25, with the exception of worker trips required for the building construction and architectural coating phases.⁹ Furthermore, the worker trip vehicle class is a 50/25/25 percent mix of light duty autos, light duty truck class 1 and light duty truck class 2, respectively.¹⁰ Finally, the default worker trip length is consistent with the length of the operational home-to-work vehicle trips.¹¹ The operational home-to-work vehicle trip lengths are:

“[B]ased on the *location* and *urbanization* selected on the project characteristic screen. These values were *supplied by the air districts or use a default average for the state*. Each district (or county) also assigns trip lengths for urban and rural settings” (emphasis added).¹²

Thus, the default worker trip length is based on the location and urbanization level selected by the User when modeling emissions. The below table shows the CalEEMod default rural and urban worker trip lengths by air basin (see excerpt below and Attachment A).¹³

Worker Trip Length by Air Basin		
Air Basin	Rural (miles)	Urban (miles)
Great Basin Valleys	16.8	10.8
Lake County	16.8	10.8
Lake Tahoe	16.8	10.8
Mojave Desert	16.8	10.8
Mountain Counties	16.8	10.8
North Central Coast	17.1	12.3
North Coast	16.8	10.8
Northeast Plateau	16.8	10.8
Sacramento Valley	16.8	10.8
Salton Sea	14.6	11
San Diego	16.8	10.8
San Francisco Bay Area	10.8	10.8
San Joaquin Valley	16.8	10.8
South Central Coast	16.8	10.8
South Coast	19.8	14.7
Average	16.47	11.17
Minimum	10.80	10.80
Maximum	19.80	14.70
Range	9.00	3.90

07-16
Cont.

⁹ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 34.

¹⁰ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 15.

¹¹ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 14.

¹² “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 21.

¹³ “Appendix D Default Data Tables.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, p. D-84 – D-86.

As demonstrated above, default rural worker trip lengths for air basins in California vary from 10.8- to 19.8- miles, with an average of 16.47 miles. Furthermore, default urban worker trip lengths vary from 10.8- to 14.7- miles, with an average of 11.17 miles. Thus, while default worker trip lengths vary by location, default urban worker trip lengths tend to be shorter in length. Based on these trends evident in the CalEEMod default worker trip lengths, we can reasonably assume that the efficacy of a local hire requirement is especially dependent upon the urbanization of the project site, as well as the project location.

Practical Application of a Local Hire Requirement and Associated Impact

To provide an example of the potential impact of a local hire provision on construction-related GHG emissions, we estimated the significance of a local hire provision for the Village South Specific Plan (“Project”) located in the City of Claremont (“City”). The Project proposed to construct 1,000 residential units, 100,000-SF of retail space, 45,000-SF of office space, as well as a 50-room hotel, on the 24-acre site. The Project location is classified as Urban and lies within the Los Angeles-South Coast County. As a result, the Project has a default worker trip length of 14.7 miles.¹⁴ In an effort to evaluate the potential for a local hire provision to reduce the Project’s construction-related GHG emissions, we prepared an updated model, reducing all worker trip lengths to 10 miles (see Attachment B). Our analysis estimates that if a local hire provision with a 10-mile radius were to be implemented, the GHG emissions associated with Project construction would decrease by approximately 17% (see table below and Attachment C).

Local Hire Provision Net Change	
Without Local Hire Provision	
Total Construction GHG Emissions (MT CO ₂ e)	3,623
Amortized Construction GHG Emissions (MT CO ₂ e/year)	120.77
With Local Hire Provision	
Total Construction GHG Emissions (MT CO ₂ e)	3,024
Amortized Construction GHG Emissions (MT CO ₂ e/year)	100.80
% Decrease in Construction-related GHG Emissions	17%

As demonstrated above, by implementing a local hire provision requiring 10 mile worker trip lengths, the Project could reduce potential GHG emissions associated with construction worker trips. More broadly, any local hire requirement that results in a decreased worker trip length from the default value has the potential to result in a reduction of construction-related GHG emissions, though the significance of the reduction would vary based on the location and urbanization level of the project site.

This serves as an example of the potential impacts of local hire requirements on estimated project-level GHG emissions, though it does not indicate that local hire requirements would result in reduced construction-related GHG emission for all projects. As previously described, the significance of a local hire requirement depends on the worker trip length enforced and the default worker trip length for the project’s urbanization level and location.

07-16
Cont.

¹⁴ “Appendix D Default Data Tables.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, p. D-85.

Disclaimer

SWAPE has received limited discovery. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

↑
07-16
Cont.
↓

Sincerely,



Matt Hagemann, P.G., C.Hg.



Paul E. Rosenfeld, Ph.D.

Attachment A

Location Type	Location Name	Rural H-W (miles)	Urban H-W (miles)
Air Basin	Great Basin	16.8	10.8
Air Basin	Lake County	16.8	10.8
Air Basin	Lake Tahoe	16.8	10.8
Air Basin	Mojave Desert	16.8	10.8
Air Basin	Mountain	16.8	10.8
Air Basin	North Central	17.1	12.3
Air Basin	North Coast	16.8	10.8
Air Basin	Northeast	16.8	10.8
Air Basin	Sacramento	16.8	10.8
Air Basin	Salton Sea	14.6	11
Air Basin	San Diego	16.8	10.8
Air Basin	San Francisco	10.8	10.8
Air Basin	San Joaquin	16.8	10.8
Air Basin	South Central	16.8	10.8
Air Basin	South Coast	19.8	14.7
Air District	Amador County	16.8	10.8
Air District	Antelope Valley	16.8	10.8
Air District	Bay Area AQMD	10.8	10.8
Air District	Butte County	12.54	12.54
Air District	Calaveras	16.8	10.8
Air District	Colusa County	16.8	10.8
Air District	El Dorado	16.8	10.8
Air District	Feather River	16.8	10.8
Air District	Glenn County	16.8	10.8
Air District	Great Basin	16.8	10.8
Air District	Imperial County	10.2	7.3
Air District	Kern County	16.8	10.8
Air District	Lake County	16.8	10.8
Air District	Lassen County	16.8	10.8
Air District	Mariposa	16.8	10.8
Air District	Mendocino	16.8	10.8
Air District	Modoc County	16.8	10.8
Air District	Mojave Desert	16.8	10.8
Air District	Monterey Bay	16.8	10.8
Air District	North Coast	16.8	10.8
Air District	Northern Sierra	16.8	10.8
Air District	Northern	16.8	10.8
Air District	Placer County	16.8	10.8
Air District	Sacramento	15	10

07-16
Cont.

Air District	San Diego	16.8	10.8
Air District	San Joaquin	16.8	10.8
Air District	San Luis Obispo	13	13
Air District	Santa Barbara	8.3	8.3
Air District	Shasta County	16.8	10.8
Air District	Siskiyou County	16.8	10.8
Air District	South Coast	19.8	14.7
Air District	Tehama County	16.8	10.8
Air District	Tuolumne	16.8	10.8
Air District	Ventura County	16.8	10.8
Air District	Yolo/Solano	15	10
County	Alameda	10.8	10.8
County	Alpine	16.8	10.8
County	Amador	16.8	10.8
County	Butte	12.54	12.54
County	Calaveras	16.8	10.8
County	Colusa	16.8	10.8
County	Contra Costa	10.8	10.8
County	Del Norte	16.8	10.8
County	El Dorado-Lake	16.8	10.8
County	El Dorado-	16.8	10.8
County	Fresno	16.8	10.8
County	Glenn	16.8	10.8
County	Humboldt	16.8	10.8
County	Imperial	10.2	7.3
County	Inyo	16.8	10.8
County	Kern-Mojave	16.8	10.8
County	Kern-San	16.8	10.8
County	Kings	16.8	10.8
County	Lake	16.8	10.8
County	Lassen	16.8	10.8
County	Los Angeles-	16.8	10.8
County	Los Angeles-	19.8	14.7
County	Madera	16.8	10.8
County	Marin	10.8	10.8
County	Mariposa	16.8	10.8
County	Mendocino-	16.8	10.8
County	Mendocino-	16.8	10.8
County	Mendocino-	16.8	10.8
County	Mendocino-	16.8	10.8
County	Merced	16.8	10.8
County	Modoc	16.8	10.8
County	Mono	16.8	10.8
County	Monterey	16.8	10.8
County	Napa	10.8	10.8

07-16
Cont.

County	Nevada	16.8	10.8
County	Orange	19.8	14.7
County	Placer-Lake	16.8	10.8
County	Placer-Mountain	16.8	10.8
County	Placer-	16.8	10.8
County	Plumas	16.8	10.8
County	Riverside-	16.8	10.8
County	Riverside-	19.8	14.7
County	Riverside-Salton	14.6	11
County	Riverside-South	19.8	14.7
County	Sacramento	15	10
County	San Benito	16.8	10.8
County	San Bernardino-	16.8	10.8
County	San Bernardino-	19.8	14.7
County	San Diego	16.8	10.8
County	San Francisco	10.8	10.8
County	San Joaquin	16.8	10.8
County	San Luis Obispo	13	13
County	San Mateo	10.8	10.8
County	Santa Barbara-	8.3	8.3
County	Santa Barbara-	8.3	8.3
County	Santa Clara	10.8	10.8
County	Santa Cruz	16.8	10.8
County	Shasta	16.8	10.8
County	Sierra	16.8	10.8
County	Siskiyou	16.8	10.8
County	Solano-	15	10
County	Solano-San	16.8	10.8
County	Sonoma-North	16.8	10.8
County	Sonoma-San	10.8	10.8
County	Stanislaus	16.8	10.8
County	Sutter	16.8	10.8
County	Tehama	16.8	10.8
County	Trinity	16.8	10.8
County	Tulare	16.8	10.8
County	Tuolumne	16.8	10.8
County	Ventura	16.8	10.8
County	Yolo	15	10
County	Yuba	16.8	10.8
Statewide	Statewide	16.8	10.8

07-16
Cont.

Worker Trip Length by Air Basin		
Air Basin	Rural (miles)	Urban (miles)
Great Basin Valleys	16.8	10.8
Lake County	16.8	10.8
Lake Tahoe	16.8	10.8
Mojave Desert	16.8	10.8
Mountain Counties	16.8	10.8
North Central Coast	17.1	12.3
North Coast	16.8	10.8
Northeast Plateau	16.8	10.8
Sacramento Valley	16.8	10.8
Salton Sea	14.6	11
San Diego	16.8	10.8
San Francisco Bay Area	10.8	10.8
San Joaquin Valley	16.8	10.8
South Central Coast	16.8	10.8
South Coast	19.8	14.7
Average	16.47	11.17
Minimum	10.80	10.80
Maximum	19.80	14.70
Range	9.00	3.90

07-16
Cont.

Attachment B

CalEEMod Version: CalEEMod.2016.3.2

Page 1 of 44

Date: 1/6/2021 1:52 PM

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Village South Specific Plan (Proposed)
Los Angeles-South Coast County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	45.00	1000sqft	1.03	45,000.00	0
High Turnover (Sit Down Restaurant)	36.00	1000sqft	0.83	36,000.00	0
Hotel	50.00	Room	1.67	72,600.00	0
Quality Restaurant	8.00	1000sqft	0.18	8,000.00	0
Apartments Low Rise	25.00	Dwelling Unit	1.56	25,000.00	72
Apartments Mid Rise	975.00	Dwelling Unit	25.66	975,000.00	2789
Regional Shopping Center	56.00	1000sqft	1.29	56,000.00	0

07-16
Cont.

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	33
Climate Zone	9			Operational Year	2028
Utility Company	Southern California Edison				
CO2 Intensity (lb/MW/hr)	702.44	CH4 Intensity (lb/MW/hr)	0.029	N2O Intensity (lb/MW/hr)	0.006

1.3 User Entered Comments & Non-Default Data

Page 21 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Project Characteristics - Consistent with the DEIR's model.

Land Use - See SWAPE comment regarding residential and retail land uses.

Construction Phase - See SWAPE comment regarding individual construction phase lengths.

Demolition - Consistent with the DEIR's model. See SWAPE comment regarding demolition.

Vehicle Trips - Saturday trips consistent with the DEIR's model. See SWAPE comment regarding weekday and Sunday trips.

Woodstoves - Woodstoves and wood-burning fireplaces consistent with the DEIR's model. See SWAPE comment regarding gas fireplaces.

Energy Use -

Construction Off-road Equipment Mitigation - See SWAPE comment on construction-related mitigation.

Area Mitigation - See SWAPE comment regarding operational mitigation measures.

Water Mitigation - See SWAPE comment regarding operational mitigation measures.

Table Name	Column Name	Default Value	New Value
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	NumberWood	1.25	0.00
tblFireplaces	NumberWood	48.75	0.00
tblVehicleTrips	ST_TR	7.16	6.17
tblVehicleTrips	ST_TR	6.39	3.87
tblVehicleTrips	ST_TR	2.46	1.39
tblVehicleTrips	ST_TR	158.37	79.82
tblVehicleTrips	ST_TR	8.19	3.75
tblVehicleTrips	ST_TR	94.36	63.99
tblVehicleTrips	ST_TR	49.97	10.74
tblVehicleTrips	SU_TR	6.07	6.16
tblVehicleTrips	SU_TR	5.86	4.18
tblVehicleTrips	SU_TR	1.05	0.69
tblVehicleTrips	SU_TR	131.84	78.27

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

tblVehicleTrips	SU_TR	5.95	3.20
tblVehicleTrips	SU_TR	72.16	57.65
tblVehicleTrips	SU_TR	25.24	6.39
tblVehicleTrips	WD_TR	6.59	5.83
tblVehicleTrips	WD_TR	6.65	4.13
tblVehicleTrips	WD_TR	11.03	6.41
tblVehicleTrips	WD_TR	127.15	65.80
tblVehicleTrips	WD_TR	8.17	3.84
tblVehicleTrips	WD_TR	89.95	62.64
tblVehicleTrips	WD_TR	42.70	9.43
tblWoodstoves	NumberCatalytic	1.25	0.00
tblWoodstoves	NumberCatalytic	48.75	0.00
tblWoodstoves	NumberNoncatalytic	1.25	0.00
tblWoodstoves	NumberNoncatalytic	48.75	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00

2.0 Emissions Summary

07-16
Cont.

Page 23 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust FM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2021	0.1713	1.8242	1.1662	2.4000e-003	0.4169	0.0817	0.4986	0.1795	0.0754	0.2549	0.0000	213.1969	213.1969	0.0601	0.0000	214.6993
2022	0.6904	4.1142	6.1625	0.0189	1.3058	0.1201	1.4259	0.3460	0.1128	0.4588	0.0000	1,721.6826	1,721.6826	0.1294	0.0000	1,724.9187
2023	0.6148	3.3649	5.6747	0.0178	1.1963	0.0996	1.2959	0.3203	0.0935	0.4138	0.0000	1,627.5295	1,627.5295	0.1185	0.0000	1,630.4925
2024	4.1619	0.1335	0.2810	5.9000e-004	0.0325	6.4700e-003	0.0390	8.6300e-003	6.0400e-003	0.0147	0.0000	52.9078	52.9078	8.0200e-003	0.0000	53.1082
Maximum	4.1619	4.1142	6.1625	0.0189	1.3058	0.1201	1.4259	0.3460	0.1128	0.4588	0.0000	1,721.6826	1,721.6826	0.1294	0.0000	1,724.9187

07-16
Cont.

Page 24 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

2.1 Overall Construction

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2021	0.1713	1.8242	1.1662	2.4000e-003	0.4169	0.0817	0.4986	0.1795	0.0754	0.2549	0.0000	213.1967	213.1967	0.0601	0.0000	214.6991
2022	0.6904	4.1142	6.1625	0.0189	1.3058	0.1201	1.4259	0.3460	0.1128	0.4588	0.0000	1,721.6823	1,721.6823	0.1294	0.0000	1,724.9183
2023	0.6148	3.3648	5.6747	0.0178	1.1963	0.0996	1.2959	0.3203	0.0935	0.4138	0.0000	1,627.5291	1,627.5291	0.1185	0.0000	1,630.4921
2024	4.1619	0.1335	0.2810	5.9000e-004	0.0325	6.4700e-003	0.0390	8.6300e-003	6.0400e-003	0.0147	0.0000	52.9077	52.9077	8.0200e-003	0.0000	53.1082
Maximum	4.1619	4.1142	6.1625	0.0189	1.3058	0.1201	1.4259	0.3460	0.1128	0.4588	0.0000	1,721.6823	1,721.6823	0.1294	0.0000	1,724.9183

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	9-1-2021	11-30-2021	1.4103	1.4103
2	12-1-2021	2-28-2022	1.3613	1.3613
3	3-1-2022	5-31-2022	1.1985	1.1985
4	6-1-2022	8-31-2022	1.1921	1.1921
5	9-1-2022	11-30-2022	1.1918	1.1918
6	12-1-2022	2-28-2023	1.0774	1.0774
7	3-1-2023	5-31-2023	1.0320	1.0320
8	6-1-2023	8-31-2023	1.0260	1.0260

07-16
Cont.

Page 25 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

9	9-1-2023	11-30-2023	1.0265	1.0265
10	12-1-2023	2-29-2024	2.8857	2.8857
11	3-1-2024	5-31-2024	1.6207	1.6207
		Highest	2.8857	2.8857

2.2 Overall Operational
Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	5.1437	0.2950	10.3804	1.6700e-003		0.0714	0.0714		0.0714	0.0714	0.0000	220.9670	220.9670	0.0201	3.7400e-003	222.5835
Energy	0.1398	1.2312	0.7770	7.6200e-003		0.0966	0.0966		0.0966	0.0966	0.0000	3,896.0732	3,896.0732	0.1303	0.0468	3,913.2833
Mobile	1.5857	7.9962	19.1834	0.0821	7.7979	0.0580	7.8559	2.0895	0.0539	2.1434	0.0000	7,620.4986	7,620.4986	0.3407	0.0000	7,629.0162
Waste						0.0000	0.0000		0.0000	0.0000	207.8079	0.0000	207.8079	12.2811	0.0000	514.8354
Water						0.0000	0.0000		0.0000	0.0000	29.1632	556.6420	585.8052	3.0183	0.0755	683.7567
Total	6.8692	9.5223	30.3407	0.0914	7.7979	0.2260	8.0240	2.0895	0.2219	2.3114	236.9712	12,294.1807	12,531.1519	15.7904	0.1260	12,963.4751

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	5.1437	0.2950	10.3804	1.6700e-003		0.0714	0.0714		0.0714	0.0714	0.0000	220.9670	220.9670	0.0201	3.7400e-003	222.5835
Energy	0.1398	1.2312	0.7770	7.6200e-003		0.0966	0.0966		0.0966	0.0966	0.0000	3,896.0732	3,896.0732	0.1303	0.0468	3,913.2833
Mobile	1.5857	7.9862	19.1834	0.0821	7.7979	0.0580	7.8559	2.0895	0.0539	2.1434	0.0000	7,620.4986	7,620.4986	0.3407	0.0000	7,629.0162
Waste						0.0000	0.0000		0.0000	0.0000	207.8079	0.0000	207.8079	12.2811	0.0000	514.8354
Water						0.0000	0.0000		0.0000	0.0000	29.1632	556.6420	585.8052	3.0183	0.0755	683.7567
Total	6.8692	9.5223	30.3407	0.0914	7.7979	0.2260	8.0240	2.0895	0.2219	2.3114	236.9712	12,294.1807	12,531.1519	15.7904	0.1260	12,963.4751

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

07-16
Cont.

Page 27 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	9/1/2021	10/12/2021	5	30	
2	Site Preparation	Site Preparation	10/13/2021	11/9/2021	5	20	
3	Grading	Grading	11/10/2021	1/11/2022	5	45	
4	Building Construction	Building Construction	1/12/2022	12/12/2023	5	500	
5	Paving	Paving	12/13/2023	1/30/2024	5	35	
6	Architectural Coating	Architectural Coating	1/31/2024	3/19/2024	5	35	

07-16
Cont.

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 112.5

Acres of Paving: 0

Residential Indoor: 2,025,000; Residential Outdoor: 675,000; Non-Residential Indoor: 326,400; Non-Residential Outdoor: 108,800; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Excavators	3	8.00	158	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Excavators	2	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	458.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	801.00	143.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	160.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Demolition - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0496	0.0000	0.0496	7.5100e-003	0.0000	7.5100e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0475	0.4716	0.3235	5.8000e-004		0.0233	0.0233		0.0216	0.0216	0.0000	51.0012	51.0012	0.0144	0.0000	51.3601
Total	0.0475	0.4716	0.3235	5.8000e-004	0.0496	0.0233	0.0729	7.5100e-003	0.0216	0.0291	0.0000	51.0012	51.0012	0.0144	0.0000	51.3601

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.2 Demolition - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.9300e-003	0.0634	0.0148	1.8000e-004	3.9400e-003	1.9000e-004	4.1300e-003	1.0800e-003	1.8000e-004	1.2600e-003	0.0000	17.4566	17.4566	1.2100e-003	0.0000	17.4869
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	9.7000e-004	7.5000e-004	8.5100e-003	2.0000e-005	2.4700e-003	2.0000e-005	2.4900e-003	6.5000e-004	2.0000e-005	6.7000e-004	0.0000	2.2251	2.2251	7.0000e-005	0.0000	2.2267
Total	2.9000e-003	0.0641	0.0233	2.0000e-004	6.4100e-003	2.1000e-004	6.6200e-003	1.7300e-003	2.0000e-004	1.9300e-003	0.0000	19.6816	19.6816	1.2800e-003	0.0000	19.7136

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0496	0.0000	0.0496	7.5100e-003	0.0000	7.5100e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0475	0.4716	0.3235	5.8000e-004		0.0233	0.0233		0.0216	0.0216	0.0000	51.0011	51.0011	0.0144	0.0000	51.3600
Total	0.0475	0.4716	0.3235	5.8000e-004	0.0496	0.0233	0.0729	7.5100e-003	0.0216	0.0291	0.0000	51.0011	51.0011	0.0144	0.0000	51.3600

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.2 Demolition - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.9300e-003	0.0634	0.0148	1.8000e-004	3.9400e-003	1.9000e-004	4.1300e-003	1.0800e-003	1.8000e-004	1.2600e-003	0.0000	17.4566	17.4566	1.2100e-003	0.0000	17.4869
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	9.7000e-004	7.5000e-004	8.5100e-003	2.0000e-005	2.4700e-003	2.0000e-005	2.4900e-003	6.5000e-004	2.0000e-005	6.7000e-004	0.0000	2.2251	2.2251	7.0000e-005	0.0000	2.2267
Total	2.9000e-003	0.0641	0.0233	2.0000e-004	6.4100e-003	2.1000e-004	6.6200e-003	1.7300e-003	2.0000e-004	1.9300e-003	0.0000	19.6816	19.6816	1.2800e-003	0.0000	19.7136

3.3 Site Preparation - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1807	0.0000	0.1807	0.0993	0.0000	0.0993	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0389	0.4050	0.2115	3.8000e-004		0.0204	0.0204		0.0188	0.0188	0.0000	33.4357	33.4357	0.0108	0.0000	33.7061
Total	0.0389	0.4050	0.2115	3.8000e-004	0.1807	0.0204	0.2011	0.0993	0.0188	0.1181	0.0000	33.4357	33.4357	0.0108	0.0000	33.7061

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.3 Site Preparation - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.7000e-004	6.0000e-004	6.8100e-003	2.0000e-005	1.9700e-003	2.0000e-005	1.9900e-003	5.2000e-004	1.0000e-005	5.4000e-004	0.0000	1.7801	1.7801	5.0000e-005	0.0000	1.7814
Total	7.7000e-004	6.0000e-004	6.8100e-003	2.0000e-005	1.9700e-003	2.0000e-005	1.9900e-003	5.2000e-004	1.0000e-005	5.4000e-004	0.0000	1.7801	1.7801	5.0000e-005	0.0000	1.7814

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1807	0.0000	0.1807	0.0993	0.0000	0.0993	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0389	0.4050	0.2115	3.8000e-004		0.0204	0.0204		0.0188	0.0188	0.0000	33.4357	33.4357	0.0108	0.0000	33.7060
Total	0.0389	0.4050	0.2115	3.8000e-004	0.1807	0.0204	0.2011	0.0993	0.0188	0.1181	0.0000	33.4357	33.4357	0.0108	0.0000	33.7060

07-16
Cont.

Page 33 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.3 Site Preparation - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.7000e-004	6.0000e-004	6.8100e-003	2.0000e-005	1.9700e-003	2.0000e-005	1.9900e-003	5.2000e-004	1.0000e-005	5.4000e-004	0.0000	1.7801	1.7801	5.0000e-005	0.0000	1.7814
Total	7.7000e-004	6.0000e-004	6.8100e-003	2.0000e-005	1.9700e-003	2.0000e-005	1.9900e-003	5.2000e-004	1.0000e-005	5.4000e-004	0.0000	1.7801	1.7801	5.0000e-005	0.0000	1.7814

3.4 Grading - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1741	0.0000	0.1741	0.0693	0.0000	0.0693	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0796	0.8816	0.5867	1.1800e-003		0.0377	0.0377		0.0347	0.0347	0.0000	103.5405	103.5405	0.0335	0.0000	104.3776
Total	0.0796	0.8816	0.5867	1.1800e-003	0.1741	0.0377	0.2118	0.0693	0.0347	0.1040	0.0000	103.5405	103.5405	0.0335	0.0000	104.3776



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.4 Grading - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.6400e-003	1.2700e-003	0.0144	4.0000e-005	4.1600e-003	3.0000e-005	4.2000e-003	1.1100e-003	3.0000e-005	1.1400e-003	0.0000	3.7579	3.7579	1.1000e-004	0.0000	3.7607
Total	1.6400e-003	1.2700e-003	0.0144	4.0000e-005	4.1600e-003	3.0000e-005	4.2000e-003	1.1100e-003	3.0000e-005	1.1400e-003	0.0000	3.7579	3.7579	1.1000e-004	0.0000	3.7607

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1741	0.0000	0.1741	0.0693	0.0000	0.0693	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0796	0.8816	0.5867	1.1800e-003		0.0377	0.0377		0.0347	0.0347	0.0000	103.5403	103.5403	0.0335	0.0000	104.3775
Total	0.0796	0.8816	0.5867	1.1800e-003	0.1741	0.0377	0.2118	0.0693	0.0347	0.1040	0.0000	103.5403	103.5403	0.0335	0.0000	104.3775

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.4 Grading - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.6400e-003	1.2700e-003	0.0144	4.0000e-005	4.1600e-003	3.0000e-005	4.2000e-003	1.1100e-003	3.0000e-005	1.1400e-003	0.0000	3.7579	3.7579	1.1000e-004	0.0000	3.7607
Total	1.6400e-003	1.2700e-003	0.0144	4.0000e-005	4.1600e-003	3.0000e-005	4.2000e-003	1.1100e-003	3.0000e-005	1.1400e-003	0.0000	3.7579	3.7579	1.1000e-004	0.0000	3.7607

3.4 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0807	0.0000	0.0807	0.0180	0.0000	0.0180	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0127	0.1360	0.1017	2.2000e-004		5.7200e-003	5.7200e-003		5.2600e-003	5.2600e-003	0.0000	19.0871	19.0871	6.1700e-003	0.0000	19.2414
Total	0.0127	0.1360	0.1017	2.2000e-004	0.0807	5.7200e-003	0.0865	0.0180	5.2600e-003	0.0233	0.0000	19.0871	19.0871	6.1700e-003	0.0000	19.2414

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.4 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.8000e-004	2.1000e-004	2.4400e-003	1.0000e-005	7.7000e-004	1.0000e-005	7.7000e-004	2.0000e-004	1.0000e-005	2.1000e-004	0.0000	0.6679	0.6679	2.0000e-005	0.0000	0.6684
Total	2.8000e-004	2.1000e-004	2.4400e-003	1.0000e-005	7.7000e-004	1.0000e-005	7.7000e-004	2.0000e-004	1.0000e-005	2.1000e-004	0.0000	0.6679	0.6679	2.0000e-005	0.0000	0.6684

07-16
Cont.

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0807	0.0000	0.0807	0.0180	0.0000	0.0180	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0127	0.1360	0.1017	2.2000e-004		5.7200e-003	5.7200e-003		5.2600e-003	5.2600e-003	0.0000	19.0871	19.0871	6.1700e-003	0.0000	19.2414
Total	0.0127	0.1360	0.1017	2.2000e-004	0.0807	5.7200e-003	0.0865	0.0180	5.2600e-003	0.0233	0.0000	19.0871	19.0871	6.1700e-003	0.0000	19.2414

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.4 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.8000e-004	2.1000e-004	2.4400e-003	1.0000e-005	7.7000e-004	1.0000e-005	7.7000e-004	2.0000e-004	1.0000e-005	2.1000e-004	0.0000	0.6679	0.6679	2.0000e-005	0.0000	0.6684
Total	2.8000e-004	2.1000e-004	2.4400e-003	1.0000e-005	7.7000e-004	1.0000e-005	7.7000e-004	2.0000e-004	1.0000e-005	2.1000e-004	0.0000	0.6679	0.6679	2.0000e-005	0.0000	0.6684

07-16
Cont.

3.5 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.2158	1.9754	2.0700	3.4100e-003		0.1023	0.1023		0.0963	0.0963	0.0000	293.1324	293.1324	0.0702	0.0000	294.8881
Total	0.2158	1.9754	2.0700	3.4100e-003		0.1023	0.1023		0.0963	0.0963	0.0000	293.1324	293.1324	0.0702	0.0000	294.8881

Page 38 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.5 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0527	1.6961	0.4580	4.5500e-003	0.1140	3.1800e-003	0.1171	0.0329	3.0400e-003	0.0359	0.0000	441.9835	441.9835	0.0264	0.0000	442.6435
Worker	0.4088	0.3066	3.5305	0.0107	1.1103	8.8700e-003	1.1192	0.2949	8.1700e-003	0.3031	0.0000	966.8117	966.8117	0.0266	0.0000	967.4773
Total	0.4616	2.0027	3.9885	0.0152	1.2243	0.0121	1.2363	0.3278	0.0112	0.3390	0.0000	1,408.7952	1,408.7952	0.0530	0.0000	1,410.1208

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.2158	1.9754	2.0700	3.4100e-003		0.1023	0.1023		0.0963	0.0963	0.0000	293.1321	293.1321	0.0702	0.0000	294.8877
Total	0.2158	1.9754	2.0700	3.4100e-003		0.1023	0.1023		0.0963	0.0963	0.0000	293.1321	293.1321	0.0702	0.0000	294.8877



07-16
Cont.

Page 39 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.5 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0527	1.6961	0.4580	4.5500e-003	0.1140	3.1800e-003	0.1171	0.0329	3.0400e-003	0.0359	0.0000	441.9835	441.9835	0.0264	0.0000	442.6435
Worker	0.4088	0.3066	3.5305	0.0107	1.1103	8.8700e-003	1.1192	0.2949	8.1700e-003	0.3031	0.0000	966.8117	966.8117	0.0266	0.0000	967.4773
Total	0.4616	2.0027	3.9885	0.0152	1.2243	0.0121	1.2363	0.3278	0.0112	0.3390	0.0000	1,408.7952	1,408.7952	0.0530	0.0000	1,410.1208

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1942	1.7765	2.0061	3.3300e-003		0.0864	0.0864		0.0813	0.0813	0.0000	286.2789	286.2789	0.0681	0.0000	287.9814
Total	0.1942	1.7765	2.0061	3.3300e-003		0.0864	0.0864		0.0813	0.0813	0.0000	286.2789	286.2789	0.0681	0.0000	287.9814

07-16
Cont.

Page 40 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.5 Building Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0382	1.2511	0.4011	4.3000e-003	0.1113	1.4600e-003	0.1127	0.0321	1.4000e-003	0.0335	0.0000	417.9930	417.9930	0.0228	0.0000	418.5624
Worker	0.3753	0.2708	3.1696	0.0101	1.0840	8.4100e-003	1.0924	0.2879	7.7400e-003	0.2957	0.0000	909.3439	909.3439	0.0234	0.0000	909.9291
Total	0.4135	1.5218	3.5707	0.0144	1.1953	9.8700e-003	1.2051	0.3200	9.1400e-003	0.3292	0.0000	1,327.3369	1,327.3369	0.0462	0.0000	1,328.4916

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1942	1.7765	2.0061	3.3300e-003		0.0864	0.0864		0.0813	0.0813	0.0000	286.2785	286.2785	0.0681	0.0000	287.9811
Total	0.1942	1.7765	2.0061	3.3300e-003		0.0864	0.0864		0.0813	0.0813	0.0000	286.2785	286.2785	0.0681	0.0000	287.9811



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.5 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0382	1.2511	0.4011	4.3000e-003	0.1113	1.4600e-003	0.1127	0.0321	1.4000e-003	0.0335	0.0000	417.9930	417.9930	0.0228	0.0000	418.5624
Worker	0.3753	0.2708	3.1696	0.0101	1.0840	8.4100e-003	1.0924	0.2879	7.7400e-003	0.2957	0.0000	909.3439	909.3439	0.0234	0.0000	909.9291
Total	0.4135	1.5218	3.5707	0.0144	1.1953	9.8700e-003	1.2051	0.3200	9.1400e-003	0.3292	0.0000	1,327.3369	1,327.3369	0.0462	0.0000	1,328.4916

3.6 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	6.7100e-003	0.0663	0.0948	1.5000e-004		3.3200e-003	3.3200e-003		3.0500e-003	3.0500e-003	0.0000	13.0175	13.0175	4.2100e-003	0.0000	13.1227
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	6.7100e-003	0.0663	0.0948	1.5000e-004		3.3200e-003	3.3200e-003		3.0500e-003	3.0500e-003	0.0000	13.0175	13.0175	4.2100e-003	0.0000	13.1227



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.6 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.7000e-004	2.7000e-004	3.1200e-003	1.0000e-005	1.0700e-003	1.0000e-005	1.0800e-003	2.8000e-004	1.0000e-005	2.9000e-004	0.0000	0.8963	0.8963	2.0000e-005	0.0000	0.8968
Total	3.7000e-004	2.7000e-004	3.1200e-003	1.0000e-005	1.0700e-003	1.0000e-005	1.0800e-003	2.8000e-004	1.0000e-005	2.9000e-004	0.0000	0.8963	0.8963	2.0000e-005	0.0000	0.8968

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	6.7100e-003	0.0663	0.0948	1.5000e-004		3.3200e-003	3.3200e-003		3.0500e-003	3.0500e-003	0.0000	13.0175	13.0175	4.2100e-003	0.0000	13.1227
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	6.7100e-003	0.0663	0.0948	1.5000e-004		3.3200e-003	3.3200e-003		3.0500e-003	3.0500e-003	0.0000	13.0175	13.0175	4.2100e-003	0.0000	13.1227

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.6 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.7000e-004	2.7000e-004	3.1200e-003	1.0000e-005	1.0700e-003	1.0000e-005	1.0800e-003	2.8000e-004	1.0000e-005	2.9000e-004	0.0000	0.8963	0.8963	2.0000e-005	0.0000	0.8968
Total	3.7000e-004	2.7000e-004	3.1200e-003	1.0000e-005	1.0700e-003	1.0000e-005	1.0800e-003	2.8000e-004	1.0000e-005	2.9000e-004	0.0000	0.8963	0.8963	2.0000e-005	0.0000	0.8968

3.6 Paving - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0109	0.1048	0.1609	2.5000e-004		5.1500e-003	5.1500e-003		4.7400e-003	4.7400e-003	0.0000	22.0292	22.0292	7.1200e-003	0.0000	22.2073
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0109	0.1048	0.1609	2.5000e-004		5.1500e-003	5.1500e-003		4.7400e-003	4.7400e-003	0.0000	22.0292	22.0292	7.1200e-003	0.0000	22.2073

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.6 Paving - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.9000e-004	4.1000e-004	4.9200e-003	2.0000e-005	1.8100e-003	1.0000e-005	1.8200e-003	4.8000e-004	1.0000e-005	4.9000e-004	0.0000	1.4697	1.4697	4.0000e-005	0.0000	1.4706
Total	5.9000e-004	4.1000e-004	4.9200e-003	2.0000e-005	1.8100e-003	1.0000e-005	1.8200e-003	4.8000e-004	1.0000e-005	4.9000e-004	0.0000	1.4697	1.4697	4.0000e-005	0.0000	1.4706

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0109	0.1048	0.1609	2.5000e-004		5.1500e-003	5.1500e-003		4.7400e-003	4.7400e-003	0.0000	22.0292	22.0292	7.1200e-003	0.0000	22.2073
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0109	0.1048	0.1609	2.5000e-004		5.1500e-003	5.1500e-003		4.7400e-003	4.7400e-003	0.0000	22.0292	22.0292	7.1200e-003	0.0000	22.2073



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.6 Paving - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.9000e-004	4.1000e-004	4.9200e-003	2.0000e-005	1.8100e-003	1.0000e-005	1.8200e-003	4.8000e-004	1.0000e-005	4.9000e-004	0.0000	1.4697	1.4697	4.0000e-005	0.0000	1.4706
Total	5.9000e-004	4.1000e-004	4.9200e-003	2.0000e-005	1.8100e-003	1.0000e-005	1.8200e-003	4.8000e-004	1.0000e-005	4.9000e-004	0.0000	1.4697	1.4697	4.0000e-005	0.0000	1.4706

3.7 Architectural Coating - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	4.1372					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.1600e-003	0.0213	0.0317	5.0000e-005		1.0700e-003	1.0700e-003		1.0700e-003	1.0700e-003	0.0000	4.4682	4.4682	2.5000e-004	0.0000	4.4745
Total	4.1404	0.0213	0.0317	5.0000e-005		1.0700e-003	1.0700e-003		1.0700e-003	1.0700e-003	0.0000	4.4682	4.4682	2.5000e-004	0.0000	4.4745

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.7 Architectural Coating - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0101	6.9900e-003	0.0835	2.8000e-004	0.0307	2.3000e-004	0.0309	8.1500e-003	2.2000e-004	8.3700e-003	0.0000	24.9407	24.9407	6.1000e-004	0.0000	24.9558
Total	0.0101	6.9900e-003	0.0835	2.8000e-004	0.0307	2.3000e-004	0.0309	8.1500e-003	2.2000e-004	8.3700e-003	0.0000	24.9407	24.9407	6.1000e-004	0.0000	24.9558

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	4.1372					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.1600e-003	0.0213	0.0317	5.0000e-005		1.0700e-003	1.0700e-003		1.0700e-003	1.0700e-003	0.0000	4.4682	4.4682	2.5000e-004	0.0000	4.4745
Total	4.1404	0.0213	0.0317	5.0000e-005		1.0700e-003	1.0700e-003		1.0700e-003	1.0700e-003	0.0000	4.4682	4.4682	2.5000e-004	0.0000	4.4745

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.7 Architectural Coating - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0101	6.9900e-003	0.0835	2.8000e-004	0.0307	2.3000e-004	0.0309	8.1500e-003	2.2000e-004	8.3700e-003	0.0000	24.9407	24.9407	6.1000e-004	0.0000	24.9558
Total	0.0101	6.9900e-003	0.0835	2.8000e-004	0.0307	2.3000e-004	0.0309	8.1500e-003	2.2000e-004	8.3700e-003	0.0000	24.9407	24.9407	6.1000e-004	0.0000	24.9558

07-16
Cont.

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Page 48 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	1.5857	7.9962	19.1834	0.0821	7.7979	0.0580	7.8559	2.0895	0.0539	2.1434	0.0000	7,620,498 6	7,620,498 6	0.3407	0.0000	7,629,016 2
Unmitigated	1.5857	7.9962	19.1834	0.0821	7.7979	0.0580	7.8559	2.0895	0.0539	2.1434	0.0000	7,620,498 6	7,620,498 6	0.3407	0.0000	7,629,016 2

07-16
Cont.

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	145.75	154.25	154.00	506,227	506,227
Apartments Mid Rise	4,026.75	3,773.25	4075.50	13,660,065	13,660,065
General Office Building	288.45	62.55	31.05	706,812	706,812
High Turnover (Sit Down Restaurant)	2,368.80	2,873.52	2817.72	3,413,937	3,413,937
Hotel	192.00	187.50	160.00	445,703	445,703
Quality Restaurant	501.12	511.92	461.20	707,488	707,488
Regional Shopping Center	528.08	601.44	357.84	1,112,221	1,112,221
Total	8,050.95	8,164.43	8,057.31	20,552,452	20,552,452

4.3 Trip Type Information

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
Apartments Mid Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
General Office Building	16.60	8.40	6.90	33.00	48.00	19.00	77	19	4
High Turnover (Sit Down)	16.60	8.40	6.90	8.50	72.50	19.00	37	20	43
Hotel	16.60	8.40	6.90	19.40	61.60	19.00	58	38	4
Quality Restaurant	16.60	8.40	6.90	12.00	69.00	19.00	38	18	44
Regional Shopping Center	16.60	8.40	6.90	16.30	64.70	19.00	54	35	11

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Apartments Mid Rise	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
General Office Building	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
High Turnover (Sit Down Restaurant)	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Hotel	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Quality Restaurant	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Regional Shopping Center	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	2,512.6465	2,512.6465	0.1037	0.0215	2,521.6356
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	2,512.6465	2,512.6465	0.1037	0.0215	2,521.6356
Natural Gas Mitigated	0.1398	1.2312	0.7770	7.6200e-003		0.0966	0.0966		0.0966	0.0966	0.0000	1,383.4267	1,383.4267	0.0265	0.0254	1,391.6478
Natural Gas Unmitigated	0.1398	1.2312	0.7770	7.6200e-003		0.0966	0.0966		0.0966	0.0966	0.0000	1,383.4267	1,383.4267	0.0265	0.0254	1,391.6478

07-16
Cont.

Page 51 of 270 in Comment Letter O7

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	408494	2.2000e-003	0.0188	8.0100e-003	1.2000e-004		1.5200e-003	1.5200e-003		1.5200e-003	1.5200e-003	0.0000	21.7988	21.7988	4.2000e-004	4.0000e-004	21.9284
Apartments Mid Rise	1.30613e+007	0.0704	0.6018	0.2561	3.8400e-003		0.0487	0.0487		0.0487	0.0487	0.0000	696.9989	696.9989	0.0134	0.0128	701.1408
General Office Building	468450	2.5300e-003	0.0230	0.0193	1.4000e-004		1.7500e-003	1.7500e-003		1.7500e-003	1.7500e-003	0.0000	24.9983	24.9983	4.8000e-004	4.6000e-004	25.1468
High Turnover (Sit Down Restaurant)	8.30736e+006	0.0448	0.4072	0.3421	2.4400e-003		0.0310	0.0310		0.0310	0.0310	0.0000	443.3124	443.3124	8.5000e-003	8.1300e-003	445.9468
Hotel	1.74095e+006	9.3900e-003	0.0853	0.0717	5.1000e-004		6.4900e-003	6.4900e-003		6.4900e-003	6.4900e-003	0.0000	92.9036	92.9036	1.7800e-003	1.7000e-003	93.4557
Quality Restaurant	1.84608e+006	9.9500e-003	0.0905	0.0780	5.4000e-004		6.8800e-003	6.8800e-003		6.8800e-003	6.8800e-003	0.0000	98.5139	98.5139	1.8900e-003	1.8100e-003	99.0993
Regional Shopping Center	91840	5.0000e-004	4.5000e-003	3.7800e-003	3.0000e-005		3.4000e-004	3.4000e-004		3.4000e-004	3.4000e-004	0.0000	4.9009	4.9009	9.0000e-005	9.0000e-005	4.9301
Total		0.1398	1.2312	0.7770	7.6200e-003		0.0966	0.0966		0.0966	0.0966	0.0000	1,383.4268	1,383.4268	0.0265	0.0254	1,391.6478

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	408494	2.2000e-003	0.0188	8.0100e-003	1.2000e-004		1.5200e-003	1.5200e-003		1.5200e-003	1.5200e-003	0.0000	21.7988	21.7988	4.2000e-004	4.0000e-004	21.9284
Apartments Mid Rise	1.30613e+007	0.0704	0.6018	0.2561	3.8400e-003		0.0487	0.0487		0.0487	0.0487	0.0000	696.9989	696.9989	0.0134	0.0128	701.1408
General Office Building	468450	2.5300e-003	0.0230	0.0193	1.4000e-004		1.7500e-003	1.7500e-003		1.7500e-003	1.7500e-003	0.0000	24.9983	24.9983	4.8000e-004	4.8000e-004	25.1468
High Turnover (Sit Down Restaurant)	8.30738e+006	0.0448	0.4072	0.3421	2.4400e-003		0.0310	0.0310		0.0310	0.0310	0.0000	443.3124	443.3124	8.5000e-003	8.1300e-003	445.9468
Hotel	1.74095e+006	9.3900e-003	0.0853	0.0717	5.1000e-004		6.4900e-003	6.4900e-003		6.4900e-003	6.4900e-003	0.0000	92.9036	92.9036	1.7800e-003	1.7000e-003	93.4557
Quality Restaurant	1.84608e+006	9.9500e-003	0.0905	0.0760	5.4000e-004		6.8800e-003	6.8800e-003		6.8800e-003	6.8800e-003	0.0000	98.5139	98.5139	1.8900e-003	1.8100e-003	99.0993
Regional Shopping Center	91840	5.0000e-004	4.5000e-003	3.7800e-003	3.0000e-005		3.4000e-004	3.4000e-004		3.4000e-004	3.4000e-004	0.0000	4.9009	4.9009	9.0000e-005	9.0000e-005	4.9301
Total		0.1398	1.2312	0.7770	7.6200e-003		0.0966	0.0966		0.0966	0.0966	0.0000	1,383.4268	1,383.4268	0.0265	0.0254	1,391.6478

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

5.3 Energy by Land Use - Electricity

Unmitigated

Land Use	Electricity Use kWh/yr	Total CO2 MT/yr	CH4 MT/yr	N2O MT/yr	CO2e MT/yr
Apartments Low Rise	106010	33.7770	1.3900e-003	2.9000e-004	33.8978
Apartments Mid Rise	3.94697e+006	1,257.5879	0.0519	0.0107	1,262.0869
General Office Building	584550	186.2502	7.6900e-003	1.5900e-003	186.9165
High Turnover (Sit Down Restaurant)	1.58904e+006	506.3022	0.0209	4.3200e-003	508.1135
Hotel	550308	175.3399	7.2400e-003	1.5000e-003	175.9672
Quality Restaurant	353120	112.5116	4.6500e-003	9.6000e-004	112.9141
Regional Shopping Center	756000	240.8778	9.9400e-003	2.0600e-003	241.7395
Total		2,512.6465	0.1037	0.0215	2,521.6356

07-16
Cont.

Page 54 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Low Rise	108010	33.7770	1.3900e-003	2.8000e-004	33.8978
Apartments Mid Rise	3.94697e+006	1,257.5879	0.0519	0.0107	1,262.0869
General Office Building	584550	186.2502	7.6900e-003	1.5900e-003	186.9165
High Turnover (Sit Down Restaurant)	1.58904e+006	506.3022	0.0209	4.3200e-003	508.1135
Hotel	550308	175.3399	7.2400e-003	1.5000e-003	175.9672
Quality Restaurant	353120	112.5116	4.6500e-003	9.6000e-004	112.9141
Regional Shopping Center	756000	240.6778	9.9400e-003	2.0600e-003	241.7395
Total		2,512.6465	0.1037	0.0215	2,521.6356

6.0 Area Detail

6.1 Mitigation Measures Area

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	5.1437	0.2950	10.3804	1.6700e-003		0.0714	0.0714		0.0714	0.0714	0.0000	220.9670	220.9670	0.0201	3.7400e-003	222.5835
Unmitigated	5.1437	0.2950	10.3804	1.6700e-003		0.0714	0.0714		0.0714	0.0714	0.0000	220.9670	220.9670	0.0201	3.7400e-003	222.5835

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.4137					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	4.3998					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0206	0.1763	0.0750	1.1200e-003		0.0143	0.0143		0.0143	0.0143	0.0000	204.1166	204.1166	3.9100e-003	3.7400e-003	205.3295
Landscaping	0.3096	0.1187	10.3054	5.4000e-004		0.0572	0.0572		0.0572	0.0572	0.0000	16.8504	16.8504	0.0161	0.0000	17.2540
Total	5.1437	0.2950	10.3804	1.6600e-003		0.0714	0.0714		0.0714	0.0714	0.0000	220.9670	220.9670	0.0201	3.7400e-003	222.5835

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.4137					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	4.3998					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0206	0.1763	0.0750	1.1200e-003		0.0143	0.0143		0.0143	0.0143	0.0000	204.1166	204.1166	3.9100e-003	3.7400e-003	205.3295
Landscaping	0.3096	0.1187	10.3054	5.4000e-004		0.0572	0.0572		0.0572	0.0572	0.0000	16.8504	16.8504	0.0161	0.0000	17.2540
Total	5.1437	0.2950	10.3804	1.6600e-003		0.0714	0.0714		0.0714	0.0714	0.0000	220.9670	220.9670	0.0201	3.7400e-003	222.5835

7.0 Water Detail

7.1 Mitigation Measures Water

07-16
Cont.

Page 57 of 270 in Comment Letter 07

CalEEMod Version: CalEEMod.2016.3.2

Page 38 of 44

Date: 1/6/2021 1:52 PM

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	585.8052	3.0183	0.0755	683.7567
Unmitigated	585.8052	3.0183	0.0755	683.7567

07-16
Cont.

Page 58 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	1.62885 / 1.02688	10.9095	0.0535	1.3400e-003	12.6471
Apartments Mid Rise	63.5252 / 40.0485	425.4719	2.0867	0.0523	493.2363
General Office Building	7.99802 / 4.90201	53.0719	0.2627	6.5900e-003	61.6019
High Turnover (Sit Down Restaurant)	10.9272 / 0.697482	51.2702	0.3580	8.8200e-003	62.8482
Hotel	1.26834 / 0.140927	6.1633	0.0416	1.0300e-003	7.5079
Quality Restaurant	2.42827 / 0.154996	11.3934	0.0796	1.9600e-003	13.9663
Regional Shopping Center	4.14806 / 2.54236	27.5250	0.1363	3.4200e-003	31.9490
Total		585.8052	3.0183	0.0755	683.7567

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	1.62885 / 1.02688	10.9095	0.0535	1.3400e-003	12.6471
Apartments Mid Rise	63.5252 / 40.0485	425.4719	2.0867	0.0523	483.2363
General Office Building	7.99802 / 4.90201	53.0719	0.2627	6.5900e-003	61.6019
High Turnover (Sit Down Restaurant)	10.9272 / 0.687482	51.2702	0.3580	8.8200e-003	62.8482
Hotel	1.26834 / 0.140927	6.1633	0.0416	1.0300e-003	7.5079
Quality Restaurant	2.42827 / 0.154996	11.3934	0.0796	1.9600e-003	13.9663
Regional Shopping Center	4.14806 / 2.54236	27.5250	0.1363	3.4200e-003	31.9490
Total		585.8052	3.0183	0.0755	683.7567

8.0 Waste Detail

8.1 Mitigation Measures Waste

07-16
Cont.

Page 60 of 270 in Comment Letter 07

CalEEMod Version: CalEEMod.2016.3.2

Page 41 of 44

Date: 1/6/2021 1:52 PM

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	207.8079	12.2811	0.0000	514.8354
Unmitigated	207.8079	12.2811	0.0000	514.8354

07-16
Cont.

Page 61 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

8.2 Waste by Land Use

Unmitigated

Land Use	Waste Disposed tons	Total CO2	CH4	N2O	CO2e
		MT/yr			
Apartments Low Rise	11.5	2.3344	0.1380	0.0000	5.7834
Apartments Mid Rise	448.5	91.0415	5.3804	0.0000	225.5513
General Office Building	41.85	8.4952	0.5021	0.0000	21.0464
High Turnover (Sit Down Restaurant)	428.4	86.9613	5.1393	0.0000	215.4430
Hotel	27.38	5.5579	0.3285	0.0000	13.7694
Quality Restaurant	7.3	1.4818	0.0876	0.0000	3.6712
Regional Shopping Center	58.8	11.9359	0.7054	0.0000	29.5706
Total		207.8079	12.2811	0.0000	514.8354

07-16
Cont.

Page 62 of 270 in Comment Letter 07

8.2 Waste by Land Use

Mitigated

Land Use	Waste Disposed tons	Total CO2 MT/yr	CH4 MT/yr	N2O MT/yr	CO2e MT/yr
Apartments Low Rise	11.5	2.3344	0.1380	0.0000	5.7894
Apartments Mid Rise	448.5	91.0415	5.3804	0.0000	225.5513
General Office Building	41.85	8.4952	0.5021	0.0000	21.0464
High Turnover (Sit Down Restaurant)	428.4	86.9613	5.1393	0.0000	215.4430
Hotel	27.38	5.5579	0.3285	0.0000	13.7694
Quality Restaurant	7.3	1.4818	0.0876	0.0000	3.8712
Regional Shopping Center	58.8	11.9358	0.7054	0.0000	29.5706
Total		207.8079	12.2811	0.0000	514.8354

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

07-16
Cont.

Page 63 of 270 in Comment Letter 07

CalEEMod Version: CalEEMod.2016.3.2

Page 44 of 44

Date: 1/6/2021 1:52 PM

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation



07-16
Cont.

Page 64 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

Village South Specific Plan (Proposed)
Los Angeles-South Coast County, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	45.00	1000sqft	1.03	45,000.00	0
High Turnover (Sit Down Restaurant)	36.00	1000sqft	0.83	36,000.00	0
Hotel	50.00	Room	1.67	72,600.00	0
Quality Restaurant	8.00	1000sqft	0.18	8,000.00	0
Apartments Low Rise	25.00	Dwelling Unit	1.56	25,000.00	72
Apartments Mid Rise	975.00	Dwelling Unit	25.66	975,000.00	2789
Regional Shopping Center	56.00	1000sqft	1.29	56,000.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	33
Climate Zone	9			Operational Year	2028
Utility Company	Southern California Edison				
CO2 Intensity (lb/MW/hr)	702.44	CH4 Intensity (lb/MW/hr)	0.029	N2O Intensity (lb/MW/hr)	0.006

1.3 User Entered Comments & Non-Default Data

07-16
Cont.

Page 65 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

Project Characteristics - Consistent with the DEIR's model.

Land Use - See SWAPE comment regarding residential and retail land uses.

Construction Phase - See SWAPE comment regarding individual construction phase lengths.

Demolition - Consistent with the DEIR's model. See SWAPE comment regarding demolition.

Vehicle Trips - Saturday trips consistent with the DEIR's model. See SWAPE comment regarding weekday and Sunday trips.

Woodstoves - Woodstoves and wood-burning fireplaces consistent with the DEIR's model. See SWAPE comment regarding gas fireplaces.

Energy Use -

Construction Off-road Equipment Mitigation - See SWAPE comment on construction-related mitigation.

Area Mitigation - See SWAPE comment regarding operational mitigation measures.

Water Mitigation - See SWAPE comment regarding operational mitigation measures.

Table Name	Column Name	Default Value	New Value
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	NumberWood	1.25	0.00
tblFireplaces	NumberWood	48.75	0.00
tblVehicleTrips	ST_TR	7.16	6.17
tblVehicleTrips	ST_TR	6.39	3.87
tblVehicleTrips	ST_TR	2.46	1.39
tblVehicleTrips	ST_TR	158.37	79.82
tblVehicleTrips	ST_TR	8.19	3.75
tblVehicleTrips	ST_TR	94.36	63.99
tblVehicleTrips	ST_TR	49.97	10.74
tblVehicleTrips	SU_TR	6.07	6.16
tblVehicleTrips	SU_TR	5.86	4.18
tblVehicleTrips	SU_TR	1.05	0.69
tblVehicleTrips	SU_TR	131.84	78.27

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

tblVehicleTrips	SU_TR	5.95	3.20
tblVehicleTrips	SU_TR	72.16	57.65
tblVehicleTrips	SU_TR	25.24	6.39
tblVehicleTrips	WD_TR	6.59	5.83
tblVehicleTrips	WD_TR	6.65	4.13
tblVehicleTrips	WD_TR	11.03	6.41
tblVehicleTrips	WD_TR	127.15	65.80
tblVehicleTrips	WD_TR	8.17	3.84
tblVehicleTrips	WD_TR	89.95	62.64
tblVehicleTrips	WD_TR	42.70	9.43
tblWoodstoves	NumberCatalytic	1.25	0.00
tblWoodstoves	NumberCatalytic	48.75	0.00
tblWoodstoves	NumberNoncatalytic	1.25	0.00
tblWoodstoves	NumberNoncatalytic	48.75	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00

07-16
Cont.

2.0 Emissions Summary

Page 67 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2021	4.2769	46.4588	31.6840	0.0643	18.2675	2.0461	20.3135	9.9840	1.8824	11.8664	0.0000	6,234.7974	6,234.7974	1.9495	0.0000	6,283.5352
2022	5.3304	38.8967	49.5629	0.1517	9.8688	1.6366	10.7727	3.6558	1.5057	5.1615	0.0000	15,251.5674	15,251.5674	1.9503	0.0000	15,278.5288
2023	4.8957	26.3317	46.7567	0.1472	9.8688	0.7794	10.6482	2.6381	0.7322	3.3702	0.0000	14,807.5269	14,807.5269	1.0250	0.0000	14,833.1521
2024	237.1630	9.5575	15.1043	0.0244	1.7884	0.4698	1.8628	0.4743	0.4322	0.5476	0.0000	2,361.3989	2,361.3989	0.7177	0.0000	2,379.3421
Maximum	237.1630	46.4588	49.5629	0.1517	18.2675	2.0461	20.3135	9.9840	1.8824	11.8664	0.0000	15,251.5674	15,251.5674	1.9503	0.0000	15,278.5288

07-16
Cont.

Page 68 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

2.1 Overall Construction (Maximum Daily Emission)

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2021	4.2769	46.4588	31.6840	0.0643	18.2675	2.0461	20.3135	9.9840	1.8824	11.8664	0.0000	6,234.7974	6,234.7974	1.9495	0.0000	6,283.5352
2022	5.3304	38.8967	49.5629	0.1517	9.8688	1.6366	10.7727	3.6558	1.5057	5.1615	0.0000	15,251.5674	15,251.5674	1.9503	0.0000	15,278.5288
2023	4.8957	26.3317	46.7567	0.1472	9.8688	0.7794	10.6482	2.6381	0.7322	3.3702	0.0000	14,807.5269	14,807.5269	1.0250	0.0000	14,833.1520
2024	237.1630	9.5575	15.1043	0.0244	1.7884	0.4698	1.8628	0.4743	0.4322	0.5476	0.0000	2,361.3989	2,361.3989	0.7177	0.0000	2,379.3421
Maximum	237.1630	46.4588	49.5629	0.1517	18.2675	2.0461	20.3135	9.9840	1.8824	11.8664	0.0000	15,251.5674	15,251.5674	1.9503	0.0000	15,278.5288
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192
Energy	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387
Mobile	9.8489	45.4304	114.8495	0.4917	45.9592	0.3360	46.2951	12.2950	0.3119	12.6070		50,306.6034	50,306.6034	2.1807		50,361.1208
Total	41.1168	67.2262	207.5497	0.6278	45.9592	2.4626	48.4217	12.2950	2.4385	14.7336	0.0000	76,811.1816	76,811.1816	2.8282	0.4832	77,025.8786

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192
Energy	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387
Mobile	9.8489	45.4304	114.8495	0.4917	45.9592	0.3360	46.2951	12.2950	0.3119	12.6070		50,306.6034	50,306.6034	2.1807		50,361.1208
Total	41.1168	67.2262	207.5497	0.6278	45.9592	2.4626	48.4217	12.2950	2.4385	14.7336	0.0000	76,811.1816	76,811.1816	2.8282	0.4832	77,025.8786

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	9/1/2021	10/12/2021	5	30	
2	Site Preparation	Site Preparation	10/13/2021	11/9/2021	5	20	
3	Grading	Grading	11/10/2021	1/11/2022	5	45	
4	Building Construction	Building Construction	1/12/2022	12/12/2023	5	500	
5	Paving	Paving	12/13/2023	1/30/2024	5	35	
6	Architectural Coating	Architectural Coating	1/31/2024	3/19/2024	5	35	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 112.5

Acres of Paving: 0

Residential Indoor: 2,025,000; Residential Outdoor: 675,000; Non-Residential Indoor: 326,400; Non-Residential Outdoor: 108,800; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Excavators	3	8.00	158	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Excavators	2	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	458.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	801.00	143.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	160.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Demolition - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.3074	0.0000	3.3074	0.5008	0.0000	0.5008			0.0000			0.0000
Off-Road	3.1651	31.4407	21.5650	0.0388		1.5513	1.5513		1.4411	1.4411		3,747.9449	3,747.9449	1.0549		3,774.3174
Total	3.1651	31.4407	21.5650	0.0388	3.3074	1.5513	4.8588	0.5008	1.4411	1.9419		3,747.9449	3,747.9449	1.0549		3,774.3174

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.2 Demolition - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1273	4.0952	0.9602	0.0119	0.2669	0.0126	0.2795	0.0732	0.0120	0.0852		1,292.2413	1,292.2413	0.0877		1,294.4337
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0643	0.0442	0.6042	1.7100e-003	0.1677	1.3500e-003	0.1690	0.0445	1.2500e-003	0.0457		170.8155	170.8155	5.0300e-003		170.9413
Total	0.1916	4.1394	1.5644	0.0136	0.4346	0.0139	0.4485	0.1176	0.0133	0.1309		1,463.0668	1,463.0668	0.0927		1,465.3750

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.3074	0.0000	3.3074	0.5008	0.0000	0.5008			0.0000			0.0000
Off-Road	3.1651	31.4407	21.5650	0.0388		1.5513	1.5513		1.4411	1.4411	0.0000	3,747.9449	3,747.9449	1.0549		3,774.3174
Total	3.1651	31.4407	21.5650	0.0388	3.3074	1.5513	4.8588	0.5008	1.4411	1.9419	0.0000	3,747.9449	3,747.9449	1.0549		3,774.3174

07-16 Cont.

Page 74 of 270 in Comment Letter O7

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.2 Demolition - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1273	4.0952	0.9602	0.0119	0.2669	0.0126	0.2795	0.0732	0.0120	0.0852		1,292.2413	1,292.2413	0.0877		1,294.4337
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0643	0.0442	0.6042	1.7100e-003	0.1677	1.3500e-003	0.1690	0.0445	1.2500e-003	0.0457		170.8155	170.8155	5.0300e-003		170.9413
Total	0.1916	4.1394	1.5644	0.0136	0.4346	0.0139	0.4485	0.1176	0.0133	0.1309		1,463.0668	1,463.0668	0.0927		1,465.3750

3.3 Site Preparation - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.0663	0.0000	18.0663	9.9307	0.0000	9.9307			0.0000			0.0000
Off-Road	3.8882	40.4971	21.1543	0.0380		2.0445	2.0445		1.8809	1.8809		3,685.6569	3,685.6569	1.1920		3,715.4573
Total	3.8882	40.4971	21.1543	0.0380	18.0663	2.0445	20.1107	9.9307	1.8809	11.8116		3,685.6569	3,685.6569	1.1920		3,715.4573



07-16
Cont.

Page 75 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.3 Site Preparation - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0772	0.0530	0.7250	2.0600e-003	0.2012	1.6300e-003	0.2028	0.0534	1.5000e-003	0.0549		204.9786	204.9786	6.0400e-003		205.1296
Total	0.0772	0.0530	0.7250	2.0600e-003	0.2012	1.6300e-003	0.2028	0.0534	1.5000e-003	0.0549		204.9786	204.9786	6.0400e-003		205.1296

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.0663	0.0000	18.0663	9.9307	0.0000	9.9307			0.0000			0.0000
Off-Road	3.8882	40.4971	21.1543	0.0380		2.0445	2.0445		1.8809	1.8809	0.0000	3,685.6569	3,685.6569	1.1920		3,715.4573
Total	3.8882	40.4971	21.1543	0.0380	18.0663	2.0445	20.1107	9.9307	1.8809	11.8116	0.0000	3,685.6569	3,685.6569	1.1920		3,715.4573

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.3 Site Preparation - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0772	0.0530	0.7250	2.0600e-003	0.2012	1.6300e-003	0.2028	0.0534	1.5000e-003	0.0549		204.9786	204.9786	6.0400e-003		205.1296
Total	0.0772	0.0530	0.7250	2.0600e-003	0.2012	1.6300e-003	0.2028	0.0534	1.5000e-003	0.0549		204.9786	204.9786	6.0400e-003		205.1296

3.4 Grading - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	4.1912	46.3998	30.8785	0.0620		1.9853	1.9853		1.8265	1.8265		6,007.0434	6,007.0434	1.9428		6,055.6134
Total	4.1912	46.3998	30.8785	0.0620	8.6733	1.9853	10.6587	3.5965	1.8265	5.4230		6,007.0434	6,007.0434	1.9428		6,055.6134

07-16 Cont.

Page 77 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.4 Grading - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Worker	0.0857	0.0589	0.8056	2.2900e-003	0.2236	1.8100e-003	0.2254	0.0593	1.6600e-003	0.0610		227.7540	227.7540	6.7100e-003			227.9217
Total	0.0857	0.0589	0.8056	2.2900e-003	0.2236	1.8100e-003	0.2254	0.0593	1.6600e-003	0.0610		227.7540	227.7540	6.7100e-003			227.9217

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	4.1912	46.3998	30.8785	0.0620		1.9853	1.9853		1.8265	1.8265	0.0000	6,007.0434	6,007.0434	1.9428		6,055.6134
Total	4.1912	46.3998	30.8785	0.0620	8.6733	1.9853	10.6587	3.5965	1.8265	5.4230	0.0000	6,007.0434	6,007.0434	1.9428		6,055.6134

07-16 Cont.

Page 78 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.4 Grading - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Worker	0.0857	0.0589	0.8056	2.2900e-003	0.2236	1.8100e-003	0.2254	0.0593	1.6600e-003	0.0610		227.7540	227.7540	6.7100e-003			227.9217
Total	0.0857	0.0589	0.8056	2.2900e-003	0.2236	1.8100e-003	0.2254	0.0593	1.6600e-003	0.0610		227.7540	227.7540	6.7100e-003			227.9217

3.4 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	3.6248	38.8435	29.0415	0.0621		1.6349	1.6349		1.5041	1.5041		6,011.4105	6,011.4105	1.9442		6,060.0158
Total	3.6248	38.8435	29.0415	0.0621	8.6733	1.6349	10.3082	3.5965	1.5041	5.1006		6,011.4105	6,011.4105	1.9442		6,060.0158



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.4 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0803	0.0532	0.7432	2.2100e-003	0.2236	1.7500e-003	0.2253	0.0593	1.6100e-003	0.0609		219.7425	219.7425	6.0600e-003		219.8941
Total	0.0803	0.0532	0.7432	2.2100e-003	0.2236	1.7500e-003	0.2253	0.0593	1.6100e-003	0.0609		219.7425	219.7425	6.0600e-003		219.8941

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	3.6248	38.8435	29.0415	0.0621		1.6349	1.6349		1.5041	1.5041	0.0000	6,011.4105	6,011.4105	1.9442		6,060.0158
Total	3.6248	38.8435	29.0415	0.0621	8.6733	1.6349	10.3082	3.5965	1.5041	5.1006	0.0000	6,011.4105	6,011.4105	1.9442		6,060.0158

07-16
Cont.

Page 80 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.4 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0803	0.0532	0.7432	2.2100e-003	0.2236	1.7500e-003	0.2253	0.0593	1.6100e-003	0.0609		219.7425	219.7425	6.0600e-003		219.8941
Total	0.0803	0.0532	0.7432	2.2100e-003	0.2236	1.7500e-003	0.2253	0.0593	1.6100e-003	0.0609		219.7425	219.7425	6.0600e-003		219.8941

3.5 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612		2,554.3336	2,554.3336	0.6120		2,569.6322
Total	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612		2,554.3336	2,554.3336	0.6120		2,569.6322

07-16
Cont.

Page 81 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.5 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.4079	13.2032	3.4341	0.0364	0.9155	0.0248	0.9404	0.2636	0.0237	0.2873		3,896.548 2	3,896.548 2	0.2236		3,902.138 4
Worker	3.2162	2.1318	29.7654	0.0883	8.9533	0.0701	9.0234	2.3745	0.0646	2.4390		8,800.685 7	8,800.685 7	0.2429		8,806.758 2
Total	3.6242	15.3350	33.1995	0.1247	9.8688	0.0949	9.9637	2.6381	0.0883	2.7263		12,697.23 39	12,697.23 39	0.4665		12,708.89 66

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612	0.0000	2,554.333 6	2,554.333 6	0.6120		2,569.632 2
Total	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612	0.0000	2,554.333 6	2,554.333 6	0.6120		2,569.632 2

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.5 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Vendor	0.4079	13.2032	3.4341	0.0364	0.9155	0.0248	0.9404	0.2636	0.0237	0.2873		3,896,548 2	3,896,548 2	0.2236			3,902,138 4
Worker	3.2162	2.1318	29.7654	0.0883	8.9533	0.0701	9.0234	2.3745	0.0646	2.4390		8,800,685 7	8,800,685 7	0.2429			8,806,758 2
Total	3.6242	15.3350	33.1995	0.1247	9.8688	0.0949	9.9637	2.6381	0.0883	2.7263		12,697.23 39	12,697.23 39	0.4665			12,708.89 66

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555,209 9	2,555,209 9	0.6079			2,570,406 1
Total	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555,209 9	2,555,209 9	0.6079			2,570,406 1

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.5 Building Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Vendor	0.3027	10.0181	3.1014	0.0352	0.9156	0.0116	0.9271	0.2636	0.0111	0.2747		3,773.876 2	3,773.876 2	0.1982			3,778.830 0
Worker	3.0203	1.9287	27.4113	0.0851	8.9533	0.0681	9.0214	2.3745	0.0627	2.4372		8,478.440 8	8,478.440 8	0.2190			8,483.916 0
Total	3.3229	11.9468	30.5127	0.1203	9.8688	0.0797	9.9485	2.6381	0.0738	2.7118		12,252.31 70	12,252.31 70	0.4172			12,262.74 60

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584	0.0000	2,555.209 9	2,555.209 9	0.6079			2,570.406 1
Total	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584	0.0000	2,555.209 9	2,555.209 9	0.6079			2,570.406 1

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.5 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.3027	10.0181	3.1014	0.0352	0.9156	0.0116	0.9271	0.2636	0.0111	0.2747		3,773.876 2	3,773.876 2	0.1982		3,778.830 0
Worker	3.0203	1.9287	27.4113	0.0851	8.9533	0.0681	9.0214	2.3745	0.0627	2.4372		8,478.440 8	8,478.440 8	0.2190		8,483.916 0
Total	3.3229	11.9468	30.5127	0.1203	9.8688	0.0797	9.9485	2.6381	0.0738	2.7118		12,252.31 70	12,252.31 70	0.4172		12,262.74 60

3.6 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694		2,207.584 1	2,207.584 1	0.7140		2,225.433 6
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694		2,207.584 1	2,207.584 1	0.7140		2,225.433 6

07-16 Cont.

Page 85 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.6 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0566	0.0361	0.5133	1.5900e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1700e-003	0.0456		158.7723	158.7723	4.1000e-003		158.8748
Total	0.0566	0.0361	0.5133	1.5900e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1700e-003	0.0456		158.7723	158.7723	4.1000e-003		158.8748

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694	0.0000	2,207,584.1	2,207,584.1	0.7140		2,225,433.6
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694	0.0000	2,207,584.1	2,207,584.1	0.7140		2,225,433.6

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.6 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0566	0.0361	0.5133	1.5900e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1700e-003	0.0456		158.7723	158.7723	4.1000e-003		158.8748
Total	0.0566	0.0361	0.5133	1.5900e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1700e-003	0.0456		158.7723	158.7723	4.1000e-003		158.8748

3.6 Paving - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310		2,207.5472	2,207.5472	0.7140		2,225.3963
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310		2,207.5472	2,207.5472	0.7140		2,225.3963



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.6 Paving - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0535	0.0329	0.4785	1.5400e-003	0.1677	1.2600e-003	0.1689	0.0445	1.1600e-003	0.0456		153.8517	153.8517	3.7600e-003		153.9458
Total	0.0535	0.0329	0.4785	1.5400e-003	0.1677	1.2600e-003	0.1689	0.0445	1.1600e-003	0.0456		153.8517	153.8517	3.7600e-003		153.9458

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310	0.0000	2,207.5472	2,207.5472	0.7140		2,225.3963
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310	0.0000	2,207.5472	2,207.5472	0.7140		2,225.3963

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.6 Paving - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0535	0.0329	0.4785	1.5400e-003	0.1677	1.2600e-003	0.1689	0.0445	1.1600e-003	0.0456		153.8517	153.8517	3.7600e-003		153.9458
Total	0.0535	0.0329	0.4785	1.5400e-003	0.1677	1.2600e-003	0.1689	0.0445	1.1600e-003	0.0456		153.8517	153.8517	3.7600e-003		153.9458

3.7 Architectural Coating - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	236.4115					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1808	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609		281.4481	281.4481	0.0159		281.8443
Total	236.5923	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609		281.4481	281.4481	0.0159		281.8443

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.7 Architectural Coating - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.5707	0.3513	5.1044	0.0165	1.7884	0.0134	1.8018	0.4743	0.0123	0.4866		1,641.085 2	1,641.085 2	0.0401		1,642.088 6
Total	0.5707	0.3513	5.1044	0.0165	1.7884	0.0134	1.8018	0.4743	0.0123	0.4866		1,641.085 2	1,641.085 2	0.0401		1,642.088 6

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	236.4115					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1808	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609	0.0000	281.4481	281.4481	0.0159		281.8443
Total	236.5923	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609	0.0000	281.4481	281.4481	0.0159		281.8443

07-16 Cont.

Page 90 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.7 Architectural Coating - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.5707	0.3513	5.1044	0.0165	1.7884	0.0134	1.8018	0.4743	0.0123	0.4866		1,641,085 2	1,641,085 2	0.0401		1,642,088 6
Total	0.5707	0.3513	5.1044	0.0165	1.7884	0.0134	1.8018	0.4743	0.0123	0.4866		1,641,085 2	1,641,085 2	0.0401		1,642,088 6

07-16
Cont.

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Page 91 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	9.8489	45.4304	114.8495	0.4917	45.9592	0.3360	46.2951	12.2950	0.3119	12.6070		50,306.6034	50,306.6034	2.1807		50,361.1208
Unmitigated	9.8489	45.4304	114.8495	0.4917	45.9592	0.3360	46.2951	12.2950	0.3119	12.6070		50,306.6034	50,306.6034	2.1807		50,361.1208

07-16
Cont.

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	145.75	154.25	154.00	506,227	506,227
Apartments Mid Rise	4,026.75	3,773.25	4075.50	13,660,065	13,660,065
General Office Building	288.45	62.55	31.05	706,812	706,812
High Turnover (Sit Down Restaurant)	2,368.80	2,873.52	2817.72	3,413,937	3,413,937
Hotel	192.00	187.50	160.00	445,703	445,703
Quality Restaurant	501.12	511.92	461.20	707,488	707,488
Regional Shopping Center	528.08	601.44	357.84	1,112,221	1,112,221
Total	8,050.95	8,164.43	8,057.31	20,552,452	20,552,452

4.3 Trip Type Information

Page 92 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
Apartments Mid Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
General Office Building	16.60	8.40	6.90	33.00	48.00	19.00	77	19	4
High Turnover (Sit Down)	16.60	8.40	6.90	8.50	72.50	19.00	37	20	43
Hotel	16.60	8.40	6.90	19.40	61.60	19.00	58	38	4
Quality Restaurant	16.60	8.40	6.90	12.00	69.00	19.00	38	18	44
Regional Shopping Center	16.60	8.40	6.90	16.30	64.70	19.00	54	35	11

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Apartments Mid Rise	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
General Office Building	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
High Turnover (Sit Down Restaurant)	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Hotel	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Quality Restaurant	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Regional Shopping Center	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

07-16
Cont.

Page 93 of 270 in Comment Letter 07

CalEEMod Version: CalEEMod.2016.3.2

Page 30 of 35

Date: 1/6/2021 1:54 PM

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355,983 2	8,355,983 2	0.1602	0.1532	8,405,638 7
NaturalGas Unmitigated	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355,983 2	8,355,983 2	0.1602	0.1532	8,405,638 7

07-16
Cont.

Page 94 of 270 in Comment Letter O7

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

5.2 Energy by Land Use - NaturalGas

Unmitigated

Land Use	NaturalGas Use kBTU/yr	lb/day										lb/day					
		ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Apartments Low Rise	1119.18	0.0121	0.1031	0.0439	8.6000e-004	8.3400e-003	8.3400e-003	8.3400e-003	8.3400e-003	8.3400e-003	8.3400e-003	131.6662	131.6662	2.5200e-003	2.4100e-003	132.4486	
Apartments Mid Rise	35794.3	0.3859	3.2978	1.4033	0.0211	0.2666	0.2666	0.2666	0.2666	0.2666	0.2666	4,209.9164	4,209.9164	0.0907	0.0772	4,234.9339	
General Office Building	1283.42	0.0138	0.1258	0.1057	7.5000e-004	9.5600e-003	9.5600e-003	9.5600e-003	9.5600e-003	9.5600e-003	9.5600e-003	150.9911	150.9911	2.8900e-003	2.7700e-003	151.8884	
High Turnover (Sit Down Restaurant)	22759.9	0.2455	2.2314	1.8743	0.0134	0.1696	0.1696	0.1696	0.1696	0.1696	0.1696	2,677.6342	2,677.6342	0.0513	0.0491	2,693.5460	
Hotel	4789.72	0.0514	0.4676	0.3928	2.8100e-003	0.0355	0.0355	0.0355	0.0355	0.0355	0.0355	561.1436	561.1436	0.0108	0.0103	564.4782	
Quality Restaurant	5057.75	0.0545	0.4959	0.4165	2.9800e-003	0.0377	0.0377	0.0377	0.0377	0.0377	0.0377	595.0298	595.0298	0.0114	0.0109	598.5658	
Regional Shopping Center	251.616	2.7100e-003	0.0247	0.0207	1.5000e-004	1.8700e-003	1.8700e-003	1.8700e-003	1.8700e-003	1.8700e-003	1.8700e-003	29.6019	29.6019	5.7000e-004	5.4000e-004	29.7778	
Total		0.7660	6.7463	4.2673	0.0418		0.5292	0.5292		0.5292	0.5292		8,365.9832	8,365.9832	0.1602	0.1532	8,405.6387



07-16
Cont.

Page 95 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Low Rise	1.11916	0.0121	0.1031	0.0439	6.6000e-004		8.3400e-003	8.3400e-003		8.3400e-003	8.3400e-003		131.6662	131.6662	2.5200e-003	2.4100e-003	132.4466
Apartments Mid Rise	35.7843	0.3859	3.2978	1.4033	0.0211		0.2666	0.2666		0.2666	0.2666		4,209.9164	4,209.9164	0.0807	0.0772	4,234.9339
General Office Building	1.28342	0.0138	0.1258	0.1057	7.5000e-004		9.5600e-003	9.5600e-003		9.5600e-003	9.5600e-003		150.9911	150.9911	2.8900e-003	2.7700e-003	151.8884
High Turnover (Sit Down Restaurant)	22.7599	0.2455	2.2314	1.8743	0.0134		0.1696	0.1696		0.1696	0.1696		2,677.6342	2,677.6342	0.0513	0.0491	2,693.5460
Hotel	4.76972	0.0514	0.4676	0.3928	2.8100e-003		0.0355	0.0355		0.0355	0.0355		561.1436	561.1436	0.0108	0.0103	564.4782
Quality Restaurant	5.05775	0.0545	0.4959	0.4165	2.9800e-003		0.0377	0.0377		0.0377	0.0377		595.0298	595.0298	0.0114	0.0109	598.5658
Regional Shopping Center	0.251616	2.7100e-003	0.0247	0.0207	1.5000e-004		1.8700e-003	1.8700e-003		1.8700e-003	1.8700e-003		29.6019	29.6019	5.7000e-004	5.4000e-004	29.7778
Total		0.7660	6.7463	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387

07-16 Cont.

6.0 Area Detail

6.1 Mitigation Measures Area

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192
Unmitigated	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	2.2670					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	24.1085					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	1.6500	14.1000	6.0000	0.0900		1.1400	1.1400		1.1400	1.1400	0.0000	18,000.0000	18,000.0000	0.3450	0.3300	18,106.9650
Landscaping	2.4766	0.9496	82.4430	4.3600e-003		0.4574	0.4574		0.4574	0.4574		148.5950	148.5950	0.1424		152.1542
Total	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	2.2670					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	24.1085					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	1.6500	14.1000	6.0000	0.0900		1.1400	1.1400		1.1400	1.1400	0.0000	18,000.0000	18,000.0000	0.3450	0.3300	18,106.9850
Landscaping	2.4766	0.9496	82.4430	4.3600e-003		0.4574	0.4574		0.4574	0.4574		148.5950	148.5950	0.1424		152.1542
Total	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

10.0 Stationary Equipment



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation



07-16
Cont.

Page 99 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

Village South Specific Plan (Proposed)
Los Angeles-South Coast County, Winter

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	45.00	1000sqft	1.03	45,000.00	0
High Turnover (Sit Down Restaurant)	36.00	1000sqft	0.83	36,000.00	0
Hotel	50.00	Room	1.67	72,600.00	0
Quality Restaurant	8.00	1000sqft	0.18	8,000.00	0
Apartments Low Rise	25.00	Dwelling Unit	1.56	25,000.00	72
Apartments Mid Rise	975.00	Dwelling Unit	25.66	975,000.00	2789
Regional Shopping Center	56.00	1000sqft	1.29	56,000.00	0

07-16
Cont.

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	33
Climate Zone	9			Operational Year	2028
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	702.44	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

1.3 User Entered Comments & Non-Default Data

Page 100 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

Project Characteristics - Consistent with the DEIR's model.

Land Use - See SWAPE comment regarding residential and retail land uses.

Construction Phase - See SWAPE comment regarding individual construction phase lengths.

Demolition - Consistent with the DEIR's model. See SWAPE comment regarding demolition.

Vehicle Trips - Saturday trips consistent with the DEIR's model. See SWAPE comment regarding weekday and Sunday trips.

Woodstoves - Woodstoves and wood-burning fireplaces consistent with the DEIR's model. See SWAPE comment regarding gas fireplaces.

Energy Use -

Construction Off-road Equipment Mitigation - See SWAPE comment on construction-related mitigation.

Area Mitigation - See SWAPE comment regarding operational mitigation measures.

Water Mitigation - See SWAPE comment regarding operational mitigation measures.

Table Name	Column Name	Default Value	New Value
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	NumberWood	1.25	0.00
tblFireplaces	NumberWood	48.75	0.00
tblVehicleTrips	ST_TR	7.16	6.17
tblVehicleTrips	ST_TR	6.39	3.87
tblVehicleTrips	ST_TR	2.46	1.39
tblVehicleTrips	ST_TR	158.37	79.82
tblVehicleTrips	ST_TR	8.19	3.75
tblVehicleTrips	ST_TR	94.36	63.99
tblVehicleTrips	ST_TR	49.97	10.74
tblVehicleTrips	SU_TR	6.07	6.16
tblVehicleTrips	SU_TR	5.86	4.18
tblVehicleTrips	SU_TR	1.05	0.69
tblVehicleTrips	SU_TR	131.84	78.27

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

tblVehicleTrips	SU_TR	5.95	3.20
tblVehicleTrips	SU_TR	72.16	57.65
tblVehicleTrips	SU_TR	25.24	6.39
tblVehicleTrips	WD_TR	6.59	5.83
tblVehicleTrips	WD_TR	6.65	4.13
tblVehicleTrips	WD_TR	11.03	6.41
tblVehicleTrips	WD_TR	127.15	65.80
tblVehicleTrips	WD_TR	8.17	3.84
tblVehicleTrips	WD_TR	89.95	62.64
tblVehicleTrips	WD_TR	42.70	9.43
tblWoodstoves	NumberCatalytic	1.25	0.00
tblWoodstoves	NumberCatalytic	48.75	0.00
tblWoodstoves	NumberNoncatalytic	1.25	0.00
tblWoodstoves	NumberNoncatalytic	48.75	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00

07-16
Cont.

2.0 Emissions Summary

Page 102 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2021	4.2865	46.4651	31.6150	0.0642	18.2675	2.0461	20.3135	9.9840	1.8824	11.8664	0.0000	6,221,493.7	6,221,493.7	1.9491	0.0000	6,270,221.4
2022	5.7218	38.9024	47.3319	0.1455	9.8688	1.6366	10.7736	3.6558	1.5057	5.1615	0.0000	14,630.3099	14,630.3099	1.9499	0.0000	14,657.2663
2023	5.2705	26.4914	44.5936	0.1413	9.8688	0.7800	10.6488	2.6381	0.7328	3.3708	0.0000	14,210.3424	14,210.3424	1.0230	0.0000	14,235.9160
2024	237.2328	9.5610	15.0611	0.0243	1.7884	0.4698	1.8628	0.4743	0.4322	0.5476	0.0000	2,352.4178	2,352.4178	0.7175	0.0000	2,370.3550
Maximum	237.2328	46.4651	47.3319	0.1455	18.2675	2.0461	20.3135	9.9840	1.8824	11.8664	0.0000	14,630.3099	14,630.3099	1.9499	0.0000	14,657.2663

07-16
Cont.

Page 103 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

2.1 Overall Construction (Maximum Daily Emission)

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2021	4.2865	46.4651	31.6150	0.0642	18.2675	2.0461	20.3135	9.9840	1.8824	11.8664	0.0000	6,221.4937	6,221.4937	1.9491	0.0000	6,270.2214
2022	5.7218	38.9024	47.3319	0.1455	9.8688	1.6366	10.7736	3.6558	1.5057	5.1615	0.0000	14,630.3099	14,630.3099	1.9499	0.0000	14,657.2663
2023	5.2705	26.4914	44.5936	0.1413	9.8688	0.7800	10.6488	2.6381	0.7328	3.3708	0.0000	14,210.3424	14,210.3424	1.0230	0.0000	14,235.9160
2024	237.2328	9.5610	15.0611	0.0243	1.7884	0.4698	1.8628	0.4743	0.4322	0.5476	0.0000	2,352.4178	2,352.4178	0.7175	0.0000	2,370.3550
Maximum	237.2328	46.4651	47.3319	0.1455	18.2675	2.0461	20.3135	9.9840	1.8824	11.8664	0.0000	14,630.3099	14,630.3099	1.9499	0.0000	14,657.2663
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

07-16
Cont.

Page 104 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192
Energy	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387
Mobile	9.5233	45.9914	110.0422	0.4681	45.9592	0.3373	46.2965	12.2950	0.3132	12.6083		47,917.8005	47,917.8005	2.1953		47,972.6839
Total	40.7912	67.7872	202.7424	0.6043	45.9592	2.4640	48.4231	12.2950	2.4399	14.7349	0.0000	74,422.3787	74,422.3787	2.8429	0.4832	74,637.4417

07-16
Cont.

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192
Energy	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387
Mobile	9.5233	45.9914	110.0422	0.4681	45.9592	0.3373	46.2965	12.2950	0.3132	12.6083		47,917.8005	47,917.8005	2.1953		47,972.6839
Total	40.7912	67.7872	202.7424	0.6043	45.9592	2.4640	48.4231	12.2950	2.4399	14.7349	0.0000	74,422.3787	74,422.3787	2.8429	0.4832	74,637.4417

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	9/1/2021	10/12/2021	5	30	
2	Site Preparation	Site Preparation	10/13/2021	11/9/2021	5	20	
3	Grading	Grading	11/10/2021	1/11/2022	5	45	
4	Building Construction	Building Construction	1/12/2022	12/12/2023	5	500	
5	Paving	Paving	12/13/2023	1/30/2024	5	35	
6	Architectural Coating	Architectural Coating	1/31/2024	3/19/2024	5	35	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 112.5

Acres of Paving: 0

Residential Indoor: 2,025,000; Residential Outdoor: 675,000; Non-Residential Indoor: 326,400; Non-Residential Outdoor: 108,800; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Excavators	3	8.00	158	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Excavators	2	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

07-16
Cont.

Trips and VMT

Page 107 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	458.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	801.00	143.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	160.00	0.00	0.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Demolition - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.3074	0.0000	3.3074	0.5008	0.0000	0.5008			0.0000			0.0000
Off-Road	3.1651	31.4407	21.5650	0.0388		1.5513	1.5513		1.4411	1.4411		3,747.9449	3,747.9449	1.0549		3,774.3174
Total	3.1651	31.4407	21.5650	0.0388	3.3074	1.5513	4.8588	0.5008	1.4411	1.9419		3,747.9449	3,747.9449	1.0549		3,774.3174

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.2 Demolition - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1304	4.1454	1.0182	0.0117	0.2669	0.0128	0.2797	0.0732	0.0122	0.0854		1,269.8555	1,269.8555	0.0908		1,272.1252
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0715	0.0489	0.5524	1.6100e-003	0.1677	1.3500e-003	0.1690	0.0445	1.2500e-003	0.0457		160.8377	160.8377	4.7300e-003		160.9560
Total	0.2019	4.1943	1.5706	0.0133	0.4346	0.0141	0.4487	0.1176	0.0136	0.1311		1,430.6932	1,430.6932	0.0955		1,433.0812

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.3074	0.0000	3.3074	0.5008	0.0000	0.5008			0.0000			0.0000
Off-Road	3.1651	31.4407	21.5650	0.0388		1.5513	1.5513		1.4411	1.4411	0.0000	3,747.9449	3,747.9449	1.0549		3,774.3174
Total	3.1651	31.4407	21.5650	0.0388	3.3074	1.5513	4.8588	0.5008	1.4411	1.9419	0.0000	3,747.9449	3,747.9449	1.0549		3,774.3174



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.2 Demolition - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1304	4.1454	1.0182	0.0117	0.2669	0.0128	0.2797	0.0732	0.0122	0.0854		1,269.8555	1,269.8555	0.0908		1,272.1252
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0715	0.0489	0.5524	1.6100e-003	0.1677	1.3500e-003	0.1690	0.0445	1.2500e-003	0.0457		160.8377	160.8377	4.7300e-003		160.9560
Total	0.2019	4.1943	1.5706	0.0133	0.4346	0.0141	0.4487	0.1176	0.0136	0.1311		1,430.6932	1,430.6932	0.0955		1,433.0812

3.3 Site Preparation - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.0663	0.0000	18.0663	9.9307	0.0000	9.9307			0.0000			0.0000
Off-Road	3.8882	40.4971	21.1543	0.0380		2.0445	2.0445		1.8809	1.8809		3,685.6569	3,685.6569	1.1920		3,715.4573
Total	3.8882	40.4971	21.1543	0.0380	18.0663	2.0445	20.1107	9.9307	1.8809	11.8116		3,685.6569	3,685.6569	1.1920		3,715.4573

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.3 Site Preparation - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0858	0.0587	0.6629	1.9400e-003	0.2012	1.6300e-003	0.2028	0.0534	1.5000e-003	0.0549		193.0052	193.0052	5.6800e-003		193.1472
Total	0.0858	0.0587	0.6629	1.9400e-003	0.2012	1.6300e-003	0.2028	0.0534	1.5000e-003	0.0549		193.0052	193.0052	5.6800e-003		193.1472

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.0663	0.0000	18.0663	9.9307	0.0000	9.9307			0.0000			0.0000
Off-Road	3.8882	40.4971	21.1543	0.0380		2.0445	2.0445		1.8809	1.8809	0.0000	3,685.6569	3,685.6569	1.1920		3,715.4573
Total	3.8882	40.4971	21.1543	0.0380	18.0663	2.0445	20.1107	9.9307	1.8809	11.8116	0.0000	3,685.6569	3,685.6569	1.1920		3,715.4573

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.3 Site Preparation - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0858	0.0587	0.6629	1.9400e-003	0.2012	1.6300e-003	0.2028	0.0534	1.5000e-003	0.0549		193.0052	193.0052	5.6800e-003		193.1472
Total	0.0858	0.0587	0.6629	1.9400e-003	0.2012	1.6300e-003	0.2028	0.0534	1.5000e-003	0.0549		193.0052	193.0052	5.6800e-003		193.1472

3.4 Grading - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	4.1912	46.3998	30.8785	0.0620		1.9853	1.9853		1.8265	1.8265		6,007.0434	6,007.0434	1.9428		6,055.6134
Total	4.1912	46.3998	30.8785	0.0620	8.6733	1.9853	10.6587	3.5965	1.8265	5.4230		6,007.0434	6,007.0434	1.9428		6,055.6134

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.4 Grading - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0954	0.0652	0.7365	2.1500e-003	0.2236	1.8100e-003	0.2254	0.0593	1.6600e-003	0.0610		214.4502	214.4502	6.3100e-003		214.6080
Total	0.0954	0.0652	0.7365	2.1500e-003	0.2236	1.8100e-003	0.2254	0.0593	1.6600e-003	0.0610		214.4502	214.4502	6.3100e-003		214.6080

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	4.1912	46.3998	30.8785	0.0620		1.9853	1.9853		1.8265	1.8265	0.0000	6,007.0434	6,007.0434	1.9428		6,055.6134
Total	4.1912	46.3998	30.8785	0.0620	8.6733	1.9853	10.6587	3.5965	1.8265	5.4230	0.0000	6,007.0434	6,007.0434	1.9428		6,055.6134

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.4 Grading - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0954	0.0652	0.7365	2.1500e-003	0.2236	1.8100e-003	0.2254	0.0593	1.6600e-003	0.0610		214.4502	214.4502	6.3100e-003		214.6080
Total	0.0954	0.0652	0.7365	2.1500e-003	0.2236	1.8100e-003	0.2254	0.0593	1.6600e-003	0.0610		214.4502	214.4502	6.3100e-003		214.6080

3.4 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	3.6248	38.8435	29.0415	0.0621		1.6349	1.6349		1.5041	1.5041		6,011.4105	6,011.4105	1.9442		6,060.0158
Total	3.6248	38.8435	29.0415	0.0621	8.6733	1.6349	10.3082	3.5965	1.5041	5.1006		6,011.4105	6,011.4105	1.9442		6,060.0158

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.4 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0896	0.0589	0.6784	2.0800e-003	0.2236	1.7500e-003	0.2253	0.0593	1.6100e-003	0.0609		206.9139	206.9139	5.7000e-003		207.0563
Total	0.0896	0.0589	0.6784	2.0800e-003	0.2236	1.7500e-003	0.2253	0.0593	1.6100e-003	0.0609		206.9139	206.9139	5.7000e-003		207.0563

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	3.6248	38.8435	29.0415	0.0621		1.6349	1.6349		1.5041	1.5041	0.0000	6,011.4105	6,011.4105	1.9442		6,060.0158
Total	3.6248	38.8435	29.0415	0.0621	8.6733	1.6349	10.3082	3.5965	1.5041	5.1006	0.0000	6,011.4105	6,011.4105	1.9442		6,060.0158

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.4 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0896	0.0589	0.6784	2.0800e-003	0.2236	1.7500e-003	0.2253	0.0593	1.6100e-003	0.0609		206.9139	206.9139	5.7000e-003		207.0563
Total	0.0896	0.0589	0.6784	2.0800e-003	0.2236	1.7500e-003	0.2253	0.0593	1.6100e-003	0.0609		206.9139	206.9139	5.7000e-003		207.0563

3.5 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612		2,554.3336	2,554.3336	0.6120		2,569.6322
Total	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612		2,554.3336	2,554.3336	0.6120		2,569.6322

07-16 Cont.

Page 116 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.5 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Vendor	0.4284	13.1673	3.8005	0.0354	0.9155	0.0256	0.9412	0.2636	0.0245	0.2881		3,789,075 0	3,789,075 0	0.2381			3,795,028 3
Worker	3.5872	2.3593	27.1680	0.0832	8.9533	0.0701	9.0234	2.3745	0.0646	2.4390		8,286,901 3	8,286,901 3	0.2282			8,292,605 8
Total	4.0156	15.5266	30.9685	0.1186	9.8688	0.0957	9.9645	2.6381	0.0891	2.7271		12,075.97 63	12,075.97 63	0.4663			12,087.63 41

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612	0.0000	2,554.333 6	2,554.333 6	0.6120			2,569.632 2
Total	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612	0.0000	2,554.333 6	2,554.333 6	0.6120			2,569.632 2

07-1
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.5 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.4284	13.1673	3.8005	0.0354	0.9155	0.0256	0.9412	0.2636	0.0245	0.2881		3,789.0750	3,789.0750	0.2381		3,795.0283
Worker	3.5872	2.3593	27.1680	0.0832	8.9533	0.0701	9.0234	2.3745	0.0646	2.4390		8,286.9013	8,286.9013	0.2282		8,292.6058
Total	4.0156	15.5266	30.9685	0.1186	9.8688	0.0957	9.9645	2.6381	0.0891	2.7271		12,075.9763	12,075.9763	0.4663		12,087.6341

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555.2099	2,555.2099	0.6079		2,570.4061
Total	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555.2099	2,555.2099	0.6079		2,570.4061

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.5 Building Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.3183	9.9726	3.3771	0.0343	0.9156	0.0122	0.9277	0.2636	0.0116	0.2752		3,671.400 7	3,671.400 7	0.2096		3,676.641 7
Worker	3.3795	2.1338	24.9725	0.0801	8.9533	0.0681	9.0214	2.3745	0.0627	2.4372		7,983.731 8	7,983.731 8	0.2055		7,988.868 3
Total	3.6978	12.1065	28.3496	0.1144	9.8688	0.0803	9.9491	2.6381	0.0743	2.7124		11,655.13 25	11,655.13 25	0.4151		11,665.50 99

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584	0.0000	2,555.209 9	2,555.209 9	0.6079		2,570.406 1
Total	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584	0.0000	2,555.209 9	2,555.209 9	0.6079		2,570.406 1

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.5 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.3183	9.9726	3.3771	0.0343	0.9156	0.0122	0.9277	0.2636	0.0116	0.2752		3,671,400 7	3,671,400 7	0.2096		3,676,641 7
Worker	3.3795	2.1338	24.9725	0.0801	8.9533	0.0681	9.0214	2.3745	0.0627	2.4372		7,983,731 8	7,983,731 8	0.2055		7,988,868 3
Total	3.6978	12.1065	28.3496	0.1144	9.8688	0.0803	9.9491	2.6381	0.0743	2.7124		11,655.13 26	11,655.13 26	0.4151		11,665.50 99

3.6 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694		2,207,584 1	2,207,584 1	0.7140		2,225,433 6
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694		2,207,584 1	2,207,584 1	0.7140		2,225,433 6

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.6 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0633	0.0400	0.4677	1.5000e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1700e-003	0.0456		149.5081	149.5081	3.8500e-003		149.6043
Total	0.0633	0.0400	0.4677	1.5000e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1700e-003	0.0456		149.5081	149.5081	3.8500e-003		149.6043

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694	0.0000	2,207.5841	2,207.5841	0.7140		2,225.4336
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694	0.0000	2,207.5841	2,207.5841	0.7140		2,225.4336

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.6 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0633	0.0400	0.4677	1.5000e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1700e-003	0.0456		149.5081	149.5081	3.8500e-003		149.6043
Total	0.0633	0.0400	0.4677	1.5000e-003	0.1677	1.2800e-003	0.1689	0.0445	1.1700e-003	0.0456		149.5081	149.5081	3.8500e-003		149.6043

3.6 Paving - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310		2,207,547.2	2,207,547.2	0.7140		2,225,396.3
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310		2,207,547.2	2,207,547.2	0.7140		2,225,396.3

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.6 Paving - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0601	0.0364	0.4354	1.4500e-003	0.1677	1.2600e-003	0.1689	0.0445	1.1600e-003	0.0456		144.8706	144.8706	3.5300e-003		144.9587
Total	0.0601	0.0364	0.4354	1.4500e-003	0.1677	1.2600e-003	0.1689	0.0445	1.1600e-003	0.0456		144.8706	144.8706	3.5300e-003		144.9587

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310	0.0000	2,207.547 2	2,207.547 2	0.7140		2,225.396 3
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310	0.0000	2,207.547 2	2,207.547 2	0.7140		2,225.396 3

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.6 Paving - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0601	0.0364	0.4354	1.4500e-003	0.1677	1.2600e-003	0.1689	0.0445	1.1600e-003	0.0456		144.8706	144.8706	3.5300e-003		144.9587
Total	0.0601	0.0364	0.4354	1.4500e-003	0.1677	1.2600e-003	0.1689	0.0445	1.1600e-003	0.0456		144.8706	144.8706	3.5300e-003		144.9587

3.7 Architectural Coating - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	236.4115					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1808	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609		281.4481	281.4481	0.0159		281.8443
Total	236.5923	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609		281.4481	281.4481	0.0159		281.8443

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.7 Architectural Coating - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.6406	0.3886	4.6439	0.0155	1.7884	0.0134	1.8018	0.4743	0.0123	0.4866		1,545,286 0	1,545,286 0	0.0376		1,546,226 2
Total	0.6406	0.3886	4.6439	0.0155	1.7884	0.0134	1.8018	0.4743	0.0123	0.4866		1,545,286 0	1,545,286 0	0.0376		1,546,226 2

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	236.4115					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1808	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609	0.0000	281.4481	281.4481	0.0159		281.8443
Total	236.5923	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609	0.0000	281.4481	281.4481	0.0159		281.8443

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.7 Architectural Coating - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.6406	0.3886	4.6439	0.0155	1.7884	0.0134	1.8018	0.4743	0.0123	0.4866		1,545,286 0	1,545,286 0	0.0376		1,546,226 2
Total	0.6406	0.3886	4.6439	0.0155	1.7884	0.0134	1.8018	0.4743	0.0123	0.4866		1,545,286 0	1,545,286 0	0.0376		1,546,226 2

07-16
Cont.

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Page 126 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	9.5233	45.9914	110.0422	0.4681	45.9592	0.3373	46.2965	12.2950	0.3132	12.6083		47,917.8005	47,917.8005	2.1953		47,972.6839
Unmitigated	9.5233	45.9914	110.0422	0.4681	45.9592	0.3373	46.2965	12.2950	0.3132	12.6083		47,917.8005	47,917.8005	2.1953		47,972.6839

07-16
Cont.

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	145.75	154.25	154.00	506,227	506,227
Apartments Mid Rise	4,026.75	3,773.25	4075.50	13,660,065	13,660,065
General Office Building	288.45	62.55	31.05	706,812	706,812
High Turnover (Sit Down Restaurant)	2,368.80	2,873.52	2817.72	3,413,937	3,413,937
Hotel	192.00	187.50	160.00	445,703	445,703
Quality Restaurant	501.12	511.92	461.20	707,488	707,488
Regional Shopping Center	528.08	601.44	357.84	1,112,221	1,112,221
Total	8,050.95	8,164.43	8,057.31	20,552,452	20,552,452

4.3 Trip Type Information

Page 127 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
Apartments Mid Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
General Office Building	16.60	8.40	6.90	33.00	48.00	19.00	77	19	4
High Turnover (Sit Down)	16.60	8.40	6.90	8.50	72.50	19.00	37	20	43
Hotel	16.60	8.40	6.90	19.40	61.60	19.00	58	38	4
Quality Restaurant	16.60	8.40	6.90	12.00	69.00	19.00	38	18	44
Regional Shopping Center	16.60	8.40	6.90	16.30	64.70	19.00	54	35	11

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Apartments Mid Rise	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
General Office Building	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
High Turnover (Sit Down Restaurant)	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Hotel	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Quality Restaurant	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Regional Shopping Center	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

07-16
Cont.

CalEEMod Version: CalEEMod.2016.3.2

Page 30 of 35

Date: 1/6/2021 1:49 PM

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Natural Gas Mitigated	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355,983 2	8,355,983 2	0.1602	0.1532	8,405,638 7
Natural Gas Unmitigated	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355,983 2	8,355,983 2	0.1602	0.1532	8,405,638 7

07-16
Cont.

Page 129 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

5.2 Energy by Land Use - NaturalGas

Unmitigated

Land Use	NaturalGas Use kBTU/yr	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
		lb/day										lb/day					
Apartments Low Rise	1119.18	0.0121	0.1031	0.0438	6.6000e-004		8.3400e-003	8.3400e-003		8.3400e-003	8.3400e-003		131.6662	131.6662	2.5200e-003	2.4100e-003	132.4486
Apartments Mid Rise	35794.3	0.3859	3.2978	1.4033	0.0211		0.2666	0.2666		0.2666	0.2666		4,209.9164	4,209.9164	0.0807	0.0772	4,234.9339
General Office Building	1283.42	0.0138	0.1258	0.1057	7.5000e-004		9.5600e-003	9.5600e-003		9.5600e-003	9.5600e-003		150.9911	150.9911	2.8900e-003	2.7700e-003	151.8884
High Turnover (Sit Down Restaurant)	22759.9	0.2455	2.2314	1.8743	0.0134		0.1696	0.1696		0.1696	0.1696		2,677.6342	2,677.6342	0.0513	0.0491	2,693.5460
Hotel	4769.72	0.0514	0.4676	0.3928	2.8100e-003		0.0355	0.0355		0.0355	0.0355		561.1436	561.1436	0.0108	0.0103	564.4782
Quality Restaurant	5057.75	0.0545	0.4959	0.4165	2.9800e-003		0.0377	0.0377		0.0377	0.0377		595.0298	595.0298	0.0114	0.0109	598.5658
Regional Shopping Center	251.618	2.7100e-003	0.0247	0.0207	1.5000e-004		1.8700e-003	1.8700e-003		1.8700e-003	1.8700e-003		29.6019	29.6019	5.7000e-004	5.4000e-004	29.7778
Total		0.7660	6.7463	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Low Rise	1.11916	0.0121	0.1031	0.0439	6.6000e-004		8.3400e-003	8.3400e-003		8.3400e-003	8.3400e-003		131.6662	131.6662	2.5200e-003	2.4100e-003	132.4486
Apartments Mid Rise	35.7843	0.3859	3.2978	1.4033	0.0211		0.2666	0.2666		0.2666	0.2666		4,209.9164	4,209.9164	0.0807	0.0772	4,234.9339
General Office Building	1.28342	0.0138	0.1258	0.1057	7.5000e-004		9.5600e-003	9.5600e-003		9.5600e-003	9.5600e-003		150.9911	150.9911	2.8900e-003	2.7700e-003	151.8884
High Turnover (Sit Down Restaurant)	22.7599	0.2455	2.2314	1.8743	0.0134		0.1696	0.1696		0.1696	0.1696		2,677.6342	2,677.6342	0.0513	0.0491	2,693.5460
Hotel	4.76972	0.0514	0.4676	0.3926	2.8100e-003		0.0355	0.0355		0.0355	0.0355		561.1436	561.1436	0.0108	0.0103	564.4782
Quality Restaurant	5.05775	0.0545	0.4858	0.4165	2.9800e-003		0.0377	0.0377		0.0377	0.0377		595.0298	595.0298	0.0114	0.0108	598.5658
Regional Shopping Center	0.251616	2.7100e-003	0.0247	0.0207	1.5000e-004		1.8700e-003	1.8700e-003		1.8700e-003	1.8700e-003		29.6019	29.6019	5.7000e-004	5.4000e-004	29.7778
Total		0.7660	6.7463	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387

07-16 Cont.

6.0 Area Detail

6.1 Mitigation Measures Area

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192
Unmitigated	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	2.2670					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	24.1085					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	1.6500	14.1000	6.0000	0.0900		1.1400	1.1400		1.1400	1.1400	0.0000	18,000.0000	18,000.0000	0.3450	0.3300	18,106.9650
Landscaping	2.4766	0.9496	82.4430	4.3600e-003		0.4574	0.4574		0.4574	0.4574		148.5950	148.5950	0.1424		152.1542
Total	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	2.2670					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	24.1085					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	1.6500	14.1000	6.0000	0.0900		1.1400	1.1400		1.1400	1.1400	0.0000	18,000.0000	18,000.0000	0.3450	0.3300	18,106.9850
Landscaping	2.4766	0.9496	82.4430	4.3600e-003		0.4574	0.4574		0.4574	0.4574		148.5950	148.5950	0.1424		152.1542
Total	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

10.0 Stationary Equipment



07-16
Cont.

CalEEMod Version: CalEEMod.2016.3.2

Page 35 of 35

Date: 1/6/2021 1:49 PM

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation



07-16
Cont.

Page 134 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Village South Specific Plan (Proposed)
Los Angeles-South Coast County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	45.00	1000sqft	1.03	45,000.00	0
High Turnover (Sit Down Restaurant)	36.00	1000sqft	0.83	36,000.00	0
Hotel	50.00	Room	1.67	72,600.00	0
Quality Restaurant	8.00	1000sqft	0.18	8,000.00	0
Apartments Low Rise	25.00	Dwelling Unit	1.56	25,000.00	72
Apartments Mid Rise	975.00	Dwelling Unit	25.66	975,000.00	2789
Regional Shopping Center	56.00	1000sqft	1.29	56,000.00	0

07-16
Cont.

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	33
Climate Zone	9			Operational Year	2028
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	702.44	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

1.3 User Entered Comments & Non-Default Data

Page 135 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Project Characteristics - Consistent with the DEIR's model.

Land Use - See SWAPE comment regarding residential and retail land uses.

Construction Phase - See SWAPE comment regarding individual construction phase lengths.

Demolition - Consistent with the DEIR's model. See SWAPE comment regarding demolition.

Vehicle Trips - Saturday trips consistent with the DEIR's model. See SWAPE comment regarding weekday and Sunday trips.

Woodstoves - Woodstoves and wood-burning fireplaces consistent with the DEIR's model. See SWAPE comment regarding gas fireplaces.

Energy Use -

Construction Off-road Equipment Mitigation - See SWAPE comment on construction-related mitigation.

Area Mitigation - See SWAPE comment regarding operational mitigation measures.

Water Mitigation - See SWAPE comment regarding operational mitigation measures.

Trips and VMT - Local hire provision

Table Name	Column Name	Default Value	New Value
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	NumberWood	1.25	0.00
tblFireplaces	NumberWood	48.75	0.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblVehicleTrips	ST_TR	7.16	6.17
tblVehicleTrips	ST_TR	6.39	3.87
tblVehicleTrips	ST_TR	2.46	1.39
tblVehicleTrips	ST_TR	158.37	79.82

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

tblVehicleTrips	ST_TR	8.19	3.75
tblVehicleTrips	ST_TR	94.36	63.99
tblVehicleTrips	ST_TR	49.97	10.74
tblVehicleTrips	SU_TR	6.07	6.16
tblVehicleTrips	SU_TR	5.86	4.18
tblVehicleTrips	SU_TR	1.05	0.69
tblVehicleTrips	SU_TR	131.84	78.27
tblVehicleTrips	SU_TR	5.95	3.20
tblVehicleTrips	SU_TR	72.16	57.65
tblVehicleTrips	SU_TR	25.24	6.39
tblVehicleTrips	WD_TR	6.59	5.83
tblVehicleTrips	WD_TR	6.65	4.13
tblVehicleTrips	WD_TR	11.03	6.41
tblVehicleTrips	WD_TR	127.15	65.80
tblVehicleTrips	WD_TR	8.17	3.84
tblVehicleTrips	WD_TR	89.95	62.64
tblVehicleTrips	WD_TR	42.70	9.43
tblWoodstoves	NumberCatalytic	1.25	0.00
tblWoodstoves	NumberCatalytic	48.75	0.00
tblWoodstoves	NumberNoncatalytic	1.25	0.00
tblWoodstoves	NumberNoncatalytic	48.75	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00

07-16
Cont.

2.0 Emissions Summary

Page 137 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	Non-Biogenic CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2021	0.1704	1.8234	1.1577	2.3800e-003	0.4141	0.0817	0.4958	0.1788	0.0754	0.2542	0.0000	210.7654	210.7654	0.0600	0.0000	212.2661
2022	0.5865	4.0240	5.1546	0.0155	0.9509	0.1175	1.0683	0.2518	0.1103	0.3621	0.0000	1,418.6554	1,418.6554	0.1215	0.0000	1,421.6925
2023	0.5190	3.2850	4.7678	0.0147	0.8497	0.0971	0.9468	0.2283	0.0912	0.3195	0.0000	1,342.4412	1,342.4412	0.1115	0.0000	1,345.2291
2024	4.1592	0.1313	0.2557	5.0000e-004	0.0221	6.3900e-003	0.0285	5.8700e-003	5.9700e-003	0.0118	0.0000	44.6355	44.6355	7.8300e-003	0.0000	44.8311
Maximum	4.1592	4.0240	5.1546	0.0155	0.9509	0.1175	1.0683	0.2518	0.1103	0.3621	0.0000	1,418.6554	1,418.6554	0.1215	0.0000	1,421.6925

07-16
Cont.

Page 138 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

2.1 Overall Construction

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2021	0.1704	1.8234	1.1577	2.3800e-003	0.4141	0.0817	0.4958	0.1788	0.0754	0.2542	0.0000	210.7651	210.7651	0.0600	0.0000	212.2658
2022	0.5865	4.0240	5.1546	0.0155	0.9509	0.1175	1.0683	0.2518	0.1103	0.3621	0.0000	1,418.6550	1,418.6550	0.1215	0.0000	1,421.6921
2023	0.5190	3.2850	4.7678	0.0147	0.8497	0.0971	0.9468	0.2283	0.0912	0.3195	0.0000	1,342.4409	1,342.4409	0.1115	0.0000	1,345.2287
2024	4.1592	0.1313	0.2557	5.0000e-004	0.0221	6.3900e-003	0.0285	5.8700e-003	5.9700e-003	0.0118	0.0000	44.6354	44.6354	7.8300e-003	0.0000	44.8311
Maximum	4.1592	4.0240	5.1546	0.0155	0.9509	0.1175	1.0683	0.2518	0.1103	0.3621	0.0000	1,418.6550	1,418.6550	0.1215	0.0000	1,421.6921

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	9-1-2021	11-30-2021	1.4091	1.4091
2	12-1-2021	2-28-2022	1.3329	1.3329
3	3-1-2022	5-31-2022	1.1499	1.1499
4	6-1-2022	8-31-2022	1.1457	1.1457
5	9-1-2022	11-30-2022	1.1415	1.1415
6	12-1-2022	2-28-2023	1.0278	1.0278
7	3-1-2023	5-31-2023	0.9868	0.9868
8	6-1-2023	8-31-2023	0.9831	0.9831



07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

9	9-1-2023	11-30-2023	0.9798	0.9798
10	12-1-2023	2-29-2024	2.8757	2.8757
11	3-1-2024	5-31-2024	1.6188	1.6188
		Highest	2.8757	2.8757

2.2 Overall Operational
Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	5.1437	0.2950	10.3804	1.6700e-003		0.0714	0.0714		0.0714	0.0714	0.0000	220.9670	220.9670	0.0201	3.7400e-003	222.5835
Energy	0.1398	1.2312	0.7770	7.6200e-003		0.0966	0.0966		0.0966	0.0966	0.0000	3,896.0732	3,896.0732	0.1303	0.0468	3,913.2833
Mobile	1.5857	7.9962	19.1834	0.0821	7.7979	0.0580	7.8559	2.0895	0.0539	2.1434	0.0000	7,620.4986	7,620.4986	0.3407	0.0000	7,629.0162
Waste						0.0000	0.0000		0.0000	0.0000	207.8079	0.0000	207.8079	12.2811	0.0000	514.8354
Water						0.0000	0.0000		0.0000	0.0000	29.1632	556.6420	585.8052	3.0183	0.0755	683.7567
Total	6.8692	9.5223	30.3407	0.0914	7.7979	0.2260	8.0240	2.0895	0.2219	2.3114	236.9712	12,294.1807	12,531.1519	15.7904	0.1260	12,963.4751

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	5.1437	0.2950	10.3804	1.6700e-003		0.0714	0.0714		0.0714	0.0714	0.0000	220.9670	220.9670	0.0201	3.7400e-003	222.5835
Energy	0.1398	1.2312	0.7770	7.6200e-003		0.0966	0.0966		0.0966	0.0966	0.0000	3,896.0732	3,896.0732	0.1303	0.0466	3,913.2693
Mobile	1.5857	7.9982	19.1834	0.0821	7.7979	0.0580	7.8559	2.0895	0.0539	2.1434	0.0000	7,620.4986	7,620.4986	0.3407	0.0000	7,629.0162
Waste						0.0000	0.0000		0.0000	0.0000	207.8079	0.0000	207.8079	12.2811	0.0000	514.8354
Water						0.0000	0.0000		0.0000	0.0000	29.1832	556.8420	585.8052	3.0183	0.0755	683.7567
Total	6.8692	9.5223	30.3407	0.0914	7.7979	0.2260	8.0240	2.0895	0.2219	2.3114	236.9712	12,294.1807	12,531.1519	15.7904	0.1260	12,963.4751

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	9/1/2021	10/12/2021	5	30	
2	Site Preparation	Site Preparation	10/13/2021	11/9/2021	5	20	
3	Grading	Grading	11/10/2021	1/11/2022	5	45	
4	Building Construction	Building Construction	1/12/2022	12/12/2023	5	500	
5	Paving	Paving	12/13/2023	1/30/2024	5	35	
6	Architectural Coating	Architectural Coating	1/31/2024	3/19/2024	5	35	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 112.5

Acres of Paving: 0

Residential Indoor: 2,025,000; Residential Outdoor: 675,000; Non-Residential Indoor: 326,400; Non-Residential Outdoor: 108,800; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Excavators	3	8.00	158	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Excavators	2	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	458.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	801.00	143.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	160.00	0.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Demolition - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0496	0.0000	0.0496	7.5100e-003	0.0000	7.5100e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0475	0.4716	0.3235	5.8000e-004		0.0233	0.0233		0.0216	0.0216	0.0000	51.0012	51.0012	0.0144	0.0000	51.3601
Total	0.0475	0.4716	0.3235	5.8000e-004	0.0496	0.0233	0.0729	7.5100e-003	0.0216	0.0291	0.0000	51.0012	51.0012	0.0144	0.0000	51.3601

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.2 Demolition - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.9300e-003	0.0634	0.0148	1.8000e-004	3.9400e-003	1.9000e-004	4.1300e-003	1.0800e-003	1.8000e-004	1.2600e-003	0.0000	17.4566	17.4566	1.2100e-003	0.0000	17.4869
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.2000e-004	5.3000e-004	6.0900e-003	2.0000e-005	1.6800e-003	1.0000e-005	1.6900e-003	4.5000e-004	1.0000e-005	4.6000e-004	0.0000	1.5281	1.5281	5.0000e-005	0.0000	1.5283
Total	2.6500e-003	0.0639	0.0209	2.0000e-004	5.6200e-003	2.0000e-004	5.8200e-003	1.5300e-003	1.9000e-004	1.7200e-003	0.0000	18.9847	18.9847	1.2600e-003	0.0000	19.0161

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0496	0.0000	0.0496	7.5100e-003	0.0000	7.5100e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0475	0.4716	0.3235	5.8000e-004		0.0233	0.0233		0.0216	0.0216	0.0000	51.0011	51.0011	0.0144	0.0000	51.3600
Total	0.0475	0.4716	0.3235	5.8000e-004	0.0496	0.0233	0.0729	7.5100e-003	0.0216	0.0291	0.0000	51.0011	51.0011	0.0144	0.0000	51.3600

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.2 Demolition - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.9300e-003	0.0634	0.0148	1.8000e-004	3.9400e-003	1.9000e-004	4.1300e-003	1.0800e-003	1.8000e-004	1.2600e-003	0.0000	17.4566	17.4566	1.2100e-003	0.0000	17.4869
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.2000e-004	5.3000e-004	6.0900e-003	2.0000e-005	1.6800e-003	1.0000e-005	1.6900e-003	4.5000e-004	1.0000e-005	4.6000e-004	0.0000	1.5281	1.5281	5.0000e-005	0.0000	1.5293
Total	2.6500e-003	0.0639	0.0209	2.0000e-004	5.6200e-003	2.0000e-004	5.8200e-003	1.5300e-003	1.9000e-004	1.7200e-003	0.0000	18.9847	18.9847	1.2600e-003	0.0000	19.0161

3.3 Site Preparation - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1807	0.0000	0.1807	0.0993	0.0000	0.0993	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0389	0.4050	0.2115	3.8000e-004		0.0204	0.0204		0.0188	0.0188	0.0000	33.4357	33.4357	0.0108	0.0000	33.7061
Total	0.0389	0.4050	0.2115	3.8000e-004	0.1807	0.0204	0.2011	0.0993	0.0188	0.1181	0.0000	33.4357	33.4357	0.0108	0.0000	33.7061



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.3 Site Preparation - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.8000e-004	4.3000e-004	4.8700e-003	1.0000e-005	1.3400e-003	1.0000e-005	1.3500e-003	3.6000e-004	1.0000e-005	3.7000e-004	0.0000	1.2225	1.2225	4.0000e-005	0.0000	1.2234
Total	5.8000e-004	4.3000e-004	4.8700e-003	1.0000e-005	1.3400e-003	1.0000e-005	1.3500e-003	3.6000e-004	1.0000e-005	3.7000e-004	0.0000	1.2225	1.2225	4.0000e-005	0.0000	1.2234

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1807	0.0000	0.1807	0.0993	0.0000	0.0993	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0389	0.4050	0.2115	3.8000e-004		0.0204	0.0204		0.0188	0.0188	0.0000	33.4357	33.4357	0.0108	0.0000	33.7060
Total	0.0389	0.4050	0.2115	3.8000e-004	0.1807	0.0204	0.2011	0.0993	0.0188	0.1181	0.0000	33.4357	33.4357	0.0108	0.0000	33.7060

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.3 Site Preparation - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.8000e-004	4.3000e-004	4.8700e-003	1.0000e-005	1.3400e-003	1.0000e-005	1.3500e-003	3.6000e-004	1.0000e-005	3.7000e-004	0.0000	1.2225	1.2225	4.0000e-005	0.0000	1.2234
Total	5.8000e-004	4.3000e-004	4.8700e-003	1.0000e-005	1.3400e-003	1.0000e-005	1.3500e-003	3.6000e-004	1.0000e-005	3.7000e-004	0.0000	1.2225	1.2225	4.0000e-005	0.0000	1.2234

3.4 Grading - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1741	0.0000	0.1741	0.0693	0.0000	0.0693	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0796	0.8816	0.5867	1.1800e-003		0.0377	0.0377		0.0347	0.0347	0.0000	103.5405	103.5405	0.0335	0.0000	104.3776
Total	0.0796	0.8816	0.5867	1.1800e-003	0.1741	0.0377	0.2118	0.0693	0.0347	0.1040	0.0000	103.5405	103.5405	0.0335	0.0000	104.3776



07-16
Cont.

Page 148 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.4 Grading - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.2200e-003	9.0000e-004	0.0103	3.0000e-005	2.8300e-003	2.0000e-005	2.8600e-003	7.5000e-004	2.0000e-005	7.8000e-004	0.0000	2.5808	2.5808	8.0000e-005	0.0000	2.5828
Total	1.2200e-003	9.0000e-004	0.0103	3.0000e-005	2.8300e-003	2.0000e-005	2.8600e-003	7.5000e-004	2.0000e-005	7.8000e-004	0.0000	2.5808	2.5808	8.0000e-005	0.0000	2.5828

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1741	0.0000	0.1741	0.0693	0.0000	0.0693	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0796	0.8816	0.5867	1.1800e-003		0.0377	0.0377		0.0347	0.0347	0.0000	103.5403	103.5403	0.0335	0.0000	104.3775
Total	0.0796	0.8816	0.5867	1.1800e-003	0.1741	0.0377	0.2118	0.0693	0.0347	0.1040	0.0000	103.5403	103.5403	0.0335	0.0000	104.3775

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.4 Grading - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.2200e-003	9.0000e-004	0.0103	3.0000e-005	2.8300e-003	2.0000e-005	2.8600e-003	7.5000e-004	2.0000e-005	7.8000e-004	0.0000	2.5808	2.5808	8.0000e-005	0.0000	2.5828
Total	1.2200e-003	9.0000e-004	0.0103	3.0000e-005	2.8300e-003	2.0000e-005	2.8600e-003	7.5000e-004	2.0000e-005	7.8000e-004	0.0000	2.5808	2.5808	8.0000e-005	0.0000	2.5828

3.4 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0807	0.0000	0.0807	0.0180	0.0000	0.0180	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0127	0.1360	0.1017	2.2000e-004		5.7200e-003	5.7200e-003		5.2600e-003	5.2600e-003	0.0000	19.0871	19.0871	6.1700e-003	0.0000	19.2414
Total	0.0127	0.1360	0.1017	2.2000e-004	0.0807	5.7200e-003	0.0865	0.0180	5.2600e-003	0.0233	0.0000	19.0871	19.0871	6.1700e-003	0.0000	19.2414

07-16
Cont.

Page 150 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.4 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.1000e-004	1.5000e-004	1.7400e-003	1.0000e-005	5.2000e-004	0.0000	5.3000e-004	1.4000e-004	0.0000	1.4000e-004	0.0000	0.4587	0.4587	1.0000e-005	0.0000	0.4590
Total	2.1000e-004	1.5000e-004	1.7400e-003	1.0000e-005	5.2000e-004	0.0000	5.3000e-004	1.4000e-004	0.0000	1.4000e-004	0.0000	0.4587	0.4587	1.0000e-005	0.0000	0.4590

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0807	0.0000	0.0807	0.0180	0.0000	0.0180	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0127	0.1360	0.1017	2.2000e-004		5.7200e-003	5.7200e-003		5.2600e-003	5.2600e-003	0.0000	19.0871	19.0871	6.1700e-003	0.0000	19.2414
Total	0.0127	0.1360	0.1017	2.2000e-004	0.0807	5.7200e-003	0.0865	0.0180	5.2600e-003	0.0233	0.0000	19.0871	19.0871	6.1700e-003	0.0000	19.2414

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.4 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.1000e-004	1.5000e-004	1.7400e-003	1.0000e-005	5.2000e-004	0.0000	5.3000e-004	1.4000e-004	0.0000	1.4000e-004	0.0000	0.4587	0.4587	1.0000e-005	0.0000	0.4590
Total	2.1000e-004	1.5000e-004	1.7400e-003	1.0000e-005	5.2000e-004	0.0000	5.3000e-004	1.4000e-004	0.0000	1.4000e-004	0.0000	0.4587	0.4587	1.0000e-005	0.0000	0.4590

3.5 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.2158	1.9754	2.0700	3.4100e-003		0.1023	0.1023		0.0963	0.0963	0.0000	293.1324	293.1324	0.0702	0.0000	294.8881
Total	0.2158	1.9754	2.0700	3.4100e-003		0.1023	0.1023		0.0963	0.0963	0.0000	293.1324	293.1324	0.0702	0.0000	294.8881



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.5 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0527	1.6961	0.4580	4.5500e-003	0.1140	3.1800e-003	0.1171	0.0329	3.0400e-003	0.0359	0.0000	441.9835	441.9835	0.0264	0.0000	442.6435
Worker	0.3051	0.2164	2.5233	7.3500e-003	0.7557	6.2300e-003	0.7619	0.2007	5.7400e-003	0.2065	0.0000	663.9936	663.9936	0.0187	0.0000	664.4604
Total	0.3578	1.9125	2.9812	0.0119	0.8696	9.4100e-003	0.8790	0.2336	8.7800e-003	0.2424	0.0000	1,105.9771	1,105.9771	0.0451	0.0000	1,107.1039

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.2158	1.9754	2.0700	3.4100e-003		0.1023	0.1023		0.0963	0.0963	0.0000	293.1321	293.1321	0.0702	0.0000	294.8877
Total	0.2158	1.9754	2.0700	3.4100e-003		0.1023	0.1023		0.0963	0.0963	0.0000	293.1321	293.1321	0.0702	0.0000	294.8877



07-16
Cont.

Page 153 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.5 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0527	1.6961	0.4580	4.5500e-003	0.1140	3.1800e-003	0.1171	0.0329	3.0400e-003	0.0359	0.0000	441.9835	441.9835	0.0264	0.0000	442.6435
Worker	0.3051	0.2164	2.5233	7.3500e-003	0.7557	6.2300e-003	0.7619	0.2007	5.7400e-003	0.2065	0.0000	663.9936	663.9936	0.0187	0.0000	664.4604
Total	0.3578	1.9125	2.9812	0.0119	0.8696	9.4100e-003	0.8790	0.2336	8.7800e-003	0.2424	0.0000	1,105.9771	1,105.9771	0.0451	0.0000	1,107.1039

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1942	1.7765	2.0061	3.3300e-003		0.0864	0.0864		0.0813	0.0813	0.0000	286.2789	286.2789	0.0681	0.0000	287.9814
Total	0.1942	1.7765	2.0061	3.3300e-003		0.0864	0.0864		0.0813	0.0813	0.0000	286.2789	286.2789	0.0681	0.0000	287.9814



07-16
Cont.

Page 154 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.5 Building Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0382	1.2511	0.4011	4.3000e-003	0.1113	1.4600e-003	0.1127	0.0321	1.4000e-003	0.0335	0.0000	417.9930	417.9930	0.0228	0.0000	418.5624
Worker	0.2795	0.1910	2.2635	6.9100e-003	0.7377	5.9100e-003	0.7436	0.1960	5.4500e-003	0.2014	0.0000	624.5363	624.5363	0.0164	0.0000	624.9466
Total	0.3177	1.4420	2.6646	0.0112	0.8490	7.3700e-003	0.8564	0.2281	6.8500e-003	0.2349	0.0000	1,042.5294	1,042.5294	0.0392	0.0000	1,043.5090

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1942	1.7765	2.0061	3.3300e-003		0.0864	0.0864		0.0813	0.0813	0.0000	286.2785	286.2785	0.0681	0.0000	287.9811
Total	0.1942	1.7765	2.0061	3.3300e-003		0.0864	0.0864		0.0813	0.0813	0.0000	286.2785	286.2785	0.0681	0.0000	287.9811

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.5 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0382	1.2511	0.4011	4.3000e-003	0.1113	1.4600e-003	0.1127	0.0321	1.4000e-003	0.0335	0.0000	417.9930	417.9930	0.0228	0.0000	418.5624
Worker	0.2795	0.1910	2.2635	6.9100e-003	0.7377	5.9100e-003	0.7436	0.1960	5.4500e-003	0.2014	0.0000	624.5363	624.5363	0.0164	0.0000	624.9466
Total	0.3177	1.4420	2.6646	0.0112	0.8490	7.3700e-003	0.8564	0.2281	6.8500e-003	0.2349	0.0000	1,042.5294	1,042.5294	0.0392	0.0000	1,043.5090

3.6 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	6.7100e-003	0.0663	0.0948	1.5000e-004		3.3200e-003	3.3200e-003		3.0500e-003	3.0500e-003	0.0000	13.0175	13.0175	4.2100e-003	0.0000	13.1227
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	6.7100e-003	0.0663	0.0948	1.5000e-004		3.3200e-003	3.3200e-003		3.0500e-003	3.0500e-003	0.0000	13.0175	13.0175	4.2100e-003	0.0000	13.1227

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.6 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.8000e-004	1.9000e-004	2.2300e-003	1.0000e-005	7.3000e-004	1.0000e-005	7.3000e-004	1.9000e-004	1.0000e-005	2.0000e-004	0.0000	0.6156	0.6156	2.0000e-005	0.0000	0.6160
Total	2.8000e-004	1.9000e-004	2.2300e-003	1.0000e-005	7.3000e-004	1.0000e-005	7.3000e-004	1.9000e-004	1.0000e-005	2.0000e-004	0.0000	0.6156	0.6156	2.0000e-005	0.0000	0.6160

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	6.7100e-003	0.0663	0.0948	1.5000e-004		3.3200e-003	3.3200e-003		3.0500e-003	3.0500e-003	0.0000	13.0175	13.0175	4.2100e-003	0.0000	13.1227
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	6.7100e-003	0.0663	0.0948	1.5000e-004		3.3200e-003	3.3200e-003		3.0500e-003	3.0500e-003	0.0000	13.0175	13.0175	4.2100e-003	0.0000	13.1227

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.6 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.8000e-004	1.9000e-004	2.2300e-003	1.0000e-005	7.3000e-004	1.0000e-005	7.3000e-004	1.9000e-004	1.0000e-005	2.0000e-004	0.0000	0.6156	0.6156	2.0000e-005	0.0000	0.6160
Total	2.8000e-004	1.9000e-004	2.2300e-003	1.0000e-005	7.3000e-004	1.0000e-005	7.3000e-004	1.9000e-004	1.0000e-005	2.0000e-004	0.0000	0.6156	0.6156	2.0000e-005	0.0000	0.6160

3.6 Paving - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0109	0.1048	0.1609	2.5000e-004		5.1500e-003	5.1500e-003		4.7400e-003	4.7400e-003	0.0000	22.0292	22.0292	7.1200e-003	0.0000	22.2073
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0109	0.1048	0.1609	2.5000e-004		5.1500e-003	5.1500e-003		4.7400e-003	4.7400e-003	0.0000	22.0292	22.0292	7.1200e-003	0.0000	22.2073

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.6 Paving - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.4000e-004	2.9000e-004	3.5100e-003	1.0000e-005	1.2300e-003	1.0000e-005	1.2400e-003	3.3000e-004	1.0000e-005	3.4000e-004	0.0000	1.0094	1.0094	3.0000e-005	0.0000	1.0100
Total	4.4000e-004	2.9000e-004	3.5100e-003	1.0000e-005	1.2300e-003	1.0000e-005	1.2400e-003	3.3000e-004	1.0000e-005	3.4000e-004	0.0000	1.0094	1.0094	3.0000e-005	0.0000	1.0100

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0109	0.1048	0.1609	2.5000e-004	5.1500e-003	5.1500e-003	5.1500e-003	4.7400e-003	4.7400e-003	4.7400e-003	0.0000	22.0292	22.0292	7.1200e-003	0.0000	22.2073
Paving	0.0000				0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0109	0.1048	0.1609	2.5000e-004	5.1500e-003	5.1500e-003	5.1500e-003	4.7400e-003	4.7400e-003	4.7400e-003	0.0000	22.0292	22.0292	7.1200e-003	0.0000	22.2073

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.6 Paving - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.4000e-004	2.9000e-004	3.5100e-003	1.0000e-005	1.2300e-003	1.0000e-005	1.2400e-003	3.3000e-004	1.0000e-005	3.4000e-004	0.0000	1.0094	1.0094	3.0000e-005	0.0000	1.0100
Total	4.4000e-004	2.9000e-004	3.5100e-003	1.0000e-005	1.2300e-003	1.0000e-005	1.2400e-003	3.3000e-004	1.0000e-005	3.4000e-004	0.0000	1.0094	1.0094	3.0000e-005	0.0000	1.0100

3.7 Architectural Coating - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	4.1372					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.1600e-003	0.0213	0.0317	5.0000e-005		1.0700e-003	1.0700e-003		1.0700e-003	1.0700e-003	0.0000	4.4682	4.4682	2.5000e-004	0.0000	4.4745
Total	4.1404	0.0213	0.0317	5.0000e-005		1.0700e-003	1.0700e-003		1.0700e-003	1.0700e-003	0.0000	4.4682	4.4682	2.5000e-004	0.0000	4.4745

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.7 Architectural Coating - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.4800e-003	4.9300e-003	0.0596	1.9000e-004	0.0209	1.6000e-004	0.0211	5.5500e-003	1.5000e-004	5.7000e-003	0.0000	17.1287	17.1287	4.3000e-004	0.0000	17.1394
Total	7.4800e-003	4.9300e-003	0.0596	1.9000e-004	0.0209	1.6000e-004	0.0211	5.5500e-003	1.5000e-004	5.7000e-003	0.0000	17.1287	17.1287	4.3000e-004	0.0000	17.1394

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	4.1372					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.1600e-003	0.0213	0.0317	5.0000e-005		1.0700e-003	1.0700e-003		1.0700e-003	1.0700e-003	0.0000	4.4682	4.4682	2.5000e-004	0.0000	4.4745
Total	4.1404	0.0213	0.0317	5.0000e-005		1.0700e-003	1.0700e-003		1.0700e-003	1.0700e-003	0.0000	4.4682	4.4682	2.5000e-004	0.0000	4.4745

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

3.7 Architectural Coating - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.4800e-003	4.9300e-003	0.0596	1.9000e-004	0.0209	1.6000e-004	0.0211	5.5500e-003	1.5000e-004	5.7000e-003	0.0000	17.1287	17.1287	4.3000e-004	0.0000	17.1394
Total	7.4800e-003	4.9300e-003	0.0596	1.9000e-004	0.0209	1.6000e-004	0.0211	5.5500e-003	1.5000e-004	5.7000e-003	0.0000	17.1287	17.1287	4.3000e-004	0.0000	17.1394

07-16
Cont.

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Page 162 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NonBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	1.5857	7.9962	19.1834	0.0821	7.7979	0.0580	7.8559	2.0895	0.0539	2.1434	0.0000	7,620,498.6	7,620,498.6	0.3407	0.0000	7,629,016.2
Unmitigated	1.5857	7.9962	19.1834	0.0821	7.7979	0.0580	7.8559	2.0895	0.0539	2.1434	0.0000	7,620,498.6	7,620,498.6	0.3407	0.0000	7,629,016.2

07-16
Cont.

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	145.75	154.25	154.00	506,227	506,227
Apartments Mid Rise	4,026.75	3,773.25	4075.50	13,660,065	13,660,065
General Office Building	288.45	62.55	31.05	706,812	706,812
High Turnover (Sit Down Restaurant)	2,368.80	2,873.52	2817.72	3,413,937	3,413,937
Hotel	192.00	187.50	160.00	445,703	445,703
Quality Restaurant	501.12	511.92	461.20	707,488	707,488
Regional Shopping Center	528.08	601.44	357.84	1,112,221	1,112,221
Total	8,050.95	8,164.43	8,057.31	20,552,452	20,552,452

4.3 Trip Type Information

Page 163 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
Apartments Mid Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
General Office Building	16.60	8.40	6.90	33.00	48.00	19.00	77	19	4
High Turnover (Sit Down)	16.60	8.40	6.90	8.50	72.50	19.00	37	20	43
Hotel	16.60	8.40	6.90	19.40	61.60	19.00	58	38	4
Quality Restaurant	16.60	8.40	6.90	12.00	69.00	19.00	38	18	44
Regional Shopping Center	16.60	8.40	6.90	16.30	64.70	19.00	54	35	11

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Apartments Mid Rise	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
General Office Building	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
High Turnover (Sit Down Restaurant)	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Hotel	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Quality Restaurant	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Regional Shopping Center	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy



O7-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	2,512.6465	2,512.6465	0.1037	0.0215	2,521.6356
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	2,512.6465	2,512.6465	0.1037	0.0215	2,521.6356
Natural Gas Mitigated	0.1398	1.2312	0.7770	7.6200e-003		0.0966	0.0966		0.0966	0.0966	0.0000	1,383.4267	1,383.4267	0.0265	0.0254	1,391.6478
Natural Gas Unmitigated	0.1398	1.2312	0.7770	7.6200e-003		0.0966	0.0966		0.0966	0.0966	0.0000	1,383.4267	1,383.4267	0.0265	0.0254	1,391.6478



07-16
Cont.

Page 165 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	408494	2.2000e-003	0.0188	8.0100e-003	1.2000e-004		1.5200e-003	1.5200e-003		1.5200e-003	1.5200e-003	0.0000	21.7988	21.7988	4.2000e-004	4.0000e-004	21.9284
Apartments Mid Rise	1.30613e+007	0.0704	0.6018	0.2561	3.8400e-003		0.0487	0.0487		0.0487	0.0487	0.0000	696.9989	696.9989	0.0134	0.0128	701.1408
General Office Building	468450	2.5300e-003	0.0230	0.0193	1.4000e-004		1.7500e-003	1.7500e-003		1.7500e-003	1.7500e-003	0.0000	24.9983	24.9983	4.8000e-004	4.6000e-004	25.1468
High Turnover (Sit Down Restaurant)	8.30736e+006	0.0448	0.4072	0.3421	2.4400e-003		0.0310	0.0310		0.0310	0.0310	0.0000	443.3124	443.3124	8.5000e-003	8.1300e-003	445.9468
Hotel	1.74095e+006	9.3900e-003	0.0853	0.0717	5.1000e-004		6.4900e-003	6.4900e-003		6.4900e-003	6.4900e-003	0.0000	92.9036	92.9036	1.7800e-003	1.7000e-003	93.4557
Quality Restaurant	1.84608e+006	9.9500e-003	0.0905	0.0760	5.4000e-004		6.8800e-003	6.8800e-003		6.8800e-003	6.8800e-003	0.0000	98.5139	98.5139	1.8900e-003	1.8100e-003	99.0993
Regional Shopping Center	91840	5.0000e-004	4.5000e-003	3.7800e-003	3.0000e-005		3.4000e-004	3.4000e-004		3.4000e-004	3.4000e-004	0.0000	4.9009	4.9009	9.0000e-005	9.0000e-005	4.9301
Total		0.1398	1.2312	0.7770	7.6200e-003		0.0966	0.0966		0.0966	0.0966	0.0000	1,383.4268	1,383.4268	0.0265	0.0254	1,391.6478

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	408494	2.2000e-003	0.0188	8.0100e-003	1.2000e-004		1.5200e-003	1.5200e-003		1.5200e-003	1.5200e-003	0.0000	21.7988	21.7988	4.2000e-004	4.0000e-004	21.9284
Apartments Mid Rise	1.30613e+007	0.0704	0.6018	0.2561	3.8400e-003		0.0487	0.0487		0.0487	0.0487	0.0000	696.9989	696.9989	0.0134	0.0128	701.1408
General Office Building	468450	2.5300e-003	0.0230	0.0193	1.4000e-004		1.7500e-003	1.7500e-003		1.7500e-003	1.7500e-003	0.0000	24.9983	24.9983	4.8000e-004	4.8000e-004	25.1468
High Turnover (Sit Down Restaurant)	8.30738e+006	0.0448	0.4072	0.3421	2.4400e-003		0.0310	0.0310		0.0310	0.0310	0.0000	443.3124	443.3124	8.5000e-003	8.1300e-003	445.9468
Hotel	1.74095e+006	9.3900e-003	0.0853	0.0717	5.1000e-004		6.4900e-003	6.4900e-003		6.4900e-003	6.4900e-003	0.0000	92.9036	92.9036	1.7800e-003	1.7000e-003	93.4557
Quality Restaurant	1.84608e+006	9.9500e-003	0.0905	0.0760	5.4000e-004		6.8800e-003	6.8800e-003		6.8800e-003	6.8800e-003	0.0000	98.5139	98.5139	1.8900e-003	1.8100e-003	99.0993
Regional Shopping Center	91840	5.0000e-004	4.5000e-003	3.7800e-003	3.0000e-005		3.4000e-004	3.4000e-004		3.4000e-004	3.4000e-004	0.0000	4.9009	4.9009	9.0000e-005	9.0000e-005	4.9301
Total		0.1398	1.2312	0.7770	7.6200e-003		0.0966	0.0966		0.0966	0.0966	0.0000	1,383.4268	1,383.4268	0.0265	0.0254	1,391.6478

07-16 Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

5.3 Energy by Land Use - Electricity

Unmitigated

Land Use	Electricity Use kWh/yr	Total CO2 MT/yr	CH4 MT/yr	N2O MT/yr	CO2e MT/yr
Apartments Low Rise	106010	33.7770	4.3900e-003	2.9000e-004	33.8978
Apartments Mid Rise	3.94697e+006	1,257.5879	0.0519	0.0107	1,262.0869
General Office Building	584550	186.2502	7.6900e-003	1.5900e-003	186.9165
High Turnover (Sit Down Restaurant)	1.58904e+006	506.3022	0.0209	4.3200e-003	508.1135
Hotel	550308	175.3399	7.2400e-003	1.5000e-003	175.9672
Quality Restaurant	353120	112.5116	4.6500e-003	9.6000e-004	112.9141
Regional Shopping Center	756000	240.8778	9.9400e-003	2.0600e-003	241.7395
Total		2,512.6465	0.1037	0.0215	2,521.6356

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

5.3 Energy by Land Use - Electricity

Mitigated

Land Use	Electricity Use kWh/yr	Total CO2 MT/yr	CH4 MT/yr	N2O MT/yr	CO2e MT/yr
Apartments Low Rise	106010	33.7770	1.3900e-003	2.9000e-004	33.8978
Apartments Mid Rise	3.94697e+006	1,257,587.9	0.0519	0.0107	1,262,086.9
General Office Building	584550	186.2502	7.6900e-003	1.5900e-003	186.9165
High Turnover (Sit Down Restaurant)	1.58904e+006	506.3022	0.0209	4.3200e-003	508.1135
Hotel	550308	175.3399	7.2400e-003	1.5000e-003	175.9672
Quality Restaurant	353120	112.5116	4.6500e-003	9.6000e-004	112.9141
Regional Shopping Center	756000	240.8778	9.9400e-003	2.0600e-003	241.7395
Total		2,512,646.5	0.1037	0.0215	2,521,635.6

6.0 Area Detail

6.1 Mitigation Measures Area



07-16
Cont.

Page 169 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	5.1437	0.2950	10.3804	1.6700e-003		0.0714	0.0714		0.0714	0.0714	0.0000	220.9670	220.9670	0.0201	3.7400e-003	222.5835
Unmitigated	5.1437	0.2950	10.3804	1.6700e-003		0.0714	0.0714		0.0714	0.0714	0.0000	220.9670	220.9670	0.0201	3.7400e-003	222.5835

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.4137					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	4.3998					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0206	0.1763	0.0750	1.1200e-003		0.0143	0.0143		0.0143	0.0143	0.0000	204.1166	204.1166	3.9100e-003	3.7400e-003	205.3295
Landscaping	0.3096	0.1187	10.3054	5.4000e-004		0.0572	0.0572		0.0572	0.0572	0.0000	16.8504	16.8504	0.0161	0.0000	17.2540
Total	5.1437	0.2950	10.3804	1.6600e-003		0.0714	0.0714		0.0714	0.0714	0.0000	220.9670	220.9670	0.0201	3.7400e-003	222.5835



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.4137					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	4.3998					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0206	0.1783	0.0750	1.1200e-003		0.0143	0.0143		0.0143	0.0143	0.0000	204.1166	204.1166	3.9100e-003	3.7400e-003	205.3295
Landscaping	0.3096	0.1187	10.3054	5.4000e-004		0.0572	0.0572		0.0572	0.0572	0.0000	16.8504	16.8504	0.0161	0.0000	17.2540
Total	5.1437	0.2950	10.3804	1.6600e-003		0.0714	0.0714		0.0714	0.0714	0.0000	220.9670	220.9670	0.0201	3.7400e-003	222.5835

7.0 Water Detail

7.1 Mitigation Measures Water

07-16
Cont.

CalEEMod Version: CalEEMod.2016.3.2

Page 38 of 44

Date: 1/12/2021 2:26 PM

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	585.8052	3.0183	0.0755	683.7567
Unmitigated	585.8052	3.0183	0.0755	683.7567

07-16
Cont.

Page 172 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	1.62885 / 1.02688	10.9095	0.0535	1.3400e-003	12.6471
Apartments Mid Rise	63.5252 / 40.0485	425.4719	2.0867	0.0523	493.2363
General Office Building	7.99802 / 4.90201	53.0719	0.2627	6.5900e-003	61.6019
High Turnover (Sit Down Restaurant)	10.9272 / 0.697482	51.2702	0.3580	8.8200e-003	62.8482
Hotel	1.26834 / 0.140927	6.1633	0.0416	1.0300e-003	7.5079
Quality Restaurant	2.42827 / 0.154996	11.3934	0.0796	1.9600e-003	13.9663
Regional Shopping Center	4.14806 / 2.54236	27.5250	0.1363	3.4200e-003	31.9490
Total		585.8052	3.0183	0.0755	683.7567

07-16
Cont.

Page 173 of 270 in Comment Letter O7

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	1.82885 / 1.02688	10.9095	0.0535	1.3400e-003	12.6471
Apartments Mid Rise	63.5252 / 40.0486	425.4719	2.0867	0.0523	493.2363
General Office Building	7.99802 / 4.90201	53.0719	0.2627	6.5900e-003	61.6019
High Turnover (Sit Down Restaurant)	10.9272 / 0.697482	51.2702	0.3580	8.8200e-003	62.8482
Hotel	1.26834 / 0.140927	6.1633	0.0416	1.0300e-003	7.5079
Quality Restaurant	2.42827 / 0.154996	11.3934	0.0796	1.9600e-003	13.9663
Regional Shopping Center	4.14806 / 2.54236	27.5250	0.1363	3.4200e-003	31.9480
Total		685.8052	3.0183	0.0755	683.7567

8.0 Waste Detail

8.1 Mitigation Measures Waste

07-16
Cont.

CalEEMod Version: CalEEMod.2016.3.2

Page 41 of 44

Date: 1/12/2021 2:26 PM

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	207.8079	12.2811	0.0000	514.8354
Unmitigated	207.8079	12.2811	0.0000	514.8354

07-16
Cont.

Page 175 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Low Rise	11.5	2.3344	0.1380	0.0000	5.7834
Apartments Mid Rise	448.5	91.0415	5.3804	0.0000	225.5513
General Office Building	41.85	8.4952	0.5021	0.0000	21.0464
High Turnover (Sit Down Restaurant)	428.4	86.9613	5.1393	0.0000	215.4430
Hotel	27.38	5.5579	0.3285	0.0000	13.7694
Quality Restaurant	7.3	1.4818	0.0876	0.0000	3.6712
Regional Shopping Center	58.8	11.9359	0.7054	0.0000	29.5706
Total		207.8079	12.2811	0.0000	514.8354



07-16
Cont.

8.2 Waste by Land Use

Mitigated

Land Use	Waste Disposed tons	Total CO2 MT/yr	CH4 MT/yr	N2O MT/yr	CO2e MT/yr
Apartments Low Rise	11.5	2.3344	0.1380	0.0000	5.7894
Apartments Mid Rise	448.5	91.0415	5.3804	0.0000	225.5513
General Office Building	41.85	8.4952	0.5021	0.0000	21.0464
High Turnover (Sit Down Restaurant)	428.4	86.9613	5.1393	0.0000	215.4430
Hotel	27.38	5.5579	0.3285	0.0000	13.7694
Quality Restaurant	7.3	1.4818	0.0876	0.0000	3.8712
Regional Shopping Center	58.8	11.9358	0.7054	0.0000	29.5706
Total		207.8079	12.2811	0.0000	514.8354

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

07-16
Cont.

Page 177 of 270 in Comment Letter 07

CalEEMod Version: CalEEMod.2016.3.2

Page 44 of 44

Date: 1/12/2021 2:26 PM

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Annual

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation



07-16
Cont.

Page 178 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

Village South Specific Plan (Proposed)
Los Angeles-South Coast County, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	45.00	1000sqft	1.03	45,000.00	0
High Turnover (Sit Down Restaurant)	36.00	1000sqft	0.83	36,000.00	0
Hotel	50.00	Room	1.67	72,600.00	0
Quality Restaurant	8.00	1000sqft	0.18	8,000.00	0
Apartments Low Rise	25.00	Dwelling Unit	1.56	25,000.00	72
Apartments Mid Rise	975.00	Dwelling Unit	25.66	975,000.00	2789
Regional Shopping Center	56.00	1000sqft	1.29	56,000.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	33
Climate Zone	9			Operational Year	2028
Utility Company	Southern California Edison				
CO2 Intensity (lb/MW/hr)	702.44	CH4 Intensity (lb/MW/hr)	0.029	N2O Intensity (lb/MW/hr)	0.006

1.3 User Entered Comments & Non-Default Data

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

Project Characteristics - Consistent with the DEIR's model.

Land Use - See SWAPE comment regarding residential and retail land uses.

Construction Phase - See SWAPE comment regarding individual construction phase lengths.

Demolition - Consistent with the DEIR's model. See SWAPE comment regarding demolition.

Vehicle Trips - Saturday trips consistent with the DEIR's model. See SWAPE comment regarding weekday and Sunday trips.

Woodstoves - Woodstoves and wood-burning fireplaces consistent with the DEIR's model. See SWAPE comment regarding gas fireplaces.

Energy Use -

Construction Off-road Equipment Mitigation - See SWAPE comment on construction-related mitigation.

Area Mitigation - See SWAPE comment regarding operational mitigation measures.

Water Mitigation - See SWAPE comment regarding operational mitigation measures.

Trips and VMT - Local hire provision

Table Name	Column Name	Default Value	New Value
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	NumberWood	1.25	0.00
tblFireplaces	NumberWood	48.75	0.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblVehicleTrips	ST_TR	7.16	6.17
tblVehicleTrips	ST_TR	6.39	3.87
tblVehicleTrips	ST_TR	2.46	1.39
tblVehicleTrips	ST_TR	158.37	79.82

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

tblVehicleTrips	ST_TR	8.19	3.75
tblVehicleTrips	ST_TR	94.36	63.99
tblVehicleTrips	ST_TR	49.97	10.74
tblVehicleTrips	SU_TR	6.07	6.16
tblVehicleTrips	SU_TR	5.86	4.18
tblVehicleTrips	SU_TR	1.05	0.69
tblVehicleTrips	SU_TR	131.84	78.27
tblVehicleTrips	SU_TR	5.95	3.20
tblVehicleTrips	SU_TR	72.16	57.65
tblVehicleTrips	SU_TR	25.24	6.39
tblVehicleTrips	WD_TR	6.59	5.83
tblVehicleTrips	WD_TR	6.65	4.13
tblVehicleTrips	WD_TR	11.03	6.41
tblVehicleTrips	WD_TR	127.15	65.80
tblVehicleTrips	WD_TR	8.17	3.84
tblVehicleTrips	WD_TR	89.95	62.64
tblVehicleTrips	WD_TR	42.70	9.43
tblWoodstoves	NumberCatalytic	1.25	0.00
tblWoodstoves	NumberCatalytic	48.75	0.00
tblWoodstoves	NumberNoncatalytic	1.25	0.00
tblWoodstoves	NumberNoncatalytic	48.75	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00

07-16
Cont.

2.0 Emissions Summary

Page 181 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	Non-Biogenic CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2021	4.2561	46.4415	31.4494	0.0636	18.2032	2.0456	20.2488	9.9670	1.8820	11.8490	0.0000	6,163.4166	6,163.4166	1.9475	0.0000	6,212.1039
2022	4.5441	38.8811	40.8776	0.1240	8.8255	1.6361	10.4616	3.6369	1.5052	5.1421	0.0000	12,493.4403	12,493.4403	1.9485	0.0000	12,518.5707
2023	4.1534	25.7658	38.7457	0.1206	7.0088	0.7592	7.7679	1.8799	0.7136	2.5935	0.0000	12,150.4890	12,150.4890	0.9589	0.0000	12,174.4615
2024	237.0219	9.5478	14.9642	0.0239	1.2171	0.4694	1.2875	0.3229	0.4319	0.4621	0.0000	2,313.1808	2,313.1808	0.7166	0.0000	2,331.0956
Maximum	237.0219	46.4415	40.8776	0.1240	18.2032	2.0456	20.2488	9.9670	1.8820	11.8490	0.0000	12,493.4403	12,493.4403	1.9485	0.0000	12,518.5707

07-16
Cont.

Page 182 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

2.1 Overall Construction (Maximum Daily Emission)

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2021	4.2561	46.4415	31.4494	0.0636	18.2032	2.0456	20.2488	9.9670	1.8820	11.8490	0.0000	6,163.4166	6,163.4166	1.9475	0.0000	6,212.1039
2022	4.5441	38.8811	40.8776	0.1240	8.8255	1.6361	10.4616	3.6369	1.5052	5.1421	0.0000	12,493.4403	12,493.4403	1.9485	0.0000	12,518.5707
2023	4.1534	25.7658	38.7457	0.1206	7.0088	0.7592	7.7679	1.8799	0.7136	2.5935	0.0000	12,150.4890	12,150.4890	0.9589	0.0000	12,174.4615
2024	237.0219	9.5478	14.9642	0.0239	1.2171	0.4694	1.2875	0.3229	0.4319	0.4621	0.0000	2,313.1808	2,313.1808	0.7166	0.0000	2,331.0955
Maximum	237.0219	46.4415	40.8776	0.1240	18.2032	2.0456	20.2488	9.9670	1.8820	11.8490	0.0000	12,493.4403	12,493.4403	1.9485	0.0000	12,518.5707
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

07-16
Cont.

Page 183 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	Non-Biogenic CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192
Energy	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387
Mobile	9.8489	45.4304	114.8495	0.4917	45.9592	0.3360	46.2951	12.2950	0.3119	12.6070		50,306.6034	50,306.6034	2.1807		50,361.1208
Total	41.1168	67.2262	207.5497	0.6278	45.9592	2.4626	48.4217	12.2950	2.4385	14.7336	0.0000	76,811.1816	76,811.1816	2.8282	0.4832	77,025.8786

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Biogenic CO2	Non-Biogenic CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192
Energy	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387
Mobile	9.8489	45.4304	114.8495	0.4917	45.9592	0.3360	46.2951	12.2950	0.3119	12.6070		50,306.6034	50,306.6034	2.1807		50,361.1208
Total	41.1168	67.2262	207.5497	0.6278	45.9592	2.4626	48.4217	12.2950	2.4385	14.7336	0.0000	76,811.1816	76,811.1816	2.8282	0.4832	77,025.8786

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	9/1/2021	10/12/2021	5	30	
2	Site Preparation	Site Preparation	10/13/2021	11/9/2021	5	20	
3	Grading	Grading	11/10/2021	1/11/2022	5	45	
4	Building Construction	Building Construction	1/12/2022	12/12/2023	5	500	
5	Paving	Paving	12/13/2023	1/30/2024	5	35	
6	Architectural Coating	Architectural Coating	1/31/2024	3/19/2024	5	35	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 112.5

Acres of Paving: 0

Residential Indoor: 2,025,000; Residential Outdoor: 675,000; Non-Residential Indoor: 326,400; Non-Residential Outdoor: 108,800; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Excavators	3	8.00	158	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Excavators	2	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

07-16
Cont.

Page 186 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	458.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	801.00	143.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	160.00	0.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Demolition - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.3074	0.0000	3.3074	0.5008	0.0000	0.5008			0.0000			0.0000
Off-Road	3.1651	31.4407	21.5650	0.0388		1.5513	1.5513		1.4411	1.4411		3,747.9449	3,747.9449	1.0549		3,774.3174
Total	3.1651	31.4407	21.5650	0.0388	3.3074	1.5513	4.8588	0.5008	1.4411	1.9419		3,747.9449	3,747.9449	1.0549		3,774.3174

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.2 Demolition - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1273	4.0952	0.9602	0.0119	0.2669	0.0126	0.2795	0.0732	0.0120	0.0852		1,292.241 3	1,292.241 3	0.0877		1,294.433 7
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0487	0.0313	0.4282	1.1800e-003	0.1141	9.5000e-004	0.1151	0.0303	8.8000e-004	0.0311		117.2799	117.2799	3.5200e-003		117.3678
Total	0.1760	4.1265	1.3884	0.0131	0.3810	0.0135	0.3946	0.1034	0.0129	0.1163		1,409.521 2	1,409.521 2	0.0912		1,411.801 5

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.3074	0.0000	3.3074	0.5008	0.0000	0.5008			0.0000			0.0000
Off-Road	3.1651	31.4407	21.5650	0.0388		1.5513	1.5513		1.4411	1.4411	0.0000	3,747.944 9	3,747.944 9	1.0549		3,774.317 4
Total	3.1651	31.4407	21.5650	0.0388	3.3074	1.5513	4.8588	0.5008	1.4411	1.9419	0.0000	3,747.944 9	3,747.944 9	1.0549		3,774.317 4

07-16
Cont.

Page 188 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.2 Demolition - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1273	4.0952	0.9602	0.0119	0.2669	0.0126	0.2795	0.0732	0.0120	0.0852		1,292.2413	1,292.2413	0.0877		1,294.4337
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0487	0.0313	0.4282	1.1800e-003	0.1141	9.5000e-004	0.1151	0.0303	8.8000e-004	0.0311		117.2799	117.2799	3.5200e-003		117.3678
Total	0.1760	4.1265	1.3884	0.0131	0.3810	0.0135	0.3946	0.1034	0.0129	0.1163		1,409.5212	1,409.5212	0.0912		1,411.8015

3.3 Site Preparation - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.0663	0.0000	18.0663	9.9307	0.0000	9.9307			0.0000			0.0000
Off-Road	3.8882	40.4971	21.1543	0.0380		2.0445	2.0445		1.8809	1.8809		3,685.6569	3,685.6569	1.1920		3,715.4573
Total	3.8882	40.4971	21.1543	0.0380	18.0663	2.0445	20.1107	9.9307	1.8809	11.8116		3,685.6569	3,685.6569	1.1920		3,715.4573

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.3 Site Preparation - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0584	0.0375	0.5139	1.4100e-003	0.1369	1.1400e-003	0.1381	0.0363	1.0500e-003	0.0374		140.7359	140.7359	4.2200e-003		140.8414
Total	0.0584	0.0375	0.5139	1.4100e-003	0.1369	1.1400e-003	0.1381	0.0363	1.0500e-003	0.0374		140.7359	140.7359	4.2200e-003		140.8414

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.0663	0.0000	18.0663	9.9307	0.0000	9.9307			0.0000			0.0000
Off-Road	3.8882	40.4971	21.1543	0.0380		2.0445	2.0445		1.8809	1.8809	0.0000	3,685.6569	3,685.6569	1.1920		3,715.4573
Total	3.8882	40.4971	21.1543	0.0380	18.0663	2.0445	20.1107	9.9307	1.8809	11.8116	0.0000	3,685.6569	3,685.6569	1.1920		3,715.4573



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.3 Site Preparation - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0584	0.0375	0.5139	1.4100e-003	0.1369	1.1400e-003	0.1381	0.0363	1.0500e-003	0.0374		140.7359	140.7359	4.2200e-003		140.8414
Total	0.0584	0.0375	0.5139	1.4100e-003	0.1369	1.1400e-003	0.1381	0.0363	1.0500e-003	0.0374		140.7359	140.7359	4.2200e-003		140.8414

3.4 Grading - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	4.1912	46.3998	30.8785	0.0620		1.9853	1.9853		1.8265	1.8265		6,007.0434	6,007.0434	1.9428		6,055.6134
Total	4.1912	46.3998	30.8785	0.0620	8.6733	1.9853	10.6587	3.5965	1.8265	5.4230		6,007.0434	6,007.0434	1.9428		6,055.6134

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.4 Grading - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0649	0.0417	0.5710	1.5700e-003	0.1521	1.2700e-003	0.1534	0.0404	1.1700e-003	0.0415		156.3732	156.3732	4.6900e-003		156.4904
Total	0.0649	0.0417	0.5710	1.5700e-003	0.1521	1.2700e-003	0.1534	0.0404	1.1700e-003	0.0415		156.3732	156.3732	4.6900e-003		156.4904

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	4.1912	46.3998	30.8785	0.0620		1.9853	1.9853		1.8265	1.8265	0.0000	6,007.0434	6,007.0434	1.9428		6,055.6134
Total	4.1912	46.3998	30.8785	0.0620	8.6733	1.9853	10.6587	3.5965	1.8265	5.4230	0.0000	6,007.0434	6,007.0434	1.9428		6,055.6134

07-16
Cont.

Page 192 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.4 Grading - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0649	0.0417	0.5710	1.5700e-003	0.1521	1.2700e-003	0.1534	0.0404	1.1700e-003	0.0415		156.3732	156.3732	4.6900e-003		156.4904
Total	0.0649	0.0417	0.5710	1.5700e-003	0.1521	1.2700e-003	0.1534	0.0404	1.1700e-003	0.0415		156.3732	156.3732	4.6900e-003		156.4904

3.4 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	3.6248	38.8435	29.0415	0.0621		1.6349	1.6349		1.5041	1.5041		6,011.4105	6,011.4105	1.9442		6,060.0158
Total	3.6248	38.8435	29.0415	0.0621	8.6733	1.6349	10.3082	3.5965	1.5041	5.1006		6,011.4105	6,011.4105	1.9442		6,060.0158

07-16
Cont.

Page 193 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.4 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0607	0.0376	0.5263	1.5100e-003	0.1521	1.2300e-003	0.1534	0.0404	1.1300e-003	0.0415		150.8754	150.8754	4.2400e-003		150.9813
Total	0.0607	0.0376	0.5263	1.5100e-003	0.1521	1.2300e-003	0.1534	0.0404	1.1300e-003	0.0415		150.8754	150.8754	4.2400e-003		150.9813

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	3.6248	38.8435	29.0415	0.0621		1.6349	1.6349		1.5041	1.5041	0.0000	6,011.4105	6,011.4105	1.9442		6,060.0158
Total	3.6248	38.8435	29.0415	0.0621	8.6733	1.6349	10.3082	3.5965	1.5041	5.1006	0.0000	6,011.4105	6,011.4105	1.9442		6,060.0158

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.4 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0607	0.0376	0.5263	1.5100e-003	0.1521	1.2300e-003	0.1534	0.0404	1.1300e-003	0.0415		150.8754	150.8754	4.2400e-003		150.9813
Total	0.0607	0.0376	0.5263	1.5100e-003	0.1521	1.2300e-003	0.1534	0.0404	1.1300e-003	0.0415		150.8754	150.8754	4.2400e-003		150.9813

3.5 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612		2,554.3336	2,554.3336	0.6120		2,569.6322
Total	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612		2,554.3336	2,554.3336	0.6120		2,569.6322

07-16
Cont.

Page 195 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.5 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Vendor	0.4079	13.2032	3.4341	0.0364	0.9155	0.0248	0.9404	0.2636	0.0237	0.2873		3,896,548 2	3,896,548 2	0.2236			3,902,138 4
Worker	2.4299	1.5074	21.0801	0.0607	6.0932	0.0493	6.1425	1.6163	0.0454	1.6617		6,042,558 5	6,042,558 5	0.1697			6,046,800 0
Total	2.8378	14.7106	24.5142	0.0971	7.0087	0.0741	7.0828	1.8799	0.0691	1.9490		9,939,106 7	9,939,106 7	0.3933			9,948,938 4

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612	0.0000	2,554,333 6	2,554,333 6	0.6120			2,569,632 2
Total	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612	0.0000	2,554,333 6	2,554,333 6	0.6120			2,569,632 2

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.5 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Vendor	0.4079	13.2032	3.4341	0.0364	0.9155	0.0248	0.9404	0.2636	0.0237	0.2873		3,896,548 2	3,896,548 2	0.2236			3,902,138 4
Worker	2.4299	1.5074	21.0801	0.0607	6.0932	0.0493	6.1425	1.6163	0.0454	1.6617		6,042,558 5	6,042,558 5	0.1697			6,046,800 0
Total	2.8378	14.7106	24.5142	0.0971	7.0087	0.0741	7.0828	1.8799	0.0691	1.9490		9,939,106 7	9,939,106 7	0.3933			9,948,938 4

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555,209 9	2,555,209 9	0.6079			2,570,406 1
Total	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555,209 9	2,555,209 9	0.6079			2,570,406 1

07-16
Cont.

Page 197 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.5 Building Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Vendor	0.3027	10.0181	3.1014	0.0352	0.9156	0.0116	0.9271	0.2636	0.0111	0.2747		3,773,876 2	3,773,876 2	0.1982			3,778,830 0
Worker	2.2780	1.3628	19.4002	0.0584	6.0932	0.0479	6.1411	1.6163	0.0441	1.6604		5,821,402 8	5,821,402 8	0.1529			5,825,225 4
Total	2.5807	11.3809	22.5017	0.0936	7.0088	0.0595	7.0682	1.8799	0.0552	1.9350		9,595,279 0	9,595,279 0	0.3511			9,604,055 4

07-16
Cont.

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584	0.0000	2,555,209 9	2,555,209 9	0.6079			2,570,406 1
Total	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584	0.0000	2,555,209 9	2,555,209 9	0.6079			2,570,406 1

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.5 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.3027	10.0181	3.1014	0.0352	0.9156	0.0116	0.9271	0.2636	0.0111	0.2747		3,773.876 2	3,773.876 2	0.1962		3,778.830 0
Worker	2.2780	1.3628	19.4002	0.0584	6.0932	0.0479	6.1411	1.6163	0.0441	1.6604		5,821.402 8	5,821.402 8	0.1529		5,825.225 4
Total	2.5807	11.3809	22.5017	0.0936	7.0088	0.0595	7.0682	1.8799	0.0552	1.9350		9,595.279 0	9,595.279 0	0.3511		9,604.055 4

3.6 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694		2,207.584 1	2,207.584 1	0.7140		2,225.433 6
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694		2,207.584 1	2,207.584 1	0.7140		2,225.433 6

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.6 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0427	0.0255	0.3633	1.0900e-003	0.1141	9.0000e-004	0.1150	0.0303	8.3000e-004	0.0311		109.0150	109.0150	2.8600e-003		109.0866
Total	0.0427	0.0255	0.3633	1.0900e-003	0.1141	9.0000e-004	0.1150	0.0303	8.3000e-004	0.0311		109.0150	109.0150	2.8600e-003		109.0866

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694	0.0000	2,207,584.1	2,207,584.1	0.7140		2,225,433.6
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694	0.0000	2,207,584.1	2,207,584.1	0.7140		2,225,433.6

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.6 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Worker	0.0427	0.0255	0.3633	1.0900e-003	0.1141	9.0000e-004	0.1150	0.0303	8.3000e-004	0.0311		109.0150	109.0150	2.8600e-003			109.0866
Total	0.0427	0.0255	0.3633	1.0900e-003	0.1141	9.0000e-004	0.1150	0.0303	8.3000e-004	0.0311		109.0150	109.0150	2.8600e-003			109.0866

3.6 Paving - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310		2,207,547.2	2,207,547.2	0.7140		2,225,396.3
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310		2,207,547.2	2,207,547.2	0.7140		2,225,396.3

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.6 Paving - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0403	0.0233	0.3384	1.0600e-003	0.1141	8.8000e-004	0.1150	0.0303	8.1000e-004	0.0311		105.6336	105.6336	2.6300e-003		105.6992
Total	0.0403	0.0233	0.3384	1.0600e-003	0.1141	8.8000e-004	0.1150	0.0303	8.1000e-004	0.0311		105.6336	105.6336	2.6300e-003		105.6992

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310	0.0000	2,207,547 ₂	2,207,547 ₂	0.7140		2,225,396 ₃
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310	0.0000	2,207,547₂	2,207,547₂	0.7140		2,225,396₃

07-16
Cont.

Page 202 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.6 Paving - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0403	0.0233	0.3384	1.0600e-003	0.1141	8.8000e-004	0.1150	0.0303	8.1000e-004	0.0311		105.6336	105.6336	2.6300e-003		105.6992
Total	0.0403	0.0233	0.3384	1.0600e-003	0.1141	8.8000e-004	0.1150	0.0303	8.1000e-004	0.0311		105.6336	105.6336	2.6300e-003		105.6992

3.7 Architectural Coating - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	236.4115					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1808	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609		281.4481	281.4481	0.0159		281.8443
Total	236.5923	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609		281.4481	281.4481	0.0159		281.8443

07-16
Cont.

Page 203 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.7 Architectural Coating - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.4296	0.2481	3.6098	0.0113	1.2171	9.4300e-003	1.2266	0.3229	8.6800e-003	0.3315		1,126.7583	1,126.7583	0.0280		1,127.4583
Total	0.4296	0.2481	3.6098	0.0113	1.2171	9.4300e-003	1.2266	0.3229	8.6800e-003	0.3315		1,126.7583	1,126.7583	0.0280		1,127.4583

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	236.4115					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1808	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609	0.0000	281.4481	281.4481	0.0159		281.8443
Total	236.5923	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609	0.0000	281.4481	281.4481	0.0159		281.8443

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

3.7 Architectural Coating - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Worker	0.4296	0.2481	3.6098	0.0113	1.2171	9.4300e-003	1.2266	0.3229	8.6800e-003	0.3315		1,126,758 3	1,126,758 3	0.0280			1,127,458 3
Total	0.4296	0.2481	3.6098	0.0113	1.2171	9.4300e-003	1.2266	0.3229	8.6800e-003	0.3315		1,126,758 3	1,126,758 3	0.0280			1,127,458 3

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

07-16
Cont.

Page 205 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	9.8489	45.4304	114.8495	0.4917	45.9592	0.3360	46.2951	12.2950	0.3119	12.6070		50,306.6034	50,306.6034	2.1807		50,361.1208
Unmitigated	9.8489	45.4304	114.8495	0.4917	45.9592	0.3360	46.2951	12.2950	0.3119	12.6070		50,306.6034	50,306.6034	2.1807		50,361.1208

07-16
Cont.

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated Annual VMT	Mitigated Annual VMT
	Weekday	Saturday	Sunday		
Apartments Low Rise	145.75	154.25	154.00	506,227	506,227
Apartments Mid Rise	4,026.75	3,773.25	4,075.50	13,660,065	13,660,065
General Office Building	288.45	62.55	31.05	706,812	706,812
High Turnover (Sit Down Restaurant)	2,368.80	2,873.52	2,817.72	3,413,937	3,413,937
Hotel	192.00	187.50	160.00	445,703	445,703
Quality Restaurant	501.12	511.92	461.20	707,488	707,488
Regional Shopping Center	528.08	601.44	357.84	1,112,221	1,112,221
Total	8,050.95	8,164.43	8,057.31	20,552,452	20,552,452

4.3 Trip Type Information

Page 206 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
Apartments Mid Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
General Office Building	16.60	8.40	6.90	33.00	48.00	19.00	77	19	4
High Turnover (Sit Down)	16.60	8.40	6.90	6.50	72.50	19.00	37	20	43
Hotel	16.60	8.40	6.90	19.40	61.60	19.00	58	38	4
Quality Restaurant	16.60	8.40	6.90	12.00	69.00	19.00	38	18	44
Regional Shopping Center	16.60	8.40	6.90	16.30	64.70	19.00	54	35	11

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Apartments Mid Rise	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
General Office Building	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
High Turnover (Sit Down Restaurant)	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Hotel	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Quality Restaurant	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Regional Shopping Center	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

07-16
Cont.

Page 207 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355,983 2	8,355,983 2	0.1602	0.1532	8,405,638 7
NaturalGas Unmitigated	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355,983 2	8,355,983 2	0.1602	0.1532	8,405,638 7

07-16
Cont.

Page 208 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Low Rise	1119.18	0.0121	0.1031	0.0439	8.6000e-004		8.3400e-003	8.3400e-003		8.3400e-003	8.3400e-003		131.6662	131.6662	2.5200e-003	2.4100e-003	132.4486
Apartments Mid Rise	35794.3	0.3859	3.2978	1.4033	0.0211		0.2666	0.2666		0.2666	0.2666		4,209.9164	4,209.9164	0.0807	0.0772	4,234.9339
General Office Building	1283.42	0.0138	0.1258	0.1057	7.5000e-004		9.5600e-003	9.5600e-003		9.5600e-003	9.5600e-003		150.9911	150.9911	2.8900e-003	2.7700e-003	151.8884
High Turnover (Sit Down Restaurant)	22759.9	0.2455	2.2314	1.8743	0.0134		0.1696	0.1696		0.1696	0.1696		2,677.6342	2,677.6342	0.0513	0.0491	2,693.5460
Hotel	4769.72	0.0514	0.4676	0.3928	2.8100e-003		0.0355	0.0355		0.0355	0.0355		561.1436	561.1436	0.0108	0.0103	564.4782
Quality Restaurant	5057.75	0.0545	0.4959	0.4185	2.9800e-003		0.0377	0.0377		0.0377	0.0377		595.0298	595.0298	0.0114	0.0109	598.5658
Regional Shopping Center	251.616	2.7100e-003	0.0247	0.0207	1.5000e-004		1.8700e-003	1.8700e-003		1.8700e-003	1.8700e-003		29.6019	29.6019	5.7000e-004	5.4000e-004	29.7778
Total		0.7660	6.7463	4.2673	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Low Rise	1.11916	0.0121	0.1031	0.0439	6.6000e-004		8.3400e-003	8.3400e-003		8.3400e-003	8.3400e-003		131.6662	131.6662	2.5200e-003	2.4100e-003	132.4486
Apartments Mid Rise	35.7843	0.3859	3.2978	1.4033	0.0211		0.2666	0.2666		0.2666	0.2666		4,209.9164	4,209.9164	0.0807	0.0772	4,234.9339
General Office Building	1.28342	0.0138	0.1258	0.1057	7.5000e-004		9.5600e-003	9.5600e-003		9.5600e-003	9.5600e-003		150.9911	150.9911	2.8900e-003	2.7700e-003	151.8884
High Turnover (Sit Down Restaurant)	22.7599	0.2455	2.2314	1.8743	0.0134		0.1696	0.1696		0.1696	0.1696		2,677.6342	2,677.6342	0.0513	0.0491	2,693.5460
Hotel	4.76972	0.0514	0.4676	0.3928	2.8100e-003		0.0355	0.0355		0.0355	0.0355		561.1436	561.1436	0.0108	0.0103	564.4782
Quality Restaurant	5.05775	0.0545	0.4959	0.4165	2.9800e-003		0.0377	0.0377		0.0377	0.0377		595.0298	595.0298	0.0114	0.0109	598.5658
Regional Shopping Center	0.251616	2.7100e-003	0.0247	0.0207	1.5000e-004		1.8700e-003	1.8700e-003		1.8700e-003	1.8700e-003		29.6019	29.6019	5.7000e-004	5.4000e-004	29.7778
Total		0.7660	6.7463	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387

07-16
Cont.

6.0 Area Detail

6.1 Mitigation Measures Area

Page 210 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192
Unmitigated	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	2.2670					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	24.1085					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	1.6500	14.1000	6.0000	0.0900		1.1400	1.1400		1.1400	1.1400	0.0000	18,000.0000	18,000.0000	0.3450	0.3300	18,106.9650
Landscaping	2.4766	0.9496	82.4430	4.3600e-003		0.4574	0.4574		0.4574	0.4574		148.5950	148.5950	0.1424		152.1542
Total	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	2.2670					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	24.1085					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	1.6500	14.1000	8.0000	0.0900		1.1400	1.1400		1.1400	1.1400	0.0000	18,000.0000	18,000.0000	0.3450	0.3300	18,106.9850
Landscaping	2.4766	0.9486	82.4430	4.3600e-003		0.4574	0.4574		0.4574	0.4574		148.5950	148.5950	0.1424		152.1542
Total	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

10.0 Stationary Equipment



07-16
Cont.

CalEEMod Version: CalEEMod.2016.3.2

Page 35 of 35

Date: 1/12/2021 2:29 PM

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Summer

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation



07-16
Cont.

Page 213 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

Village South Specific Plan (Proposed)
Los Angeles-South Coast County, Winter

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	45.00	1000sqft	1.03	45,000.00	0
High Turnover (Sit Down Restaurant)	36.00	1000sqft	0.83	36,000.00	0
Hotel	50.00	Room	1.67	72,600.00	0
Quality Restaurant	8.00	1000sqft	0.18	8,000.00	0
Apartments Low Rise	25.00	Dwelling Unit	1.56	25,000.00	72
Apartments Mid Rise	975.00	Dwelling Unit	25.66	975,000.00	2789
Regional Shopping Center	56.00	1000sqft	1.29	56,000.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	33
Climate Zone	9			Operational Year	2028
Utility Company	Southern California Edison				
CO2 Intensity (lb/MW/hr)	702.44	CH4 Intensity (lb/MW/hr)	0.029	N2O Intensity (lb/MW/hr)	0.006

1.3 User Entered Comments & Non-Default Data

07-16
Cont.

Page 214 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

Project Characteristics - Consistent with the DEIR's model.

Land Use - See SWAPE comment regarding residential and retail land uses.

Construction Phase - See SWAPE comment regarding individual construction phase lengths.

Demolition - Consistent with the DEIR's model. See SWAPE comment regarding demolition.

Vehicle Trips - Saturday trips consistent with the DEIR's model. See SWAPE comment regarding weekday and Sunday trips.

Woodstoves - Woodstoves and wood-burning fireplaces consistent with the DEIR's model. See SWAPE comment regarding gas fireplaces.

Energy Use -

Construction Off-road Equipment Mitigation - See SWAPE comment on construction-related mitigation.

Area Mitigation - See SWAPE comment regarding operational mitigation measures.

Water Mitigation - See SWAPE comment regarding operational mitigation measures.

Trips and VMT - Local hire provision

Table Name	Column Name	Default Value	New Value
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	FireplaceWoodMass	1,019.20	0.00
tblFireplaces	NumberWood	1.25	0.00
tblFireplaces	NumberWood	48.75	0.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblTripsAndVMT	WorkerTripLength	14.70	10.00
tblVehicleTrips	ST_TR	7.16	6.17
tblVehicleTrips	ST_TR	6.39	3.87
tblVehicleTrips	ST_TR	2.46	1.39
tblVehicleTrips	ST_TR	158.37	79.82

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

tblVehicleTrips	ST_TR	8.19	3.75
tblVehicleTrips	ST_TR	94.36	63.99
tblVehicleTrips	ST_TR	49.97	10.74
tblVehicleTrips	SU_TR	6.07	6.16
tblVehicleTrips	SU_TR	5.86	4.18
tblVehicleTrips	SU_TR	1.05	0.69
tblVehicleTrips	SU_TR	131.84	78.27
tblVehicleTrips	SU_TR	5.95	3.20
tblVehicleTrips	SU_TR	72.16	57.65
tblVehicleTrips	SU_TR	25.24	6.39
tblVehicleTrips	WD_TR	6.59	5.83
tblVehicleTrips	WD_TR	6.65	4.13
tblVehicleTrips	WD_TR	11.03	6.41
tblVehicleTrips	WD_TR	127.15	65.80
tblVehicleTrips	WD_TR	8.17	3.84
tblVehicleTrips	WD_TR	89.95	62.64
tblVehicleTrips	WD_TR	42.70	9.43
tblWoodstoves	NumberCatalytic	1.25	0.00
tblWoodstoves	NumberCatalytic	48.75	0.00
tblWoodstoves	NumberNoncatalytic	1.25	0.00
tblWoodstoves	NumberNoncatalytic	48.75	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveDayYear	25.00	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00
tblWoodstoves	WoodstoveWoodMass	999.60	0.00

07-16
Cont.

2.0 Emissions Summary

Page 216 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2021	4.2621	46.4460	31.4068	0.0635	18.2032	2.0456	20.2488	9.9670	1.8820	11.8490	0.0000	6,154,337.7	6,154,337.7	1.9472	0.0000	6,203,018.6
2022	4.7966	38.8851	39.6338	0.1195	8.8255	1.6361	10.4616	3.6369	1.5052	5.1421	0.0000	12,035.3440	12,035.3440	1.9482	0.0000	12,060.6013
2023	4.3939	25.8648	37.5031	0.1162	7.0088	0.7598	7.7685	1.8799	0.7142	2.5940	0.0000	11,710.4080	11,710.4080	0.9617	0.0000	11,734.4497
2024	237.0656	9.5503	14.9372	0.0238	1.2171	0.4694	1.2875	0.3229	0.4319	0.4621	0.0000	2,307.0517	2,307.0517	0.7164	0.0000	2,324.9627
Maximum	237.0656	46.4460	39.6338	0.1195	18.2032	2.0456	20.2488	9.9670	1.8820	11.8490	0.0000	12,035.3440	12,035.3440	1.9482	0.0000	12,060.6013



07-16
Cont.

Page 217 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

2.1 Overall Construction (Maximum Daily Emission)

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2021	4.2621	46.4460	31.4068	0.0635	18.2032	2.0456	20.2488	9.9670	1.8820	11.8490	0.0000	6,154,337.7	6,154,337.7	1.9472	0.0000	6,203,018.6
2022	4.7966	38.8851	39.6338	0.1195	8.8255	1.6361	10.4616	3.6369	1.5052	5.1421	0.0000	12,035.3440	12,035.3440	1.9482	0.0000	12,060.6013
2023	4.3939	25.8648	37.5031	0.1162	7.0088	0.7598	7.7685	1.8799	0.7142	2.5940	0.0000	11,710.4080	11,710.4080	0.9617	0.0000	11,734.4497
2024	237.0656	9.5503	14.9372	0.0238	1.2171	0.4694	1.2875	0.3229	0.4319	0.4621	0.0000	2,307,051.7	2,307,051.7	0.7164	0.0000	2,324,962.7
Maximum	237.0656	46.4460	39.6338	0.1195	18.2032	2.0456	20.2488	9.9670	1.8820	11.8490	0.0000	12,035.3440	12,035.3440	1.9482	0.0000	12,060.6013
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192
Energy	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387
Mobile	9.5233	45.9914	110.0422	0.4681	45.9592	0.3373	46.2965	12.2950	0.3132	12.6083		47,917.8005	47,917.8005	2.1953		47,972.6839
Total	40.7912	67.7872	202.7424	0.6043	45.9592	2.4640	48.4231	12.2950	2.4399	14.7349	0.0000	74,422.3787	74,422.3787	2.8429	0.4832	74,637.4417

07-16
Cont.

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192
Energy	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387
Mobile	9.5233	45.9914	110.0422	0.4681	45.9592	0.3373	46.2965	12.2950	0.3132	12.6083		47,917.8005	47,917.8005	2.1953		47,972.6839
Total	40.7912	67.7872	202.7424	0.6043	45.9592	2.4640	48.4231	12.2950	2.4399	14.7349	0.0000	74,422.3787	74,422.3787	2.8429	0.4832	74,637.4417

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	9/1/2021	10/12/2021	5	30	
2	Site Preparation	Site Preparation	10/13/2021	11/9/2021	5	20	
3	Grading	Grading	11/10/2021	1/11/2022	5	45	
4	Building Construction	Building Construction	1/12/2022	12/12/2023	5	500	
5	Paving	Paving	12/13/2023	1/30/2024	5	35	
6	Architectural Coating	Architectural Coating	1/31/2024	3/19/2024	5	35	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 112.5

Acres of Paving: 0

Residential Indoor: 2,025,000; Residential Outdoor: 675,000; Non-Residential Indoor: 326,400; Non-Residential Outdoor: 108,800; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Excavators	3	8.00	158	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Excavators	2	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	458.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	801.00	143.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	160.00	0.00	0.00	10.00	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Demolition - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.3074	0.0000	3.3074	0.5008	0.0000	0.5008			0.0000			0.0000
Off-Road	3.1651	31.4407	21.5650	0.0388		1.5513	1.5513		1.4411	1.4411		3,747.9449	3,747.9449	1.0549		3,774.3174
Total	3.1651	31.4407	21.5650	0.0388	3.3074	1.5513	4.8588	0.5008	1.4411	1.9419		3,747.9449	3,747.9449	1.0549		3,774.3174

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.2 Demolition - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1304	4.1454	1.0182	0.0117	0.2669	0.0128	0.2797	0.0732	0.0122	0.0854		1,269,855 5	1,269,855 5	0.0908		1,272,125 2
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0532	0.0346	0.3963	1.1100e-003	0.1141	9.5000e-004	0.1151	0.0303	8.8000e-004	0.0311		110.4707	110.4707	3.3300e-003		110.5539
Total	0.1835	4.1800	1.4144	0.0128	0.3810	0.0137	0.3948	0.1034	0.0131	0.1165		1,380,326 2	1,380,326 2	0.0941		1,382,679 1

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.3074	0.0000	3.3074	0.5008	0.0000	0.5008			0.0000			0.0000
Off-Road	3.1651	31.4407	21.5650	0.0388		1.5513	1.5513		1.4411	1.4411	0.0000	3,747,944 9	3,747,944 9	1.0549		3,774,317 4
Total	3.1651	31.4407	21.5650	0.0388	3.3074	1.5513	4.8588	0.5008	1.4411	1.9419	0.0000	3,747,944 9	3,747,944 9	1.0549		3,774,317 4

07-16
Cont.

Page 223 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.2 Demolition - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.1304	4.1454	1.0182	0.0117	0.2669	0.0128	0.2797	0.0732	0.0122	0.0854		1,269,855 5	1,269,855 5	0.0908		1,272,125 2
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0532	0.0346	0.3963	1.1100e-003	0.1141	9.5000e-004	0.1151	0.0303	8.8000e-004	0.0311		110.4707	110.4707	3.3300e-003		110.5539
Total	0.1835	4.1800	1.4144	0.0128	0.3810	0.0137	0.3948	0.1034	0.0131	0.1165		1,380,326 2	1,380,326 2	0.0941		1,382,679 1

3.3 Site Preparation - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.0663	0.0000	18.0663	9.9307	0.0000	9.9307			0.0000			0.0000
Off-Road	3.8882	40.4971	21.1543	0.0380		2.0445	2.0445		1.8809	1.8809		3,685,656 9	3,685,656 9	1.1920		3,715,457 3
Total	3.8882	40.4971	21.1543	0.0380	18.0663	2.0445	20.1107	9.9307	1.8809	11.8116		3,685,656 9	3,685,656 9	1.1920		3,715,457 3

07-16
Cont.

Page 224 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.3 Site Preparation - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0638	0.0415	0.4755	1.3300e-003	0.1369	1.1400e-003	0.1381	0.0363	1.0500e-003	0.0374		132.5649	132.5649	3.9900e-003		132.6646
Total	0.0638	0.0415	0.4755	1.3300e-003	0.1369	1.1400e-003	0.1381	0.0363	1.0500e-003	0.0374		132.5649	132.5649	3.9900e-003		132.6646

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.0663	0.0000	18.0663	9.9307	0.0000	9.9307			0.0000			0.0000
Off-Road	3.8882	40.4971	21.1543	0.0380		2.0445	2.0445		1.8809	1.8809	0.0000	3,685.6569	3,685.6569	1.1920		3,715.4573
Total	3.8882	40.4971	21.1543	0.0380	18.0663	2.0445	20.1107	9.9307	1.8809	11.8116	0.0000	3,685.6569	3,685.6569	1.1920		3,715.4573

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.3 Site Preparation - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0638	0.0415	0.4755	1.3300e-003	0.1369	1.1400e-003	0.1381	0.0363	1.0500e-003	0.0374		132.5649	132.5649	3.9900e-003		132.6646
Total	0.0638	0.0415	0.4755	1.3300e-003	0.1369	1.1400e-003	0.1381	0.0363	1.0500e-003	0.0374		132.5649	132.5649	3.9900e-003		132.6646

3.4 Grading - 2021

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	4.1912	46.3998	30.8785	0.0620		1.9853	1.9853		1.8265	1.8265		6,007.0434	6,007.0434	1.9428		6,055.6134
Total	4.1912	46.3998	30.8785	0.0620	8.6733	1.9853	10.6587	3.5965	1.8265	5.4230		6,007.0434	6,007.0434	1.9428		6,055.6134

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.4 Grading - 2021

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0709	0.0462	0.5284	1.4800e-003	0.1521	1.2700e-003	0.1534	0.0404	1.1700e-003	0.0415		147.2943	147.2943	4.4300e-003		147.4051
Total	0.0709	0.0462	0.5284	1.4800e-003	0.1521	1.2700e-003	0.1534	0.0404	1.1700e-003	0.0415		147.2943	147.2943	4.4300e-003		147.4051

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	4.1912	46.3998	30.8785	0.0620		1.9853	1.9853		1.8265	1.8265	0.0000	6,007.0434	6,007.0434	1.9428		6,055.6134
Total	4.1912	46.3998	30.8785	0.0620	8.6733	1.9853	10.6587	3.5965	1.8265	5.4230	0.0000	6,007.0434	6,007.0434	1.9428		6,055.6134

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.4 Grading - 2021

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0709	0.0462	0.5284	1.4800e-003	0.1521	1.2700e-003	0.1534	0.0404	1.1700e-003	0.0415		147.2943	147.2943	4.4300e-003		147.4051
Total	0.0709	0.0462	0.5284	1.4800e-003	0.1521	1.2700e-003	0.1534	0.0404	1.1700e-003	0.0415		147.2943	147.2943	4.4300e-003		147.4051

3.4 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	3.6248	38.8435	29.0415	0.0621		1.6349	1.6349		1.5041	1.5041		6,011.4105	6,011.4105	1.9442		6,060.0158
Total	3.6248	38.8435	29.0415	0.0621	8.6733	1.6349	10.3082	3.5965	1.5041	5.1006		6,011.4105	6,011.4105	1.9442		6,060.0158

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.4 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0665	0.0416	0.4861	1.4300e-003	0.1521	1.2300e-003	0.1534	0.0404	1.1300e-003	0.0415		142.1207	142.1207	4.0000e-003		142.2207
Total	0.0665	0.0416	0.4861	1.4300e-003	0.1521	1.2300e-003	0.1534	0.0404	1.1300e-003	0.0415		142.1207	142.1207	4.0000e-003		142.2207

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.6733	0.0000	8.6733	3.5965	0.0000	3.5965			0.0000			0.0000
Off-Road	3.6248	38.8435	29.0415	0.0621		1.6349	1.6349		1.5041	1.5041	0.0000	6,011.4105	6,011.4105	1.9442		6,060.0158
Total	3.6248	38.8435	29.0415	0.0621	8.6733	1.6349	10.3082	3.5965	1.5041	5.1006	0.0000	6,011.4105	6,011.4105	1.9442		6,060.0158

07-16
Cont.

Page 229 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.4 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0665	0.0416	0.4861	1.4300e-003	0.1521	1.2300e-003	0.1534	0.0404	1.1300e-003	0.0415		142.1207	142.1207	4.0000e-003		142.2207
Total	0.0665	0.0416	0.4861	1.4300e-003	0.1521	1.2300e-003	0.1534	0.0404	1.1300e-003	0.0415		142.1207	142.1207	4.0000e-003		142.2207

3.5 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612		2,554.3336	2,554.3336	0.6120		2,569.6322
Total	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612		2,554.3336	2,554.3336	0.6120		2,569.6322

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.5 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.4284	13.1673	3.8005	0.0354	0.9155	0.0256	0.9412	0.2636	0.0245	0.2881		3,789.0750	3,789.0750	0.2381		3,795.0283
Worker	2.6620	1.6677	19.4699	0.0571	6.0932	0.0493	6.1425	1.6163	0.0454	1.6617		5,691.9354	5,691.9354	0.1602		5,695.9408
Total	3.0904	14.8350	23.2704	0.0926	7.0087	0.0749	7.0836	1.8799	0.0699	1.9498		9,481.0104	9,481.0104	0.3984		9,490.9691

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612	0.0000	2,554.3336	2,554.3336	0.6120		2,569.6322
Total	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612	0.0000	2,554.3336	2,554.3336	0.6120		2,569.6322



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.5 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Vendor	0.4284	13.1673	3.8005	0.0354	0.9155	0.0256	0.9412	0.2636	0.0245	0.2881		3,789.0750	3,789.0750	0.2381			3,795.0283
Worker	2.6620	1.6677	19.4699	0.0571	6.0932	0.0493	6.1425	1.6163	0.0454	1.6617		5,691.9354	5,691.9354	0.1602			5,695.9408
Total	3.0904	14.8350	23.2704	0.0926	7.0087	0.0749	7.0836	1.8799	0.0699	1.9498		9,481.0104	9,481.0104	0.3984			9,490.9691

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555.2099	2,555.2099	0.6079			2,570.4061
Total	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555.2099	2,555.2099	0.6079			2,570.4061

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.5 Building Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000			0.0000
Vendor	0.3183	9.9726	3.3771	0.0343	0.9156	0.0122	0.9277	0.2636	0.0116	0.2752		3,671.4007	3,671.4007	0.2096			3,676.6417
Worker	2.5029	1.5073	17.8820	0.0550	6.0932	0.0479	6.1411	1.6163	0.0441	1.6604		5,483.7974	5,483.7974	0.1442			5,487.4020
Total	2.8211	11.4799	21.2591	0.0893	7.0088	0.0601	7.0688	1.8799	0.0557	1.9356		9,155.1981	9,155.1981	0.3538			9,164.0437

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category	lb/day										lb/day						
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584	0.0000	2,555.2099	2,555.2099	0.6079			2,570.4061
Total	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584	0.0000	2,555.2099	2,555.2099	0.6079			2,570.4061

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.5 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.3183	9.9726	3.3771	0.0343	0.9156	0.0122	0.9277	0.2636	0.0116	0.2752		3,671.4007	3,671.4007	0.2096		3,676.6417
Worker	2.5029	1.5073	17.8820	0.0550	6.0932	0.0479	6.1411	1.6163	0.0441	1.6604		5,483.7974	5,483.7974	0.1442		5,487.4020
Total	2.8211	11.4799	21.2591	0.0893	7.0088	0.0601	7.0688	1.8799	0.0557	1.9356		9,155.1981	9,155.1981	0.3538		9,164.0437

3.6 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694		2,207.5841	2,207.5841	0.7140		2,225.4336
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694		2,207.5841	2,207.5841	0.7140		2,225.4336

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.6 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0469	0.0282	0.3349	1.0300e-003	0.1141	9.0000e-004	0.1150	0.0303	8.3000e-004	0.0311		102.6928	102.6928	2.7000e-003		102.7603
Total	0.0469	0.0282	0.3349	1.0300e-003	0.1141	9.0000e-004	0.1150	0.0303	8.3000e-004	0.0311		102.6928	102.6928	2.7000e-003		102.7603

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694	0.0000	2,207,584.1	2,207,584.1	0.7140		2,225,433.6
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694	0.0000	2,207,584.1	2,207,584.1	0.7140		2,225,433.6



07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.6 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0469	0.0282	0.3349	1.0300e-003	0.1141	9.0000e-004	0.1150	0.0303	8.3000e-004	0.0311		102.6928	102.6928	2.7000e-003		102.7603
Total	0.0469	0.0282	0.3349	1.0300e-003	0.1141	9.0000e-004	0.1150	0.0303	8.3000e-004	0.0311		102.6928	102.6928	2.7000e-003		102.7603

3.6 Paving - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310		2,207.5472	2,207.5472	0.7140		2,225.3963
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310		2,207.5472	2,207.5472	0.7140		2,225.3963

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.6 Paving - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0444	0.0257	0.3114	1.0000e-003	0.1141	8.8000e-004	0.1150	0.0303	8.1000e-004	0.0311		99.5045	99.5045	2.4700e-003		99.5663
Total	0.0444	0.0257	0.3114	1.0000e-003	0.1141	8.8000e-004	0.1150	0.0303	8.1000e-004	0.0311		99.5045	99.5045	2.4700e-003		99.5663

07-16
Cont.

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310	0.0000	2,207.5472	2,207.5472	0.7140		2,225.3963
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	0.9882	9.5246	14.6258	0.0228		0.4685	0.4685		0.4310	0.4310	0.0000	2,207.5472	2,207.5472	0.7140		2,225.3963

Page 237 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.6 Paving - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0444	0.0257	0.3114	1.0000e-003	0.1141	8.8000e-004	0.1150	0.0303	8.1000e-004	0.0311		99.5045	99.5045	2.4700e-003		99.5663
Total	0.0444	0.0257	0.3114	1.0000e-003	0.1141	8.8000e-004	0.1150	0.0303	8.1000e-004	0.0311		99.5045	99.5045	2.4700e-003		99.5663

3.7 Architectural Coating - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	236.4115					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1808	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609		281.4481	281.4481	0.0159		281.8443
Total	236.5923	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609		281.4481	281.4481	0.0159		281.8443

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.7 Architectural Coating - 2024

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.4734	0.2743	3.3220	0.0107	1.2171	9.4300e-003	1.2266	0.3229	8.6800e-003	0.3315		1,061.3818	1,061.3818	0.0264		1,062.0410
Total	0.4734	0.2743	3.3220	0.0107	1.2171	9.4300e-003	1.2266	0.3229	8.6800e-003	0.3315		1,061.3818	1,061.3818	0.0264		1,062.0410

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	236.4115					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1808	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609	0.0000	281.4481	281.4481	0.0159		281.8443
Total	236.5923	1.2188	1.8101	2.9700e-003		0.0609	0.0609		0.0609	0.0609	0.0000	281.4481	281.4481	0.0159		281.8443

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

3.7 Architectural Coating - 2024

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.4734	0.2743	3.3220	0.0107	1.2171	9.4300e-003	1.2266	0.3229	8.6800e-003	0.3315		1,061,381.8	1,061,381.8	0.0264		1,062,041.0
Total	0.4734	0.2743	3.3220	0.0107	1.2171	9.4300e-003	1.2266	0.3229	8.6800e-003	0.3315		1,061,381.8	1,061,381.8	0.0264		1,062,041.0

07-16
Cont.

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Page 240 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	9.5233	45.9914	110.0422	0.4681	45.9592	0.3373	46.2965	12.2950	0.3132	12.6083		47,917.8005	47,917.8005	2.1953		47,972.6839
Unmitigated	9.5233	45.9914	110.0422	0.4681	45.9592	0.3373	46.2965	12.2950	0.3132	12.6083		47,917.8005	47,917.8005	2.1953		47,972.6839

07-16
Cont.

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated Annual VMT	Mitigated Annual VMT
	Weekday	Saturday	Sunday		
Apartments Low Rise	145.75	154.25	154.00	506,227	506,227
Apartments Mid Rise	4,026.75	3,773.25	4075.50	13,660,065	13,660,065
General Office Building	288.45	62.55	31.05	706,812	706,812
High Turnover (Sit Down Restaurant)	2,368.80	2,873.52	2817.72	3,413,937	3,413,937
Hotel	192.00	187.50	160.00	445,703	445,703
Quality Restaurant	501.12	511.92	461.20	707,488	707,488
Regional Shopping Center	528.08	601.44	357.84	1,112,221	1,112,221
Total	8,050.95	8,164.43	8,057.31	20,552,452	20,552,452

4.3 Trip Type Information

Page 241 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
Apartments Mid Rise	14.70	5.90	8.70	40.20	19.20	40.60	86	11	3
General Office Building	16.60	8.40	6.90	33.00	48.00	19.00	77	19	4
High Turnover (Sit Down)	16.60	8.40	6.90	8.50	72.50	19.00	37	20	43
Hotel	16.60	8.40	6.90	19.40	61.60	19.00	58	38	4
Quality Restaurant	16.60	8.40	6.90	12.00	69.00	19.00	38	18	44
Regional Shopping Center	16.60	8.40	6.90	16.30	64.70	19.00	54	35	11

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Apartments Mid Rise	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
General Office Building	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
High Turnover (Sit Down Restaurant)	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Hotel	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Quality Restaurant	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821
Regional Shopping Center	0.543088	0.044216	0.209971	0.116369	0.014033	0.006332	0.021166	0.033577	0.002613	0.001817	0.005285	0.000712	0.000821

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355,983 2	8,355,983 2	0.1602	0.1532	8,405,638 7
NaturalGas Unmitigated	0.7660	6.7462	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355,983 2	8,355,983 2	0.1602	0.1532	8,405,638 7

07-16
Cont.

Page 243 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Low Rise	1119.16	0.0121	0.1031	0.0439	6.6000e-004		8.3400e-003	8.3400e-003		8.3400e-003	8.3400e-003		131.6662	131.6662	2.5200e-003	2.4100e-003	132.4486
Apartments Mid Rise	35764.3	0.3859	3.2978	1.4033	0.0211		0.2666	0.2666		0.2666	0.2666		4,209.9164	4,209.9164	0.0807	0.0772	4,234.9339
General Office Building	1283.42	0.0138	0.1258	0.1057	7.5000e-004		9.5600e-003	9.5600e-003		9.5600e-003	9.5600e-003		150.9911	150.9911	2.8900e-003	2.7700e-003	151.8884
High Turnover (Sit Down Restaurant)	22759.9	0.2455	2.2314	1.8743	0.0134		0.1696	0.1696		0.1696	0.1696		2,677.6342	2,677.6342	0.0513	0.0491	2,693.5460
Hotel	4769.72	0.0514	0.4676	0.3928	2.8100e-003		0.0355	0.0355		0.0355	0.0355		561.1436	561.1436	0.0108	0.0103	564.4782
Quality Restaurant	5057.75	0.0545	0.4959	0.4165	2.9600e-003		0.0377	0.0377		0.0377	0.0377		595.0298	595.0298	0.0114	0.0109	598.5658
Regional Shopping Center	251.616	2.7100e-003	0.0247	0.0207	1.5000e-004		1.8700e-003	1.8700e-003		1.8700e-003	1.8700e-003		29.6019	29.6019	5.7000e-004	5.4000e-004	29.7778
Total		0.7660	6.7463	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387

07-16
Cont.

Page 244 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

5.2 Energy by Land Use - Natural Gas

Mitigated

	Natural Gas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
Apartments Low Rise	1.11916	0.0121	0.1031	0.0439	6.6000e-004		8.3400e-003	8.3400e-003		8.3400e-003	8.3400e-003		131.6662	131.6662	2.5200e-003	2.4100e-003	132.4486
Apartments Mid Rise	35.7843	0.3859	3.2978	1.4033	0.0211		0.2666	0.2666		0.2666	0.2666		4,209.9164	4,209.9164	0.0807	0.0772	4,234.9339
General Office Building	1.28342	0.0138	0.1258	0.1057	7.5000e-004		9.5600e-003	9.5600e-003		9.5600e-003	9.5600e-003		150.9911	150.9911	2.8900e-003	2.7700e-003	151.8884
High Turnover (Sit Down Restaurant)	22.7599	0.2455	2.2314	1.8743	0.0134		0.1696	0.1696		0.1696	0.1696		2,677.6342	2,677.6342	0.0513	0.0491	2,693.5460
Hotel	4.76972	0.0514	0.4676	0.3928	2.8100e-003		0.0355	0.0355		0.0355	0.0355		561.1436	561.1436	0.0108	0.0103	564.4782
Quality Restaurant	5.05775	0.0545	0.4959	0.4165	2.9800e-003		0.0377	0.0377		0.0377	0.0377		595.0298	595.0298	0.0114	0.0109	598.5658
Regional Shopping Center	0.251616	2.7100e-003	0.0247	0.0207	1.5000e-004		1.8700e-003	1.8700e-003		1.8700e-003	1.8700e-003		29.6019	29.6019	5.7000e-004	5.4000e-004	29.7778
Total		0.7660	6.7463	4.2573	0.0418		0.5292	0.5292		0.5292	0.5292		8,355.9832	8,355.9832	0.1602	0.1532	8,405.6387

07-16
Cont.

6.0 Area Detail

6.1 Mitigation Measures Area

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192
Unmitigated	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	2.2670					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	24.1085					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	1.6500	14.1000	6.0000	0.0900		1.1400	1.1400		1.1400	1.1400	0.0000	18,000.0000	18,000.0000	0.3450	0.3300	18,106.9650
Landscaping	2.4766	0.9496	82.4430	4.3600e-003		0.4574	0.4574		0.4574	0.4574		148.5950	148.5950	0.1424		152.1542
Total	30.5020	15.0496	88.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192

07-16
Cont.

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	2.2670					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	24.1085					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	1.6500	14.1000	6.0000	0.0900		1.1400	1.1400		1.1400	1.1400	0.0000	18,000.0000	18,000.0000	0.3450	0.3300	18,106.9650
Landscaping	2.4766	0.9496	62.4430	4.3600e-003		0.4574	0.4574		0.4574	0.4574		148.5950	148.5950	0.1424		152.1542
Total	30.5020	15.0496	68.4430	0.0944		1.5974	1.5974		1.5974	1.5974	0.0000	18,148.5950	18,148.5950	0.4874	0.3300	18,259.1192

07-16
Cont.

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

10.0 Stationary Equipment

Page 247 of 270 in Comment Letter 07

Village South Specific Plan (Proposed) - Los Angeles-South Coast County, Winter

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation



07-16
Cont.

Page 248 of 270 in Comment Letter 07

Attachment C

Local Hire Provision Net Change	
Without Local Hire Provision	
Total Construction GHG Emissions (MT CO2e)	3,623
Amortized (MT CO2e/year)	120.77
With Local Hire Provision	
Total Construction GHG Emissions (MT CO2e)	3,024
Amortized (MT CO2e/year)	100.80
% Decrease in Construction-related GHG Emissions	17%

07-16
Cont.

EXHIBIT B

Page 250 of 270 in Comment Letter 07



SOIL WATER AIR PROTECTION ENTERPRISE
2656 29th Street, Suite 201
Santa Monica, California 90405
Attn: Paul Rosenfeld, Ph.D.
Mobil: (310) 795-2335
Office: (310) 452-5555
Fax: (310) 452-5550
Email: prosenfeld@swape.com

Paul Rosenfeld, Ph.D.

Chemical Fate and Transport & Air Dispersion Modeling

Principal Environmental Chemist

Risk Assessment & Remediation Specialist

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.
M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.
B.A. Environmental Studies, U.C. Santa Barbara, 1991. Thesis on wastewater treatment.

Professional Experience

Dr. Rosenfeld has over 25 years' experience conducting environmental investigations and risk assessments for evaluating impacts to human health, property, and ecological receptors. His expertise focuses on the fate and transport of environmental contaminants, human health risk, exposure assessment, and ecological restoration. Dr. Rosenfeld has evaluated and modeled emissions from unconventional oil drilling operations, oil spills, landfills, boilers and incinerators, process stacks, storage tanks, confined animal feeding operations, and many other industrial and agricultural sources. His project experience ranges from monitoring and modeling of pollution sources to evaluating impacts of pollution on workers at industrial facilities and residents in surrounding communities.

Dr. Rosenfeld has investigated and designed remediation programs and risk assessments for contaminated sites containing lead, heavy metals, mold, bacteria, particulate matter, petroleum hydrocarbons, chlorinated solvents, pesticides, radioactive waste, dioxins and furans, semi- and volatile organic compounds, PCBs, PAHs, perchlorate, asbestos, per- and poly-fluoroalkyl substances (PFOA/PFOS), unusual polymers, fuel oxygenates (MTBE), among other pollutants. Dr. Rosenfeld also has experience evaluating greenhouse gas emissions from various projects and is an expert on the assessment of odors from industrial and agricultural sites, as well as the evaluation of odor nuisance impacts and technologies for abatement of odorous emissions. As a principal scientist at SWAPE, Dr. Rosenfeld directs air dispersion modeling and exposure assessments. He has served as an expert witness and testified about pollution sources causing nuisance and/or personal injury at dozens of sites and has testified as an expert witness on more than ten cases involving exposure to air contaminants from industrial sources.

07-16
Cont.

Professional History:

Soil Water Air Protection Enterprise (SWAPE); 2003 to present; Principal and Founding Partner
UCLA School of Public Health; 2007 to 2011; Lecturer (Assistant Researcher)
UCLA School of Public Health; 2003 to 2006; Adjunct Professor
UCLA Environmental Science and Engineering Program; 2002-2004; Doctoral Intern Coordinator
UCLA Institute of the Environment, 2001-2002; Research Associate
Komex H₂O Science, 2001 to 2003; Senior Remediation Scientist
National Groundwater Association, 2002-2004; Lecturer
San Diego State University, 1999-2001; Adjunct Professor
Anteon Corp., San Diego, 2000-2001; Remediation Project Manager
Ogden (now Amec), San Diego, 2000-2000; Remediation Project Manager
Bechtel, San Diego, California, 1999 – 2000; Risk Assessor
King County, Seattle, 1996 – 1999; Scientist
James River Corp., Washington, 1995-96; Scientist
Big Creek Lumber, Davenport, California, 1995; Scientist
Plumas Corp., California and USFS, Tahoe 1993-1995; Scientist
Peace Corps and World Wildlife Fund, St. Kitts, West Indies, 1991-1993; Scientist

Publications:

Remy, L.L., Clay T., Byers, V., **Rosenfeld P. E.** (2019) Hospital, Health, and Community Burden After Oil Refinery Fires, Richmond, California 2007 and 2012. *Environmental Health*. 18:48

Simons, R.A., Seo, Y. **Rosenfeld, P.**, (2015) Modeling the Effect of Refinery Emission On Residential Property Value. *Journal of Real Estate Research*. 27(3):321-342

Chen, J. A, Zapata A. R., Sutherland A. J., Molmen, D.R., Chow, B. S., Wu, L. E., **Rosenfeld, P. E.**, Hesse, R. C., (2012) Sulfur Dioxide and Volatile Organic Compound Exposure To A Community In Texas City Texas Evaluated Using Aermol and Empirical Data. *American Journal of Environmental Science*, 8(6), 622-632.

Rosenfeld, P.E. & Feng, L. (2011). *The Risks of Hazardous Waste*. Amsterdam: Elsevier Publishing.

Cheremisnoff, N.P., & **Rosenfeld, P.E.** (2011). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Agrochemical Industry*, Amsterdam: Elsevier Publishing.

Gonzalez, J., Feng, L., Sutherland, A., Waller, C., Sok, H., Hesse, R., **Rosenfeld, P.** (2010). PCBs and Dioxins/Furans in Attic Dust Collected Near Former PCB Production and Secondary Copper Facilities in Sauget, IL. *Procedia Environmental Sciences*. 113–125.

Feng, L., Wu, C., Tam, L., Sutherland, A.J., Clark, J.J., **Rosenfeld, P.E.** (2010). Dioxin and Furan Blood Lipid and Attic Dust Concentrations in Populations Living Near Four Wood Treatment Facilities in the United States. *Journal of Environmental Health*. 73(6), 34-46.

Cheremisnoff, N.P., & **Rosenfeld, P.E.** (2010). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Wood and Paper Industries*. Amsterdam: Elsevier Publishing.

Cheremisnoff, N.P., & **Rosenfeld, P.E.** (2009). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Petroleum Industry*. Amsterdam: Elsevier Publishing.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P.** (2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. *WIT Transactions on Ecology and the Environment, Air Pollution*, 123 (17), 319-327.

07-16
Cont.

Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equivalency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. *Organohalogen Compounds*, 70, 002252-002255.

Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. *Organohalogen Compounds*, 70, 000527-000530.

Hensley, A.R. A. Scott, J. J. J. Clark, **Rosenfeld, P.E.** (2007). Attic Dust and Human Blood Samples Collected near a Former Wood Treatment Facility. *Environmental Research*. 105, 194-197.

Rosenfeld, P.E., J. J. J. Clark, A. R. Hensley, M. Suffet. (2007). The Use of an Odor Wheel Classification for Evaluation of Human Health Risk Criteria for Compost Facilities. *Water Science & Technology* 55(5), 345-357.

Rosenfeld, P. E., M. Suffet. (2007). The Anatomy Of Odour Wheels For Odours Of Drinking Water, Wastewater, Compost And The Urban Environment. *Water Science & Technology* 55(5), 335-344.

Sullivan, P. J. Clark, J.J.J., Agardy, F. J., **Rosenfeld, P.E.** (2007). *Toxic Legacy, Synthetic Toxins in the Food, Water, and Air in American Cities*. Boston Massachusetts: Elsevier Publishing

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash. *Water Science and Technology*. 49(9),171-178.

Rosenfeld P. E., J.J. Clark, I.H. (Mel) Suffet (2004). The Value of An Odor-Quality-Wheel Classification Scheme For The Urban Environment. *Water Environment Federation's Technical Exhibition and Conference (WEFTEC) 2004*. New Orleans, October 2-6, 2004.

Rosenfeld, P.E., and Suffet, I.H. (2004). Understanding Odorants Associated With Compost, Biomass Facilities, and the Land Application of Biosolids. *Water Science and Technology*. 49(9), 193-199.

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash, *Water Science and Technology*, 49(9), 171-178.

Rosenfeld, P. E., Grey, M. A., Sellow, P. (2004). Measurement of Biosolids Odor and Odorant Emissions from Windrows, Static Pile and Biofilter. *Water Environment Research*. 76(4), 310-315.

Rosenfeld, P.E., Grey, M and Suffet, M. (2002). Compost Demonstration Project, Sacramento California Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Integrated Waste Management Board Public Affairs Office*, Publications Clearinghouse (MS-6), Sacramento, CA Publication #442-02-008.

Rosenfeld, P.E., and C.L. Henry. (2001). Characterization of odor emissions from three different biosolids. *Water Soil and Air Pollution*. 127(1-4), 173-191.

Rosenfeld, P.E., and Henry C. L., (2000). Wood ash control of odor emissions from biosolids application. *Journal of Environmental Quality*. 29, 1662-1668.

Rosenfeld, P.E., C.L. Henry and D. Bennett. (2001). Wastewater dewatering polymer affect on biosolids odor emissions and microbial activity. *Water Environment Research*. 73(4), 363-367.

Rosenfeld, P.E., and C.L. Henry. (2001). Activated Carbon and Wood Ash Sorption of Wastewater, Compost, and Biosolids Odorants. *Water Environment Research*, 73, 388-393.

Rosenfeld, P.E., and Henry C. L., (2001). High carbon wood ash effect on biosolids microbial activity and odor. *Water Environment Research*. 131(1-4), 247-262.

Chollack, T. and P. Rosenfeld. (1998). Compost Amendment Handbook For Landscaping. Prepared for and distributed by the City of Redmond, Washington State.

Rosenfeld, P. E. (1992). The Mount Liamuiga Crater Trail. *Heritage Magazine of St. Kitts*, 3(2).

Rosenfeld, P. E. (1993). High School Biogas Project to Prevent Deforestation On St. Kitts. *Biomass Users Network*, 7(1).

Rosenfeld, P. E. (1998). Characterization, Quantification, and Control of Odor Emissions From Biosolids Application To Forest Soil. Doctoral Thesis. University of Washington College of Forest Resources.

Rosenfeld, P. E. (1994). Potential Utilization of Small Diameter Trees on Sierra County Public Land. Masters thesis reprinted by the Sierra County Economic Council. Sierra County, California.

Rosenfeld, P. E. (1991). How to Build a Small Rural Anaerobic Digester & Uses Of Biogas In The First And Third World. Bachelors Thesis. University of California.

Presentations:

Rosenfeld, P.E., Sutherland, A; Hesse, R.; Zapata, A. (October 3-6, 2013). Air dispersion modeling of volatile organic emissions from multiple natural gas wells in Decatur, TX. *44th Western Regional Meeting, American Chemical Society*. Lecture conducted from Santa Clara, CA.

Sok, H.L.; Waller, C.C.; Feng, L.; Gonzalez, J.; Sutherland, A.J.; Wisdom-Stack, T.; Sahai, R.K.; Hesse, R.C.; Rosenfeld, P.E. (June 20-23, 2010). Atrazine: A Persistent Pesticide in Urban Drinking Water. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Feng, L.; Gonzalez, J.; Sok, H.L.; Sutherland, A.J.; Waller, C.C.; Wisdom-Stack, T.; Sahai, R.K.; La, M.; Hesse, R.C.; Rosenfeld, P.E. (June 20-23, 2010). Bringing Environmental Justice to East St. Louis, Illinois. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Rosenfeld, P.E. (April 19-23, 2009). Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tuscon, AZ.

Rosenfeld, P.E. (April 19-23, 2009). Cost to Filter Atrazine Contamination from Drinking Water in the United States? Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tuscon, AZ.

Wu, C., Tam, L., Clark, J., Rosenfeld, P. (20-22 July, 2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. Brebbia, C.A. and Popov, V., eds., *Air Pollution XVII: Proceedings of the Seventeenth International Conference on Modeling, Monitoring and Management of Air Pollution*. Lecture conducted from Tallinn, Estonia.

Rosenfeld, P. E. (October 15-18, 2007). Moss Point Community Exposure To Contaminants From A Releasing Facility. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). The Repeated Trespass of Tritium-Contaminated Water Into A Surrounding Community Form Repeated Waste Spills From A Nuclear Power Plant. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

07-16
Cont.

Rosenfeld, P. E. (October 15-18, 2007). Somerville Community Exposure To Contaminants From Wood Treatment Facility Emissions. *The 23rd Annual International Conferences on Soils Sediment and Water*. Lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld P. E. (March 2007). Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP). *The Association for Environmental Health and Sciences (AEHS) Annual Meeting*. Lecture conducted from San Diego, CA.

Rosenfeld P. E. (March 2007). Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florala, Alabama. *The AEHS Annual Meeting*. Lecture conducted from San Diego, CA.

Hensley A.R., Scott, A., **Rosenfeld P.E.**, Clark, J.J.J. (August 21 – 25, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006*. Lecture conducted from Radisson SAS Scandinavia Hotel in Oslo Norway.

Hensley A.R., Scott, A., **Rosenfeld P.E.**, Clark, J.J.J. (November 4-8, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *APHA 134 Annual Meeting & Exposition*. Lecture conducted from Boston Massachusetts.

Paul Rosenfeld Ph.D. (October 24-25, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. Mealey's C8/PFOA. *Science, Risk & Litigation Conference*. Lecture conducted from The Rittenhouse Hotel, Philadelphia, PA.

Paul Rosenfeld Ph.D. (September 19, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, *Toxicology and Remediation PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel, Irvine California.

Paul Rosenfeld Ph.D. (September 19, 2005). Fate, Transport, Toxicity, And Persistence of 1,2,3-TCP. *PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel in Irvine, California.

Paul Rosenfeld Ph.D. (September 26-27, 2005). Fate, Transport and Persistence of PDBEs. *Mealey's Groundwater Conference*. Lecture conducted from Ritz Carlton Hotel, Marina Del Ray, California.

Paul Rosenfeld Ph.D. (June 7-8, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. *International Society of Environmental Forensics: Focus On Emerging Contaminants*. Lecture conducted from Sheraton Oceanfront Hotel, Virginia Beach, Virginia.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Fate Transport, Persistence and Toxicology of PFOA and Related Perfluorochemicals. *2005 National Groundwater Association Ground Water And Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation. *2005 National Groundwater Association Ground Water and Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. and Rob Hesse R.G. (May 5-6, 2004). Tert-butyl Alcohol Liability and Toxicology, A National Problem and Unquantified Liability. *National Groundwater Association. Environmental Law Conference*. Lecture conducted from Congress Plaza Hotel, Chicago Illinois.

Paul Rosenfeld, Ph.D. (March 2004). Perchlorate Toxicology. *Meeting of the American Groundwater Trust*. Lecture conducted from Phoenix Arizona.

Hagemann, M.F., **Paul Rosenfeld, Ph.D.** and Rob Hesse (2004). Perchlorate Contamination of the Colorado River. *Meeting of tribal representatives*. Lecture conducted from Parker, AZ.

07-16
Cont.

Paul Rosenfeld, Ph.D. (April 7, 2004). A National Damage Assessment Model For PCE and Dry Cleaners. *Drycleaner Symposium. California Ground Water Association*. Lecture conducted from Radison Hotel, Sacramento, California.

Rosenfeld, P. E., Grey, M., (June 2003) Two stage biofilter for biosolids composting odor control. *Seventh International In Situ And On Site Bioremediation Symposium Battelle Conference* Orlando, FL.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. (February 20-21, 2003) Understanding Historical Use, Chemical Properties, Toxicity and Regulatory Guidance of 1,4 Dioxane. *National Groundwater Association. Southwest Focus Conference. Water Supply and Emerging Contaminants.* Lecture conducted from Hyatt Regency Phoenix Arizona.

Paul Rosenfeld, Ph.D. (February 6-7, 2003). Underground Storage Tank Litigation and Remediation. *California CUPA Forum*. Lecture conducted from Marriott Hotel, Anaheim California.

Paul Rosenfeld, Ph.D. (October 23, 2002) Underground Storage Tank Litigation and Remediation. *EPA Underground Storage Tank Roundtable*. Lecture conducted from Sacramento California.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Understanding Odor from Compost, *Wastewater and Industrial Processes. Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Using High Carbon Wood Ash to Control Compost Odor. *Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Grey, M. A. (September 22-24, 2002). Biocycle Composting For Coastal Sage Restoration. *Northwest Biosolids Management Association*. Lecture conducted from Vancouver Washington..

Rosenfeld, P.E. and Grey, M. A. (November 11-14, 2002). Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Soil Science Society Annual Conference*. Lecture conducted from Indianapolis, Maryland.

Rosenfeld, P.E. (September 16, 2000). Two stage biofilter for biosolids composting odor control. *Water Environment Federation*. Lecture conducted from Anaheim California.

Rosenfeld, P.E. (October 16, 2000). Wood ash and biofilter control of compost odor. *Biofest*. Lecture conducted from Ocean Shores, California.

Rosenfeld, P.E. (2000). Bioremediation Using Organic Soil Amendments. *California Resource Recovery Association*. Lecture conducted from Sacramento California.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. *Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings*. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., and C.L. Henry. (1999). An evaluation of ash incorporation with biosolids for odor reduction. *Soil Science Society of America*. Lecture conducted from Salt Lake City Utah.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Brown and Caldwell*. Lecture conducted from Seattle Washington.

Rosenfeld, P.E., C.L. Henry. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. *Biofest*. Lecture conducted from Lake Chelan, Washington.

07-16
Cont.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., C.L. Henry, R. B. Harrison, and R. Dills. (1997). Comparison of Odor Emissions From Three Different Biosolids Applied to Forest Soil. *Soil Science Society of America*. Lecture conducted from Anaheim California.

Teaching Experience:

UCLA Department of Environmental Health (Summer 2003 through 20010) Taught Environmental Health Science 100 to students, including undergrad, medical doctors, public health professionals and nurses. Course focused on the health effects of environmental contaminants.

National Ground Water Association, Successful Remediation Technologies. Custom Course in Sante Fe, New Mexico. May 21, 2002. Focused on fate and transport of fuel contaminants associated with underground storage tanks.

National Ground Water Association; Successful Remediation Technologies Course in Chicago Illinois. April 1, 2002. Focused on fate and transport of contaminants associated with Superfund and RCRA sites.

California Integrated Waste Management Board, April and May, 2001. Alternative Landfill Caps Seminar in San Diego, Ventura, and San Francisco. Focused on both prescriptive and innovative landfill cover design.

UCLA Department of Environmental Engineering, February 5, 2002. Seminar on Successful Remediation Technologies focusing on Groundwater Remediation.

University Of Washington, Soil Science Program, Teaching Assistant for several courses including: Soil Chemistry, Organic Soil Amendments, and Soil Stability.

U.C. Berkeley, Environmental Science Program Teaching Assistant for Environmental Science 10.

Academic Grants Awarded:

California Integrated Waste Management Board. \$41,000 grant awarded to UCLA Institute of the Environment. Goal: To investigate effect of high carbon wood ash on volatile organic emissions from compost. 2001.

Synagro Technologies, Corona California: \$10,000 grant awarded to San Diego State University. Goal: investigate effect of biosolids for restoration and remediation of degraded coastal sage soils. 2000.

King County, Department of Research and Technology, Washington State. \$100,000 grant awarded to University of Washington: Goal: To investigate odor emissions from biosolids application and the effect of polymers and ash on VOC emissions. 1998.

Northwest Biosolids Management Association, Washington State. \$20,000 grant awarded to investigate effect of polymers and ash on VOC emissions from biosolids. 1997.

James River Corporation, Oregon: \$10,000 grant was awarded to investigate the success of genetically engineered Poplar trees with resistance to round-up. 1996.

United State Forest Service, Tahoe National Forest: \$15,000 grant was awarded to investigating fire ecology of the Tahoe National Forest. 1995.

Kellogg Foundation, Washington D.C. \$500 grant was awarded to construct a large anaerobic digester on St. Kitts in West Indies. 1993

07-16
Cont.

Deposition and/or Trial Testimony:

In the United States District Court For The District of New Jersey
Duarte et al, *Plaintiffs*, vs. United States Metals Refining Company et. al. *Defendant*.
Case No.: 2:17-cv-01624-ES-SCM
Rosenfeld Deposition. 6-7-2019

In the United States District Court of Southern District of Texas Galveston Division
M/T Carla Maersk, *Plaintiffs*, vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS “Conti Perdido”
Defendant.
Case No.: 3:15-CV-00106 consolidated with 3:15-CV-00237
Rosenfeld Deposition. 5-9-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants
Case No.: No. BC615636
Rosenfeld Deposition, 1-26-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants
Case No.: No. BC646857
Rosenfeld Deposition, 10-6-2018; Trial 3-7-19

In United States District Court For The District of Colorado
Bells et al. Plaintiff vs. The 3M Company et al., Defendants
Case: No 1:16-cv-02531-RBJ
Rosenfeld Deposition, 3-15-2018 and 4-3-2018

In The District Court Of Regan County, Texas, 112th Judicial District
Phillip Bales et al., Plaintiff vs. Dow Agrosiences, LLC, et al., Defendants
Cause No 1923
Rosenfeld Deposition, 11-17-2017

In The Superior Court of the State of California In And For The County Of Contra Costa
Simons et al., Plaintiffs vs. Chevron Corporation, et al., Defendants
Cause No C12-01481
Rosenfeld Deposition, 11-20-2017

In The Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants
Case No.: No. 0i9-L-2295
Rosenfeld Deposition, 8-23-2017

In The Superior Court of the State of California, For The County of Los Angeles
Warm Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC
Case No.: LC102019 (c/w BC582154)
Rosenfeld Deposition, 8-16-2017, Trail 8-28-2018

In the Northern District Court of Mississippi, Greenville Division
Brenda J. Cooper, et al., *Plaintiffs*, vs. Meritor Inc., et al., *Defendants*
Case Number: 4:16-cv-52-DMB-JVM
Rosenfeld Deposition: July 2017

07-16
Cont.

- In The Superior Court of the State of Washington, County of Snohomish
Michael Davis and Julie Davis et al., Plaintiff vs. Cedar Grove Composting Inc., Defendants
Case No.: No. 13-2-03987-5
Rosenfeld Deposition, February 2017
Trial, March 2017

- In The Superior Court of the State of California, County of Alameda
Charles Spain., Plaintiff vs. Thermo Fisher Scientific, et al., Defendants
Case No.: RG14711115
Rosenfeld Deposition, September 2015

- In The Iowa District Court In And For Poweshiek County
Russell D. Winburn, et al., Plaintiffs vs. Doug Hoksbergen, et al., Defendants
Case No.: LALA002187
Rosenfeld Deposition, August 2015

- In The Iowa District Court For Wapello County
Jerry Dovico, et al., Plaintiffs vs. Valley View Sine LLC, et al., Defendants
Law No.: LALA105144 - Division A
Rosenfeld Deposition, August 2015

- In The Iowa District Court For Wapello County
Doug Pauls, et al., et al., Plaintiffs vs. Richard Warren, et al., Defendants
Law No.: LALA105144 - Division A
Rosenfeld Deposition, August 2015

- In The Circuit Court of Ohio County, West Virginia
Robert Andrews, et al. v. Antero, et al.
Civil Action N0. 14-C-30000
Rosenfeld Deposition, June 2015

- In The Third Judicial District County of Dona Ana, New Mexico
Betty Gonzalez, et al. Plaintiffs vs. Del Oro Dairy, Del Oro Real Estate LLC, Jerry Settles and Deward
DeRuyter, Defendants
Rosenfeld Deposition: July 2015

- In The Iowa District Court For Muscatine County
Laurie Freeman et. al. Plaintiffs vs. Grain Processing Corporation, Defendant
Case No 4980
Rosenfeld Deposition: May 2015

- In the Circuit Court of the 17th Judicial Circuit, in and For Broward County, Florida
Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality, Defendant.
Case Number CACE07030358 (26)
Rosenfeld Deposition: December 2014

- In the United States District Court Western District of Oklahoma
Tommy McCarty, et al., Plaintiffs, v. Oklahoma City Landfill, LLC d/b/a Southeast Oklahoma City
Landfill, et al. Defendants.
Case No. 5:12-cv-01152-C
Rosenfeld Deposition: July 2014

07-16
Cont.

In the County Court of Dallas County Texas
Lisa Parr et al, *Plaintiff*, vs. Aruba et al, *Defendant*.
Case Number cc-11-01650-E
Rosenfeld Deposition: March and September 2013
Rosenfeld Trial: April 2014

In the Court of Common Pleas of Tuscarawas County Ohio
John Michael Abicht, et al., *Plaintiffs*, vs. Republic Services, Inc., et al., *Defendants*
Case Number: 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)
Rosenfeld Deposition: October 2012

In the United States District Court of Southern District of Texas Galveston Division
Kyle Cannon, Eugene Donovan, Genaro Ramirez, Carol Sassler, and Harvey Walton, each Individually and on behalf of those similarly situated, *Plaintiffs*, vs. BP Products North America, Inc., *Defendant*.
Case 3:10-cv-00622
Rosenfeld Deposition: February 2012
Rosenfeld Trial: April 2013

In the Circuit Court of Baltimore County Maryland
Philip E. Cvach, II et al., *Plaintiffs* vs. Two Farms, Inc. d/b/a Royal Farms, Defendants
Case Number: 03-C-12-012487 OT
Rosenfeld Deposition: September 2013



07-16
Cont.

EXHIBIT C

Page 261 of 270 in Comment Letter 07



1640 5th St., Suite 204 Santa
Santa Monica, California 90401
Tel: (949) 887-9013
Email: mhagemann@swape.com

Matthew F. Hagemann, P.G., C.Hg., QSD, QSP

**Geologic and Hydrogeologic Characterization
Industrial Stormwater Compliance
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
CEQA Review**

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist
California Certified Hydrogeologist
Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 25 years of experience in environmental policy, assessment and remediation. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA’s Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) while also working with permit holders to improve hydrogeologic characterization and water quality monitoring.

Matt has worked closely with U.S. EPA legal counsel and the technical staff of several states in the application and enforcement of RCRA, Safe Drinking Water Act and Clean Water Act regulations. Matt has trained the technical staff in the States of California, Hawaii, Nevada, Arizona and the Territory of Guam in the conduct of investigations, groundwater fundamentals, and sampling techniques.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2014;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 – 2003);

07-16
Cont.

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt’s responsibilities have included:

- Lead analyst and testifying expert in the review of over 100 environmental impact reports since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, Valley Fever, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at industrial facilities.
- Manager of a project to provide technical assistance to a community adjacent to a former Naval shipyard under a grant from the U.S. EPA.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.
- Expert witness on two cases involving MTBE litigation.
- Expert witness and litigation support on the impact of air toxins and hazards at a school.
- Expert witness in litigation at a former plywood plant.

07-16
Cont.

With Komex H2O Science Inc., Matt’s duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.



07-16
Cont.

- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted public hearings, and responded to public comments from residents who were very concerned about the impact of designation.



07-16
Cont.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nationwide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9. Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, Oxygenates in Water: Critical Information and Research Needs.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.



07-16
Cont.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt taught physical geology (lecture and lab and introductory geology at Golden West College in Huntington Beach, California from 2010 to 2014.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Colorado.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

07-16
Cont.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal representatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

07-16
Cont.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F.** 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukunaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

07-16
Cont.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examination, 2009-2011.



Response to Comment Letter O7

Organization
Mitchell M. Tsai- Western States Regional Council of Carpenters
July 15, 2024

- 07-1** The comment states that the letter is written on behalf of the Western States Regional Council of Carpenters, formerly the Southwest Mountain States Regional Council of Carpenters (labor union). The letter is submitted as comments in response to the City of Moreno Valley's Draft SEIR for the Project. The City acknowledges the comment as an introduction to comments that follow. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary because the comment does not raise any specific environmental issue related to the adequacy of the Draft SEIR.
- 07-2** The comment includes general background information about the labor union. The City acknowledges the comment as a further introduction to comments that follow. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary because the comment does not raise any specific environmental issue related to the adequacy of the Draft SEIR.
- 07-3** The comment provides a general summary of the Project and its description. For a complete description, please refer to Draft SEIR Chapter 1A, Executive Summary, Section 1A.2, pp. 1A-1 through 1A-7. This section describes the Project and includes the Project overview, objectives, location, and summary. This comment does not raise any specific environmental issue related to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.
- 07-4** The comment states that individual members of the labor union live, work, and recreate in the City and surrounding communities and would be directly affected by the Project's environmental impacts. No facts or information is provided to support the comment. The City acknowledges the comment as a further introduction to comments that follow. This comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project; however, no further response is required or necessary because the comment does not raise any specific environmental issue related to the adequacy of the Draft SEIR.
- 07-5** The comment states that the labor union reserves the right to supplement its comments at or prior to hearings on the Project. The comment does not raise any specific environmental issues regarding the adequacy of the Draft SEIR; therefore, no further response is necessary or required.
- 07-6** The comment states that the labor union incorporates by reference all comments raising issues regarding the Draft SEIR that were submitted "prior to certification" of the Draft SEIR for the Project. The comment does not raise any specific environmental issues related to the adequacy of the Draft SEIR; therefore, no further response is necessary or required.
- 07-7** The comment requests that the City provide the labor union with all notices related to the Project issued under CEQA and the California Planning and Zoning Law. The City acknowledges the request and will continue to provide public notices in compliance with CEQA and the Planning and Zoning law. The

comment does not raise any specific environmental issues related to the adequacy of the Draft SEIR; therefore, no further response is necessary or required.

07-8

The comment states that the City should require the Project to be built using local workers who have graduated from a joint labor-management apprenticeship program approved by the State of California. The comment further cites various sources to support the general statement that local hire requirements benefit the community, reduce environmental impacts, and would improve the positive economic impact of the Project. Additionally, the comment refers to an attached 2021 letter from Soil Water Air Protection Enterprise (SWAPE), dated March 8, 2021, the subject of which is “local hiring requirements and considerations for greenhouse gas modeling.” The SWAPE letter, which is more than 3 years old, is signed by Matt Hagemann, PG, C. Hg, and Paul E. Rosenfeld, PhD. For further information, please see Response to Comment 07-12. The comment further states that workforce policies have significant environmental benefits given that they improve an area’s jobs–housing balance, decrease the amount and length of job commutes and associated greenhouse gas (GHG) emissions, and reduce vehicle miles traveled, citing in part a voluntary hiring program encouraged by the City of Berkeley in Northern California.

First, requiring the Project to be built using local workers from an approved apprenticeship program does not raise any specific environmental issues related to the adequacy of the Draft SEIR; therefore, no further response is necessary or required.

Second, there is no CEQA or City code requirement that Project applicants must hire local construction labor through an approved apprenticeship program on a mixed-use/housing development project. Consistent with CEQA, the Legislature’s intent is that courts, consistent with accepted rules of statutory interpretation, shall not interpret CEQA or the CEQA Guidelines in a manner that imposes procedural or substantive requirements beyond those explicitly stated in CEQA or the CEQA Guidelines (California Public Resources Code, Section 21083.1).

Third, the City has no legal authority over the hiring practices of private businesses as part of a discretionary development review process.²³ Additionally, there is no known feasible or enforceable mechanism for the City to utilize in order to accommodate the local hire requirement referenced in this comment. The City, through its environmental consultant, has reviewed publications regarding enforceability of local hire preference programs and related strategies for requiring contractors to establish jobs training or apprenticeship programs (Cantrell and Jain 2013; Gadbois et al. 2012). The publications have identified various legal issues associated with such programs, including various constitutional challenges to their validity under the Privileges and Immunities Clause, the Commerce Clause, and the Equal Protection Clause of the U.S. Constitution. Given such legal hurdles, local agencies have sometimes turned to contract-based tools, such as project labor agreements, development agreements, and community benefit agreements; however, those agreements require

²³ The City acknowledges that local workforce hiring and training programs are used by public agencies on public works projects; in general, these programs encourage or require contractors on such projects to use local labor as part of the workforce. Other local agencies have used these programs to encourage local employment on public construction projects, which they say infuses public dollars back into the local workforce. However, other jurisdictions have experienced backlash against these policies because they are sometimes difficult to enforce, can be difficult to maintain compliance with, and can stifle competition and cause contractor costs to increase, which negatively impacts the production of housing. For these and other reasons stated herein, the City does not desire to require such programs.

case-by-case negotiations and implementation. In this case, neither the City nor the Project applicant has shown an interest in such agreements, negotiations, or implementation.

Further, as shown in Draft SEIR Section 4.14, Population and Housing (p. 4.14-13), there is an existing and considerable pool of local construction workers within both the City and the County. This substantial pool can and should be used by contractors to complete construction of various phases of the Project.

Fourth, the comment does not provide any substantial evidence of a project-specific significant unavoidable project or cumulative impact related to GHG emissions, vehicle miles traveled, or transportation effects. Indeed, the Draft SEIR confirms that all such impacts have been reduced to less-than-significant levels by applying applicable laws and regulations, requiring project design features, and imposing mitigation measures (e.g., Draft SEIR Chapter 1A, Tables 1A-2 and 1A-3, pp. 1A-12 through 1A-68).

For example, the Project's required compliance with the measures included in the current California Energy Code (24 CCR Part 6) and the California Green Building Code standards requires the Project to include energy efficiency and green building standards such as solar, water efficient landscaping, construction material diversion, low-polluting construction finishing materials, and electric charging station installation. Additionally, as discussed in the Draft SEIR, the Project must comply with all mandatory measures to ensure that energy-related impacts would be less than significant. As discussed in Draft SEIR Section 4.8, Greenhouse Gas Emissions, the Project is also consistent with applicable strategies, actions, project design features, and mitigation for reducing GHG emissions (see also Draft SEIR Appendix K1, Trip Generation Assessment). Draft SEIR Section 4.17, Transportation, also confirms that the Project would not result in any significant unavoidable traffic or transportation-related impacts.

Fifth, as to air quality, Draft SEIR Section 4.3, Air Quality (p. 4.3.-68), confirms that all feasible and enforceable mitigation measures have been identified and included in the CEQA document and that construction-related air quality impacts associated with the potential for cumulatively considerable net increases in criteria pollutants have been reduced to less than significant with identified mitigation.

Sixth, the comment does not cite or refer to any "local workforce use" requirement or hiring program imposed by any city or county, regional regulatory agency, or state agency. While the comment provides source material suggesting that the City of Berkeley encourages businesses to hire local residents and sponsor training programs, no cited source mandates "local workforce use" or "training" for discretionary mixed-use development projects under CEQA review. The Project applicant will encourage contractors to hire locally, and the City also encourages, similarly to Berkeley, businesses to hire local residents, students, veterans, and unsheltered individuals using incentives. Additionally, the local Supervisorial District also encourages local hiring using incentives.

Seventh, while the comment states that local hire and training requirements could have environmental benefits, such as improving an area's jobs-housing balance and decreasing the amount and length of job commutes and associated GHG emissions, the comment provides no project-specific data to support such claims, nor does it contest the adequacy of the Draft SEIR's environmental analysis of transportation, air quality, and GHG impacts, including reductions in vehicle miles traveled. Based on a review of the Draft SEIR as a whole, the City has also determined that upon operation of the Project, it

would facilitate a more balanced job-housing profile for the City by adding more housing and jobs to the City.

Additionally, Draft SEIR Section 4.14 determined that construction activities at the Project site would lead to the temporary need for construction workers, which may come from the City and the County. Moreover, the City has determined that the Project would involve fairly common construction requirements that would not regularly require a highly specialized labor force to permanently relocate from other regions. Due to the short-term demand and the Project site's location within an urban region with a high volume and diversity of available skilled labor, a permanent need for new workers to relocate is not anticipated. The comment does not contain any other or specific concerns related to the adequacy of the environmental analysis in the Draft SEIR; therefore, no further response is necessary or required.

07-9 The comment refers to Assembly Bill 2011, which amended the Planning and Zoning Law in California. The comment states that Assembly Bill 2011 "verified" the state's commitment to workforce development. The Project is not proposed under the provisions outlined in Assembly Bill 2011; therefore, it is inapplicable. Further, the comment does not raise any specific environmental issues related to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

07-10 The comment summarizes the request that the City consider utilizing local workforce policies and requirements, again suggesting that such requirements would benefit the local area economically and mitigate environmental impacts. The City refers to the above responses addressing the comments summarized herein. The comment also does not raise any specific environmental issue related to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

07-11 The comment raises concern regarding COVID-19 spread during construction activities and provides recommendations to the City to reduce risk during on-site construction work and practices. As described in Section 15064(d) of the CEQA Guidelines, CEQA requires the evaluation of physical changes in the environment that may be caused by a project and does not require analysis of the impacts of the existing environmental conditions on a project or its future residents or users. Additionally, neither CEQA nor the CEQA Guidelines expressly require the analysis or mitigation of public health effects from COVID-19 or any other communicable virus (e.g., influenza, legionnaires disease) as potential project impacts to the environment. Further, such viruses are not caused or exacerbated by construction or development projects. If approved, the Project's construction contractors can impose requirements for construction personnel to minimize the spread of COVID-19 or other viruses consistent with company policies and any local or state requirements that may be in place at the time. Compliance with existing protocols from federal, state, and local public health agencies would address workplace health and safety. Finally, the comment does not raise any specific environmental issue related to the adequacy of the Draft SEIR; therefore, no further response is required or necessary. The comment and recommendations, however, will be provided to the City's decision-makers as part of the Final SEIR review process.

07-12 The comment states that the Draft SEIR "should be revised and recirculated." However, the immediate comment that follows simply provides background as to the scope of an SEIR, which is the type of document that has been prepared for the Project. The background is generally accurate. In summary, under CEQA and the CEQA case law, an SEIR, as was prepared for this Project, is required to evaluate only the changes in the Project, its circumstances, or significant new information that led to preparation of the

later EIR. The Draft SEIR adheres to these CEQA requirements and summarizes the SEIR process (see Draft SEIR Section 1A.3, pp. 1A-7 through 1A-8).

Further, the comment does not identify any reason the Draft SEIR should be revised and recirculated. Nonetheless, the City has considered the recirculation request, and finds that recirculation is not required by CEQA or the CEQA Guidelines for the reasons that follow.

CEQA Guidelines Section 15088.5 provides the legal criteria that a lead agency is to consider when deciding whether it is required to recirculate an EIR. Recirculation is required when “significant new information” is added to the EIR after public notice of the availability of the draft EIR is given, but before certification (14 CCR 15088.5[a]). “Significant new information” is defined in CEQA Guidelines Section 15088.5(a) to mean information added to an EIR that changes the EIR so as to deprive the public of a meaningful opportunity to comment on a “substantial adverse environmental effect” 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.”

An example of significant new information provided by the CEQA Guidelines is the disclosure showing that a “new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented” (14 CCR 15088.5[a][1]). Other examples involve 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” (14 CCR 15088.5[a][2]). Further examples involve a setting where 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” (14 CCR 15088.5[a][3]).

Recirculation is not required where “the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR” (14 CCR 15088.5[b]). Recirculation also is not required simply because new information is added to the EIR—indeed, new information is regularly added given CEQA’s public/agency comment and response process and CEQA’s requirement to circulate proposed responses to comments submitted by public agencies to those agencies before certifying the final EIR. In short, recirculation is “intended to be an exception rather than the general rule” (*Laurel Heights Improvement Assn. v. Regents of University of California* [1993] 6 Cal.4th 1112, 1132).

These background comments do not raise any specific environmental issue related to the adequacy of the Draft SEIR nor do the comments explain why recirculation is required; therefore, no further response is required or necessary.

07-13

The comment claims that the Draft SEIR “improperly labels mitigation measures as ‘Project Design Features’” (sometimes referred to as “PDFs”). The comment also states that the Draft SEIR’s use of project design features “violates CEQA because such measures would not be included” in the CEQA-required Project Mitigation Monitoring and Reporting Program to ensure enforcement. For that reason, the comment states that using project design features “in lieu of mitigation measures violates CEQA.”

The City points out that the Project’s project design features are required by both the SEIR and Project conditions and are to be explicitly included in the Project’s Mitigation Monitoring and Reporting Plan. These added requirements are expressly intended to ensure enforcement of all project design features. Specifically, the Draft SEIR provides that, “All PDFs would be required as City-imposed Conditions of

Approval to ensure they are implemented during construction and operation of the project” (Draft SEIR Section 4.6, p. 4.6-13). Further, “To ensure enforcement, the PDFs will be included in the Project’s Mitigation Monitoring and Reporting Plan (MMRP)” (Draft SEIR Section 1A.6, p. 1A-12).

For additional information, please refer to Topical Response 3, Project Design Features.

07-14 The comment states that the Draft SEIR is “flawed” for relying on the City’s 2040 General Plan and its Climate Action Plan because the two documents are currently not in effect pursuant to the Riverside County Superior County’s writ of mandate issued in the City’s General Plan Update litigation. See Topical Response 1, SB 330 and General Plan Consistency Analysis.

07-15 The comment provides concluding remarks and summarizes the comments referenced above. The responses provided herein address the concluding comments, respond to the opinions of the labor union, and do not raise any issue related to the adequacy of any specific section of the Draft SEIR. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision on the Project. No further response is required or necessary because the comment does not raise any specific environmental issue related to the adequacy of the Draft SEIR.

07-16 The comment refers to three attachments to the comment letter. Two of the attachments are the resumes of Paul Rosenfeld and Matt Hagemann. These resumes do not raise any specific environmental issue related to the adequacy of the Draft SEIR; therefore, no further response is necessary or required.

The third attachment is the March 8, 2021, SWAPE letter to Mitchell Tsai regarding local hire requirements and considerations for GHG modeling. The SWAPE letter is more than 3 years old, and it does not reference this particular Project, its impacts, or mitigation. The City and its consultants have thoroughly reviewed the SWAPE letter. It explains how the California Emissions Estimator Model (CalEEMod) calculates emissions from construction-related vehicle trips and discusses the relationship between trip length and GHG emissions. It is a generalized discussion, not made applicable to this Project. The SWAPE letter also provides an example of a local hire requirement for an example project. However, the example is not applicable to this Project in the City of Moreno Valley; therefore, while considered, it is inapplicable and does not raise any specific environmental issue related to the adequacy of the Draft SEIR. The SWAPE letter also conducts an exercise using its sample project and the potential impacts of local hire requirements on estimated sample project-level GHG emissions, though it does not state that local hire requirements would result in reduced construction-related GHG emissions for all projects in all geographic areas. In short, the SWAPE letter is general and not applicable to the Project. Finally, the comment includes a disclaimer by SWAPE—the technical preparer. The disclaimer provides that as additional information is made available, SWAPE may amend its technical report. The comment does not raise any specific environmental issue related to the adequacy of the Draft SEIR; therefore, no further response is required or necessary.

Carey Fernandes

From: Danielle Harper-Scott <danielleh@moval.org>
Sent: Monday, July 15, 2024 11:10 AM
To: Emily Seklecki; Carey Fernandes
Cc: Kirt Coury; Robert Flores; Julia Descoteaux; Andrew Daymude
Subject: FW: Aquabella Draft EIR Comments

Hello Carey –
Please see the public comment letter below.

Kind regards,
Danielle

Danielle Harper-Scott
Senior Planner
Community Development
City of Moreno Valley
p: 951.413.3224 | e: danielleh@moval.org w: www.moval.org
14177 Frederick St., Moreno Valley, CA, 92553



From: Oscar A. Alvarez <oscaree@aol.com>
Sent: Monday, July 15, 2024 11:05 AM
To: Planning Notices_DG <planningnotices@moval.org>
Subject: Aquabella Draft EIR Comments

Some people who received this message don't often get email from oscaree@aol.com. [Learn why this is important](#)

Warning: External Email – Watch for Email Red Flags!

Mr. Kirt Coury, below are my comments related to the Aquabella's Draft EIR, due today. Please send me back a recognition of receipt, and also I would like to be notified of all future documents and meetings related to this project. Thank you!

Greenhouse Gase (GHG) Impacts

Currently here in Moreno Valley (MV) we have one of the worst air quality conditions in the country. Any new project will make our already fragile living conditions worse if it is not designed properly, including extensive safeguards against lung-damage and other health impacts of pollution.

The State of California has a goal to move away from fossil fuels towards clean renewable energy with a target reduction of 85% of greenhouse emissions (GHG) below 1990 levels by 2030 and reaching carbon neutrality by 2045. The Federal Government vision includes reducing GHG emissions 50-52 percent below 2005 by 2030, reaching 100 percent renewable energy by 2035, and establishing a net-zero emissions economy by 2050 (with 40 percent of federal investment benefits in climate and clean energy to disadvantaged communities).

The current Moreno Valley 2006 General Plan, although useful, is not up-to-date and does not provide guidance and specific steps to support the current state and federal critical goals, falling short to truly face the existential climate crisis we are

I1-1
I1-2

experiencing. Further, the Aquabella's draft Environmental Impact Report (EIR) adds to the existing pollution problem and fails to contribute positively to the state and federal goals.

I1-3

Thus, the Final EIR must have additional mitigations and changes to reduce its GHG impacts, and provide sufficient quantifiable analysis, with strong evidence and data for residents to review, assess and comment on such impacts, and with the certainty that once the project is constructed, it becomes a "sink" to any new pollution, rather than a 'source'.

I1-4

Questions on Potential Impacts of Project on MV Residents' Health and Quality of Life

- What is the environmental baseline that reflects actual physical conditions (pollution, traffic, noise, glare, etc.) in the project area to be used for comparison purposes with this project's impacts?

I1-5

- The draft EIR fails to provide full consideration and calculation of the project's increases in GHG emissions and other air quality pollutants.

I1-6

- Where is the draft EIR's analysis for the project's air quality direct, indirect, growth inducing and cumulative impacts on the most vulnerable population (e.g. children and elderly) in the City and surrounding areas? The draft EIR is inadequate in this area, and answers to these questions need to be provided in the final EIR.

I1-7

- How will the increase in GHG and other pollutants impact Nason Street, and its intersections at Nason and Iris, and Nason and the 60 Fwy interchange? How will the project further reduce the GHG to help meet the state and federal goals? What is shown in the draft EIR is inadequate for such a large project and is not consistent with the MV 2006 General Plan for its project size.

I1-8

I1-9

- The final EIR must use operating conditions of a roadway (e.g. speed, travel time, maneuverability, delay, and safety - "level of service") to demonstrate how the increase in traffic will impact Nason Street, and the intersections (including Nason and Iris, and Nason and the 60 Fwy interchange, Nason and Ironwood, Nason and Fir, Nason and Eucalyptus, Nason and Cottonwood), and provide accordingly appropriate mitigating measures. Otherwise, the project's analysis is inadequate.

I1-10

- How will the project reduce/eliminate effectively the originally unforeseen impacts related to air quality, traffic, noise, glare, and others since the Moreno Valley General Plan did not envision so much congestion (people, buildings and cars) in only 771 acres?

I1-11

- All proposed mitigations must include sufficient, measurable and enforceable actions to reduce/eliminate harms that this project will bring about with respect to environmental impacts during the construction and operational phases, to Native-American relics and biological protected species, nearby schools, existing residents and current air quality.

I1-12

Electrification of Homes and Buildings and Ancillary Services

The final EIR needs to bring certain and quantifiable environmental benefits to the City rather than additional unplanned pollution and bare benefits. The project must include homes and buildings with 100 percent electrification (solar energy, storage capacity, removal of gas and other polluting appliances); smart technology for the efficient usage of energy; request the municipal utility to provide carbon free electric energy to cover energy supply gaps; electric charging stations for cars/bikes/scooters available in parking lots, parks and other public facilities.

I1-13

Affordable Homes, Pedestrian-Only Streets, Bicycle Lanes, Streets and Housing/Building Construction with Heat-Reflecting Materials

The final EIR must include 20 percent or more affordable, market-restricted housing for 55-year-old and older with very-low, low-, and moderate-income levels; pedestrian only streets (and bicycling lanes) to facilitate and encourage walking and bicycling throughout the project area; design transit access thru sidewalks/crosswalks with the greatest safety in mind (e.g. sufficient lighting, transit stops and other related features); streets with heat reflecting materials, and high-solar radiation reflecting materials for new walls, surfaces, driveways, parking lots and roofs in housing and building construction.

I1-14

Water Conservation and Greater Use of Nature to Act as an Effective Sink for Air Pollution

The final EIR must include homes and buildings with the latest water conservation features (with ultra-low-flow fixtures; drought tolerant and/or native landscaping, and low-water use for areas served with recycled water); the final EIR should propose to plant much more trees beyond what it envisioned in parks, streets and other public areas, as they provide shade and act as pollution

I1-15

buffers, thus reducing air pollution exposure (residents also will have increased access to nature); provide opportunities for residents to recycle.

Meaningful Opportunity for English-Limited Moreno Valley Residents to Participate in the Comment Process

About 60 percent of the Moreno Valley residents are Hispanic, and many of them only speak Spanish. It is important that translation of documents be provided in Spanish, at least in a summary format explaining the significant environmental impacts in this project, along with effective mitigating measures and monitoring processes, and other important materials the non-English speaking residents need to know. Not providing a meaningful opportunity to Spanish-only speaking residents is a failure to provide equal opportunity of participation to all.

I1-15
Cont.
I1-16

INTENTIONALLY LEFT BLANK

Response to Comment Letter I1

Individual
Oscar A. Alvarez
July 15, 2024

I1-1 The comment is an introduction to comments that follow. The commenter also requests to be notified of future documents and meetings related to the Project.

The City acknowledges the comment as an introduction to comments that follow. The City will include the commenter to the list of people to receive public notices concerning the Project and its public hearings. This comment will be included in the Final SEIR for review and consideration by the decision-makers prior to a final decision. Because the comment does not raise any environmental issues regarding the adequacy of the Draft SEIR, no further response is required or necessary.

I1-2 The comment states that the City has “one of the worst air quality conditions in the country” and that any new project will impact health if not designed properly. The comment also identifies various greenhouse gas (GHG) emission reduction objectives of the State of California and the federal government. It continues that the City’s 2006 General Plan is not up to date as it pertains to the climate crisis.

In response, Draft SEIR Sections 4.3.1 and 4.3.2 (pp. 4.3-1 through 4.3-20) describe the existing air quality conditions in the Southern California Air Basin (SCAB) and City. In summary, the SCAB is designated as a nonattainment area for national and California ozone standards and national and California standards for particulate matter with an aerodynamic diameter less than or equal to 2.5 microns (PM_{2.5}). The SCAB also is designated as a nonattainment area for California standards for particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM₁₀); however, it is designated as an attainment area for national PM₁₀ standards. The Riverside County portion of the SCAB is designated as an attainment area for national and California carbon monoxide (CO) standards, national and California nitrogen dioxide standards, national and California lead standards, and national and California sulfur dioxide standards (EPA 2023; CARB 2022c).

Despite the current nonattainment status, air quality in the SCAB has generally improved since the inception of air pollutant monitoring in 1976. This improvement is mainly a result of lower-polluting on-road motor vehicles, more stringent regulation of industrial sources, and the implementation of emission reduction strategies by the South Coast Air Quality Management District. This trend toward cleaner air has occurred despite continued population growth. PM₁₀ levels have declined almost 50% since 1990, and PM_{2.5} levels have also declined 50% since measurements began in 1999 (SCAQMD 2013). Similar improvements are observed with ozone, although the rate of ozone decline has slowed in recent years.

The Draft SEIR evaluated potential Project impacts to air quality and health risks. Please refer to Topical Response 2, Air Quality; Draft SEIR Sections 4.3 and 5.3.3; and Draft SEIR Appendix D, Air Quality, Greenhouse Gases, and Energy Technical Report, for additional information. Impacts to health risks were determined to be less than significant with mitigation incorporated (Mitigation Measure [MM] AQ-2) during construction and less than significant during operation. Accordingly, the Project has been designed to avoid significant impacts to human health.

The Draft SEIR finds the Project would result in exceedances of South Coast Air Quality Management District thresholds for criteria air pollutants during Project construction and operation without mitigation. However, these impacts would be mitigated below significance during construction through implementation of MM-AQ-2 through MM-AQ-7. Operational impacts were determined to be significant and unavoidable for emissions of volatile organic compounds and oxides of nitrogen (both of which are precursors to the formation of ozone), CO, PM₁₀, and PM_{2.5}. Please see Appendix D of the Draft SEIR, pages 108–111, and its Appendix C for a discussion of health effects associated with criteria air pollutant emissions and why such effects cannot be reliably quantified given existing scientific constraints.

Responding to the comment about the state’s climate goals, Section 4.8.2 of the Draft SEIR (pp. 4.8-7 through 4.8-25) explains that the California Air Resources Board (CARB) adopted the 2022 Scoping Plan Update in December 2022, which outlines the state’s plan to reach carbon neutrality by 2045 or earlier, while also assessing the progress the state is making toward achieving its 2030 GHG reduction goal. Section 4.8.2 also describes the current regulatory framework concerning renewable energy and energy procurement, which requires the following percentage of retail sales of electricity to California end-use customers to come from eligible renewable energy resources and zero-carbon resources: 90% by December 31, 2035; 95% by December 31, 2040; and 100% by December 31, 2045.

The City notes the comment about the 2006 General Plan being outdated as relates to climate change. Refer to Topical Response 1, SB 330 and General Plan Consistency Analysis, and Topical Response 4, GHG Emissions. As detailed therein, the Project’s Senate Bill (SB) 330 preliminary application was submitted on September 6, 2023, at a time when the following regulatory documents were in effect: the 2040 General Plan (adopted by Resolution No. 2021-47 in June 2021), the Climate Action Plan, and related zone changes (adopted by Ordinance No. 981 in June and August 2021). However, the 2040 General Plan was the subject of litigation, and in May 2024, the Riverside County Superior Court issued a Judgment and Writ directing that the City set aside certification of the 2040 General Plan EIR and set aside approval of the 2040 General Plan, Climate Action Plan, and related Zoning Amendments until those errors are corrected (*Sierra Club v. City of Moreno Valley*, CVRI2103300, April 12, 2024, Minute Order).

Thus, Project consistency with the 2006 General Plan is evaluated in Appendix A, Specific Plan Amendment, of the Draft SEIR in the event it is the operative General Plan at the time of Project consideration for approval. Indeed, the City’s Resolution 2024-37 rescinding the previous approvals of the 2040 General Plan and associated documents due to the referenced litigation makes clear that “the 2006 General Plan, associated zoning, and associated EIR are no longer superseded and that the 2006 General Plan, Zoning, and associated EIR remain in place pending reconsideration and re-approval of the MoVal 2040 General Plan and associated zoning, and that the Housing Element (October 2022) remains in effect.”

However, the Draft SEIR also evaluates Project consistency with the City’s 2040 General Plan, Climate Action Plan, zoning, and up-to-date regional planning documents because the Project is an SB 330 preliminary application project. As such, upon the Project applicant’s submittal of the SB 330 application and payment of the required fee, the 2040 General Plan, Climate Action Plan, and Zoning were “frozen” in place (vested) for purposes of Project consideration and operate as the City’s valid regulations governing this SB 330 Project (despite the litigation) (see Topical Response 1).

As to GHG emissions specifically, the significance determination methodology used in the Draft SEIR includes a three-pronged analysis comprised of the following:

- **Consistency with the City's Climate Action Plan:** The SEIR evaluated the Project's consistency with the City's Climate Action Plan.
- **Consistency with CARB's Scoping Plan:** The SEIR evaluated the Project's consistency with the Scoping Plan and specifically Appendix D therein, which identifies "key project attributes" for residential and mixed-use projects to demonstrate alignment with the state's GHG reduction objectives.
- **Consistency with the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS):** The SEIR assessed the Project's alignment with the GHG-related goals of the SCAG RTP/SCS.

Please refer to Topical Response 4 for a summary of the GHG analysis and refer to Section 4.8, Greenhouse Gas Emissions, of the Draft SEIR for the analysis.

The comment addresses general subject areas, which, as shown here, received extensive analysis in the Draft SEIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision.

I1-3 The comment states the Project's Draft SEIR adds to the existing pollution problem and fails to contribute positively to state and federal goals. Please refer to Response to Comment I1-2 above, Topical Response 2, and Topical Response 4. The comment provides a general comment and unsupported opinion regarding the Draft SEIR and its significance findings. The analysis in the Draft SEIR is based on scientific and factual data, which has been reviewed by the City and reflects its independent judgement and conclusions.

Because the comment only generally questions the adequacy of the Draft SEIR, only a general response can be provided. No further response is needed or required. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision.

I1-4 The comment states the Final SEIR must have additional mitigation to reduce its GHG impacts and provide analysis that the Project becomes a "sink" rather than a "source" of new pollution. Please refer to Topical Response 4. To briefly summarize, Section 4.8 of the Draft SEIR describes that the Project would result in less-than-significant GHG impacts with mitigation incorporated, as evaluated pursuant to a three-part methodology. The Project's sustainable design within an urban, infill area will minimize GHG impacts. Section 6.2.5 of the Specific Plan Amendment (Appendix A to the Draft SEIR) also explains that the size and scale of the Project allows an integrated, connected community that maximizes walkability and complements surrounding uses. Solar roofs, renewable building materials, water conservation, recycled water, smart irrigation, drought tolerant plants, and extensive tree planting and landscaping are all part of the Project's sustainable design. Circulation and mobility elements will provide electric vehicle (EV) charging, bike, e-bikes, scooters, transit, bus/tram, multimodal, and walking transportation options.

The Project would implement numerous project design features (PDFs) to reduce GHGs, including PDF-AQ/GHG-1 through PDF-AQ/GHG-15, PDF-TRANS-1 through PDF-TRANS-15, and PDF-LU-1 through PDF-

LU-11. These features provide for building electrification, efficient energy use and reduced energy demand, reduced water use and demand, reduced solid waste generation, tree planting, and reduced vehicle trips and vehicle miles traveled (VMT). Please see Draft SEIR Section 4.8, pages 4.8-28 through 4.8-41, for further discussion of the Project's GHG-reducing PDFs. MM-GHG-1 additionally requires that 56% of Project parking spaces, amounting to 13,074 spaces, will either be pre-wired for EV charging or equipped with Level 1 or Level 2 chargers. With this mitigation, impacts related to GHGs would be less than significant and consistent with federal, state, and local goals.

Refer also to Responses to Comments I1-13 through I1-15.

I1-5 The comment asks what environmental baseline in the Project area was used for comparison purposes. The Draft SEIR explains that the document has been prepared as a "subsequent" EIR in accordance with CEQA Guidelines Section 15162, which states that additional CEQA review is not required unless there are substantial project changes, new circumstances, or new information showing significant impacts not previously addressed (14 CCR 15162; Draft SEIR Chapter 1, Introduction, p. 1-2). The Project site has undergone comprehensive environmental review in the 1999 EIR, 2003 Supplemental EIR, and 2005 Addendum. Thus, the effective "baseline" is the Project previously studied.

The Draft SEIR provides comparisons to the prior environmental documents, in light of the prior environmental review completed in contemplation of the prior projects. The Draft SEIR also evaluates impacts compared to existing conditions. Refer to Chapter 2, Environmental Setting, and Chapter 4, Environmental Impact Analysis, which provides the existing conditions, regulatory environment, and summary of previous impact analyses for each environmental issue area.

I1-6 The comment states the Draft SEIR fails to fully consider and calculate Project increases in GHG emissions and other air pollutants. Refer to Topical Response 4 and Topical Response 2 for a summary of the evaluation and calculations for air pollutant emissions and GHG emissions.

While the Project GHG impacts are not evaluated pursuant to a quantitative threshold of significance in the SEIR, emissions were quantified and provided in Draft SEIR Section 4.8 in Tables 4.8-7 through 4.8-11 (pp. 4.8-70 through 4.8-73). Table 4.8-11, Estimated Annual Operational Greenhouse Gas Emissions - Full Buildout - 2037, provides a summary of estimated annual GHG emissions with and without PDFs. MM-GHG-1 would further reduce GHG emissions by 76 metric tons of carbon dioxide equivalent per year.

As the comment does not raise a specific issue related to the adequacy of the Draft SEIR's GHG analysis, no further response can be provided or is needed. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers.

I1-7 The comment asks for the location of the Draft SEIR's analysis on air quality direct, indirect, growth inducing, and cumulative impacts on children and the elderly, and states the Draft SEIR is inadequate in evaluating this area. Refer to Topical Response 2; Topical Response 5, Growth Inducement; and Response to Comment I1-2. The Draft SEIR thoroughly evaluated these impacts in Section 4.3, Section 4.14.4.2, Section 5.3.3., Section 5.3.11, Section 6.2, and Appendix D. The analysis considers impacts to sensitive receptors, including children and the elderly and locations including schools and nearby medical facilities.

The City notes the comment provides an unsupported opinion regarding the Draft SEIR analysis, which was the subject of detailed analysis based on scientific and factual data. This analysis has been reviewed by the City and reflects its independent judgement and conclusions. Because the comment only asserts the Draft SEIR is inadequate without supporting substantial evidence, no further response is needed or required. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision.

- I1-8** The comment asks how the increase in GHGs and other pollutants impact Nason Street and its intersections at Nason and Iris and Nason and the State Route 60 interchange. It asks how the Project will reduce GHGs to meet state and federal goals.

Greenhouse Gas Emissions

As discussed in the Draft SEIR, GHG emissions contribute to an inherently global cumulative effect, not a localized air quality impact that would impact Nason Street and its intersections. “GHGs” refer to gases that absorb infrared radiation in the atmosphere. These GHGs accumulate and trap heat in the atmosphere (a “greenhouse effect”), contributing to global climate change, which has the potential to impact the environment related to air temperature and precipitation patterns. While climate impacts may be experienced locally, GHGs are not a localized pollutant that would accumulate at Nason Street intersections and impact human health (see Section 4.8 and Section 5.3.8 of the Draft SEIR and *Center for Biological Diversity v. Department of Fish & Wildlife* [2015] 62 Cal.4th 204, 219-220).

As to how the Project will reduce GHGs and meet state and federal goals, please refer to Topical Response 4. To briefly summarize, Section 4.8 of the Draft SEIR describes that the Project would result in less-than-significant GHG impacts with mitigation incorporated, as evaluated pursuant to a three-part methodology. The Project would implement numerous PDFs to reduce GHGs including PDF-AQ/GHG-1 through PDF-AQ/GHG-15, PDF-TRANS-1 through PDF-TRANS-15, and PDF-LU-1 through PDF-LU-11. Among other things, these features provide for building electrification (except for restaurant uses), efficient energy use and reduced energy demand, reduced water use and demand, reduced solid waste generation, tree planting, and reduced vehicle trips and VMT. Please see Draft SEIR Section 4.8, pages 4.8-28 through 4.8-41, for discussion of the Project’s GHG reducing PDFs.

The Project will also satisfy the “key attributes” identified by the California Air Resources Board’s 2022 Scoping Plan, Appendix D, Local Actions, for residential and mixed-use projects. Refer to Draft SEIR Section 4.8, Table 4.8-6 (pp. 4.8-61 through 4.8-66).

This Project includes providing EV charging infrastructure, being located on an infill site served by existing utilities and public services, not converting natural lands, developing transit supportive densities, reducing parking requirements, providing housing that would have VMT similar to 20% deed-restricted housing and be naturally affordable to lower-income residents, not eliminating existing affordable units, and incorporating building decarbonization measures. Because the Project would allow natural gas in restaurants, MM-GHG-1 requires that 56% of Project parking spaces, amounting to 13,074 spaces, will either be pre-wired for EV charging or equipped with Level 1 or Level 2 chargers. With this mitigation, impacts would be less than significant and consistent with federal, state, and local goals.

Refer to Responses to Comments I1-13 through I1-15 for additional information concerning Project features specifically raised by the commenter that would result in reduced GHG emissions.

Air Quality

Refer to Topical Response 2.

Localized impacts to area roadways are evaluated in Section 4.3 and Section 5.3.3 of the Draft SEIR. Specifically, the Draft SEIR evaluates whether the Project would expose sensitive receptors to localized high concentrations of CO or contribute to traffic volumes at intersections that would cause a CO hotspot during construction or operation, either individually or cumulatively. The Draft SEIR found the Project would not expose sensitive receptors to localized CO concentrations above thresholds. Note that, because of continued improvement in vehicular emissions at a rate faster than the rate of vehicle growth and/or congestion, the potential for CO hotspots in the SCAB is steadily decreasing.

I1-9

The comment states the draft SEIR is inadequate for a large project and not consistent with the 2006 General Plan for its project size. The City acknowledges the comment about the size of the Project and Draft SEIR analysis and notes it expresses the opinions of the commenter and does not raise an issue related to the adequacy of any specific section or analysis of the Draft SEIR. The Draft SEIR acknowledges the size of the Project. As no specific environmental issues is raised, no further response can be provided or is needed. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision.

The City notes the comment concerning consistency with the 2006 General Plan and notes that it expresses the opinion of the commenter on issues that received thorough analysis in the Draft SEIR. Section 3.4.1 of the Draft SEIR (pp. 3-27 through 3-28) explains that a General Plan Amendment would be needed to accommodate the Project. The Draft SEIR describes the General Plan Amendment proposed to both the 2040 General Plan and 2006 General Plan, in the event the 2006 General Plan is operative at the time of Project consideration for approval for the reasons described in Topical Response 1.

To summarize, on September 6, 2023, the Project applicant submitted an SB 330 preliminary application “vesting” or locking in the then-effective standards applied to the Project. Refer to Topical Response 1: SB 330 and General Plan Consistency Analysis. Thereafter, in May 2024, the Riverside County Superior Court issued a Judgment and Writ directing that the City set aside certification of the 2040 General Plan EIR due to inadequacies identified in the Final Program EIR as to the issues of baseline GHG emissions, air quality, and energy use and set aside approval of the 2040 General Plan and related Zoning Amendments until those errors are corrected. Other than the Climate Action Plan, the 2040 General Plan itself was not found defective. Further, the Court did not prohibit the City from acting with respect to land use issues (*Sierra Club v. City of Moreno Valley*, CVRI2103300, April 12, 2024, Minute Order).

Accordingly, state housing law—including SB 330 and the Housing Accountability Act—requires the City to process and consider approval of this Project, a housing development project, based on the 2040 General Plan, Zone Amendments, and related approvals.

The Project entitlements propose amendments to both the 2040 General Plan and the Aquabella Specific Plan, as well as a change of zone (rezone), to allow for the development of the Project's 15,000 residences and related mixed-uses and non-residential uses. In addition, if the prior 2006 General Plan and Final EIR is the effective General Plan when the Project is considered for approval by the City Council, Draft SEIR Section 3.4.1 (pp. 3-27 through 3-28) explains that an amendment to the 2006 General Plan land use map, Figure 2-2, would be required to accommodate the Project.

As a result, the Draft SEIR describes the discretionary approvals sought if either the 2040 General Plan or the 2006 General Plan (and their related zoning) is in effect when the City Council considers Project approval (refer to Draft SEIR Section 1.2, pp. 1-3 through 1-4, and Appendix A). Project consistency with the 2040 General Plan is evaluated in the Draft SEIR in Section 4.11, Land Use and Planning, and Appendix A, with the Draft SEIR concluding the Project would be consistent with the 2040 General Plan. The 2006 General Plan is also evaluated in Draft SEIR Appendix A. The analysis finds that, with the General Plan Amendment, the Project would be consistent with the 2006 General Plan.

Further, under CEQA, a conflict or inconsistency with an applicable plan is not, by itself, considered a significant environmental impact. Instead, the inconsistency must result in a significant physical impact for there to be a significant impact under CEQA (14 CCR 15064.7[d]). Here, no such impact is shown. The final determination of consistency with the General Plan will be made by City Council.

As the comment does not raise any more specific issue regarding the Draft SEIR analysis, no more specific response can be provided. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision.

11-10

The comment states the Final EIR must use roadway operating conditions and level of service (LOS) to demonstrate how traffic increases will impact Nason Street and various intersections along Nason Street. It asserts this analysis and mitigation must be provided or the Draft SEIR analysis is inadequate.

The comment does not raise an environmental issue for CEQA purposes. Draft SEIR Section 4.17, Transportation, specifically Section 4.17.2, Regulatory Framework (pp. 4.17-9 through 4.17-16), explain that LOS is no longer the CEQA metric used to evaluate transportation impacts. Thus, The Project's CEQA transportation impact analysis in the Draft SEIR uses the VMT metric to evaluate and disclose Project impacts in a manner consistent with CEQA and current state laws and policies.

Specifically, in 2013, the state adopted SB 743, which mandated alternative metrics replace LOS for determining impacts relative to transportation in CEQA documents. In the past, environmental review focused on LOS and the delay vehicles experienced at intersections, which resulted in mitigation that involves increasing capacity. This, in turn, encouraged more vehicular travel and greater pollutant emissions. Additionally, improvements to increase vehicular capacity often discourage alternative forms of transportation, such as biking and walking.

Thus, in December 2018, the CEQA Guidelines were updated to add new Section 15064.3, which provides that transportation impacts under CEQA should be evaluated using a VMT metric, not LOS. This new VMT methodology has been required for use with land use projects since July 1, 2020. Project transportation impacts have therefore been assessed using the VMT metric pursuant to state law in Draft SEIR Section 4.17. Impacts would be less than significant under this metric, and no mitigation is therefore required (see Draft SEIR Section 4.17.5.2, pp. 4.17-29 through 4.17-46).

Further, Section 4.17.5.2 of the Draft SEIR (pp. 4.17-40 to 4.17-45) and Section 6.5 of Draft EIR Appendix K3, LOS Traffic Analysis, address off-ramp queuing. This analysis finds Nason Street/State Route 60 eastbound and westbound ramps are anticipated to experience acceptable levels of queuing. The off-ramp lane has sufficient storage lengths available to accommodate queuing without spilling back and affecting the freeway mainline. Impacts related to queuing would be less than significant, and no mitigation is required.

The Draft SEIR further explains that the City required a summary of the Project's traffic analysis using the LOS metric consistent with City General Plan requirements and for informational purposes. This LOS traffic analysis is provided as part of this Draft SEIR in Appendix K3. This appendix provides the information requested by the commenter, and also allows for a direct comparison to the prior LOS analyses completed for the prior projects.

For informational purposes, Exhibits 4-5, 4-7, 4-8, and 4-10 of Appendix K3 show the Project contributions to intersection volumes along Nason Street during AM and PM peak hours. Exhibits 4-11 and 4-13 show Project-only average daily traffic trips on Nason Street. Exhibits 6-1, 6-3, 6-4, and 6-6 of Appendix K3 show the Horizon Year (2045) plus Project intersection volumes along Nason Street during AM and PM peak hours. Exhibits 6-7 and 6-9 show Horizon Year (2045) plus Project daily traffic trips on Nason Street. Table 6-2 in Appendix K3 provides an Intersection Analysis for Horizon Year (2045) with Project, including at intersections along Nason Street, with and without improvements. With improvements, all intersections evaluated along Nason Street are anticipated to meet the LOS standard at Horizon Year with Project, with the exception of Nason Street/Cottonwood Avenue in the AM peak hour.

Section 7 of Appendix K3 identifies that the Project would be subject to compliance with the City's development impact fee program, the Riverside County Transportation Uniform Mitigation Fee, and fair share contributions for traffic signal and other transportation improvements, which are all aimed at ensuring that study area roadways and intersection expansions keep pace with the projected population increases. Appendix K3 Table 7-1 provides the Project's fair share calculations for intersection improvements.

Section 8 of Appendix K3 summarizes the Project roadway and intersection improvements that will be completed, including those that will be completed as part of the Project on and off site or that the Project will support through the payment of fair share fees. The commenter is directed to these sections of the Traffic Analysis, Appendix K3, as relates to roadway operating conditions and traffic improvements.

I1-11 The commenter asks how the Project will reduce or eliminate impacts to air quality, traffic, noise, glare, and others since the Moreno Valley General Plan did not envision so much congestion (people, buildings, and cars) in only 771 acres. In response, note the Project site is 668.6 acres, not 771 acres (which was the size of the original Specific Plan 218). Refer to Draft SEIR Chapter 3, Project Description.

Draft SEIR Section 4.11, Land Use and Planning; Section 4.14, Population and Housing; and Section 6.2, Growth Inducing Impacts, discuss General Plan consistency, population and housing, and growth. As discussed therein, the Project aligns with local and regional land use plans, including the City's 2040 General Plan and SCAG's regional planning documents. The Project does not stimulate population

growth beyond what is projected in these plans. Instead, it accommodates the anticipated population and housing needs in the City of Moreno Valley.

California is experiencing a long-standing shortage of housing supply (see SB 330; SCAG 2020b, 2023). SCAG's 6th Cycle Regional Housing Needs Assessment (2021–2029) estimates a need for 1,341,827 housing units in the region, including 167,351 units in Riverside County and 13,627 units in the City during this 8-year period. If unmet, the housing deficit will increase future housing needs. Past housing undersupply is expected to drive similar needs through at least 2035. After that, a gradual “catch up” in housing supply may occur. This housing demand is expected regardless of the Project, and state housing law mandates that the City plan for housing.

Despite slowed regional growth, Riverside County and the City are projected to grow significantly. SCAG forecasts that, from 2019 to 2050, Riverside County's population will increase by 606,000 residents (25.4% growth) and households will increase by 318,000 households (42.7% growth) (SCAG 2023). The City is anticipated to grow by 21,900 households (40% growth) in the same time period (SCAG 2023). The City's population is expected to grow by 64,900 new City residents (31% growth) by 2045 (SCAG 2020a). This population and household growth would occur regardless of the Project.

The Project proposes 15,000 residences, 49,900 square feet of commercial and retail space, parks, schools, open space, and amenities on an infill site previously approved for housing (Draft SEIR Chapter 3). Development is phased over 12-15 years, with an estimated 1,200 units built annually.

During the current 6th Cycle Regional Housing Needs Assessment, the Project will add approximately 4,800 units, fitting within the City's projected need of 13,627 units. Upon completion between 2037 and 2040, the Project's 15,000 units would be within SCAG's forecast of an additional 21,900 households by 2050 (SCAG 2023). The Project would house 43,050 people, accommodating some of the projected population increase of 64,900 in the City. Accordingly, the Project is anticipated to accommodate housing and population growth outlined in SCAG's regional plans and the City's adopted Housing Element.

The Project is consistent with the 2040 General Plan, which estimates the City will need 22,052 new dwelling units to house 47,162 new residents by 2040. The Project's construction timeline anticipates that 15,000 units, housing 43,050 people, will be completed by 2040, helping to meet expected and planned growth needs on a site planned for housing development.

The comment restates information explained in the Draft SEIR, which describes that the Project will result in a denser urban pattern than considered in the 2040 General Plan by concentrating additional housing in the City's Downtown Center on an infill site. This would help prevent urban sprawl by maximizing development on an infill site, rather than inducing growth or causing an expansion into undeveloped areas. Infrastructure and services would be developed as part of Project and “right sized” to the Project to minimize impacts. The Draft SEIR evaluates the Project impact related to this densification, including air quality, noise, transportation, glare, and other effects.

Additionally, the Project is requesting a General Plan Amendment so as to better reflect that the Project would have a denser urban pattern than that considered in the 2040 General Plan. The General Plan Amendment would entail, among other things, a change/update in 2040 General Plan Land Use & Community Character Element Table LCC-1 and related text, to update projected housing and job

numbers with the Project in place, and changes to 2040 General Plan Table LCC-3 to reflect the updated Downtown Center development program by including the Project. These changes/updates would also help to ensure Project consistency with the 2040 General Plan.

To the extent the comment addresses general subject areas, the areas received extensive analysis in the Draft SEIR. The commenter is directed to the following locations in the Draft SEIR for where these general subject areas cited by the comment were addressed.

Air Quality

The Draft SEIR evaluated Project air quality impacts in Section 4.3. Numerous project design features (PDFs) will reduce impacts to air quality, including PDF-AQ/GHG-1 through PDF-AQ/GHG-15. Transportation and land use PDFs would also reduce vehicle use and associated emissions (see Responses to Comments I1-13 to I1-15, below). Mitigation was identified for significant air quality impacts at MM-AQ-1 through MM-AQ-11. Despite the incorporation of all feasible mitigation, impacts to air quality are identified as significant and unavoidable. See Topical Response 2 for additional information.

Transportation

The Draft SEIR evaluated Project transportation impacts in Section 4.17. Transportation and land use PDFs promote alternative transportation and minimize VMT. See Response to Comment I1-14, below. Transportation impacts were determined to be less than significant such that mitigation is not required.

Noise

The Draft SEIR evaluated Project noise impacts in Section 4.13. Noise impacts were found to be less than significant with mitigation incorporated. Resident noise is not a noise impact under CEQA (California Public Resources Code Section 21085). MM-NOI-1 and MM-NOI-2 address construction noise barriers and equipment noise controls. MM-NOI-3 provides traffic calming features along certain street segments during Project operation to reduce traffic noise. With these measures incorporated, noise impacts would be less than significant.

Glare

The Draft SEIR evaluated Project glare impacts in Section 4.1, Aesthetics. Glare impacts were found to be less than significant such that mitigation is not required. The Draft SEIR explains that, to minimize the impacts of glare and reflectivity, the Specific Plan design guidelines provide for clear glazing of windows and limited use of reflective materials for accent elements. Photovoltaic (PV) solar panels on site are designed to absorb light, not reflect it, and would be coated with anti-reflective materials to maximize light absorption. Accordingly, the Project would not introduce a new substantial source of glare, and impacts would be less than significant.

As the comment does not raise any specific issue regarding these analyses, no more specific response can be provided or is required. The City will include the comment as part of the Final EIR for review and consideration by the decision-makers prior to a final decision.

I1-12 The comment states mitigation must be sufficient and enforceable related to impacts during construction and operation to Native-American relics, biological protected species, nearby schools, existing residents, and air quality.

Impacts to existing residents from Project construction and operation are considered throughout the Draft SEIR. The comment addresses general subject areas, which received extensive analysis in the Draft SEIR. As the comment does not raise any specific issue regarding that analysis, no more specific response can be provided.

The commenter is directed to the following locations in the Draft SEIR for consideration for the general subject areas cited by the comment. Each adopted mitigation measure will be included in the Project's Mitigation Monitoring and Reporting Program to ensure enforcement (Draft SEIR Section 1A.6, p. 1A-12).

Tribal Cultural Resources

The Draft SEIR evaluated Project construction and operational impacts concerning cultural and tribal cultural resources in Sections 4.5, Cultural Resources, and 4.18, Tribal Cultural Resources. The Project site has been substantially graded and disturbed in the past, such that the likelihood of encountering tribal cultural resources is low. The City also has engaged in consultation with California Native American Tribes pursuant to SB 18 and Assembly Bill 52. Impacts were identified as less than significant with mitigation incorporated. Refer to MM-CUL-1 through MM-CUL-9, which provide for archaeological and tribal monitoring throughout Project grading and proper treatment should unknown cultural or tribal cultural resources be discovered.

Biological Resources

The Draft SEIR evaluated Project construction and operational impacts concerning biological resources in Section 4.4. Impacts were identified as less than significant with mitigation incorporated. Mitigation measures address burrowing owl (*Athene cunicularia*), least Bell's vireo (*Vireo bellii pusillus*), and nesting birds and provide for compliance with the City's Municipal Code as to City-regulated trees. Refer to MM-BIO-1 through MM-BIO-4.

Schools

The proposed development of 40 acres of schools was considered as part of the Project in the Draft SEIR's assessment of construction and operation impacts. In addition, any nearby schools were evaluated as part of the existing community (for example, in the noise or air quality health risk analysis).

Operational impacts concerning schools also are evaluated in Section 4.15, Public Services, of the Draft SEIR. As explained in Section 4.15.4.2 (pp. 4.15-14 through 4.15-20), the Project site would be served by La Jolla Elementary, Landmark Middle School, and Vista Del Lago High School. In addition, the Project proposes development of 40 acres of schools, including up to three elementary schools and one middle school, at the site. The Project would be conditioned to pay the required development impact fees/school impact fees in accordance with SB 50 at the time of building permit issuance. Pursuant to state law, payment of fees in accordance with SB 50 fully mitigates impacts to school facilities that may result from the Project (Government Code Section 65995[h]). Thus, public service-related impacts associated with schools would be less than significant.

Air Quality

The Draft SEIR evaluated Project construction and operational impacts concerning air quality in Section 4.3. MM-AQ-1 through MM-AQ-11 were identified to help mitigate significant air quality impacts. Despite the incorporation of all feasible mitigation, impacts to air quality are identified as significant and unavoidable. Please see Topical Response 2 for additional information.

I1-13 The comment states homes and buildings should be 100% electrified and must include smart technology for the efficient usage of energy and electric charging stations for cars/bikes/scooters available in parking lots, parks, and other public facilities. The comment also states the Project applicant must request that the municipal utility provide carbon-free electric energy to cover energy supply gaps.

In response, please see Topical Response 4. Regarding electrification, PDF-AQ/GHG-3 requires all-electric development for all Project-related residential and non-residential development, except for approximately 14,970 square feet of restaurant uses within the Project's Town Center. Thus, the Project's 15,000 residential units and most of the retail space would be all-electric. To address and offset the limited consumption of natural gas by on-site restaurant space, MM-GHG-1 increases the amount of EV charging on site above project design and regulatory requirements.

Regarding electric vehicle charging, PDF-AQ/GHG-1 and MM-GHG-1 require the installation of ample on-site charging opportunities, with the infrastructure available to grow to meet any added future need. The Project consists of 15,000 residential units, necessitating approximately 23,000 parking spaces, including garages and surface spots. Additionally, another 772 spaces are planned for the Town Center to support commercial uses, bringing the total number of parking spaces to 23,772 (Draft SEIR Section 3.3.5, PDF-AQ/GHG-1, p. 3-15). To support the growing need for EV charging and align with the GHG analysis and MM-GHG-1, approximately 56% of these parking spaces, amounting to 13,074 spaces, will either be pre-wired for EV charging or equipped with Level 1 or Level 2 chargers. The details are as follows:

- **Pre-Wired Spaces:** These spaces will be equipped with the necessary electrical infrastructure to facilitate easy installation of EV chargers in the future, thereby promoting flexibility and future-proofing the Project against increasing demand for EV charging. Pursuant to PDF-AQ/GHG-1, the Project shall equip 9,509 parking spaces (40% of the Project's total number of parking spaces) in Project parking structures with Level 2, 240-volt EV receptacles (Draft SEIR Section 3.3.5, pp. 3-15 through 3-16; Draft SEIR Section 4.8, pp. 4.8-28 through 4.8-29, 4.8-68).
- **Level 1 Chargers:** These chargers provide a basic charging option, suitable for overnight or long-duration parking situations, ensuring that residents and visitors with EVs can conveniently charge their vehicles. The Project shall install 2,377 Level 1 EV capable outlets to meet EV charging needs (Draft SEIR Section 4.8, p. 4.8-68).
- **Level 2 Chargers:** These chargers offer faster charging capabilities, catering to shorter parking durations and enhancing the convenience for EV users. Pursuant to PDF-AQ/GHG-1 and MM-GHG-1, a total of 3,746 fully equipped Level 2 charging stations would be provided at Project buildout (Draft SEIR Section 4.8, pp. 4.8-28 through 4.8-29, 4.8-68, 4.8-75).

Integration of EVs into the market will occur progressively over time. While Executive Order N-79-20 and CARB's Advanced Clean Cars II Regulations plan for 100% of new cars and light trucks sold in California to be zero-emission vehicles by 2035, this includes plug-in hybrid EVs. Gasoline-fueled vehicles also will still be in use on the roads beyond this time, and gasoline-fueled vehicles may continue to be purchased used in-state or new from out-of-state sources (Draft SEIR Section 4.6, pp. 4.6-8 through 4.6-9). The Project's phased approach to EV infrastructure takes this market integration and gradual vehicle change-over into account, providing an adequate supply of charging facilities that can be scaled up as EV ownership increases. This ensures that the infrastructure will grow in tandem with demand, thereby optimizing resource allocation and minimizing potential underuse in the initial stages.

Further, public spaces and EV chargers in commercial areas will be designed for shared use, allowing multiple vehicles to access charging facilities throughout the day. This shared use model enhances the efficiency of the charging infrastructure, maximizing the utility of each charger and ensuring that more vehicles can benefit from the available resources.

The Project's significant provision of EV charging infrastructure, representing over half of the total parking spaces, underscores the Project's proactive approach to environmental sustainability and GHG reduction. It ensures that residents and visitors have ample access to EV charging facilities, thereby encouraging the purchase of use of EVs and contributing to cleaner air and a healthier environment. Thus, the Project exceeds current requirements for EV infrastructure by pre-wiring or equipping 13,074 spaces with EV charging capabilities. This robust approach surpasses regulatory requirements and is anticipated to meet or exceed community needs.

PDF-TRANS-8 and PDF-TRANS-13 set forth the Project's electric scooter-share program and electric bikeshare program, which provide users on-demand access to charged scooters and electric bikes. PDF-TRANS-5 includes end-of-trip bicycle facilities. Scooters and electric bike batteries can generally be charged either attached or detached to the scooter/bike by plugging into a common wall outlet, which would be plentiful within the development.

Title 24 and numerous PDFs address the use of smart technology for the efficient consumption of energy. These include PDF-AQ/GHG-5 requiring use of LED lighting; PDF-AQ/GHG-6 requiring use of ENERGY STAR-rated appliances for residential refrigerators, dishwashers, clothes washers, ceiling fans, and non-residential commercial refrigerators; and, PDF-AQ/GHG-7 requiring installation of energy smart meters within all residential and non-residential development.

Regarding the request that the municipal utility provide carbon free electric energy to cover energy supply gaps, PDF-AQ/GHG-4 requires the Project provide rooftop PV solar panels on all residential and non-residential buildings in accordance with Title 24. Annual solar production is identified at 48,122,091 kilowatt hours. Pools' and spas' heating demand will also be served by a minimum 50% solar water heating.

Remaining electricity needs would be provided by the Moreno Valley Electric Utility (MVU). MVU does not provide the option of opting into a clean electricity. According to the 2022 power content label for MVU, renewable solar energy accounts for 33.4% of the utility's overall energy resources—a renewable energy number that is anticipated to increase over time in compliance with state law (MVU 2023; Draft SEIR Section 4.6, p. 4.6-1). The state Regional Portfolio Standard program, as expanded and updated,

currently requires the following percentage of retail sales of electricity to California end-use customers to come from eligible renewable energy resources and zero-carbon resources: 90% by December 31, 2035; 95% by December 31, 2040; and 100% by December 31, 2045. Because MVU is required to meet the state Regional Portfolio Standard milestones, the Project would benefit from this cleaner electricity provided by MVU. See Section 4.6.2 (pp. 4.6-2 through 4.6-11) of the Draft SEIR for discussion of Regional Portfolio Standard standards and milestones.

- I1-14** The comment states the Final SEIR must include 20% affordable or senior housing. It states Project design must also include pedestrian-only streets and bicycling lanes; design for transit access; sidewalks/crosswalks designed with safety in mind (including sufficient lighting and other features); streets with heat reflecting materials; and high-solar radiation reflecting materials for new walls, surfaces, driveways, parking lots, and roofs in housing and building construction.

Affordable Housing

Please refer to Topical Response 6, Affordable Housing, regarding the comment about including 20% affordable housing.

Bicycle, Pedestrian, And Transit

Concerning bike facilities, pedestrian facilities, and transit, the City notes that the Project is located in an infill area such that transit service, bike lanes, and pedestrian access (i.e., sidewalks and crosswalks) currently provide access to the site and surrounding community (see Draft SEIR Section 4.17.1, pp. 4.17-3 through 4.17-9; Draft SEIR Appendix A, Section 4.1.1). The Project site is located in an area with an average VMT that is below that of the City of Moreno Valley and the region and that is close to major area job centers, including World Logistics Center, Riverside University Health System Medical Center, Kaiser Permanente Moreno Valley campus, University of California Riverside, Moreno Valley College, and regional and local shopping and commercial centers, which would allow residents to live and work locally (Draft SEIR Section 3.3.5, p. 3-24).

Existing Transit

Riverside Transit Agency (RTA) routes provide service near the Project site (see Draft SEIR Section 4.17, p. 4.17-6). These include Route 20 south of the Project site, Route 31 north of the Project site, and Route 41 west of the Project site. There are bus stops along Lasselle Street west of the Project site, along Iris Avenue south of the Project site, at the Riverside University Medical Center north of the Project site and along Alessandro Boulevard 0.5 miles north of the Project site.

Route 20 operates Monday to Friday between 4:00 a.m. and 11:00 p.m. and Saturday to Sunday between 7:00 a.m. and 9:00 p.m. with 1-hour headways. Route 20 provides service to Moreno Valley/March Field Metrolink Station and Moreno Valley College.

Route 31 operates Monday to Friday between 5:30 a.m. and 9:00 p.m. and Saturday to Sunday between 7:00 a.m. and 8:30 p.m. with 1-hour headways. Route 31 provides service to Moreno Valley Mall and Mt. San Jacinto College.

Route 41 operates Monday to Friday between 6:00 a.m. and 7:00 p.m. and Saturday to Sunday between 7:00 a.m. and 7:00 p.m. with 1-hour headways. Route 41 provides service to Mead Valley Community Center.

In addition, the Moreno Valley/March Field Metrolink Station is located approximately 5 miles west of the Project site, providing rail connection.

Existing Bike and Pedestrian Facilities

Existing Class II bike lanes that would serve the community are provided on Cactus Avenue, Nason Street, Moreno Beach Drive/Iris Avenue, Lasselle Street, and John F. Kennedy Drive (see Draft SEIR Section 4.17, pp. 4.17-5 through 4.17-6). Class II bike lanes are what people may conventionally think of when picturing bike lanes, providing striped lanes designated for the use of bicycles on a street or highway. Vehicle parking and vehicle/pedestrian cross flow are permitted at designated locations.

The City's pedestrian network surrounding the Project includes sidewalks along most arterial roadways and crosswalks at intersections designed to ensure safe walking opportunities. Sidewalks are currently provided along at least one side of Cactus Avenue, Nason Street, Moreno Beach Drive/Iris Avenue, Lasselle Street, and John F. Kennedy Drive.

Project Mobility Plan and Project Design

The Project Mobility Plan integrates and builds upon the existing bike, pedestrian, and transit network to improve and enhance active transportation and transit access. Section 3.3.2 of the Draft SEIR (pp. 3-7 through 3-14), under the subsection Mobility Plan, describes the Project Mobility Plan, found in Section 4.1.2 of the Specific Plan Amendment (Draft SEIR Appendix A). As summarized, Project intersection density would help facilitate shorter trips, including by walking, biking, and scooter.

The internal street network would also contain an extensive bike network with Class II, buffered Class II, and off-street bike paths, and would connect to the broader Moreno Valley bike network and support proposed non-automobile mobility modes (e.g., bikeshare, electric scooter). Further, the internal street network would include a comprehensive sidewalk and trail network to facilitate walking.

The Project also proposes design features to help reduce the vehicle trips generated by the Project. These features, known as transportation demand management (TDM) features, promote non-automotive modes of transportation such as walking, biking, scooter, public transit, and ridesharing. The TDM features used in the Project are documented by the California Air Pollution Control Officers Association (CAPCOA) in its Handbook for Analyzing Greenhouse Gas Emissions Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (CAPCOA 2021).

Figure 4-3 of the Specific Plan Amendment (Draft SEIR Appendix A) identifies existing and potential bike lanes to be determined during the development process.

Draft SEIR Section 4.17.5.2, also summarizes project design features related to bike facilities, pedestrian facilities, and transit (pp. 4.17-30 through 4.17-31):

The Project would improve and enhance active transportation and transit access and facilities in the focus traffic study area, consistent with 2040 General Plan Circulation Element policies. The Project would improve the adjacent streets with continuous sidewalks, along with providing an extensive walkable network of sidewalks, promenades, and trails within the Project site. The internal street network would follow a grid pattern with approximately 600-foot block lengths to provide a street network similar to a downtown, urban area. Intersection density is a proxy for street connectivity, which helps to facilitate a greater number of shorter trips including those made by walking, biking, and scooter. The internal street network will include a comprehensive sidewalk network to facilitate walking. The Project would promote the use of the existing bike network along circulation element roadways in the focus study area and construct a Class III bike route along Brodiaea Avenue. Internal streets within the Project would facilitate bike routes and connectivity to the existing bike network. Access to all existing trails would be provided. The internal street network would contain an extensive bike network with Class II, buffered Class II, and off-street paths, and would connect to the broader Moreno Valley bike network and support proposed micromobility modes. PDF-TRANS-5 and PDF-TRANS-7 would further promote bike use through a bikeshare program and end-of-route facilities such as bike lockers and showers.

The Project proposes to work with RTA to improve existing route frequencies, service hours and routes that would expand the transit system throughout the Project, surrounding school, medical uses, nearby industrial employment centers, and the broader Moreno Valley. The Project recognizes that a major future employer of the City will be the WLC and that providing transit access from the Project to WLC during hours of operation is a primary focus of coordination with RTA. See PDF-TRANS-9 through PDF-TRANS-12 in Section 4.17.5.

In total, 15 PDFs are designed to reduce Project traffic and make the development more walkable, bikeable, and transit-user friendly. These include PDF-TRANS-1 through PDF-TRANS-15. In addition, land use PDFs address aspects of Project design that promote walkability and bike-ability. These include PDF-LU-1 through PDF-LU-11. The commenter is encouraged to refer to Section 3.3.5 of the Draft SEIR (pp. 3-15 through 3-26) for a full description of these features.

These PDFs show the Project will provide a tram connection to job centers; enhanced transit, pedestrian and bicycle routes; ridesharing; non-electric bikes; electric bikes; electric scooters; a mobility hub; access to transportation network companies (Uber and Lyft); intelligent transportation systems; and numerous other transportation demand management measures. Complete streets will accommodate the needs of bicyclists, pedestrians, and transit riders, as well as motorists. Design features include multi-use trails and sidewalks, crosswalks, shared roads, landscaping, and pedestrian bridges across arterials and the on-site drainage. Traffic calming design will include chokers (curb extensions that narrow a street by widening the sidewalks or planting strips, effectively creating a pinch point along the street), crosswalks, roundabouts landscaped medians, and shared street design to promote safer streets. Lighting will include street lighting, walkway and pathway lighting, and security lighting that is appropriately directed and shielded in compliance with City Municipal Code standards (Draft SEIR Section 4.1.4, pp. 4.1-7 through 4.1-12).

In sum, the Project design thoroughly and thoughtfully addresses pedestrian, bicycle, and transit use. Please refer to Sections 4 and 6 of the Specific Plan Amendment (Draft SEIR Appendix A) for further information.

Design with Heat/Solar Radiation Reflective Materials

PDF-AQ/GHG-8, Cool Pavements (Draft SEIR Section 3.3.5, p. 3-17), requires that the Project install cool pavements to reduce the potential for the urban heat island effect. Outdoor pavements, such as internal walkways and patios, shall use paving materials with a 3-year Solar Reflectance Index of 0.28 or an initial Solar Reflectance Index of 0.33. The ample tree planting, shade coverage, and 40-acre lake feature will further reduce any heat island effect.

Project building materials would comply with current California Green Building Code (Title 24, Part 11) and California Building Energy Efficiency Standards (Title 24, Part 6), which govern window and door materials, lighting, electrical panels, insulation, PV installation, and more, which would further minimize any urban heat island impacts. Solar PV panels installed on roofs or parking areas are designed to absorb light and solar radiation. The Project would use light-colored, semi-reflective, or cool-roof technology for all roofing.

I1-15

The comment states Project homes and buildings must include the latest water conservation features including ultra-low-flow fixtures, drought tolerant and/or native landscaping, and low-water use for areas served with recycled water. It states the Final EIR should propose to plant more trees than envisioned for parks, streets, and other public areas to provide shade and buffer pollution. The commenter also states the Project should provide opportunities for residents to recycle.

Efficient Water Use

In response, Section 4.19.4.2 of the Draft SEIR (pp. 4.19-14 through 4.19-23) summarizes that the Project would be designed with the latest water-efficient plumbing systems, fixtures, and faucets. Drought-tolerant landscaping would reduce the demand for irrigation water. Irrigation systems would use smart controllers to automatically adjust the amount and frequency of water based on current weather and soil conditions, and recycled water would be used for landscape irrigation.

More specifically, PDF-AQ/GHG-12, Water Use Efficiency and Conservation Plan (Draft SEIR Section 3.3.5, pp. 3-18 through 3-19), requires the following water use efficiency and conservation plan features:

Indoor Conservation Features and Operations:

- **Install low-flow fixtures:** In the residential units, install low-flow toilets at 1.28 gallons per flush, faucets at 1.2 gallons per minute, showerheads at 1.8 gallons per minute, and kitchen faucets at 1.8 gallons per minute. In common areas, install faucets at 0.5 gallons per minute and urinals at max of 0.25 gallons per minute/flush. (These fixtures use less water while maintaining efficient performance.)
- **Install dual-flush toilets:** These toilets offer two flush options—one for liquid waste at less than 1 gallons per minute and another for solid waste at 1.28 gallons per minute. (This allows the appropriate use of water for flushing needs.)

- **Use water-efficient appliances:** The Project applicant or designee shall install energy-efficient and water-saving appliances like dishwashers and washing machines with the ENERGY STAR label only.
- **Implement hot water recirculation system:** The Project applicant or designee shall implement a recirculation system for hot water systems to ensuring low to no wasted water while waiting for water to reach desired temperature.
- **Incorporate leak detection on each residential building:** Leak detection will be incorporated into residential structures to detect water leaks typical of residential uses such as irrigation and plumbing.
- **Capture and reuse heating, ventilation, and air conditioning condensation:** The Project applicant or designee shall direct condensation from air conditioning units to water plants or for other non-potable uses.
- **Implement good housekeeping and regular maintenance:** The Project applicant or designee shall regularly (daily, weekly, monthly, etc. as applicable) check and maintain plumbing fixtures, irrigation systems, and appliances to ensure they are functioning efficiently and not wasting water.

Outdoor Conservation Features and Operations:

- **Install only “Smart Irrigation Systems” for community landscaping:** The Project applicant or designee shall utilize smart sprinkler systems that adjust watering schedules based on weather conditions, soil moisture, and plant needs to avoid overwatering or wasteful watering. The Project applicant or designee shall also incorporate seasonal specific controls to ensure watering occurs during the most efficient times of day.
- **Install adjustable water pressure regulator:** The Project applicant or designee shall install pressure regulators to maintain optimal water pressure, preventing overuse and leaks.
- **Incorporate leak detection into each master landscape meter complex.** Leak detection will be incorporated into residential structures to detect water leaks from landscaping.
- **Include drought-tolerant landscaping:** The Project applicant or designee shall include native and drought-tolerant vegetation that requires less water to thrive and is known to survive in the greater Moreno Valley area. The Project applicant or designee shall replace drought-tolerant landscaping if it dies through enforceable Project covenants, conditions, and restrictions for 30 years after initial planting.
- **Harvest and reuse rainwater and drainage water:** The Project’s lake shall be part of a water retention and reuse program.
- **Use permeable pavement surfaces:** The Project applicant or designee shall use permeable materials in parking areas, internal walkways, and public areas. (These surfaces will allow water to infiltrate the ground rather than running off, reducing runoff and promoting groundwater recharge.)
- **Include community education and outreach:** The Project applicant or designee shall educate employers, employees, and residents about water conservation practices and encourage them to implement mindful water usage habits through enforceable Project covenants, conditions, and restrictions.
- **Place educational signage:** The Project applicant or designee shall place informational signs and notices at appropriate locations on the Project site to encourage water-saving behaviors among residents and guests.

PDF-AQ/GHG-13, Use Recycled Water for Irrigation (Draft SEIR Section 3.3.5, p. 3-19), further requires use of recycled water for irrigation areas including the school irrigated areas, Town Center irrigation, parks, parkways, and urban landscape. See also Section 4.4.2 and Figure 4-6 of the Specific Plan Amendment, Appendix A of the Draft SEIR, which outlines the Project's Recycled Water Plan and depicts future recycled water improvements and potential connections. Thus, the Project homes and buildings include the latest water conservation features, drought tolerant landscaping, and use of recycled water as requested by the commenter.

Tree Planting

Concerning tree planting, PDF-AQ/GHG-11 (Draft SEIR Section 3.3.5, p. 3-17), requires that 30,000 trees be planted on site at Project buildout and any die-offs replaced for 30 years to ensure their success in providing shade and buffering pollutants. Species would include, but not be limited to, southern magnolia, California sycamore, American elm, slash pine, and white ash, which are well-suited to the climate and provide shade canopy cover.

The Project will be developed consistent with the Design Guidelines in the Specific Plan Amendment, Draft SEIR Appendix A, which states that the Project design, including street landscaping, will contribute to an "urban forest" character of leafy canopy trees to create cooling against the summer temperatures, with tree cover expected to reduce ambient temperatures by several degrees. The Specific Plan further provides that street landscaping will focus on creating a "veil" of trees along buildings and that neighborhood streets will incorporate extensive canopy, leafy trees for maximum shading and cooling effect. The backbone of the street landscape will be evergreen trees in sufficient density of planting to establish street character. Neighborhood street tree plantings will comprise a mix of coniferous and broad leaf evergreen to offer screening of the medium height buildings, together with broad canopy trees to provide ample shade coverage within the neighborhood areas. See, for example, Specific Plan Amendment Section 6.2.7, Street System; Section 6.3.2, Streetscape Landscaping; and Figures 6-1 to 6-17 for depictions of the street tree planting/landscape design.

Thus, the Project already plans for dense tree planting to create an "urban forest" feel. However, this comment is included in the Final SEIR for review and consideration by the decision-makers prior to a final decision on the project.

Solid Waste Recycling

Concerning opportunities to recycle, as detailed in Section 4.19.4.2 of the Draft SEIR (p. 4.19-23), the Project would be required to comply with the City's Municipal Code regarding solid waste and recyclable material storage areas (Municipal Code, Section 6.02.050). Additionally, the City's building code requires development projects to complete and submit a waste management and recycling plan for approval prior to issuance of building permits. The waste management and recycling plan would identify the project type and estimate the amount of materials to be recycled during construction. Finally, the Project would comply with the current California Green Building Code (Title 24), which requires construction waste recycling. Chapter 6.03 of the City's Municipal Code similarly provides for waste reduction and recycling, and Section 6.03.130 requires compliance with California Green Building Code (Title 24) recycling requirements or more stringent requirements of the City for new construction. This includes providing access for "three container" collection services, which includes blue container recyclables and green container organics collection. Waste handling services within the City are

provided under contract by Waste Management of Inland Valley, which provides trash, recycling, and green waste pickup (Draft SEIR Appendix A, Section 4.6). Accordingly, the Project will provide ample opportunities for residents to recycle.

I1-16 The comment states about 60% of Moreno Valley residents are Hispanic and it is important to provide translation of documents into Spanish to provide equal opportunity for residents to participate.

The City acknowledges the comment and notes it raises economic, social, or political issues that do not appear to relate to any physical effect on the environment. The City will include the comment as part of the Final SEIR for review and consideration by the decision-makers prior to a final decision.

2.3 References

- Blumenberg, E., and M. Wander. 2023. "Housing Affordability and Commute Distance." *Urban Geography* 44(7): 1454–1473. <https://doi.org/10.1080/02723638.2022.2087319>.
- Cantrell, J.D., and S. Jain. 2013. "Enforceability of Local Hire Preference Programs." *Legal Research Digest* 59. Accessed July 3, 2024. <https://nap.nationalacademies.org/read/22591/chapter/1>.
- CAPCOA (California Air Pollution Control Officers Association). 2021. *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*. Available: https://www.airquality.org/ClimateChange/Documents/Final%20Handbook_AB434.pdf
- CAPCOA. 2022. "CalEEMod User Guide." April 2022. https://www.caleemod.com/documents/user-guide/01_User%20Guide.pdf.
- CARB (California Air Resources Board). 2022a. "Appendix D: Local Actions." In *2022 Scoping Plan*. November 2022. <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf>.
- CARB. 2022b. *2022 Scoping Plan Update*. December 2022. Last Accessed June 2023. <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents>
- CARB. 2022c. "Area Designation Maps/State and National." Last updated November 2022. Accessed April 2023. <http://www.arb.ca.gov/desig/adm/adm.htm>.
- CARB. 2024. *Cars and Light-Trucks are Going Zero - Frequently Asked Questions*. <https://ww2.arb.ca.gov/resources/documents/cars-and-light-trucks-are-going-zero-frequently-asked-questions#:~:text=As%20part%20of%20the%20Advanced,Advanced%20Clean%20Cars%20II%20regulations>.
- CDC (U.S. Centers for Disease Control and Prevention). 2024a. "Valley Fever (Coccidioidomycosis)." Last updated April 4, 2024. Accessed July 19, 2024. <https://www.cdc.gov/valley-fever/areas/index.html>.
- CDC. 2024b. "Valley Fever Prevention for Workers." Last updated January 19, 2024. Accessed July 19, 2024. <https://www.cdc.gov/niosh/valley-fever/about/index.html>.
- CDFG (California Department of Fish and Game) 2012. "Staff Report on Burrowing Owl Mitigation." Accessed July 2024. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline>.
- CDIR (California Department of Industrial Relations). 2024. "Protection from Valley Fever." February 2024. Accessed July 19, 2024. <https://www.dir.ca.gov/dosh/valley-fever-home.html>.
- CDPH (California Department of Public Health). 2013. "Preventing Work-Related Coccidioidomycosis (Valley Fever)." June 2013. Accessed July 19, 2024. <https://www.cdph.ca.gov/Programs/CCDPPH/DEODC/OHB/HESIS/CDPH%20Document%20Library/CocciFact.pdf>.

- CDPH. 2023. *Epidemiologic Summary of Valley Fever (Coccidioidomycosis) in California, 2022*. November 2023. Accessed July 19, 2024. <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/CocciEpiSummary2022.pdf>.
- CDPH. 2024a. "Valley Fever." Last updated June 25, 2024. Accessed July 19, 2024. <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/ValleyFeverBasics.aspx>.
- CDPH. 2024b. "Valley Fever in California Dashboard." Last updated January 2024. Accessed July 19, 2024. <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/ValleyFeverDashboard.aspx>.
- CDPH. 2024c. "Health Advisory. TO: Healthcare Providers. Substantial Rise in Coccidioidomycosis in California: Recommendations for California Healthcare Providers." January 18, 2024. Accessed July 19, 2024. <https://www.cdph.ca.gov/Programs/OPA/Pages/CAHAN/Substantial-Rise-in-Coccidioidomycosis-in-California-Recommendations-for-California-Healthcare-Providers.aspx>.
- Chapple, K. 2015. Assessing the Travel Demand and Co-Benefit Impacts of Affordable Transit Oriented Developments. Available: https://www.urbandisplacement.org/wp-content/uploads/2021/08/assessing_travel_demand.pdf
- Chatman, D. 2013. Does TOD need the T? On the importance of factors other than rail access. *Journal of the American Planning Association* 79(1). <https://trid.trb.org/view/1243004>.
- City of Moreno Valley. 2021. "Housing Element." In *City of Moreno Valley General Plan 2040*. Adopted June 15, 2021. Accessed March 23, 2023. http://www.moval.org/city_hall/general-plan2040/HousingElement.pdf.
- City of Moreno Valley. 2022. Traffic Control Plan Guidelines and Checklist. http://moval.org/city_hall/forms/land-dev/TCP-GuidelineChecklist.pdf
- County of Riverside. 2003. Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP): Volume II. Prepared by Dudek & Associates. Approved June 17, 2003. https://www.wrc-rca.org/Permit_Docs/MSHCP/MSHCP-Volume2.pdf.
- EPA (U.S. Environmental Protection Agency). 2023. Details of Criteria Pollutant Nonattainment Area Summary Report. Last updated October 31, 2022. Accessed November 2022. <https://www3.epa.gov/airquality/greenbook/ancl2.html>.
- EPA. 2024. "Regulations for Emissions from Heavy Equipment with Compression-Ignition (Diesel) Engines." Last updated February 1, 2024. <https://www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-emissions-heavy-equipment-compression>.
- Ewing, R., K. Bartholomew, S. Winkelman, J. Walters, and D. Chen. 2007. *Growing Cooler: The Evidence on Urban Development and Climate Change*. October. https://www.nrdc.org/sites/default/files/cit_07092401a.pdf.

- Gabbe, C. J., & Pierce, G. 2017. Hidden Costs and Deadweight Losses: Bundled Parking and Residential Rents in the Metropolitan United States. *Housing Policy Debate*, 27(2), 217–229. <https://doi.org/10.1080/10511482.2016.1205647>.
- Gadbois, B.R., T.L. Senet, and K.J. Smith. 2012. “Constitutional Issues Relating to “Buy Local” and Local Hiring and Contractor Preferences.” May 3, 2012. Accessed July 3, 2024. <https://www.cacities.org/getattachment/6f1574a4-d13b-4888-bee7-8b9dcc5ff14d/5-2012-Spring-Kristi-J-Smith-Barbara-R-Ga-Senet-Co.aspx>.
- Handy, S., S. Glan-Claudia, and M. Boarnet. 2014. Impacts of Pedestrian Strategies on Passenger Vehicle Use and Greenhouse Gas Emissions: Policy Brief. https://ww2.arb.ca.gov/sites/default/files/2020-06/Impacts_of_Pedestrian_Strategies_on_Passenger_Vehicle_Use_and_Greenhouse_Gas_Emissions_Policy_Brief.pdf.
- ITE (Institute of Transportation Engineers). 2019. Parking Generation Manual. 5th Edition. February. <https://ecommerce.ite.org/IMIS/ItemDetail?iProductCode=PG5-ALL>.
- ITE. 2021. Trip Generation Manual. 11th Edition. <https://www.wrcog.us/DocumentCenter/View/9317/Strategic-Plan-2022-through-2027>.
- Kollath, D.R., J.R. Mihaljevic, and B.M. Barker. 2022. “PM10 and Other Climatic Variables Are Important Predictors of Seasonal Variability of Coccidioidomycosis in Arizona.” *Microbiology Spectrum* 10(2): e01483-21.
- LADPH (County of Los Angeles Department of Public Health). 2019. *Coccidioidomycosis (Valley Fever) Management Plan: Guidelines for Employers*. August 2019. <http://publichealth.lacounty.gov/acd/docs/valleyfeverplan2019.pdf>.
- LADPH. 2022. “COCCIDIOIDOMYCOSIS.” In *Acute Communicable Disease Control Manual (B-73)*. Revised September 22, 2022. <http://publichealth.lacounty.gov/acd/procs/b73/DiseaseChapters/B73Coccidioidomycosis.pdf>.
- LAO (Legislative Analyst Office). 2016a. The 2016-2017 Budget: Considering Changes to Streamline Local Housing Approvals. May 18, 2016.
- LAO. 2016b. *Perspective on Helping Low-Income Californians Afford Housing*. Mac Taylor, Legislative Analyst. February 9, 2016. <https://www.lao.ca.gov/Reports/2016/3345/Low-Income-Housing-020816.pdf>.
- Litman, T. 2020. Parking Requirement Impacts on Housing Affordability. June. <https://www.vtpi.org/park-hou.pdf>.
- Manville, M. 2013. Parking Requirements and Housing Development *Journal of the American Planning Association*, Winter 2013, Vol. 79, No. 1. <https://www.accessmagazine.org/wp-content/uploads/sites/7/2015/10/access-44-Parking-Requirements.pdf>.
- Mokhtarian, P. et al. 2017. Modeling Household Vehicle and Transportation Choice and Usage Part A: Factors Related to Voluntary Choice of Low Vehicle Ownership and Usage. University of California, Davis. Available: <https://ww2.arb.ca.gov/sites/default/files/classic/research/apr/past/11-322a.pdf>.

- MVU (Moreno Valley Utility). 2023. About MVU. <https://www.moval.org/mvu/about-mvu.html>.
- Newsom, G. 2017. "The California Dream Starts at Home." *Medium*. October 20, 2017. <https://medium.com/@GavinNewsom/the-california-dream-starts-at-home-9dbb38c51cae>.
- OEHHA (Office of Environmental Health Hazard Assessment). 2022. *Indicators of Climate Change in California* (4th ed.). November 2022. Accessed July 19, 2024. <https://oehha.ca.gov/media/downloads/climate-change/document/2022caindicatorsreport.pdf>.
- OSHA (Occupational Safety and Health Administration). n.d. "Valley Fever (Coccidioidomycosis)." Accessed July 19, 2024. <https://www.osha.gov/valley-fever/control-prevention>.
- OSHA. 2022. *Indicators of Climate Change in California* (4th ed.). November 2022. Accessed July 19, 2024. <https://oehha.ca.gov/media/downloads/climate-change/document/2022caindicatorsreport.pdf>.
- Phillips, S. 2024. Modeling Inclusionary Zoning's Impact on Housing Production in Los Angeles: Tradeoffs and Policy Implications. <https://www.lewis.ucla.edu/research/modeling-inclusionary-zonings-impact-on-housing-production-in-los-angeles-tradeoffs-and-policy-implications/>.
- Pinski, M.J. 2018. Does Bundled Parking Influence Travel Behavior? University of California, Los Angeles. <https://escholarship.org/uc/item/24f521mp>.
- RCA (Regional Conservation Authority). 2006. Burrowing Owl Survey Instructions For the Western Riverside Multiple Species Habitat Conservation Plan Area. March 29, 2006. Accessed December 2022. https://www.rctlma.org/Portals/3/EPD/consultant/burrowing_owl_survey_instructions.pdf.
- RCA. 2024. "Habitat Conservation." <https://www.wrc-rca.org/habitat-conservation/>.
- RCHCA (Riverside County Habitat Conservation Agency). 1996. *Habitat Conservation Plan for the Stephens' Kangaroo Rat in Western Riverside County California*. March 1996. <https://www.rchca.us/DocumentCenter/View/549/SKR-Habitat-Conservation-Plan>.
- RUHS (Riverside University Health System). 2015. *Coccidioidomycosis: Yearly Summary Report*. Accessed July 19, 2024. https://www.ruhealth.org/sites/default/files/2020-08/Cocci_Report_for_Publish_FINAL.pdf.
- RUHS. 2024. "Data Report & Statistics." Accessed July 19, 2024. <https://www.ruhealth.org/public-health/epidemiology-program-evaluation/data-report-statistics>.
- SCAG (Southern California Association of Governments). 2020a. The 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments, Connect SoCal. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176.
- SCAG. 2020b. Final RHNA Allocation Methodology. March 5, 2020. <https://scag.ca.gov/sites/main/files/file-attachments/scag-final-rhna-methodology-030520.pdf?1602189316>.

SCAG. 2023. Demographics and Growth Forecast. November 2, 2023. <https://scag.ca.gov/sites/main/files/file-attachments/23-2987-tr-connect-socal-2024-demographics-growth-forecast-draft-110223.pdf?1698263165>.

SCAQMD (South Coast Air Quality Management District). n.d. "Dust Control in the South Coast AQMD." Accessed July 19, 2024. <https://www.aqmd.gov/docs/default-source/compliance/rule-403-dust-control-forms/403-presentation.pdf>.

SCAQMD. 1993. CEQA Air Quality Handbook.

SCAQMD. 2013. Final 2012 Air Quality Management Plan. February 2013. Accessed June 2023. <https://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/final-2012-air-quality-management-plan>.

SCAQMD 2023. "Working Group Meeting #4: Cumulative Impacts from Air Toxics for CEQA Projects". June 6, 2023. Accessed December 2023. http://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-4_20230602_final.pdf?sfvrsn=10.

Stevens, M. 2016. Does Compact Development Make People Drive Less? *Journal of the American Planning Association* 83:1(7-18), DOI: 10.1080/01944363.2016.1240044. November. https://www.researchgate.net/publication/309890412_Does_Compact_Development_Make_People_Drive_Less.

INTENTIONALLY LEFT BLANK

3 Errata

Some commenters have suggested grammatical corrections. The City is grateful to the commenters for their careful attention to detail. Corrections and suggestions will be incorporated into the final document as appropriate. In addition to minor formatting and clarifying edits, the following edits were made to the EIR; these edits did not alter the content or conclusions.

Changes are shown in ~~strikeout~~/underline format (additions are underlined, deletions stricken out) and their page numbers in the Draft EIR are indicated. Footnotes within text brought over from the EIR have not retained their original numbering and are numbered consecutively within this document. The changes made to the draft are minor corrections and clarifications. None of the changes are substantial in nature. Additionally, no impact determinations have been changed and no mitigation measures have been added or substantially revised.

3.1 Edits made to Chapter 1, Introduction

Pages 1-3 through 1-4

The Project consists of the following discretionary approvals, which would be submitted and processed concurrently:

- **Specific Plan Amendment (SPA) (PEN 23-0109)** – The Aquabella SPA would update and modify previous Specific Plan No. 218 to take advantage of the “center city” location and to establish a prominent destination for area residents and workers to live and recreate within a vibrant hub for the City and region. The SPA is needed to provide additional housing opportunities for residents and area workers and families seeking to take advantage of the site’s location within central Moreno Valley, proximity to major job centers, efficient transportation network, sustainable lake features, and other amenities. The SPA would provide updated development standards and design guidelines for the further proposed development within the Project site and add one approximately 10-acre parcel to the eastern boundary of the Project site (APN: 486-310-014).
- **General Plan Amendment (GPA) (PEN 23-0127)** – Having submitted an SB 330 preliminary application, the Project is being processed under the 2040 General Plan, which was “locked” in place as the general plan and land use standards applied to the Project. See Government Code Sections 65941.1(a), 65589.5(o)(1), 65589.5(o)(4). The A-GPA would be required to (a) change the 2040 General Plan Land Use & Community Character Element Table LCC-1, Development Potential and Jobs-Housing Balance, and related text to update projected housing and job numbers to include the Aquabella Specific Plan Amendment Project; (b) change the 2040 General Plan Table LCC-3, Downtown Center Illustrative Development Program (Net New Development 2020-2040), to reflect the updated Downtown Center development program by including the Aquabella Specific Plan Amendment Project; and (c) change 2040 General Plan Map LCC-4, General Plan Land Use, to reflect the land use designation change of the approximately 10-acre parcel on the eastern boundary of the Project site (APN: 486-310-014) from R5 Residential to Downtown Center (Aquabella Specific Plan).

~~If-Because~~ the 2006 General Plan ~~is-would be~~ operative at the time of approval and pursuant to the City’s request, the Project would ~~require~~ include a GPA to also amend the 2006 General Plan Land Use Map, Figure 2-2, to accommodate the Project, which would designate the entire Project site “Specific Plan.” The 2006 GPA would be concurrently processed with the 2040 GPA, which would become effective upon re-

adoption of the 2040 General Plan. The accompanying 2040 General Plan EIR is currently undergoing correction.

- **Change of Zone (CZ) (PEN 24-0041)** - Having submitted an SB 330 preliminary application, the Project is being processed under the 2040 Zoning that was adopted and in effect to implement the 2040 General Plan. See Government Code Sections 65941.1(a), 65589.5(o)(1), 65589.5(o)(4). The proposed change of zone would rezone the approximately 10-acre parcel on the eastern boundary of the Project site from R5 Residential (R5) District to DC-SP (SP 218) in order to incorporate the parcel into the Project boundary so it will be subject to the zoning, design, and development requirements therein. Assuming the 2006 Zoning is operative at the time of Project approval, the Project would concurrently process this 2040 change of zone to become effective upon re-adoption of the 2040 Zoning.

Because the 2006 Zoning would be operative at the time of Project approval, and pursuant to the City's request, the Project would also include a change of zone to rezone the entire site to Specific Plan (SP) 218 on the 2006 Zoning Map.

- **Subsequent Environmental Impact Report (SEIR) Certification (PEN 23-0111)** – Certification of this SEIR (State Clearinghouse Schedule No. 2023100145) prepared in conformance with CEQA would ensure that the incremental environmental impacts between the Project and the previous approvals are analyzed and considered and that all feasible and reasonable mitigation measures or alternatives are implemented to reduce the identified significant impacts. Overriding considerations will be considered by the City. The SEIR preparation and review process requires public notification, stakeholder input, and community participation.
- **Tentative Tract Map No. 38850 (PEN 23-0118)** - The Tentative Tract Map would provide the subdivision plans for the Aquabella Specific Plan Area for finance and conveyance purposes. The Tentative Tract Map would consolidate the existing 10 parcels and create an estimated 26 new parcels.
- **Development Agreement (PEN 23-0119)** - The Development Agreement would be a written agreement between the Project applicant and the City in order to specify the respective obligations of the parties.

3.2 Edits made to Chapter 1A, Executive Summary

Pages 1A-6 through 1A-8

The Project would require approval of the following discretionary actions by the Moreno Valley City Council, which are submitted and processed concurrently:

1. **Specific Plan Amendment (SPA) (PEN 23-0109)** – The Aquabella Specific Plan Amendment (SPA) (Appendix A) would update and modify previous Specific Plan No. 218 to take advantage of the “center city” location, and to establish a prominent destination for area residents and workers to live and recreate within a vibrant hub for the City and region. The SPA is needed to provide additional housing opportunities for residents and area workers and families seeking to take advantage of the site’s location within central Moreno Valley, proximity to major job centers, efficient transportation network, sustainable lake features, and other amenities. The SPA would provide updated development standards and design guidelines for the further proposed development within the Project site, and add one approximately 10-acre parcel to the eastern boundary of the Project site.
2. **General Plan Amendment (GPA) (PEN 23-0127)** – Having submitted an SB 330 preliminary application, the Project is being processed under the 2040 General Plan, which was “locked” in place as the general plan

and land use standards applied to the Project. See Government Code Sections 65941.1(a), 65589.5(o)(1), 65589.5(o)(4). The A-GPA would be required to (a) change the 2040 General Plan Land Use & Community Character Element Table LCC-1, Development Potential and Jobs Housing Balance, and related text to update projected housing and job numbers to include the Project; (b) change the 2040 General Plan Table LCC-3, Downtown Center Illustrative Development Program (Net New Development 2020-2040), to reflect the updated Downtown Center development program by including the Project; and (c) change 2040 General Plan Map LCC-4, General Plan Land Use, to reflect the land use designation change of the approximately 10-acre parcel on the eastern boundary of the Project site (Assessor's Parcel No. 486310014) from Residential (R5) District to Downtown Center (Aquabella Specific Plan).

Because if the 2006 General Plan would be is operative at the time of approval and pursuant to the City's request, the Project would include require a GPA to also amend the 2006 General Plan Land Use Map, Figure 2-2, to accommodate the Project, which would designate the entire Project site "Specific Plan." The 2006 GPA would be concurrently processed with the 2040 GPA, which would become effective upon re-adoption of the 2040 General Plan. The accompanying 2040 General Plan EIR is currently undergoing correction.

3. **Change of Zone (CZ)(PEN 24-0041)**- Having submitted an SB 330 preliminary application, the Project is being processed under the 2040 Zoning that was adopted and in effect to implement the 2040 General Plan. See Government Code Sections 65941.1(a), 65589.5(o)(1), 65589.5(o)(4). The A-proposed change of zone would rezone the approximately 10-acre parcel on the eastern boundary of the Project site from Residential 5 (R5) District to DC-SP (SP 218) in order to incorporate the parcel into the Project boundary and be subject to the zoning, design, and development requirements therein. Assuming the 2006 Zoning is operative at the time of Project approval, the Project would concurrently process this 2040 change of zone to become effective upon re-adoption of the 2040 Zoning.

Because the 2006 Zoning would be operative at the time of Project approval, and pursuant to the City's request, the Project would also include a change of zone to rezone the entire site to Specific Plan (SP) 218 on the 2006 Zoning Map.

4. **Subsequent Environmental Impact Report (SEIR) Certification (PEN 23-0111)** – Certification of this SEIR prepared in conformance with CEQA to ensure that the incremental environmental impacts between the Project and the previous Specific Plan are analyzed and considered, and that all feasible and reasonable mitigation measures or alternatives are implemented to reduce the identified significant impacts. Overriding considerations will be considered by the City. The processing of the SEIR requires public notification, stakeholder input, and community participation throughout the SEIR preparation and review process.
5. **Tentative Tract Map No. 38850 (PEN 23-0118)** - The Tentative Tract Map would provide the subdivision plans for the Aquabella Specific Plan area for finance and conveyance purposes. The Tentative Tract Map will consolidate the existing ten (10) parcels and create an estimated twenty-six (26) new parcels.
6. **Development Agreement (PEN 23-0119)** - The Development Agreement would be a written agreement between the Project applicant and the City in order to specify the respective obligations of the parties

Pages 1A-10 through 1A-13

Table 1A-2~~1~~ provides a comparison of the potential impacts of the project alternatives by indicating for each environmental issue area if the Alternative would result in a similar, increased, slightly reduced, or reduced impact. Table 1A-2~~1~~ also provides a comparison to the potential impacts resulting from the proposed project.

Table 1A-27-1. Comparison of the Environmental Impacts of Alternatives

Environmental Topic	Project	Alternative 1 ¹	Alternative 2	Alternative 3	Alternative 4	Alternative 5	Alternative 6	Alternative 7
Air Quality	Significant and Unavoidable (Project and Cumulative)	Reduced	Slightly reduced (Still Significant and unavoidable)	Similar	Reduced (Still Significant and Unavoidable)	Slightly reduced (Still Significant and unavoidable)	Greater	Greater
Biological Resources	Less Than Significant with Mitigation	Reduced	Similar	Similar	Similar	Similar	Similar	Similar

...

Based on the above analysis and the summary of impacts presented in Table ~~1A-27-1~~, the environmentally superior alternative would be Alternative 1: No Project - No Development, because this alternative would consist of no physical development of the Project site and reduce the level of impacts for all environmental impacts that are either less than significant with mitigation or significant and unavoidable with implementation of the Project. However, Alternative 1 is the CEQA “No Project” alternative, and therefore, the environmentally superior alternative is Alternative 5: Reduced Density, Alternative 2 (7,500 Units).

1A.6 Summary of Environmental Impacts and Mitigation Measures

Table ~~1A-32~~ provides the list of all Project Design Features (PDFs) incorporated into the Aquabella Specific Plan Amendment and the design of the Project in order to minimize potential environmental effects of the Project. To ensure enforcement, the PDFs will be included in the Project’s Mitigation Monitoring and Reporting Plan (MMRP). Table ~~1A-43~~ summarizes the results of the environmental analysis, including the potentially significant environmental impacts of the Project, the proposed mitigation measures required to reduce or avoid these impacts, and the level of significance after mitigation. Each adopted mitigation measure also will be included in the Project’s MMRP to ensure enforcement. Impacts and mitigation measures in Table ~~1A-43~~ are organized by issue areas addressed in Chapter 4, Environmental Analysis. Chapter 5, Cumulative Impacts, includes an analysis of the cumulative impacts of the Project for each issue. Chapter 6, Other CEQA Considerations, includes a brief analysis of the effects found not to be significant.

Table 1A-~~32~~. Project Design Features

Air Quality	
PDF-AQ/GHG-1:	Electric Vehicle Charging Infrastructure. The Project applicant or designee shall provide electric vehicle (EV) charging infrastructure that meets or exceeds 2022 California Green Building Standards Code Tier 2 standards to encourage use of EVs, consistent with Appendix D, Table 3, of the 2022 CARB Scoping Plan. The Project provides a total of 23,772 parking spaces. Of that amount, the Project shall install (a) 9,509 (or 40%) Level 2 240-volt (v) electric vehicle receptacles in Project parking structures and (b) 3,566 (or 15%) Level 2 240 v electric vehicle supply equipment (or stations) in Project parking lots or remaining garages.

Pages 1A-23 through 1A-26

Table 1A-43. Summary of Project Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Air Quality			
<p>Would the project conflict with or obstruct implementation of the applicable air quality plan?</p>	<p>Potentially Significant</p>	<p>MM-AQ-1: Update the Regional Growth Forecast. The applicant has informed the Southern California Association of Governments (SCAG) of the Project so that SCAG’s next Regional Transportation Plan/Sustainable Communities Strategy, Connect SoCal 2024, can appropriately reflect residential housing, population, and employment locations and forecasts in Moreno Valley. The updated information provided to SCAG is anticipated to be used by the South Coast Air Quality Management District (SCAQMD) to update the Air Quality Management Plan (AQMP). The applicant shall prepare and submit a letter notifying SCAQMD of this revised forecast for use in the future updates to the plan as required.</p> <p>MM-AQ-2: Construction Equipment Exhaust Minimization. Prior to the commencement of any construction activities, the Applicant or its designee shall provide evidence to the City of Moreno Valley (City) that (1) for off-road equipment with engines rated at 25 horsepower or greater, no construction equipment shall be used that is less than Tier 4 Final, and (2) for off-road equipment with engines rated less than 25 horsepower, all construction equipment used shall be electrically powered. <u>In the event of changed circumstances related to the availability of specific types of construction equipment, the applicant may submit a request to the City of Moreno Valley’s Community Development Department to apply an equivalent method of achieving Project-generated construction</u></p>	<p>Significant and Unavoidable</p>

Table 1A-43. Summary of Project Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p><u>emissions that fall below the criteria pollutant mass daily thresholds for construction, the applicable localized significance thresholds (LSTs), and the numeric cancer risk standards established by the South Coast Air Quality Management District (SCAQMD). An exemption from this requirement may be granted if (1) the applicant documents equipment with Tier 4 Interim engines are not reasonably available, and (2) the required corresponding reductions in criteria air pollutant emissions can be achieved for the project from other combinations of construction equipment. Before an exemption may be granted, the Applicant's construction contractor shall: (1) demonstrate that at least 3 construction fleet owners/operators in Riverside County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Riverside County during the desired construction schedule; and (2) the proposed replacement equipment has been evaluated using California Emissions Estimator Model (CalEEMod) or other industry standard emission estimation method and documentation provided to the City to confirm that <u>Project-generated construction emissions would remain below the applicable criteria pollutant mass daily thresholds for construction, the LSTs, and the cancer risk threshold established by SCAQMD necessary project-generated emissions reductions are achieved.</u></u></p>	

Pages 1A-52 through 1A-56

Table 1A-3. Summary of Project Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Hazards and Hazardous Materials			
<p>Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</p>	<p>Potentially Significant</p>	<p>MM-HAZ-1: Site Characterization and Remediation. Following Project design finalization, but prior to the issuance of a grading permit, the Project applicant/developer or their designated contractor shall retain a qualified environmental consultant to conduct subsurface investigations to fully characterize the nature and extent of contamination at the Project site. The investigation will include preparation of a soil sampling and analysis plan (SAP), which will be reviewed and signed by a registered engineer or geologist with experience in site characterization. The SAP will take into account final design and proposed development of each area, including grading and excavation depths, building use and occupancy (commercial vs residential), and other features which could indicate applicable screening levels and screening requirements. The SAP shall include methods and procedures to evaluate areas of the Project site where there are known soil impacts, including the former tank storage areas, vehicle maintenance areas, areas with elevated metals and pesticides, and sludge application areas. Soil sampling shall include at least two depths at each sample location to properly characterize potential subsurface impacts, and will include analysis for petroleum hydrocarbons, VOCs, SVOCs, and metals. Samples from at least two different depths will be collected from more than two locations in each area of concern to properly characterize each area, including, at a minimum, each former UST location, each sludge application area, the vehicle maintenance and storage area, the wash down area,</p>	<p>Less than Significant with Mitigation Incorporated</p>

Table 1A-3. Summary of Project Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>and areas with elevated metals and pesticides in surface soil samples (identified in the 1993 Phase II ESA) (shown in red and yellow on Figure 4.11-1). Soil vapor samples will be collected in the UST, maintenance, washdown, and sludge application areas, at dual depths, to properly characterize potential soil and soil vapor contamination due to historical site uses. The SAP will include applicable regulatory screening levels for both soil and soil vapor based on proposed site development. Site investigation will be conducted as outlined in the SAP.</p> <p>For soils, based on the results of the sampling and analysis and comparison to applicable regulatory screening levels, a soil management plan (SMP) shall be prepared by a qualified environmental consultant. The SMP will outline the proper screening, handling, characterization, transportation, and disposal procedures for contaminated soils on the Project site. The SMP will outline criteria for reuse on site, based on the final development plan and land use in each area, including comparison to regulatory screening levels. The SMP will include procedures for removal and disposal of soils that do not meet reuse criteria, including transportation, documentation, and landfilling requirements. The SMP shall include health and safety and training procedures for workers who may come in contact with contaminated soils, and will include health and safety and site control measures to prevent contaminated material emissions from the site (such as dust suppression and vehicle tracking). The SMP shall be implemented by the Project applicant or their designated contractor for all confirmed and suspected contaminated soils which</p>	

Table 1A-3. Summary of Project Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>require excavation and off-site disposal. The SMP shall also include procedures for the identification and proper abandonment of underground storage tanks, should any be identified during demolition and construction activities around the existing dairies and residences. The SMP shall include all applicable federal, state, and local regulations (including Riverside County Department of Environmental Health) associated with handling, excavating, and disposing of contaminated soils; the proposed disposal facility that will accept the contaminated soils; and appropriate procedures, notifications, permitting requirements, handling, and disposal requirements for decommissioning any underground storage tanks.</p> <p>For soil vapor, based on the results of the sampling and analysis and comparison to applicable regulatory screening levels, a soil vapor mitigation plan (SVMP) shall be prepared by a qualified environmental consultant. The SVMP will outline appropriate vapor mitigation methods for any proposed on-site buildings in areas where elevated soil vapor concentrations are identified above the applicable screening levels for the proposed land use (open space, residences, schools, etc.). The SVMP will be prepared with consideration of the SMP, as excavation of impacted soils may reduce soil vapor impacts. Vapor mitigation design features shall be implemented in accordance with the DTSC Vapor Intrusion Mitigation Advisory for all future residential buildings and enclosed structures in areas where soil vapor is present above applicable regulatory screening levels for the proposed land use. The construction contractor shall incorporate vapor mitigation design</p>	

Table 1A-3. Summary of Project Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>features into building plans that reduce potential vapor intrusion in buildings and enclosed structures on the Project site to below applicable screening levels. Vapor mitigation systems may be passive or active in nature, so long as they are designed to prevent vapor contamination in accordance with applicable DTSC regulations. Vapor mitigation systems must be reviewed and approved by the permitting agency(ies) prior to construction and prior to issuance of any certificate of occupancy. Operation of the Project shall maintain functionality of these features as required to ensure protection from vapor intrusion. Following completion of construction and occupancy of the buildings, indoor air monitoring will occur semiannually for one year to verify implemented measures are functioning properly and adequately mitigating vapor intrusion to below residential screening levels. If indoor air samples indicate vapor intrusion occurring at levels above applicable regulatory screening levels, modifications shall be made, as necessary, to the designed system to improve the efficacy in reducing vapor intrusion to below applicable screening levels. <u>The SAP, SMP, and SVMP shall be submitted to the City for review and approval prior to issuance of a grading permit. Should the City require a qualified consultant to review and make recommendations prior to City approval of such plans, the Project applicant or designee shall pay for such consultant services.</u></p> <p>MM-HAZ-2: Characterization and Closure of Dump Sites. <u>Following Project design finalization, but prior to the issuance of a grading permit, buried and open dump site areas identified on site will be characterized</u></p>	

Table 1A-3. Summary of Project Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>to define nature and extent of waste and potential contamination in surrounding soils and soil vapor. Soil will be sampled and analyzed for VOCs, metals, petroleum hydrocarbons, and SVOCs, while soil vapor will be analyzed for VOCs and methane. The full lateral and vertical extent of the waste will be characterized and limits of both waste fill and contamination, if any, will be determined based on this sampling and analysis. The results, along with a proposed closure plan, will be submitted to Riverside County DEH Environmental Cleanup Program for review and approval. Closure requirements will depend on the nature and extent of contamination and will ultimately be approved by Riverside County DEH in accordance with their rules and regulations. Excavation of the dump site area, if any, including exploration test pits, will be conducted following SCAQMD Rule 1150. Final closure requirements will be included in grading and development plans. If excavation is required, excavated wastes will be appropriately characterized and landfilled at a permitted off-site landfill in accordance with federal, state, and local rules and regulations. The excavation will be backfilled with either on-site soils or clean fill. Should imported fill be required, it will meet clean fill requirements established by DTSC in their 2001 Information Advisory Clean Imported Fill Material Fact Sheet.</p>	

3.3 Edits made to Chapter 3, Project Description

Pages 3-14 through 3-15

Development implementation may occur within several areas of the site simultaneously. While some of the infrastructure for the Project is already in place, additional infrastructure improvements would be correlated to correspond to residential development phasing and consider the sequence required by any public financing mechanisms and any Development Agreement between the applicant and City.

Although the Project applicant had previously withdrawn the application for a Development Agreement, it thereafter requested that the application be reinstated to accommodate the City and the applicant's Development Agreement whereby the Project applicant has agreed to construct a turn-key 24,000 square foot Senior Center (i.e., a designed, constructed, and delivered building) and to dedicate the subject land and improvements to the City. Construction of the Senior Center and the conveyance of the land and improvements to the City must occur no later than 36 months after the occupancy permit (final inspection) is issued for the 8,000th residential unit within the Project. In addition, the Aquabella Development Agreement shall (as agreed to by the City and the applicant) require the applicant to develop 80 acres of land for public park purposes and to dedicate said parkland and improvements to the City, subject to the City providing the applicant with the appropriate Development Impact Fee credits. Also, the applicant acknowledges that a total of 129 acres of parkland is required as a condition of approval of the Project; as such, the applicant acknowledges that it shall be obligated to pay the Quimby Fees and associated Development Impact Fees (for parks) for the remaining 49 acres that are not dedicated by or developed by the applicant.

For the purposes of the preparation of this SEIR, Project phasing is broken down into six total Project phases. Implementation of each Project phase would occur in separate construction phases.

Pages 3-27 through 3-28

The proposed Project would require approval of the following discretionary actions by the Moreno Valley City Council, which are submitted and processed concurrently:

1. **Specific Plan Amendment (SPA) (PEN 23-0109)** – The Aquabella SPA (Appendix A) would update and modify previous Specific Plan No. 218 to take advantage of the “center city” location and to establish a prominent destination for area residents and workers to live and recreate within a vibrant hub for the City and region. The SPA is needed to provide additional housing opportunities for residents and area workers and families seeking to take advantage of the site's location within central Moreno Valley, proximity to major job centers, efficient transportation network, sustainable lake features, and other amenities. The SPA would provide updated development standards and design guidelines for the further proposed development within the Project site and add one approximately 10-acre parcel to the eastern boundary of the Project site (APN: 486-310-014).
2. **General Plan Amendment (GPA) (PEN 23-0127)** – Having submitted an SB 330 preliminary application, the Project is being processed under the 2040 General Plan, which was “locked” in place as the general plan and land use standards applied to the Project. See Government Code Sections 65941.1(a), 65589.5(o)(1), 65589.5(o)(4). The GPA would be required to (a) change the 2040 General Plan Land Use & Community Character Element Table LCC-1, Development Potential and Jobs-Housing Balance, and related text, to update projected housing and job numbers to include the Project; (b) change the 2040 General Plan Table LCC-3, Downtown Center Illustrative Development Program (Net New Development 2020-2040), to reflect the updated Downtown Center development program by including the Project; and (c) change 2040 General

Plan Map LCC-4, General Plan Land Use, to reflect the land use designation change of the approximately 10-acre parcel on the eastern boundary of the Project site (Assessor's Parcel No. 486-310-014) from R5 Residential to Downtown Center (Aquabella Specific Plan).

Because if the 2006 General Plan would be is operative at the time of approval and pursuant to the City's request, the Project would include require a GPA to also amend the 2006 General Plan Land Use Map, Figure 2-2, to accommodate the Project, which would designate the entire Project site "Specific Plan." The 2006 GPA would be concurrently processed with the 2040 GPA, which would become effective upon re-adoption of the 2040 General Plan. The accompanying 2040 General Plan EIR is currently undergoing correction.

3. **Change of Zone (CZ) (PEN 24-0041)** - Having submitted an SB 330 preliminary application, the Project is being processed under the 2040 Zoning that was adopted and in effect to implement the 2040 General Plan. See Government Code Sections 65941.1(a), 65589.5(o)(1), 65589.5(o)(4). The A-proposed change of zone would rezone the approximately 10-acre parcel on the eastern boundary of the Project site from Residential 5 (R5) District to DC-SP (SP 218) in order to incorporate the parcel into the Project boundary, at which point it would be subject to the zoning, design, and development requirements therein. Assuming the 2006 Zoning is operative at the time of Project approval, the Project would concurrently process this 2040 change of zone to become effective upon re-adoption of the 2040 Zoning.

Because the 2006 Zoning would be operative at the time of Project approval, and pursuant to the City's request, the Project would also include a change of zone to rezone the entire site to Specific Plan (SP) 218 on the 2006 Zoning Map.

4. **Subsequent Environmental Impact Report Certification (PEN 23-0111)** – Certification of this SEIR, which has been prepared in conformance with CEQA to ensure that the incremental environmental impact changes between the Project and the previous Specific Plan are analyzed and considered and that all feasible and reasonable mitigation measures or alternatives are implemented to reduce the identified significant impacts. Overriding considerations will be considered by the City. The preparation and review process of the SEIR requires public notification, stakeholder input, and community participation.
5. **Tentative Tract Map No. 38850 (PEN 23-0118)** - The Tentative Tract Map would provide the subdivision plans for the Aquabella Specific Plan area for finance and conveyance purposes. The Tentative Tract Map will consolidate the existing 10 parcels and create an estimated 26 new parcels.
6. **Development Agreement (PEN 23-0119)** - The Development Agreement would be a written agreement between the Project applicant and the City in order to specify the respective obligations of the parties.

3.4 Edits made to Section 4.3, Air Quality

Page 4.3-64

- MM-AQ-2 Construction Equipment Exhaust Minimization. Prior to the commencement of any construction activities, the applicant or its designee shall provide evidence to the City of Moreno Valley (City) that (1) for off-road equipment with engines rated at 25 horsepower or greater, no construction equipment shall be used that is less than Tier 4 Final, and (2) all generators, welders, and air compressors used during building construction and architectural coating of structures during residential (including combined residential and parking structure), retail, education (school), and hotel phases shall be electrically powered. Notably, generators, welders, and air compressors for parks/recreational and asphalt for circulation and parking phases are excluded from electrification

requirements in (2) due to feasibility considerations, but still subject to Tier 4 Final requirements in (1).

In the event of changed circumstances related to the availability of specific types of construction equipment, the applicant may submit a request to the City of Moreno Valley's Community Development Department to apply an equivalent method of achieving Project-generated construction emissions that fall below the criteria pollutant mass daily thresholds for construction, the applicable localized significance thresholds (LSTs), and the numeric cancer risk standards established by the South Coast Air Quality Management District (SCAQMD). An exemption from this requirement may be granted if (1) the applicant documents equipment with Tier 4 Interim engines are not reasonably available, and (2) the required corresponding reductions in criteria air pollutant emissions can be achieved for the project from other combinations of construction equipment. Before an exemption may be granted, the applicant's construction contractor shall: (1) demonstrate that at least 3 construction fleet owners/operators in Riverside County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Riverside County during the desired construction schedule; and (2) the proposed replacement equipment has been evaluated using California Emissions Estimator Model (CalEEMod) or other industry standard emission estimation method and documentation provided to the City to confirm that Project-generated construction emissions would remain below the applicable criteria pollutant mass daily thresholds for construction, the LSTs, and the cancer risk threshold established by SCAQMD necessary project generated emissions reductions are achieved.

3.5 Edits made to Section 4.8, Greenhouse Gas Emissions

Page 4.8-1

Climate change refers to any significant change in measures of climate, such as temperature, precipitation, or wind patterns, lasting for an extended period (i.e., decades or longer). The Earth's temperature depends on the balance between energy entering and leaving the planet's system. Many factors, both natural and human, can cause changes in Earth's energy balance, including variations in the sun's energy reaching Earth, changes in the reflectivity of Earth's atmosphere and surface, and changes in the greenhouse effect, which affects the amount of heat retained by Earth's atmosphere (EPA 2023~~ae~~).

...

The scientific record of the Earth's climate shows that the climate system varies naturally over a wide range of time scales and that, in general, climate changes prior to the Industrial Revolution in the 1700s can be explained by natural causes such as changes in solar energy, volcanic eruptions, and natural changes in GHG concentrations. Recent climate changes, in particular the warming observed over the past century, however, cannot be explained by natural causes alone. Rather, it is extremely likely that human activities have been the dominant cause of that warming since the mid-twentieth century and is the most significant driver of observed climate change (IPCC 2013; EPA 2023~~be~~).

Page 4.8-2, Footnote 1

The descriptions of GHGs are summarized from the Intergovernmental Panel on Climate Change (IPCC) Second Assessment Report (1995), IPCC Fourth Assessment Report (2007), CARB’s “Glossary of Terms Used in GHG Inventories” (2018), and EPA’s “Glossary of Climate Change Terms” (2024~~16d~~).

Page 4.8-4

Gases in the atmosphere can contribute to climate change both directly and indirectly. Direct effects occur when the gas itself absorbs radiation. Indirect radiative forcing occurs when chemical transformations of the substance produce other GHGs, when a gas influences the atmospheric lifetimes of other gases, and/or when a gas affects atmospheric processes that alter the radiative balance of the Earth (e.g., affect cloud formation or albedo [reflection of light from the Earth]) (EPA 2023~~ce~~).

...

Per the EPA’s Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2021, total United States GHG emissions were approximately 6,340.2 million metric tons (MMT) CO₂e in 2021 (EPA 2023~~d~~f). Total U.S. emissions have decreased by 2.3% from 1990 to 2021, down from a high of 15.8% above 1990 levels in 2007. Emissions increased from 2020 to 2021 by 5.2% (314.3 MMT CO₂e). Net emissions (i.e., including sinks) were 5,586.0 MMT CO₂e in 2021. Overall, net emissions increased 6.4% from 2020 to 2021 and decreased 16.6% from 2005 levels. Between 2020 and 2021, the increase in total GHG emissions was driven largely by an increase in CO₂ emissions from fossil fuel combustion due to economic activity rebounding after the height of the COVID-19 pandemic. The CO₂ emissions from fossil fuel combustion increased by 6.8% from 2020 to 2021, including a 11.4% increase in transportation sector emissions and a 7.0% increase in electric power sector emissions. The increase in electric power sector emissions was due in part to an increase in electricity demand of 2.4% since 2020. Overall, there has been a decrease in electric power sector emissions from 1990 through 2021, which reflects the combined impacts of long-term trends in many factors, including population, economic growth, energy markets, technological changes including energy efficiency, and the carbon intensity of energy fuel choices (EPA 2023~~d~~f).

Page 4.8-9

The Inflation Reduction Act authorized the EPA to implement the Greenhouse Gas Reduction Fund Program, which is a historic, \$27 billion investment to mobilize financing and private capital to combat the climate crisis and ensure American economic competitiveness. The Greenhouse Gas Reduction Fund will be designed to achieve the following program objectives: reduce GHG emissions and other air pollutants; deliver the benefits of GHG- and air-pollution-reducing projects to American communities, particularly low-income and disadvantaged communities; and mobilize financing and private capital to stimulate additional deployment of GHG and air pollution reducing projects (EPA 2023~~eg~~).

Page 4.8-23

The RTP/SCS is updated every four years. ~~On April 4, 2024, SCAG has recently released its draft~~ adopted the 2024–2050 RTP/SCS, also referred to as “Connect SoCal 2024.” ~~However, Connect SoCal 2024 has not been adopted or approved at this time. CEQA does not require consideration of draft plans not adopted or approved at the time of the EIR (South of Market Community Action Network v. City and County of San Francisco [2019] 33 Cal.App.5th 321, 353; Chaparral Greens v. City of Chula Vista [1996] 50 Cal.App.4th 1134, 1145, fn. 7).~~ For informational purposes, the ~~draft~~ Connect SoCal 2024 builds on the prior RTP/SCS and identifies the following strategy areas to support its

~~environmental goals: Sustainable Development, Air Quality, Clean Transportation, Natural and Agricultural Lands Preservation, and Climate Resilience. states goals divided into four categories: (1) Mobility: Build and maintain a robust transportation network; (2) Communities: Develop, connect and sustain communities that are livable and thriving; (3) Environment: Create a healthy region for the people of today and tomorrow; and (4) Economy: support a sustainable, efficient, and productive regional economic environment that provides opportunities for all residents. Should Connect SoCal 2024 be adopted prior to certification of this SEIR, this section will be updated in the Final SEIR.~~

Page 4.8-50

This GHG analysis estimates the gain of sequestered carbon that would result from planting and growth of trees on site. The calculation methodology and default values provided in i-Tree Planting were used to estimate the one-time carbon-stock change from planting new trees based on the trees provided in the landscaping plan for the Project (~~i-Tree 2021~~USFS 2023).

Page 4.8-57, Table 4.8-5

The CAP establishes a citywide target of increasing alternatives to single-occupant vehicle use by 10% for people employed in Moreno Valley by 2040. If the project involves a business with over 50 employees or tenants with such businesses, will the project implement Transportation Demand Management strategies and programs identified in Connect SoCal 2024, the SCAG Regional Transportation Plan/Sustainable Community Strategy (RTP/SCS), including but not limited to: implementing commuter benefit programs, promoting telecommuting and alternative work schedule options, and other financial incentives?

Page 4.8-63, Table 4.8-6

The Project is also consistent with the goals of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), “Connect SoCal 2024,” as detailed in Section 4.17, Transportation, and 4.11, Land Use and Planning. The Project also satisfies the City’s VMT significance criteria, which demonstrates consistency with SCAG’s SCS, as detailed below.

Page 4.8-64, Table 4.8-6

The Project would improve and enhance active transportation and transit access and facilities while diversifying housing in the area, consistent with General Plan Circulation Element policies and Connect SoCal 2024 goals.

Page 4.8-67

Project Potential to Conflict with SCAG’s 2020-2045 and 2024-2050 RTP/SCS

The SCAG 2020–2045 RTP/SCS is a regional growth management strategy that targets per-capita GHG reduction from passenger vehicles and light trucks in the Southern California region pursuant to SB 375.

Page 4.8-68

- ...The proposed Mobility Hub and promotion of micro mobility modes such as bikeshare and electric scooter along internal street network of the Project would leverage new transportation technologies and solutions to efficient travel for the Project occupants. The Project is consistent with the transportation-related goals

and policies of Connect SoCal 2024, and the does not conflict with anything related to the circulation system.

In addition, as evaluated in detail in the Project's transportation analysis, per the City's VMT significance criteria, the Project would have a less than significant VMT impact under Existing (2023) conditions, Horizon Year (2045) conditions with full buildout of WLC and Horizon Year (2045) conditions with partial buildout of WLC. The Project effect on VMT was also determined to be less than significant under all scenarios. Given that the Project would result in a less-than-significant impact related to VMT, the Project would support the transportation-related goals and policies of Connect SoCal 2024.

Page 4.8-69

As noted above, SCAG ~~has released its draft~~ adopted the 2024-2050 RTP/SCS, "Connect SoCal 2024," on April 4, 2024. ~~“; however, the draft has not been adopted or approved at this time. CEQA does not require consideration of draft plans. (South of Market Community Action Network v. City and County of San Francisco (2019) 33 Cal.App.5th 321, 353; Chaparral Greens v. City of Chula Vista (1996) 50 Cal.App.4th 1134, 1145, fn. 7) For informational purposes the~~ As an SB 330 project, the Project is subject to the 2020-2045 RTP/SCS because that regional plan was in effect when the Project's preliminary application was submitted on September 6, 2023. (Gov. Code, §§ 65589.5(o), 65941.1.) Nonetheless, for informational purposes, an analysis of the Project's compliance with the applicable strategies of Connect SoCal 2024 is presented below.

The following policies and strategies are intended to be supportive of implementing the 2024-2050 RTP/SCS and reducing GHGs: increasing access to neighborhood amenities, open space and urban greening, job centers and multimodal mobility options. Sustainable Development, Air Quality, Clean Transportation, Natural and Agricultural Lands Preservation, and Climate Resilience. The above analysis regarding consistency with the adopted Connect SoCal 2020 similarly supports Project consistency with these ~~draft~~ strategies. ~~Should Connect SoCal 2024 be adopted prior to the City's certification of this SEIR, this analysis will be updated in the Final SEIR.~~

- **Sustainable Development.** The 2024-2050 RTP/SCS identifies sustainable development, including water and energy-efficient building practices and green infrastructure, as a strategy to reduce GHG emissions. As described above, targeted sustainable design strategies of the Project include electrifying all buildings except restaurant spaces (PDF-AQ/GHG-3), providing rooftop solar panels (PDF-AQ/GHG-4), and including electric vehicle charging infrastructure (PDF-AQ/GHG-1). The Project would comply with current energy code requirements for battery storage, which both could help provide the EV chargers with renewable, clean energy in place of grid electricity from MVU. The site would contain 80 acres of recreational uses, and 30,000 trees would be planted on site (PDF-AQ/GHG-11). The Project would further support goals of sustainable development through provision of energy efficient appliances (PDF-AQ/GHG-6), LED lighting (PDF-AQ/GHG-5), energy smart meters (PDF-AQ/GHG-7), cool pavements (PDF-AQ/GHG-8), and a local farmer's market (PDF-AQ/GHG-10). The Project would implement a water use efficiency and conservation plan for indoor and outdoor water use (PDF-AQ/GHG-12), use of recycled water for irrigation (PDF-AQ/GHG-13), and use of local well water for the lake (PDF-AQ/GHG-14). The Project's mixed-use design providing residential, retail, schools, and recreational facilities combined with the Project's PDFs help support a connected, sustainable community and a healthy environment, in addition to supporting the sustainable development goal of the 2024-2050 RTP/SCS.
- **Air Quality.** The 2024-2050 RTP/SCS identifies air quality as an environmental strategy because the transportation sector is the predominant source of criteria air pollutant emissions in the region. The 2024-2050 RTP/SCS states that a comprehensive and coordinated regional solution with integrated land use and transportation planning from all levels of governments will be required to achieve the needed emission

reductions (SCAG 2024). The Project's TDM program and intentional Project design supports multimodal mobility options, as explained below in "Clean Transportation", support the 2024–2050 RTP/SCS regional transportation planning objectives that reduce mobile source emissions. As evaluated in detail in the Project's transportation analysis, per the City's VMT significance criteria, the Project would have a less than significant VMT impact under Existing (2023) conditions, Horizon Year (2045) conditions with full buildout of WLC and Horizon Year (2045) conditions with partial buildout of WLC. The Project's less-than-significant VMT impact supports the SCAG objective to achieve emission reductions within the transportation sector. The Project's mix of residential (primarily multi-family and workforce housing), commercial, retail, entertainment, employment, educational, and recreational uses support the 2024-2050 RTP/SCS objective of integrated land use. Overall, the Project supports the 2024-2050 RTP/SCS aim to improve air quality throughout the region through sustainable local and regional land use planning and implementation efforts, which can reduce transportation-related criteria air pollutant emissions on a per capita basis.

- **Clean Transportation.** The 2024–2050 RTP/SCS identifies EV charging infrastructure, adoption of zero-emission vehicles, and clean transit as ways to reduce GHG emissions from mobile sources. As described above, the Project would promote and support low emission technologies for transportation, such as EV charging stations (PDF-AQ/GHG-1), Level 2 ready receptacles, and EV capable outlets. The Project's TDM program and intentional Project design supports multimodal mobility options, including cars (PDF-TRANS-4 Rideshare Program), bus (PDF-TRANS-9 Extend Transit Network Coverage, PDF-TRANS-10 Increase Transit Service Frequency, PDF-TRANS-11 Implement BRT, and PDF-TRANS-12 Mobility Hub), non-electric and electric bicycles (PDF-TRANS-5 End-of-Trip Bicycle Facilities and PDF-TRANS-7 Non-Electric Bikeshare Program), electric scooters (PDF-TRANS-8 Electric Scootershare Program), and walking (PDF-LU-1 Mixed-Use Project Design, PDF-LU-2 Provision of Urban Core, PDF-LU-3 Short Walkable Blocks, PDF-LU-4 Increased Residential Density, PDF-LU-5 Walkable/Bikeable Community, PDF-LU-9 Complete Streets, and PDF-LU-10 Traffic Calming).
- **Natural and Agricultural Lands Preservation.** The 2024–2050 RTP/SCS promotes the conservation and restoration of natural and agricultural lands through several policies, such as quantifying the carbon sequestration potential of natural and agricultural lands and prioritization of sensitive habitat and wildlife corridors for permanent protection. The Project would develop a residential and mixed-use Specific Plan development on a graded, infill site previously approved for residential mixed-use development. Developing this infill site would discourage sprawl into open space and agricultural areas surrounding the City and integrate into the land use pattern of the existing community. Therefore, the Project would not convert natural and working lands or interfere with this strategy.
- **Climate Resilience.** The 2024–2050 RTP/SCS promotes regional coordination and solutions for effective emergency response for climate-related hazards. Additionally, in the category of climate resilience, SCAG has established the following policies: prioritize the most vulnerable populations and communities subject to climate hazards; support local and regional climate and hazard planning; support nature-based solutions to increase regional resilience; promote sustainable water use planning; and, support an integrated planning approach to help jurisdictions meet housing needs in a drier environment. While the Project does not directly pertain to these regional coordination efforts for climate resilience, the Project would not interfere with this strategy. Further, the Project has appropriately addressed hazard planning, wildfire/evacuation, and sustainable water use in this SEIR, as described in Sections 4.9, 4.19, and 4.20.

Based on the analysis above, the Project would be consistent with the SCAG 2024–2050 RTP/SCS.

Page 4.8-74, Table 4.8-10

Source: i-Tree Planting Calculator version 2.2.0 ([USFS 2023](#)).

Page 4.8-76

Third, the Project would be consistent with the SCAG 2020–2045 RTP/SCS and the 2024-2050 RTP/SCS, resulting in a less-than-significant impact without mitigation.

Page 4.8-78

Third, the Project would be consistent with the SCAG 2020–2045 RTP/SCS and the 2024-2050 RTP/SCS, resulting in a **less than significant impact without mitigation**.

3.6 Edits made to Section 4.9, Hazards

Pages 4.9-38 through 4.9-40

MM-HAZ-1 Site Characterization and Remediation. Following Project design finalization, but prior to the issuance of a grading permit, the Project applicant/developer or their designated contractor shall retain a qualified environmental consultant to conduct subsurface investigations to fully characterize the nature and extent of contamination at the Project site. The investigation will include preparation of a soil sampling and analysis plan (SAP), which will be reviewed and signed by a registered engineer or geologist with experience in site characterization. The SAP shall take into account final design and proposed development of each area, including grading and excavation depths, building use and occupancy (commercial vs residential), and other features which could indicate applicable screening levels and screening requirements. The SAP shall include methods and procedures to evaluate areas of the Project site where there are known soil impacts, including the former tank storage areas, vehicle maintenance areas, areas with elevated metals and pesticides, and sludge application areas. Soil sampling shall include at least two depths at each sample location to properly characterize potential subsurface impacts, and shall include analysis for petroleum hydrocarbons, VOCs, SVOCs, and metals. Samples from at least two different depths shall be collected from more than two locations in each area of concern to properly characterize each area, including, at a minimum, each former UST location, each sludge application area, the vehicle maintenance and storage area, the wash down area, and areas with elevated metals and pesticides in surface soil samples (identified in the 1993 Phase II ESA) (shown in red and yellow on Figure 4.9-1). Soil vapor samples shall be collected in the UST, maintenance, washdown, and sludge application areas, at dual depths, to properly characterize potential soil and soil vapor contamination due to historical site uses. The SAP shall include applicable regulatory screening levels for both soil and soil vapor based on proposed site development. Site investigation will be conducted as outlined in the SAP.

For soils, based on the results of the sampling and analysis and comparison to applicable regulatory screening levels, a soil management plan (SMP) shall be prepared by a qualified environmental consultant. The SMP shall outline the proper screening, handling, characterization, transportation, and disposal procedures for contaminated soils on the Project site. The SMP shall outline criteria for reuse on site, based on the final development plan and land use in each area, including comparison to regulatory screening levels. The SMP shall include procedures for removal

and disposal of soils that do not meet reuse criteria, including transportation, documentation, and landfilling requirements. The SMP shall include health and safety and training procedures for workers who may come in contact with contaminated soils, and will include health and safety and site control measures to prevent contaminated material emissions from the site (such as dust suppression and vehicle tracking). The SMP shall be implemented by the Project applicant or their designated contractor for all confirmed and suspected contaminated soils which require excavation and off-site disposal. The SMP shall also include procedures for the identification and proper abandonment of underground storage tanks, should any be identified during demolition and construction activities around the existing dairies and residences. The SMP shall include all applicable federal, state, and local regulations (including Riverside County Department of Environmental Health) associated with handling, excavating, and disposing of contaminated soils; the proposed disposal facility that will accept the contaminated soils; and appropriate procedures, notifications, permitting requirements, handling, and disposal requirements for decommissioning any underground storage tanks.

For soil vapor, based on the results of the sampling and analysis and comparison to applicable regulatory screening levels, a soil vapor mitigation plan (SVMP) shall be prepared by a qualified environmental consultant. The SVMP shall outline appropriate vapor mitigation methods for any proposed on-site buildings in areas where elevated soil vapor concentrations are identified above the applicable screening levels for the proposed land use (open space, residences, schools, etc.). The SVMP shall be prepared with consideration of the SMP, as excavation of impacted soils may reduce soil vapor impacts. Vapor mitigation design features shall be implemented in accordance with the DTSC Vapor Intrusion Mitigation Advisory for all future residential buildings and enclosed structures in areas where soil vapor is present above applicable regulatory screening levels for the proposed land use. The construction contractor shall incorporate vapor mitigation design features into building plans that reduce potential vapor intrusion in buildings and enclosed structures on the Project site to below applicable screening levels. Vapor mitigation systems may be passive or active in nature, so long as they are designed to prevent vapor contamination in accordance with applicable DTSC regulations. Vapor mitigation systems shall be reviewed and approved by the permitting agency(ies) prior to construction and prior to issuance of any certificate of occupancy. Operation of the Project shall maintain functionality of these features as required to ensure protection from vapor intrusion. Following completion of construction and occupancy of the buildings, indoor air monitoring shall occur once every 6 months for 1 year to verify implemented measures are functioning properly and adequately mitigating vapor intrusion to below residential screening levels. If indoor air samples indicate vapor intrusion occurring at levels above applicable regulatory screening levels, modifications shall be made, as necessary, to the designed system to improve the efficacy in reducing vapor intrusion to below applicable screening levels. The SAP, SMP, and SVMP shall be submitted to the Riverside County DEH for review and approval prior to issuance of a grading permit. Should the Riverside County DEH require a qualified consultant to review and make recommendations prior to Riverside County DEH approval of such plans, the Project applicant or designee shall pay for such consultant services.

MM-HAZ-2 Characterization and Closure of Dump Sites. Following Project design finalization, but prior to the issuance of a grading permit, Buried and open dump site areas identified on site shall be characterized to define nature and extent of waste and potential contamination in surrounding soils and soil vapor. Soil shall be sampled and analyzed for VOCs, metals, petroleum hydrocarbons, and SVOCs, while soil vapor will be analyzed for VOCs and methane. The full lateral and vertical

extent of the waste shall be characterized and limits of both waste fill and contamination, if any, shall be determined based on this sampling and analysis. The results, along with a proposed closure plan, shall be submitted to Riverside County DEH Environmental Cleanup Program for review and approval. Closure requirements will depend on the nature and extent of contamination and shall ultimately be approved by Riverside County DEH in accordance with their rules and regulations. Excavation of the dump site area, if any, including exploration test pits, shall be conducted following SCAQMD Rule 1150. Final closure requirements shall be included in grading and development plans. If excavation is required, excavated wastes shall be appropriately characterized and landfilled at a permitted off-site landfill in accordance with federal, state, and local rules and regulations. The excavation shall be backfilled with either on-site soils or clean fill. Should imported fill be required, it shall meet clean fill requirements established by DTSC in its 2001 Information Advisory Clean Imported Fill Material Fact Sheet.

3.7 Edits made to Section 4.10, Hydrology

Page 4.10-17

Strategies to reduce groundwater contaminant levels for the lake’s water supply would include blending, monitoring, and adaptive management of water quality. Further, the water quality of the planned lake would be required to meet water quality objectives for inland surface waters, as described in the Basin Plan, and would be required to complete an application for discharging to surface waters under the NPDES permit program (~~SARWQCB~~-SWRCB 2019). Because of the uncertain groundwater quality, the impact would be **potentially significant**, and mitigation to ensure compliance with regulations and water quality standards is proposed herein.

3.8 Edits made to Section 4.11, Land Use

Pages 4.11-15 through 4.11-16

Table 4.11-1. 2040 General Plan Land Use Consistency

2040 General Plan Policies	Project Consistency
Land Use & Community Character Element	
<p>Actions LCC.1-A: Use development agreements, impact fees, benefit districts and other mechanisms to ensure the provision of adequate infrastructure to serve new development</p>	<p>Consistent. The Project would be conditioned to pay such appropriate impact fees as determined by the City’s impact fee schedule and other laws to ensure the provision of adequate infrastructure to serve the development proposed by the Project. Chapter 7 of the Specific Plan Amendment (Appendix A) addresses the various mechanisms and funding opportunities that may be used to ensure adequate infrastructure is provided concurrent with site buildout. A development agreement may further address these issues.</p>

3.9 Edits made to Section 4.13, Noise

Pages 4.13-6 through 4.13-7

Operational Noise Standards

Moreno Valley Municipal Code Section 11.80.030.C, Non-Impulsive Sound Decibel Limits, provides the following restriction:

No person shall maintain, create, operate or cause to be operated on private property any source of sound in such a manner as to create any non-impulsive sound which exceeds the limits set forth for the source land use category (as defined in Section 11.80.020) in Table 11.80.030-2 when measured at a distance of two hundred (200) feet or more from the real property line of the source of the sound, if the sound occurs on privately owned property, or from the source of the sound, if the sound occurs on public right-of-way, public space or other publicly owned property. Any source of sound in violation of this subsection shall be deemed prima facie to be a noise disturbance.

Table 11.80.030-2 of Municipal Code Section 11.80.030.C. provides:

Table 11.80.030-2: Maximum Sound Levels (in dB(A)) for Source Land Uses

Residential		Commercial	
Daytime ¹	Nighttime ²	Daytime ¹	Nighttime ²
60 dBA	55 dBA	65 dBA	60 dBA

Source: Section 11.80.030(C) of the City of Moreno Valley Municipal Code.

¹ Daytime means 8:00 a.m. to 10:00 p.m.

² Nighttime means 10:01 p.m. to 7:59 a.m.

dBA = A-weighted decibels

Leq = equivalent continuous sound level

As stated above, Section 11.80.030.C. of the City’s Municipal Code establishes limits on non-impulsive noise where no person shall maintain, create, operate, or cause noise on private property to not exceed the noise standards shown in Table 11.80.030-2. The standards are applicable for each source land use category (residential, commercial) when measured at a distance of 200 feet from the property line of the source of the noise, if the noise occurs on privately owned property. Noise levels that exceed the noise standards in Table 11.80.030-2 are deemed to be a noise disturbance.

For industrial and commercial land uses, based on the commercial land use standard of Moreno Valley Municipal Code Table 11.80.030-2, the operational noise level limits are 65 dBA Leq during the daytime hours (8:00 a.m. to 10:00 p.m.) and 60 dBA Leq during the nighttime hours (10:01 p.m. to 7:59 a.m.). For residential land uses, based on the residential land use standard of Moreno Valley Municipal Code Table 11.80.030-2, the operational noise level limits are 60 dBA Leq during the daytime hours (8:00 a.m. to 10:00 p.m.) and 55 dBA Leq during the nighttime hours (10:01 p.m. to 7:59 a.m.).

Pages 4.13-10 through 4.13-12

Table 4.13-6. Phase 3 Construction Noise Levels at Nearby Noise-Sensitive Receiver

Phase	Construction Noise Level (dBA) at CR2 CR3 From Closest Construction Boundary	Construction Noise Level (dBA) at CR2 CR3 From Construction Acoustic Center	Recommended Limit (FTA)
	Leq 8-hr	Leq 8-hr	Leq 8-hr
(1) Site Preparation	75	58	80
(2) Paving	74	58	
(3) Residential Building Construction	72	60	
(4) Elem. School Construction	72	51	
(5) Middle School Construction	72	51	
(6) Park Construction	72	52	
(7) Architectural Coating Res. Bld.	62	45	
(8) Architectural Coating Elem. School	65	48	
(9) Architectural Coating Middle School	65	48	
(10) Architectural Coating Park	65	48	

Source: Appendix I.**Note:** dBA = A-weighted decibels; Leq = equivalent continuous sound level (time-averaged sound level); FTA = Federal Transit Administration.**Table 4.13-7. Phase 4 Construction Noise Levels at Nearby Noise-Sensitive Receiver**

Phase	Construction Noise Level (dBA) at CR2 CR4 From Closest Construction Boundary	Construction Noise Level (dBA) at CR2 CR4 From Construction Acoustic Center	Recommended Limit (FTA)
	Leq 8-hr	Leq 8-hr	Leq 8-hr
(1) Site Preparation	85	62	80
(2) Paving	85	62	
(3) Residential Building Construction	79	65	
(4) Elem. School Construction	79	56	
(5) Park Construction	80	57	
(6) Architectural Coating Res. Bld.	70	58	
(7) Architectural Coating Elem. School	73	53	
(8) Architectural Coating Park	73	53	

Source: Appendix I.**Notes:** dBA = A-weighted decibels; Leq = equivalent continuous sound level (time-averaged sound level); FTA = Federal Transit Administration.**Bold** values exceed the recommended limit.

Table 4.13-8. Phase 5 Construction Noise Levels at Nearby Noise-Sensitive Receiver

Phase	Construction Noise Level (dBA) at CR1 CR5 From Closest Construction Boundary	Construction Noise Level (dBA) at CR1 CR5 From Construction Acoustic Center	Recommended Limit (FTA)
	Leq 8-hr	Leq 8-hr	Leq 8-hr
(1) Site Preparation	84	54	80
(2) Paving	84	54	
(3) Residential Building Construction	78	57	
(4) Park Construction	79	51	
(5) Architectural Coating Res. Bld.	69	50	
(6) Architectural Coating Park	72	45	

Source: Appendix I.

Notes: dBA = A-weighted decibels; Leq = equivalent continuous sound level (time-averaged sound level); FTA = Federal Transit Administration.

Bold values exceed the recommended limit.

Table 4.13-9. Phase 6 Construction Noise Levels at Nearby Noise-Sensitive Receiver

Phase	Construction Noise Level (dBA) at CR2 CR6 From Closest Construction Boundary	Construction Noise Level (dBA) at CR2 CR6 From Construction Acoustic Center	Recommended Limit (FTA)
	Leq 8-hr	Leq 8-hr	Leq 8-hr
(1) Site Preparation	75	62	80
(2) Paving	75	62	
(3) Residential Building Construction	69	65	
(4) Elem. School Construction	69	56	
(5) Architectural Coating Res. Bld.	62	58	
(6) Architectural Coating Elem. School	61	53	

Source: Appendix I.

Note: dBA = A-weighted decibels; Leq = equivalent continuous sound level (time-averaged sound level); FTA = Federal Transit Administration.

Page 4.13-19

Operational Noise Assessment

As described under Section 3.1.3, Operational Noise Methodology, of Appendix I, operational noise related to HVAC equipment was modeled in the CadnaA model space, with a receiver at the closest existing residence to each of the groupings of perimeter residential structures. Figures 4.13-4 and 4.13-5 illustrates each of the multifamily residential structures modeled as sound sources for operational noise levels. Buildings G1–G20 each represent a garden apartment building housing 20 40 dwelling units, with 20 40 two-ton (i.e., refrigeration capacity or cooling demand met) HVAC packages units (or the functional equivalent with respect to air-conditioning comfort delivered) mounted on each building roof on a one-to-one unit-per-dwelling basis. Buildings H1–H14 each represent a garden

high-density apartment building housing 120 dwelling units, with 120 HVAC two-ton packages units mounted on each building roof.

Table 4.13-15 presents the results of the operational noise modeling at the seven modeled receivers (refer to Figures 4.13-24 and 4.13-5) and compares these modeled operational noise levels to limits contained in the Moreno Valley Municipal Code. Detailed information for the operational noise modeling is provided in Appendix I.

As indicated in Table 14.13-15, even if all facility equipment operated simultaneously during the nighttime period (10:01 p.m. to 7:59 a.m.) continuously over a 24-hour period, the predicted operational sound level at each of the modeled residential receiver locations would fall well below the most restrictive nighttime limit of 55 dBA Leq for residential uses (Moreno Valley Municipal Code Section 11.80.030.B.1) zoning ordinance limit of 65 dBA CNEL. In addition, the predicted operational noise would remain at least 20 10 dBA below recorded ambient noise levels in the Project vicinity; therefore, the addition of Project operational noise would not increase ambient noise levels above existing conditions. Other sources of operational noise would primarily be associated with noise generated by residents and their guests, which is not an environmental impact under CEQA (California Public Resources Code, Section 21085). Consequently, operational noise impacts of the Project would be **less than significant**.

Table 4.13-15. Project Operational Noise Levels Compared to Municipal Code Limits

Receptor ID	Predicted Operational Noise Level (dBA Leq)	Noise Ordinance Municipal Code Limit (dBA Leq-CNEL) ¹	Limit Exceeded?
Receiver 1	<u>24-29.1</u>	55	No
Receiver 2	<u>22-31.7</u>		No
Receiver 3	<u>23-32.8</u>		No
Receiver 4	<u>24-30.9</u>		No
Receiver 5	<u>26-31.0</u>		No
Receiver 6	<u>27-29.1</u>		No
Receiver 7	<u>31-33.3</u>		No

Source: Appendix I.

Notes: dBA = A-weighted decibels; Leq = equivalent continuous sound level (time-averaged sound level); CNEL = community noise equivalent level Leq = Average sound level.

¹ Most restrictive residential nighttime limit.

CadnaA calculated the noise level across the entire grid that encompasses the Project site and adjacent areas. Figure 4.13-4 graphically represents the noise model results, providing noise contours extending outward from the proposed Project to illustrate the hourly noise level from operation of the Project. As illustrated on Figure 4.13-4, the 35-40 dBA Leq contour barely extends beyond the multifamily residential structures and is fully contained within the Project site.

3.10 Edits made to Section 4.19, Utilities

Pages 4.19-17 through 4.19-18

The 1999 EIR found impacts to water supply would be less than significant. As a result of changes to age-restricted residential uses, the 2005 Aquabella SPA was found to reduce water demand compared to the 1999 EIR to approximately ~~2,240.18~~ ~~903.67~~ AFY, which would continue to result in less than significant impacts related to water supply facilities. Overall, the Project would increase water demand by ~~886.82~~ ~~2,203.3~~ to ~~1,278.82~~ ~~2,615.33~~ AFY compared to the 2005 Addendum. Table 4.19-8 compares the Project's water demand with the 1999 EIR and 2005 Addendum. As with the prior approvals, EMWD has the ability to provide water service to the site without the relocation or construction of expanded water infrastructure or development of new supply sources. Similar to prior approvals, impacts related to the relocation or construction of new or expanded water supply facilities would be **less than significant**.

Table 4.19-8. Project Water Demand Compared to 1999 EIR and 2005 Addendum Water Demand

Demand Type	Average Day Demand (GP)	Annual Demand (AFY)
Current Project		
Potable Water		
Very High Density Residential ¹	2,625,000	2,942
Hotel	37,500	42
Commercial Retail	55,000	62
Public Facilities	88,000	99
Open Space Recreation	178,548	200
Multi-Purpose Lake	180,000	202
Total		3,519
Recycled Water		
Recycled Water	187,000	210
Private Well	180,000	202
Total		412
Total Considering Recycled Water Offsets		3,107
1999 EIR		
Residential	N/A	2,195
Commercial	N/A	81
Schools	N/A	361
Parks/Recreation	N/A	604
Total		3,241
2005 Addendum		
Potable Water		
Senior Housing	876,600	982.6 2.69
Commercial	75,000	84.07 0.23
High school	200,000	224.18 0.61

Table 4.19-8. Project Water Demand Compared to 1999 EIR and 2005 Addendum Water Demand

Demand Type	Average Day Demand (GP)	Annual Demand (AFY)
Parks	44,010	1,340.18 0.14
Total		3.67
Recycled Water		
Lakes	5.1 acres	900
Total		2,240.18 903.67
Change in Water Demand from 2005 Aquabella SPA		+1,278.82 2,615.33

Note:

¹ Proposed density 25-50 dwelling units per acre

3.11 Edits made to Chapter 8, References

Pages 8-10 through 8-11

SCAQMD. 2023a. Overview (Toxic Air Pollution). Accessed June 2023.

<https://experience.arcgis.com/experience/79d3b6304912414bb21ebdde80100b23/page/Main-Page/?views=Navigate-the-map%2COverview>.

SCAQMD. 2023b. MATES V (2018), Residential Air Toxics Cancer Risk Calculated from Model Data in Grid Cells.

Accessed June 2023. https://experience.arcgis.com/experience/79d3b6304912414bb21ebdde80100b23/page/Main-Page/?print_preview=true&views=Navigate-the-map%2CGridded-Cancer-Risk.

SCAQMD. 2023c. *2022 Annual Report on AB 2588 Air Toxics "Hot Spots" Program*. April 2023. Accessed January 2024. https://www.aqmd.gov/docs/default-source/planning/risk-assessment/ab-2588-annual-report-2022_final.pdf?sfvrsn=6.

SCAQMD. 2023d. "SCAQMD Air Quality Significance Thresholds." Originally published in CEQA Air Quality Handbook, Table A9-11-A. Revised March 2023. Accessed June 2023. <https://www.aqmd.gov/docs/default-source/ceqa/handbook/south-coast-aqmd-air-quality-significance-thresholds.pdf?sfvrsn=25>.

SCAQMD. 2023e. South Coast AQMD Modeling Guidance for AERMOD. <https://www.aqmd.gov/home/air-quality/meteorological-data/modeling-guidance#AERMOD>

SCAQMD. 2023e. "Working Group Meeting #4: Cumulative Impacts from Air Toxics for CEQA Projects". June 6, 2023. Accessed December 2023. http://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-4_20230602_final.pdf?sfvrsn=10.

SCAQMD. 2023f. "Working Group Meeting #4: Cumulative Impacts from Air Toxics for CEQA Projects". June 6, 2023. Accessed December 2023. http://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-4_20230602_final.pdf?sfvrsn=10

Pages 8-20 through 8-24

CAPCOA (California Air Pollution Control Officers Association). 2008. CEQA and Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act. January 2008.

CAPCOA. 2021. *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*. December 2021. Accessed June 2023. https://www.caleemod.com/documents/handbook/full_handbook.pdf.

~~GAPCOA. 2022. “California Emissions Estimator Model (CalEEMod) User’s Guide Version 2022.1” with Appendices A through H. Prepared by ICF in collaboration with Sacramento Metropolitan Air Quality Management District, Fehr & Peers, STI, and Ramboll. April 2022. Accessed June 2023. https://www.caleemod.com/documents/user_guide/CalEEMod_User_Guide_v2022.1.pdf.~~

~~CARB. 2008. Climate Change Scoping Plan: A Framework for Change. December 2008. Accessed December 2019. https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/document/adopted_scoping_plan.pdf.~~

~~CARB. 2012. California Air Resources Board Approves Advanced Clean Car Rules. January 27. <https://ww2.arb.ca.gov/news/california-air-resources-board-approves-advanced-clean-car-rules>.~~

~~CARB. 2014. First Update to the Climate Change Scoping Plan Building on the Framework Pursuant to AB 32 – The California Global Warming Solutions Act of 2006. May 2014. Accessed August 2014. http://www.arb.ca.gov/cc/scopingplan/2013_update/first_update_climate_change_scoping_plan.pdf.~~

~~CARB. 2017. The 2017 Climate Change Scoping Plan Update. January 20. Accessed January 2017. https://www.arb.ca.gov/cc/scopingplan/2030sp_pp_final.pdf.~~

~~CARB. 2018. “Glossary of Terms Used in Greenhouse Gas Inventories.” Last reviewed June 22, 2018. http://www.arb.ca.gov/cc/inventory/faq/ghg_inventory_glossary.htm.~~

~~CARB. 2022a_h. “California Greenhouse Gas Emissions for 2000 to 2020—Trends of Emissions and Other Indicators.” October 26, 2022. Last Accessed June 2023. https://ww2.arb.ca.gov/sites/default/files/classic/cc/inventory/2000-2020_ghg_inventory_trends.pdf.~~

~~CARB. 2022b_i. 2022 Scoping Plan Update. December 2022. Last Accessed June 2023. <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents>~~

~~CARB. 2022c. Advanced Clean Cars II (ACC II) Regulations. November 30, 2022. <https://ww2.arb.ca.gov/rulemaking/2022/advanced-clean-cars-ii>.~~

~~CARB. 2023a. California Climate Investments Priority Populations 2022 CES 4.0. Accessed June 2023. <https://webmaps.arb.ca.gov/PriorityPopulations/>.~~

~~CAT (California Climate Action Team). 2016. Climate Action Team Reports. Accessed December 2016. http://climatechange.ca.gov/climate_action_team/reports/index.html.~~

City of Moreno Valley. 2006. City of Moreno Valley General Plan. July 11, 2006. Accessed June 2023. http://moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/gp-tot.pdf.

City of Moreno Valley. 2021. City of Moreno Valley General Plan 2040. Adopted June 15, 2021. Accessed June 2023. https://moval.gov/city_hall/general-plan2040/MV-GeneralPlan-complete.pdf.

CNRA (California Natural Resources Agency). 2009. Final Statement of Reasons for Regulatory Action: Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB 97. December 2009.

CNRA. 2018. California's Fourth Climate Change Assessment. Statewide Summary Report. August 2018. Last Accessed June 2023. https://www.energy.ca.gov/sites/default/files/2019-11/Statewide_Reports-SUM-CCCA4-2018-013_Statewide_Summary_Report_ADA.pdf.

EPA (U.S. Environmental Protection Agency). 2007. Energy Independence and Security Act of 2007. Accessed December 2016. <https://www.gpo.gov/fdsys/pkg/BILLS-110hr6enr/pdf/BILLS-110hr6enr.pdf>.

~~EPA. 2017c. Carbon Pollution Standards for Cars and Light Trucks to Remain Unchanged Through 2025. January 13. Accessed February 2017. <https://www.epa.gov/newsreleases/carbon-pollution-standards-cars-and-light-trucks-remain-unchanged-through-2025>.~~

~~EPA. 2022b. Inventory of U.S. Greenhouse Gas Emissions and Sinks 1990–2020. EPA 430-R-22-003. April 2022. https://www.epa.gov/system/files/documents/2022-04/us_ghg_inventory_2022_main_text.pdf~~

~~EPA. 2022c. Overview of Renewable Fuel Standard. Accessed November 2022. <https://www.epa.gov/renewable-fuel-standard-program/overview-renewable-fuel-standard>.~~

EPA. 2023a. Causes of Climate Change. Accessed June 2023. <https://www.epa.gov/climate-change>

EPA. 2023**bd**. Causes of Climate Change. Last Updated April 25, 2023. Accessed June 2023. <https://www.epa.gov/climatechange-science/causes-climate-change>.

EPA. 2023**ce**. Overview of Greenhouse Gases. Last updated April 2023. Accessed June 2023. <https://www.epa.gov/ghgemissions/overview-greenhouse-gases>.

EPA. 2023**fd**. Inventory of U.S. Greenhouse Gas Emissions and Sinks—1990-2021. U.S. Environmental Protection Agency, EPA 430-R-23-002. Published April 13, 2023. Accessed June 2023. <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2021>.

EPA. 2023**eg**. About the Greenhouse Gas Reduction Fund. Last Updated June 14, 2023. Accessed June 2023. <https://www.epa.gov/greenhouse-gas-reduction-fund/about-greenhouse-gas-reduction-fund>.

EPA. 2024. "Glossary of Climate Change Terms." Accessed February 2024. https://19january2017snapshot.epa.gov/climatechange/glossary-climate-change-terms_.html.

EPA and NHTSA (U.S. Environmental Protection Agency and Department of Transportation's National Highway Traffic Safety Administration). 2016. EPA and NHTSA Adopt Standards to Reduce Greenhouse Gas

Emissions and Improve Fuel Efficiency of Medium- and Heavy-Duty Vehicles for Model Year 2018 and Beyond. August 2016. <https://nepis.epa.gov/Exe/ZyPDF.cgi/P100P7NL.PDF?Dockey=P100P7NL.PDF>.

EPA and NHTSA. 2018. The Safer Affordable Fuel-Efficient 'SAFE' Vehicles Rule for Model Years 2021-2026 Passenger Vehicles and Light Trucks. Proposed Rule August 2018. Accessed May 2019. <https://www.govinfo.gov/content/pkg/FR-2018-08-24/pdf/2018-16820.pdf>.

~~Housing Supply and Affordability: Do Affordable Housing Mandates Work? by Benjamin Powell, Ph.D and Edward Stringham, Ph.D, April 2004, www.rppi.org/ps318.pdf~~

IPCC (Intergovernmental Panel on Climate Change). 1995. *IPCC Second Assessment: Climate Change 1995*. A Report of the Intergovernmental Panel on Climate Change. Geneva, Switzerland: IPCC. https://www.ipcc.ch/site/assets/uploads/2018/02/ipcc_sar_wg_I_full_report.pdf.

IPCC. 2007. *IPCC Fourth Assessment Synthesis of Scientific-Technical Information Relevant to Interpreting Article 2 of the U.N. Framework Convention on Climate Change*.

IPCC. 2013. *Climate Change 2013: The Physical Science Basis—Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*, edited by T.F. Stocker, D. Qin, G.-K. Plattner, M. Tignor, S.K. Allen, J. Boschung, A. Nauels, Y. Xia, V. Bex, and P.M. Midgley. Cambridge, United Kingdom and New York, New York: Cambridge University Press.

IPCC. 2014. *Climate Change 2014 Synthesis Report: A Report of the Intergovernmental Panel on Climate Change*. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change. Accessed August 2016. <http://www.ipcc.ch/report/ar5/syr/>.

IPCC. 2023. "Summary for Policymakers. In: *Climate Change 2023: Synthesis Report*. A Report of the Intergovernmental Panel on Climate Change. Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, H. Lee and J. Romero (eds.)]. Accessed June 2023. https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC_AR6_SYR_SPM.pdf.

~~Legislative Analyst's Office (LAO). 2023. "Assessing California's Climate Policies The 2022 Scoping Plan Update". Accessed March 2023. <https://lao.ca.gov/Publications/Report/4656#:~:text=The%20Scoping%20Plan%20is%20meant,cost%E2%80%91effective%20reductions%20of%20GHGs>.~~

LAO (Legislative Analyst Office). (2016). The 2016-2017 Budget: Considering Changes to Streamline Local Housing Approvals. May 18, 2016.

~~Manville, M. (2021). *Value Capture Reconsidered: What if L.A. was Actually Building Too Little?* UCLA: The Ralph and Goldy Lewis Center for Regional Policy Studies. Retrieved from <https://escholarship.org/uc/item/0jk614sr>~~

Newmark, G. and Haas, P. 2015. "Income, Location Efficiency, and VMT: Affordable Housing as a Climate Strategy." Available at: <https://chpc.net/wp-content/uploads/2016/05/CNT-Working-Paper-revised-2015-12-18.pdf>

OEHHA. 2022b. Indicators of Climate Change in California (2022). November 2022. Accessed June 2023. <https://oehha.ca.gov/media/downloads/climate-change/document/2022caindicatorsreport.pdf>.

OPR (Governor's Office of Planning and Research). 2008. *CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review*.

Phillips, S., et al. (2022). Housing and Community Development in California: An In-Depth Analysis of the Facts, Origins, and Trends of Housing and Community Development in California. UCLA Reports.

~~Phillips, S. (2022). Building Up the "Zoning Buffer": Using Broad Upzones to Increase Housing Capacity without Increasing Land Values." UCLA: The Ralph and Goldy Lewis Center for Regional Policy Studies. Retrieved from Building Up the "Zoning Buffer": Using Broad Upzones to Increase Housing Capacity Without Increasing Land Values (escholarship.org)~~

~~Powell, B. (2004). Housing Supply and Affordability: Do Affordable Housing Mandates Work? April 2004.~~

SCAG (Southern California Association of Governments). 2020. The 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments, Connect SoCal. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial-plan_0.pdf?1606001176

SCAG. 2024. Connect SoCal: A Plan for Navigating to a Brighter Future. Adopted April 4, 2024. Accessed October 2024. <https://scag.ca.gov/sites/main/files/file-attachments/23-2987-connect-social-2024-final-complete-040424.pdf?1714175547>.

SCAQMD. 2008. 2008. "DRAFT GUIDANCE DOCUMENT - INTERIM CEQA GREENHOUSE GAS (GHG) SIGNIFICANCE THRESHOLD." OCTOBER 2008.

SCAQMD. 2010. September 28. Agenda for Meeting 15. Greenhouse Gases (GHG) CEQA Significance Thresholds Working Group. [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-minutes.pdf](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-minutes.pdf).

~~SCAQMD. 2023c. "SCAQMD Air Quality Significance Thresholds." Originally published in CEQA Air Quality Handbook, Table A9-11 A. Revised March 2023. Accessed June 2023. <https://www.aqmd.gov/docs/default-source/ceqa/handbook/south-coast-aqmd-air-quality-significance-thresholds.pdf?sfvrsn=25>.~~

USFS (U.S. Forest Service). 2023. iTree Planting Calculator. <https://planting.itreetools.org/>.

Page 8-25

County of Riverside. 2011. *Design Handbook for Low Impact Development Best Management Practices*. September 2011.

County of Riverside. 2023. Department of Environmental Health Emergency Response Team [website]. Accessed April 5, 2023. <https://rivcoeh.org/emergency-response-team>~~<https://www.rivcoeh.org/OurServices/HazardousMaterials/EmergencyResponseTeam>~~

DTSC (Department of Toxic Substances Control). 2005. Advisory on Methane Assessment and Common Remedies at School Sites, School Property Evaluation and Cleanup Division, Department of Toxic Substances Control. June 2005.

Page 8-27

SARWQCB (Santa Ana Regional Water Quality Control Board). 2012. Water Quality Management Plan. October 22, 2012.

~~SARWQCB. 2019. Santa Ana River Basin Plan. 2019~~

SWRCB (State Water Resources Control Board). 2019. Santa Ana Region Basin Plan, Beneficial Uses, updated June 2019.

INTENTIONALLY LEFT BLANK

Attachment A

SEIR Table 1A-2

Table 1A-2. Project Design Features - Air Quality/Transportation/Land Use

Air Quality																																					
PDF-AQ/GHG-1:	<p>Electric Vehicle Charging Infrastructure. The Project applicant or designee shall provide electric vehicle (EV) charging infrastructure that meets or exceeds 2022 California Green Building Standards Code Tier 2 standards to encourage use of EVs, consistent with Appendix D, Table 3, of the 2022 CARB Scoping Plan. The Project provides a total of 23,772 parking spaces. Of that amount, the Project shall install (a) 9,509 (or 40%) Level 2 240-volt (v) electric vehicle receptacles in Project parking structures and (b) 3,566 (or 15%) Level 2 240 v electric vehicle supply equipment (or stations) in Project parking lots or remaining garages.</p>																																				
PDF-AQ/GHG-2:	<p>No Wood-Burning Fireplaces or Stoves and No Natural Gas Fireplaces. The Project applicant or designee shall install only electric fireplaces in residential units. Project residential units are prohibited from having wood-burning or natural gas fireplaces or wood-burning stoves.</p>																																				
PDF-AQ/GHG-3:	<p>Require All-Electric Development. All Project-related residential and non-residential development shall use all-electric appliances and end uses (including heating, ventilation, and air conditioning; water heating; and induction cooking) with the exception of restaurant land uses within the retail/food and beverage space (estimated at approximately 14,970 square feet of the Project’s Town Center use of 49,900 square feet of commercial/retail use and 300,000 square feet of hotel use, totaling 349,900 square feet). Swimming pool and spa equipment and water heating shall also use electricity or solar instead of natural gas. (This PDF is largely consistent with Appendix D, Table 3, of the 2022 CARB Scoping Plan Update, which recommends all-electric appliance uses without any natural gas connections or any propane or other fossil fuels for space heating, water heating, or indoor cooking.)</p>																																				
PDF-AQ/GHG-4:	<p>Provision of Rooftop Solar. The Project applicant or designee shall provide rooftop photovoltaic (PV) solar panels on all residential and non-residential buildings in accordance with the requirements of the version of Title 24, Part 6, of the California Building Standards Code and California Green Building Standards Code in effect at the time of building permit application to provide an on-site source of renewable energy. The swimming pools’ and spas’ heating demand shall be served by a minimum of 50% solar water heating.</p> <p>The following table identifies the building type, size, PV generation per square foot, and the annual solar production (kilowatt-hours).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #1a3d4d; color: white;">Building Type</th> <th style="background-color: #1a3d4d; color: white;">Building Size</th> <th style="background-color: #1a3d4d; color: white;">PV Generation per Square Foot (kWh/sf/year)</th> <th style="background-color: #1a3d4d; color: white;">Annual Solar Production (kWh)</th> </tr> </thead> <tbody> <tr> <td>Multifamily low-rise</td> <td>6,750,000</td> <td>3.16</td> <td>21,330,000</td> </tr> <tr> <td>Multifamily midrise</td> <td>6,750,000</td> <td>3.79</td> <td>25,582,500</td> </tr> <tr> <td>Hotel</td> <td>300,000</td> <td>0.62</td> <td>186,000</td> </tr> <tr> <td>Elementary schools</td> <td>192,000</td> <td>3.03</td> <td>581,760</td> </tr> <tr> <td>Middle school</td> <td>85,000</td> <td>3.03</td> <td>257,550</td> </tr> <tr> <td>Restaurants</td> <td>14,970</td> <td>0.76</td> <td>11,377</td> </tr> <tr> <td>Retail</td> <td>34,930</td> <td>4.95</td> <td>172,904</td> </tr> <tr> <td>Total</td> <td></td> <td></td> <td>48,122,091</td> </tr> </tbody> </table> <p>Note: kWh/sf/year = kilowatt-hour per square foot per year; kWh = kilowatt-hour.</p>	Building Type	Building Size	PV Generation per Square Foot (kWh/sf/year)	Annual Solar Production (kWh)	Multifamily low-rise	6,750,000	3.16	21,330,000	Multifamily midrise	6,750,000	3.79	25,582,500	Hotel	300,000	0.62	186,000	Elementary schools	192,000	3.03	581,760	Middle school	85,000	3.03	257,550	Restaurants	14,970	0.76	11,377	Retail	34,930	4.95	172,904	Total			48,122,091
Building Type	Building Size	PV Generation per Square Foot (kWh/sf/year)	Annual Solar Production (kWh)																																		
Multifamily low-rise	6,750,000	3.16	21,330,000																																		
Multifamily midrise	6,750,000	3.79	25,582,500																																		
Hotel	300,000	0.62	186,000																																		
Elementary schools	192,000	3.03	581,760																																		
Middle school	85,000	3.03	257,550																																		
Restaurants	14,970	0.76	11,377																																		
Retail	34,930	4.95	172,904																																		
Total			48,122,091																																		

Table 1A-2. Project Design Features - Air Quality/Transportation/Land Use

PDF-AQ/GHG-5:	LED Lighting. The Project applicant or designee shall install light-emitting diode (LED) outdoor lighting in public spaces at the Project site in compliance with dark skies design considerations and policies of the City of Moreno Valley General Plan 2040 and shall install LED lighting in all Project residential units at the time of construction.
PDF-AQ/GHG-6:	Energy Efficient Appliances. The Project applicant or designee shall install ENERGY STAR-rated appliances for residential refrigerators, dishwashers, clothes washers, ceiling fans, and non-residential commercial refrigerators.
PDF-AQ/GHG-7:	Energy Smart Meters. The Project applicant or designee shall install real-time energy smart meters within all residential and non-residential development.
PDF-AQ/GHG-8:	Cool Pavements. The Project applicant or designee shall install cool pavements to reduce the potential for the urban heat island effect. Outdoor pavements, such as internal walkways and patios, shall use paving materials with three-year Solar Reflectance Index (SRI) of 0.28 or initial SRI of 0.33.
PDF-AQ/GHG-9:	Solid Waste Reduction. The Project applicant or designee shall implement a solid waste reduction strategy that includes, at a minimum, storage areas for recyclables and green waste in new construction and food waste storage (community composting zones). Solar-powered compacting trash and recycling containers shall be provided within the public areas of the Project site. The Project applicant or designee shall contract with a commercial solid waste company to provide, remove, and replace solid waste containers at all residential and commercial facilities.
PDF-AQ/GHG-10:	Establish a Local Farmer's Market. The Project applicant or designee shall establish a local farmer's market for Project residents and surrounding area that provides local sources of food by the time or before Project development obtains certificate of occupancy for the 500th residential unit.
PDF-AQ/GHG-11:	Tree Planting. The Project applicant or designee shall include an urban and parkland tree planting program for carbon sequestration at a minimum of one tree per dwelling unit or a total of 30,000 trees planted at Project buildout. If a tree dies, the Project applicant or designee shall plant a new replacement tree as enforced through the covenants, conditions, and restrictions within 30 years of planting. Trees planted may include, but are not limited to, southern magnolia, California sycamore, American elm, slash pine, and white ash.
PDF-AQ/GHG-12:	<p>Water Use Efficiency and Conservation Plan. The Project applicant or designee shall implement a Water Use Efficiency and Conservation Plan that includes the following minimum requirements:</p> <p>Indoor Conservation Features and Operations:</p> <ul style="list-style-type: none"> • Install low-flow fixtures: In the residential units, install low-flow toilets at 1.28 gallons per flush, faucets at 1.2 gallons per minute, showerheads at 1.8 gallons per minute, and kitchen faucets at 1.8 gallons per minute. In common areas, install faucets at 0.5 gallons per minute and urinals at max of 0.25 gallons per minute/flush. (These fixtures use less water while maintaining efficient performance.) • Install dual-flush toilets: These toilets offer two flush options—one for liquid waste less than 1 gallons per minute and another for solid waste at 1.28 gallons per minute. (This allows the appropriate use of water for flushing needs.) • Use water-efficient appliances: The Project applicant or designee shall install energy-efficient and water-saving appliances like dishwashers and washing machines with the ENERGY STAR label only. • Implement hot water recirculation system: The Project applicant or designee shall implement a recirculation system for hot water systems to ensuring low to no wasted water while waiting for water to reach desired temperature.

Table 1A-2. Project Design Features - Air Quality/Transportation/Land Use

	<ul style="list-style-type: none"> • Incorporate leak detection on each residential building. Leak detection will be incorporated into residential structures to detect water leaks typical of residential uses such as irrigation and plumbing. • Capture and reuse heating, ventilation, and air conditioning condensation: The Project applicant or designee shall direct condensation from air conditioning units to water plants or for other non-potable uses. • Implement good housekeeping and regular maintenance: The Project applicant or designee shall regularly (daily, weekly, monthly, etc. as applicable) check and maintain plumbing fixtures, irrigation systems, and appliances to ensure they are functioning efficiently and not wasting water. <p>Outdoor Conservation Features and Operations:</p> <ul style="list-style-type: none"> • Install only “Smart Irrigation Systems” for community landscaping: The Project applicant or designee shall utilize smart sprinkler systems that adjust watering schedules based on weather conditions, soil moisture, and plant needs to avoid overwatering or wasteful watering. The Project applicant or designee shall also incorporate seasonal specific controls to ensure watering occurs during the most efficient times of day. • Install adjustable water pressure regulator: The Project applicant or designee shall install pressure regulators to maintain optimal water pressure, preventing overuse and leaks. • Incorporate leak detection into each master landscape meter complex. Leak detection will be incorporated into residential structures to detect water leaks from landscaping. • Include drought-tolerant landscaping: The Project applicant or designee shall include native and drought-tolerant vegetation that requires less water to thrive and is known to survive in the greater Moreno Valley area. The Project applicant or designee shall replace drought-tolerant landscaping if it dies through enforceable Project covenants, conditions, and restrictions (CC&Rs) for 30 years after initial planting. • Harvest and reuse rainwater and drainage water: The Project’s lake shall be part of a water retention and reuse program. • Use permeable pavement surfaces: The Project applicant or designee shall use permeable materials in parking areas, internal walkways, and public areas. (These surfaces will allow water to infiltrate the ground rather than running off, reducing runoff and promoting groundwater recharge.) • Include community education and outreach: The Project applicant or designee shall educate employers, employees, and residents about water conservation practices and encourage them to implement mindful water usage habits through enforceable Project CC&Rs. • Place educational signage: The Project applicant or designee shall place informational signs and notices at appropriate locations on the Project site to encourage water-saving behaviors among residents and guests.
<p>PDF-AQ/GHG-13:</p>	<p>Use Recycled Water for Irrigation. The Project applicant or designee shall use recycled water for irrigation areas including the school irrigated areas, Town Center irrigation, parks, parkways, and urban landscape.</p>
<p>PDF-AQ/GHG-14:</p>	<p>Use of Local Well Water for Lake. The Project applicant or designee shall use local well water as the primary source to meet the lake initial fill and refilling needs. A minimum of 200-acre feet per year of local water will be used for the lake at Project buildout.</p>

Table 1A-2. Project Design Features - Air Quality/Transportation/Land Use

PDF-AQ/GHG-15:	Integrated Stormwater System. The Project applicant or designee shall include an integrated stormwater, flood control and erosion control lake system with bio basins and native plant restoration areas that will increase groundwater percolation and downstream water quality.
Transportation	
PDF-TRANS-1:	Community-Based Travel Planning. The Project’s residential uses shall implement community-based travel planning (CBTP). CBTP is a residential-based approach to outreach that provides households with customized information, incentives, and support to encourage the use of transportation alternatives in place of single occupancy vehicles, thereby reducing household vehicle miles traveled and associated greenhouse gas emissions. Implementation of this feature in the Project shall consist of teams of trained travel advisors visiting all households within the Project upon move-in and having tailored conversations about residents’ travel needs and educating residents about the various transportation options available to them.
PDF-TRANS-2:	Unbundle Residential Parking Costs from Property Costs. The Project applicant or designee shall unbundle, or separate, a resident’s parking costs from property costs, requiring those who wish to purchase parking spaces to do so at an additional cost. On the assumption that parking costs are passed through to the vehicle owners/drivers utilizing the parking spaces, this feature results in decreased vehicle ownership and, therefore, a reduction in vehicle miles traveled and greenhouse gas emissions. Parking costs must be passed through to the vehicle owners/drivers utilizing the parking spaces for this feature to result in decreased vehicle ownership. Implementation of this feature in the Project shall consist of parking spaces costing approximately \$100–\$150 as a separate monthly cost from the rental of a unit. (This required feature is consistent with Appendix D, Table 3, of the 2022 CARB Scoping Plan Update, which recommends that “multifamily residential development ... [require] parking costs to be unbundled from costs to rent or own a residential unit.”)
PDF-TRANS-3:	Commute Trip Reduction (CTR) Program Marketing. The Project applicant or designee shall implement a marketing strategy to promote the Project site employer’s CTR program. Information sharing and marketing shall promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing vehicle miles traveled and greenhouse gas emissions. Implementation of this measure will consist of: <ul style="list-style-type: none"> • On-site or online commuter information services • Employee transportation coordinators • On-site or online transit pass sales • Guaranteed ride home service
PDF-TRANS-4:	Rideshare Program. The Project applicant or designee shall implement a ridesharing program and establish a permanent transportation management association with funding requirements for employers. Ridesharing encourages carpooled vehicle trips in place of single-occupied vehicle trips, thereby reducing the number of trips, vehicle miles traveled, and greenhouse gas emissions. Implementation of this measure in the Project will consist of employers promoting the following: <ul style="list-style-type: none"> • Designating a certain percentage of desirable parking spaces for ridesharing vehicles

Table 1A-2. Project Design Features - Air Quality/Transportation/Land Use

	<ul style="list-style-type: none"> • Designating adequate passenger loading and unloading and waiting areas for ridesharing vehicles • Providing an app or website for coordinating rides
PDF-TRANS-5:	<p>End-of-Trip Bicycle Facilities. The Project applicant or designee shall install and maintain end-of-trip bicycle facilities. Per CAPCOA’s 2021 GHG Handbook, end-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing vehicle miles traveled and greenhouse gas emissions.</p> <p>Implementation of this required feature will be sized to encourage bicycling by providing facilities to accommodate 10%–20% of the forecasted 804 employees staffed daily on the Project site. Implementation of this feature shall also be regularly maintained by the Project applicant or designee through the permanent transportation management association referenced in PDF-TRANS-4.</p>
PDF-TRANS-6:	<p>Discounted Transit Program for Work Trips. The Project applicant or designee shall provide subsidized, discounted, or free transit passes for employees through the permanent transportation management association referenced in PDF-TRANS-4. Per CAPCOA’s 2021 GHG Handbook, reducing the out-of-pocket cost for choosing transit improves the competitiveness of transit against driving, increasing the total number of transit trips and decreasing vehicle trips. This decrease in vehicle trips results in reduced vehicle miles traveled and thus a reduction in greenhouse gas emissions. The Project design shall ensure accessibility either within 1 mile of high-quality transit service (rail or bus with headways of less than 15 minutes), 0.5 miles of local or less frequent transit service, or along a designated shuttle route providing last-mile connections to rail service. With the availability of bikeshare service, the Project site may be located up to 2 miles from a high-quality transit service.</p> <p>Implementation of this feature in the Project shall be provided by the Project applicant or designee through the permanent transportation management association referenced in PDF-TRANS-4. Transit service shall be expanded with implementation of the Project to the following:</p> <p>Bus Rapid Transit is proposed on Alessandro Boulevard that would provide high-quality transit service within 0.5 miles of the Project.</p> <p>Bus service will provide direct connections to the Moreno Valley/March Field Metrolink Train Station located approximately 5 miles west of the Project.</p> <p>Bikeshare will be available to support the discounted transit program, including a non-electric bike share program with a minimum of 150 bikes and an electric bike share program with a minimum of an additional 150 bikes.</p>
PDF-TRANS-7:	<p>Non-Electric Bikeshare Program. The Project applicant or designee shall establish a non-electric bikeshare program within the Project area through the permanent transportation management association referenced in PDF-TRANS-4. The bikeshare program shall provide users with on-demand access to non-electric bikes for short-term rental purposes. Per CAPCOA’s 2021 GHG Handbook, this encourages a mode shift from vehicles to bicycles, displacing vehicle miles traveled and thus reducing greenhouse gas emissions. This program shall provide 25 electric bikes at certificate of occupancy of each 2,500th unit, and a minimum of 150 such bikes located within 0.5 miles of the Project’s mobility hub to be maintained by the Project applicant or designee.</p>
PDF-TRANS-8:	<p>Electric Scootershare Program. The Project applicant or designee shall establish the scootershare program within the Project area through the permanent transportation management association referenced in PDF-TRANS-4. Scootershare programs provide</p>

Table 1A-2. Project Design Features - Air Quality/Transportation/Land Use

	users with on-demand access to electric scooters for short-term rental purposes. Per CAPCOA's 2021 GHG Handbook, this encourages a mode shift from vehicles to scooters, displacing vehicle miles traveled and thus reducing greenhouse gas emissions.
PDF-TRANS-9:	Extend Transit Network Coverage. The Project applicant or designee shall coordinate with the Riverside Transit Agency to update bus service routes and service times to serve the new community through the permanent transportation management association referenced in PDF-TRANS-4. This would extend transit network coverage to existing and future employment centers, such as the World Logistics Center. Additionally, this would include extending transit hours for all shift times, such as the midnight shift change at the World Logistics Center. Per CAPCOA's 2021 GHG Handbook, this feature includes expansion of the local transit network by either adding or modifying existing transit service or extending the operation hours to enhance the service near the Project site. Starting services earlier in the morning and/or extending services to late-night hours can accommodate the commuting times of alternative-shift workers. This encourages the use of transit and therefore reduces vehicle miles traveled and associated greenhouse gas emissions.
PDF-TRANS-10:	Increase Transit Service Frequency. The Project applicant or designee shall coordinate with the Riverside Transit Agency (RTA) to update bus service routes and service times to serve the new community. This will include working with RTA to establish Bus Rapid Transit on Alessandro Boulevard and providing direct bus connections to the Moreno Valley/March Field Metrolink Train Station. Per CAPCOA's 2021 GHG Handbook, increased transit frequency reduces waiting and overall travel times, which improves the user experience and increases the attractiveness of transit service. This results in a mode shift from single occupancy vehicles to transit, which reduces vehicle miles traveled and associated greenhouse gas emissions.
PDF-TRANS-11:	Implement Bus Rapid Transit (BRT). The Project applicant or designee shall support the City of Moreno Valley and the Riverside Transit Agency plans for BRT along Alessandro Boulevard. Implementation of this feature would include improved travel times from transit signal prioritization, increased service frequency, and a full-featured BRT service operating on a fully segregated running way with a specialized vehicles, attractive stations, and efficient fare collection practices. Per CAPCOA's 2021 GHG Handbook, this feature will convert an existing bus route to a BRT system. BRT includes the following additional components, compared to traditional bus service: exclusive right-of-way (e.g., busways, queue jumping lanes) at congested intersections, increased limited-stop service (e.g., express service), intelligent transportation technology (e.g., transit signal priority, automatic vehicle location systems), advanced technology vehicles (e.g., articulated buses, low-floor buses), enhanced station design, efficient fare-payment smart cards or smartphone apps, branding of the system, and use of vehicle guidance systems. BRT can increase the transit mode share in a community due to improved travel times, service frequencies, and the unique components of the BRT system. This mode shift reduces vehicle miles traveled and the associated greenhouse gas emissions.
PDF-TRANS-12:	Mobility Hub. The Project applicant or designee shall develop a state-of-the-art Mobility Hub at or near the Project site to bolster the effectiveness of active transportation options (mobility hubs are places of connectivity that bring together multiple modes of travel and strengthen first-mile/last-mile connections to transit). Mobility hubs provide a centralized location for non-automotive transportation modes to connect users to their destinations. There are limited benefits to implementing a stand-alone mobility hub, as the facility is meant to promote and support alternative transportation modes. Mobility hubs should be supplemented with additional strategies or programs that provide increased public transit, bicycle, and pedestrian access and improvements.

Table 1A-2. Project Design Features - Air Quality/Transportation/Land Use

	Implementation of the Mobility Hub shall require coordination with the Riverside Transit Agency, Metrolink, and the City of Moreno Valley. Though the proposed Mobility Hub is not included in CAPCOA's 2021 GHG Handbook, many of the characteristics of the Mobility Hub (increased transit accessibility, increased bicycling accessibility) are part of other transportation demand management (TDM) strategies outlined in CAPCOA. The Mobility Hub is anticipated to strengthen the effectiveness of other proposed TDM strategies. However, to provide a conservative approach to trip generation, additional reductions were not applied for the Mobility Hub in the vehicle miles traveled reduction calculated for the Project.
PDF-TRANS-13:	Electric Bikeshare Program. The Project applicant or designee shall establish an electric bikeshare program within the Project area through the permanent transportation management association referenced in PDF-TRANS-4. The bikeshare program shall provide users with on-demand access to bikes for short-term rental purposes. Per CAPCOA's 2021 GHG Handbook, this encourages a mode shift from vehicles to bicycles, displacing vehicle miles traveled and thus reducing greenhouse gas emissions. Like the non-electric bike program in PDF-TRANS-7, this program shall provide an additional 25 electric bikes at certificate of occupancy of each 2,500th unit, and a minimum of an additional 150 such bikes located within 0.5 miles of the Project's mobility hub to be maintained by the Project applicant or designee.
PDF-TRANS-14:	Provide Shuttle Service to Employment Centers. The Project applicant or designee shall provide shuttle service to existing and future employment centers, including the World Logistics Center. Such service shall be provided at the completion of the 2,500th unit, and be located within 0.5 miles of the Project's mobility hub.
PDF-TRANS-15:	Implement Market Price Public Parking. The Project applicant or designee shall install parking meters or implement a residential parking permit program that prices all on-street public parking in the Project's Town Center at market rates. Pricing on-street parking helps incentivize shifts to alternative transportation modes, decreasing total vehicle miles traveled to and from the priced areas.
Land Use	
PDF-LU-1:	Mixed-Use Project Design. The Project design shall integrate a mix of residential, commercial, retail, entertainment, employment, educational, and recreational uses that capture and reduce vehicular trips and associated environmental impacts, including greenhouse gas emission reductions. The Project also shall include reduced parking requirements in its regulatory Specific Plan as a vehicle miles traveled (VMT) reduction tool, consistent with Appendix D, Table 3, of the 2022 CARB Scoping Plan Update, which recommends reduced parking requirements to reduce VMT.
PDF-LU-2:	Provision of Urban Core. The Project shall create an urban core that provides a wide array of residential units, including workforce housing, oriented toward the adjacent, existing regional medical centers, the community college, and other nearby job centers to further reduce vehicle trips and associated environmental impacts
PDF-LU-3:	Short Walkable Blocks. The Project design shall be composed of short, walkable blocks of up to 600 feet in length.
PDF-LU-4:	Increased Residential Density. The Project shall increase residential density, leading to shorter vehicle trips and fewer single-occupancy vehicle trips than surrounding lower-density developments. The increase in residential density in this infill Project site surrounded by existing urban uses and served by existing utilities and essential public services (e.g., transit, streets, water, and sewer) reduces vehicle miles traveled (VMT). The residential increase is also consistent with Appendix D, Table 3, of the 2022 CARB Scoping Plan Update, which recommends locating residential and mixed-use development projects on infill sites surrounded by urban uses, existing utilities, and

Table 1A-2. Project Design Features - Air Quality/Transportation/Land Use

	essential public services as a means of reducing VMT. The increase in residential density is also consistent with Appendix D, Table 3, of the 2022 CARB Scoping Plan Update, which recommends transit-supportive densities at a minimum of 20 residential dwelling units per acre to reduce VMT. The Project site is in proximity to existing transit options, which is also consistent with Appendix D, Table 3, of the 2022 CARB Scoping Plan Update.
PDF-LU-5:	Walkable/Bikeable Community. The Project site is located in an area with average vehicle miles traveled below that of the City of Moreno Valley and the region. The Project design shall, and does, provide a walkable and bikeable community proximate to major area job centers, including World Logistics Center, Riverside University Health System Medical Center, Kaiser Permanente Moreno Valley campus, University of California Riverside, Moreno Valley College, and regional and local shopping and commercial centers, which would allow residents to live and work locally, cutting commute times, reducing vehicle trips, reducing greenhouse gas emissions, and improving air quality. An efficient transportation network is a central tenet of the Project, which will provide a tram connection to job centers, enhanced transit, pedestrian and bicycle routes, ridesharing, non-electric bikes, electric bikes, electric scooters, a mobility hub, transportation network companies (Uber and Lyft), intelligent transportation systems, and transportation demand management measures.
PDF-LU-6:	Transit Benefits. The Project site is located along major transit routes, and the Project applicant or designee shall support frequent and reliable transit service and other multi-modal transportation measures, including walking and biking. The Riverside Transit Agency (RTA) provides existing bus routes proximate to the site. Route 31 runs along Nason Street to the Riverside University Medical Center. Route 20 also serves the site along Alessandro, Nason, and Moreno Beach Dr. to the Riverside University Medical Center, Kaiser Permanente Hospital, and Moreno Valley College, as well as along Nason and Lasselle Street. Route 41 serves the site from the Medical Center to Moreno Valley College and areas to the south. Route 20 bus service also connect passengers to the Moreno Valley/March Field Metrolink Station across Interstate 215. The Project applicant or designee shall coordinate with the RTA with respect to transit service and other multi-modal transportation options related to the Project to reduce vehicle miles traveled.
PDF-LU-7:	Integrated Design. The Project plans shall include an integrated, connected town center neighborhood intended to maximize walkability, bike-ability, and transit use as part of an efficient transportation network in the City of Moreno Valley. The Project incorporates transit, pedestrian, and bicycle routes and other multi-modal transportation programs and technologies to move residents efficiently to and from major job centers and reduce the need for on-site parking. Extensive parks, trails, the lake promenade and open space features, sidewalks, internal walkways, and roadways on site shall be required to encourage biking and walking. Trees and landscaping shall be used throughout the Project site, along streets, and along multi-use trails and sidewalks to improve the pedestrian experience and have a cooling effect to further promote walking and biking. Such required design ensures reductions in vehicle miles traveled and greenhouse gas emissions.
PDF-LU-8:	Other Integrated Project Features. The lake promenade and integrated trail system shall be required to connect the residential, retail, restaurant, recreational, hotel, and other uses, providing a route that users can walk and bike along. Sidewalk improvements shall be provided throughout the community to promote walking. Bike lanes and shared-use streets shall be incorporated through the Specific Plan area to complement the new and existing development in a way that promotes the human scale. These bike lanes shall

Table 1A-2. Project Design Features - Air Quality/Transportation/Land Use

	connect to existing Class II bike lanes on Cactus Ave., Nason Street, Iris Ave, Lasselle Street, and John F. Kennedy Dr.
PDF-LU-9:	Complete Streets. Complete streets, which are local roads and streets that adequately accommodate the needs of bicyclists, pedestrians, and transit riders, as well as motorists, shall be provided to promote pedestrian and bicycle use through the incorporation of design features such as multi-use trails and sidewalks, crosswalks, shared roads, landscaping, and pedestrian bridges across arterials and the on-site drainage.
PDF-LU-10:	Traffic Calming. Traffic calming design of neighborhoods streets shall include street chokers (curb extensions that narrow a street by widening the sidewalks or planting strips, effectively creating a pinch point along the street), crosswalks, roundabouts landscaped medians, and shared street design to promote safer streets.
PDF-LU-11:	Roundabouts. The Project shall include roundabouts as a means of traffic calming and GHG reduction.

INTENTIONALLY LEFT BLANK

Attachment B

SEIR Table 1A-3A

Table 1A-3A. Summary of Project Air Quality Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Air Quality			
<p>Would the project conflict with or obstruct implementation of the applicable air quality plan?</p>	<p>Potentially Significant</p>	<p>MM-AQ-1: Update the Regional Growth Forecast. The applicant has informed the Southern California Association of Governments (SCAG) of the Project so that SCAG’s next Regional Transportation Plan/Sustainable Communities Strategy, Connect SoCal 2024, can appropriately reflect residential housing, population, and employment locations and forecasts in Moreno Valley. The updated information provided to SCAG is anticipated to be used by the South Coast Air Quality Management District (SCAQMD) to update the Air Quality Management Plan (AQMP). The applicant shall prepare and submit a letter notifying SCAQMD of this revised forecast for use in the future updates to the plan as required.</p> <p>MM-AQ-2: Construction Equipment Exhaust Minimization. Prior to the commencement of any construction activities, the Applicant or its designee shall provide evidence to the City of Moreno Valley (City) that (1) for off-road equipment with engines rated at 25 horsepower or greater, no construction equipment shall be used that is less than Tier 4 Final, and (2) for off-road equipment with engines rated less than 25 horsepower, all construction equipment used shall be electrically powered. An exemption from this requirement may be granted if (1) the applicant documents equipment with Tier 4 Interim engines are not reasonably available, and (2) the required corresponding reductions in criteria air pollutant emissions can be achieved for the project from other combinations of construction equipment. Before an exemption may be granted, the Applicant’s construction contractor shall: (1) demonstrate that at least 3 construction fleet owners/operators in Riverside County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Riverside County during the desired construction schedule; and (2) the proposed replacement equipment has been evaluated using California Emissions Estimator Model (CalEEMod) or other industry standard emission estimation method and documentation provided</p>	<p>Significant and Unavoidable</p>

Table 1A-3A. Summary of Project Air Quality Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Air Quality			
		<p>to the City to confirm that necessary project-generated emissions reductions are achieved.</p> <p>MM-AQ-3: Additional Construction Equipment Reductions. Prior to the issuance of grading permits, the Project applicant or its designee shall provide evidence to the City that the following strategies shall be implemented during the Project’s construction phase:</p> <p>Use electric or hybrid powered equipment for generators and other small pieces of equipment over 25 horsepower (e.g., forklifts), as commercially available.</p> <p>Use cleaner-fuel equipment such as replacing diesel fuel with compressed natural gas (CNG) or renewable diesel, as commercially available.</p> <p>Commercially available equipment is herein defined as equipment sourced within 50 vehicle miles of the Project site and within 10 percent of the cost of the diesel-fueled-equivalent equipment. The Project applicant must contact at least three (3) contractors or vendors within Riverside County and submit to the City justification if the specified equipment is not commercially available.</p> <p>MM-AQ-4: Limit Truck and Equipment Idling During Construction. The Project shall reduce idling time of heavy-duty trucks either by shutting them off when not in use or reducing the time of idling to no more than 3 minutes (thereby improving upon the 5-minute idling limit required by the state airborne toxics control measure 13 CCR 2485). The Project shall post clear signage reminding construction workers to limit idling of construction equipment.</p> <p>MM-AQ-5: Construction Dust Control Plan. Prior to the issuance of grading permits, the Project applicant or its designee shall develop and implement a Dust Control Plan to reduce Project-generated dust during construction and ensure compliance with the South</p>	

Table 1A-3A. Summary of Project Air Quality Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Air Quality			
		<p>Coast Air Quality Management District (SCAQMD) Rule 403. The Dust Control Plan shall include at a minimum the following control strategies:</p> <ul style="list-style-type: none"> • Water or use another SCAQMD-approved dust control non-toxic agent shall be used on the grading areas at least three times daily. <p>A 15 mile per hour speed limit on unpaved surfaces shall be enforced.</p> <p>All main roadways shall be constructed and paved as early as possible in the construction process.</p> <p>Building pads shall be finalized as soon as possible following site preparation and grading activities.</p> <p>Grading areas shall be stabilized as quickly as possible.</p> <p>Chemical stabilizer shall be applied, a gravel pad shall be installed, or the last 100 feet of internal travel path within the construction site shall be paved prior to public road entry, as well as and for all haul roads.</p> <p>Wheel washers shall be installed adjacent to the apron for tire inspection and washing prior to vehicle entry on public roads.</p> <p>Visible track-out into traveled public streets shall be removed with the use of sweepers, water trucks, or similar method within 30 minutes of occurrence.</p> <p>Sufficient perimeter erosion control shall be provided to prevent washout of silty material onto public roads.</p> <p>Unpaved construction site egress points shall be graveled to prevent track-out.</p>	

Table 1A-3A. Summary of Project Air Quality Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Air Quality			
		<p>Construction access points shall be wet-washed at the end of the workday if any vehicle travel on unpaved surfaces has occurred.</p> <p>Transported material in haul trucks shall be watered or treated.</p> <p>All soil disturbance and travel on unpaved surfaces shall be suspended if winds (instantaneous gusts) exceed 25 miles per hour.</p> <p>On-site stockpiles of excavated material shall be covered.</p> <p>Haul truck staging areas shall be provided for loading and unloading of soil and materials and shall be located away from sensitive receptors at the farthest feasible distance.</p> <p>Construction traffic control plans shall route delivery and haul trucks required during construction away from sensitive receptor locations and congested intersections to the extent feasible. Construction Traffic Control plans shall be finalized and approved prior to issuance of grading permits.</p> <p>MM-AQ-6: Notification of Construction Activities. Prior to the commencement of any construction activities, the applicant or its designee shall provide evidence to the City of Moreno Valley that the applicant has employed a construction relations officer who will address community concerns regarding on-site construction activity. The applicant shall provide public notification in the form of a visible sign containing the contact information of the construction relations officer, who shall document complaints and concerns regarding on-site construction activity. The sign shall be placed in easily accessible locations along Cactus Avenue, Iris Avenue, Laselle Street, and Oliver Street and noted on grading and improvement plans.</p> <p>MM-AQ-7: Use of Super-Compliant Low-VOC Paint During Construction. During construction, the Project shall use super-</p>	

Table 1A-3A. Summary of Project Air Quality Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Air Quality			
		<p>compliant low volatile organic compounds (VOC) paint (less than 10 grams per liter VOC) for all interior and exterior paint applications for residential and non-residential land uses.</p> <p>MM-AQ-8: Low-VOC Cleaning Supplies and Paint Educational Program. Prior to the occupancy of any on-site development, the applicant or its designee shall provide evidence to the City of Moreno Valley that the applicant/phase developer has developed a Green Cleaning Product and Paint education program to be made available at rental and purchasing offices and/or on websites. The educational program shall include a flyer (hardcopy and/or digital) that includes, at a minimum, an explanation of what volatile organic compounds (VOCs) are, how VOCs affect us, where to find low-VOC alternatives for cleaning supplies and paint, and additional resources for learning more.</p> <p>MM-AQ-9: Use Low-VOC Cleaning Supplies and Paint for Applicant and Homeowners Association Operated Spaces. Prior to the issuance of building permits, the applicant or its designee shall provide evidence to the City of Moreno Valley that for applicant (or its designee) and homeowners association operated spaces that provisions are in place to ensure only zero- or low-volatile organic compound (VOC) cleaning supplies and super compliant-VOC paints (less than 10 grams per liter VOC) are used during Project operation.</p> <p>MM-AQ-10: Use of Zero-Emission Landscape Equipment for Applicant-Operated and Homeowners Association Land. Only zero-emission landscaping equipment will be used during project operation on land controlled by the applicant (or its designee) or a homeowners association. Gasoline-fueled landscaping equipment will be prohibited.</p>	

Table 1A-3A. Summary of Project Air Quality Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Air Quality			
		<p>MM-AQ-11: Landscape Maintenance Equipment Emission Reduction. The Project Applicant shall implement the following landscape maintenance equipment reduction measures:</p> <ul style="list-style-type: none"> • Outdoor Electrical Outlets. Prior to the issuance of building permits, the Project Applicant or its designee shall provide evidence to the City of Moreno Valley that the design plans include electrical outlets on the exterior of the structure to facilitate use of electrical lawn and garden equipment. <p>Encourage Utilization of Existing Yard Equipment Exchange and Rebate Programs. The applicant (of its designee) or Project's future homeowners association shall educate future residents about the South Coast Air Quality Management District (SCAQMD) Electric Lawn Mower Rebate Program and the Commercial Electric Lawn and Garden Equipment Exchange Program. When conventional gasoline-powered yard equipment (e.g., lawn mowers, leaf blowers and vacuums, shredders, trimmers, and chain saw) are exchanged for electric and rechargeable battery-powered yard equipment, direct greenhouse gas (GHG) emissions from fossil-fuel combustion are displaced by indirect GHG emissions associated with the generation of electricity used to power the equipment.</p>	
Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Potentially Significant	MM-AQ-2 through MM-AQ-11 (see above)	Significant and Unavoidable
Would the project expose sensitive receptors to substantial pollutant concentrations?	Potentially Significant	MM-AQ-2 through MM-AQ-7 (see above)	Significant and Unavoidable

Table 1A-3A. Summary of Project Air Quality Impacts, Mitigation, and Level of Significance

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Air Quality			
Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less Than Significant	N/A	Less Than Significant
Would the project have a cumulative effect on air quality resources?	Potentially Significant	MM-AQ-1 through MM-AQ-11 (see above)	Significant and Unavoidable

INTENTIONALLY LEFT BLANK

Attachment C

Technical Specialist Resumes

Audrey Herschberger, PE

HAZARDS SPECIALIST

Audrey Herschberger is a professional environmental engineer with 12 years' experience in environmental consulting, specializing in due diligence and assessment of hazards and hazardous materials for property acquisition and development. Ms. Herschberger's experience includes over 100 Phase I Environmental Site Assessments (ESAs) and multiple Phase II Environmental ESAs under ASTM E1527-13, ASTM E1527-21, ASTM E2247-16, and ASTM E1903-19; dozens of hazards and hazardous material analyses under CEQA; management of small to mid-size environmental sampling and permit compliance projects; and hazardous material management. She has experience with regulatory compliance and permitting in Oregon, Washington, and California.

Select Project Experience

Dominguez Creek EIR, Plentitude Holdings, LLC, Carson, California. Served as Project Engineer. Completed hazards and hazardous materials analysis for CEQA EIR for development of recreational site on closed landfill. Project challenges includes development on a closed landfill and adjacent to a blimp port.

Multiple Phase I Initial Site Assessments (ISA), City of La Cañada Flintridge, California. Served as Project Engineer and Environmental Professional. Completed multiple Phase I ISAs for the installation of soundwalls along Caltrans-owned and operated highways. Project analysis required evaluation of typical Phase I ESA hazards and Caltrans-specific road hazards, including aerially-deposited lead and chromium-yellow road paint.

Mission Valley Campus Master Plan EIR, San Diego State University (SDSU), San Diego, California. Served as Project Engineer. Completed hazards and hazardous materials analysis for CEQA EIR for demolition of SDSU Stadium and redevelopment of land for expanded campus and housing. Project required hazards analysis for adjacent petroleum terminal, including a transecting petroleum pipeline, demolition using explosives, and mitigation for onsite treatment and monitoring system for petroleum release from adjacent terminal.

Multiple EIR and MND documents, Los Angeles Department of Water and Power (LADWP), Los Angeles County, California. Served as Project Engineer. Completed hazards and hazardous materials analysis for CEQA EIR and MND for multiple linear trunkline projects. Projects required mitigation of potentially hazardous material sites adjacent to proposed alignment.

Phase I and Phase II ESA Peer Review, City of Oxnard, California. Served as Project Engineer and Environmental Professional. Completed peer review of a Phase I and Phase II ESA for a Caltrans-owned access road on behalf of



Education

*Oregon State University
BS, Chemical Engineering,
2008*

Certifications

*Professional
Environmental Engineer,
OR No. 80505PE*

*40-Hour HAZWOPER
Certification*

*8-Hour HAZWOPER
Refresher*

*10-Hour OSHA
Construction Standards
First Aid/CPR Certification*

*Hazardous Waste Basics,
Managing Common
Wastes Oregon
Department of
Environmental Quality*

Professional Affiliations

*AWMA Pacific Northwest
International Section*

the City of Oxnard. The Phase I and II were completed by a private developer, and the City was to purchase the road for future occupant access.

Multiple Hazardous Material Removal Document Review, Private Developer, Jamestown, California. Served as Project Engineer and Environmental Professional. Completed peer review of multiple investigation and remediation documents on a former lumber mill and processing plant prior to acquisition of the property. Review was focused on potential hazards associated with acquisition and the CEQA process.

Monterey Bay Regional Water Project EIR, California State Lands Commission, Monterey County, California. Served as Project Engineer. Completed hazards and hazardous materials analysis for CEQA EIR for large linear water distribution project. Project required analysis in multiple cities and two counties.

Facilities Master Plan EIR, Orange County Sanitation District (OCSD), Orange County, California. Served as Project Engineer. Completed hazards and hazardous materials analysis for CEQA EIR for county-wide facilities improvement project. Project required individual evaluations on three separate components (2 treatment plants, and county-wide proposed facility upgrades). Project included mitigation for methane risks and potential environmental contamination from previous industrial activities.

Hazardous Material Contingency Plan for contaminated soil and groundwater, City of Chula Vista, Chula Vista, California. Served as Project Engineer. Created a hazardous material contingency plan (HMCP) for contaminated soil and groundwater management during construction of a subsurface water pipeline. Soil and groundwater were contaminated with volatile organic compounds. HMCP included measures for identification, management, handling, discharge, and disposal of contaminated soil and groundwater, as well as a health and safety plan.

Hazardous Materials Contingency Plan, Olympic Well Field, Santa Monica, California. Served as Project Engineer. Prepared a contingency plan for construction of improvements to water supply wells for the City of Santa Monica. Construction was to occur in an area of regional groundwater contamination, potentially impacting soil, soil vapor, and groundwater in the area of construction. The contingency plan included health and safety measures, air monitoring, and proper handling and disposal techniques for contaminated soil and groundwater.

Project Environmental Engineer, Golder Associates Inc., Portland, Oregon. Served as environmental consultant for large, multinational, employee-owned corporation. Managed multiple small to mid-size environmental engineering and compliance projects. Completed and managed over 30 Phase I and Phase II Environmental Site Assessments. Specialized in Oregon and Washington stormwater permitting and compliance. Assisted with and managed stormwater treatment design projects to meet requirements of the Oregon Industrial Stormwater General Permit (1200-Z Permit). Provided field engineering oversight on remediation system construction, environmental drilling, and stormwater treatment system installation. Remediation projects include installation of a soil-vapor extraction system for perchloroethylene (TCE) contamination and dig & haul of petroleum contaminated soils. Managed hazardous material and hazardous waste handling projects, including hazardous waste removal, disposal, and full documentation for submittal to the overseeing regulatory agency. (2012–2015)

Environmental Engineer, Shaw Environmental Inc. Portland, Oregon. Served as entry-level engineer; advancing to mid-level engineer in four years. Completed large portfolios of Phase I Environmental Site Assessments, at least 50 Phase I ESAs completed in all. Performed stormwater sampling and compliance under the Oregon and Washington industrial general permits and construction permits. Field and reporting engineer completed SPCC Plans under the Code of Federal Regulations 40 CFR 112. Environmental sampling on a wide variety of contaminated sites, including asbestos, polychlorinated biphenyls, petroleum, volatile organic compounds, polynuclear aromatic hydrocarbons, and heavy metals. (2008–2012)

Matthew Morales

AIR QUALITY SPECIALIST

Matthew Morales is an air quality specialist with 18 years' experience preparing technical analyses for numerous planning and environmental projects related to development, natural resource management, and facility expansion. Mr. Morales is trained in air quality, including toxic air contaminants (TACs) and greenhouse gas (GHG), and he is adept at applying air quality models, such as the California Emissions Estimator Model, Caline4, AERSCREEN, AERMOD, and HARP 2, to perform quantitative analyses for National Environmental Policy Act and California Environmental Quality Act (CEQA) environmental documents, such as environmental impact reports (EIRs), initial studies (ISs), and mitigated negative declarations (MNDs).

Project Experience

North Hollywood Central Chlorination Stations Upgrades Project, Los Angeles Department of Water and Power, California. The Los Angeles Department of Water and Power proposes to expand the treatment capacity of its existing Rinaldi-Toluca and North Hollywood West Chlorination Stations and to replace its existing North Hollywood Chlorination Station with the new North Hollywood Central Chlorination Station within the same property. The Los Angeles Department of Water and Power would also assume responsibility for the operations of groundwater remediation facilities related to the North Hollywood Operable Unit Second Interim Remedy. The IS/MND prepared for the project addresses the construction of the three chlorination stations and the operation of the chlorination stations and the North Hollywood Operable Unit Second Interim Remedy facilities. Prepared the air quality, GHG, and energy sections of the IS/MND.

8850 Sunset Boulevard EIR, City of West Hollywood, California. The proposed mixed-use project is located along the Sunset Strip and entails the demolition of the Viper Room nightclub building and the construction and operation of an approximately 420,000-square-foot, 15-story building with 115 hotel guest rooms, 41 multifamily residential units, and supporting amenities, such as meeting rooms, pools, restaurants, lounges, retail space ancillary to the hotel, and spa/gym space. Prepared the air quality, GHG, and energy sections of the draft EIR and a subsequent memorandum that included construction and operational health risk assessments as part of the final EIR.

Sustainability Policy and Regulatory Update EIR, County of Santa Cruz, California. The County of Santa Cruz's Sustainability Policy and Regulatory Update consists of amendments to the County of Santa Cruz's General Plan/Local Coastal Program and the Santa Cruz County Code. The update also includes the adoption of Countywide Design Guidelines; guidelines for special areas, such as the Pleasure Point and Portola Drive Commercial Corridor; and a General Plan land use map and/or zoning map for selected parcels. Served as senior air resources specialist and prepared the air quality, GHG, and energy analyses for the EIR.



Education

University of California,
Davis
BS, Environmental
Toxicology

Professional Affiliations

Association of
Environmental
Professionals
Air and Waste
Management Association

Hesperia Commerce Center II, Covington Group, Inc., Hesperia, California. The project would include construction of three industrial/warehouse buildings with associated office spaces, surface parking, and loading areas. The northwesternmost building would be 1,567,317 square feet, the southernmost building would be 2,065,987 square feet (which would potentially be divided between two spaces within the same building), and the northeasternmost building would be 112,125 square feet, for a total of 3,745,429 square feet. Prepared the air quality chapter of the EIR and provided senior review of the GHG and energy chapters.

B.F. Sisk Safety of Dams Modification Project—Supplemental Biological Resource Surveys, Environmental Permitting, and Supplemental EIR, California Department of Water Resources, Merced, California. Served as senior air resources specialist for the preparation of the air quality (including an ambient air quality analysis) and GHG chapters of the supplemental EIR. The supplemental EIR was prepared with an emphasis on defining the proposed changes to the approved project since the certification of the B.F. Sisk Dam Safety of Dams Modification Project 2019 Environmental Impact Statement/EIR. The approved project—referred to as the Crest Raise Alternative in the 2019 EIS/EIR—involves making improvements to the downstream side of the existing dam to enhance its stability and increasing the dam crest height to reduce the potential of water overtopping the dam if seismic-induced slumping were to occur. These improvements would be accomplished by (1) constructing stability berms and downstream crack filters in select areas, (2) adding additional material over the entire area of the existing embankment, (3) installing a new filter around the existing spillway conduit, and (4) extending the spillway conduit to meet the resultant downstream edge of the extended embankment. Construction of three foundation shear keys to anchor the proposed stability berms to underlying bedrock is also part of the Crest Raise Alternative.

Graham Hill Water Treatment Plant Facility Improvement Project, City of Santa Cruz, California. Serving as senior air resources specialist to prepare the air quality (including construction and operational health risk assessments), GHG, and energy chapters of the EIR for the proposed project, working in close coordination with the City. The proposed project would replace the majority of the existing water treatment processes at the Graham Hill Water Treatment Plant and associated infrastructure with modern facilities. The upgrade would increase the reliability of the plant to meet current and anticipated future water quality requirements, improve the ability to treat variable and degraded source water quality conditions, support treatment of winter water to facilitate implementation of the City’s Water Supply Augmentation Strategy and Securing Our Water Future Policy, and modernize the plant to meet contemporary building, electrical, and fire code requirements.

El Camino Senior Housing, PMB, LLC, San Diego, California. The project consists of the expansion of an approved church to include a 105,568-square-foot assisted living facility with 105 rooms and supporting amenities on the 3.97-acre parcel to the south of the church. Serving as senior air resources specialist to prepare the air quality and GHG chapters of the subsequent EIR.

Conditional Use Permit 019427-2022 for 2420 South Reservoir Street (Siemens Corporation), City of Pomona, California. The project involves the demolition of Siemens Corporation’s existing 57,213-gross-square-foot (gsf) manufacturing/warehouse facility and the development of an approximately 154,000 gsf high-bay manufacturing/warehouse facility. Specifically, the facility would include 117,500 gsf of manufacturing space, 15,500 gsf of warehouse space, and 21,000 gsf of office space. The project would be subject to approval of a Conditional Use Permit because it includes the development of an industrial facility of more than 20,000 square feet within an industrial zone. Prepared a technical memorandum, including construction and operational health risk assessments, that assessed air quality, GHG, and energy impacts.

149 McNear Residential Project, MC2 Petaluma, LLC, Petaluma, California. The proposed project entails the demolition of three existing houses on the 4.09-acre site and the construction of 80 new residential units. There would be seven single-family homes, ranging in size from 1,851 square feet to 2,040 square feet, each with

two-car attached garages. The 73 multifamily units would range in size from 749 square feet to 1,524 square feet and each have attached one- or two-car garages. A surface parking lot with 36 parking spaces would also be constructed as part of the proposed project. Served as senior air resources specialist and project manager for the preparation of an air quality and GHG technical memorandum for the proposed project.

Biological Services, Hughes Circuits, San Marcos, California. The project includes the development of a 67,410-square-foot light industrial building on approximately 2.61 acres of the 10.46-acre site. The remaining approximately 7.85 acres within the project boundary would remain in its current condition. Prepared an air quality and GHG technical report for the project, as well as the air quality, GHG, and energy EIR chapters.

Northgate Town Square Technical Studies Support, Merlone Geier Management, LLC, San Rafael, California. Assisted in the preparation of an air quality and GHG technical report for the proposed project, with the primary responsibility of developing a quantitative construction health risk assessment and a screening-level operational health risk assessment. The project involves the redevelopment of the existing Northgate Mall through the demolition of the majority of the mall structure and the Sears, Macy's, and Kohl's anchor buildings; redevelopment of commercial spaces; construction of new commercial pads at the northern periphery of the property; construction of new structured and surface-level parking facilities; development of multifamily dwelling units; and development of community open space and amenities. The applicant proposes to complete this redevelopment in two phases pursuant to its 2025 Master Plan and 2040 Vision Plan.

Specialty Granules Lone Plant Mine and Reclamation Plan Expansion Project EIR, Benchmark Resources, Lone, California. Specialty Granules proposes to expand the existing footprint and depth of Lone Quarry to access additional rock reserves. This expansion requires an amended Conditional Use Permit and an amended reclamation plan that allows for the expanded proposed mining area and additional stockpiling area(s) for the proposed project. The project does not propose an increase in the current rates of production at the quarry or changes to other operations. After the expansion, the quarry's total surface disturbance would have increased from approximately 56 acres to approximately 136 acres, and the depth would be approximately 280 feet below mean sea level, compared to 325 above mean sea level under existing conditions. The stockpile area's total surface disturbance would be approximately 86 acres and have a maximum elevation of 560 feet mean sea level. Serving as project manager and senior air resources specialist for the preparation of air quality, GHG, and energy analyses and EIR sections for the project.

Northstar at Tahoe CEQA Services, Northstar Community Services District, Truckee, California. Served as senior air resources specialist for Dudek's preparation of an IS/MND evaluating Northstar Community Services District's proposed development of a biomass energy plant, which would be connected to approximately 13 buildings and facilities within and adjacent to Northstar Village to provide heating and reduce annual natural gas consumption. The District already conducts vegetation clearing for fuel management and defensible space and, until recently, has relied on pile burning, chipping, and spreading to dispose of the biomass collected through these programs. Under the proposed project, the biomass materials would be transported to the Tahoe Truckee Sierra Disposal Eastern Regional Landfill to be sorted. The materials that meet the biomass plant criteria would be returned to the District for use in the plant. Critical project issues include air quality. Prepared construction and operational health risk assessments and coordinated closely with the Placer County Air Pollution Control District.

Stoddard Wells Warehouse, Covington Investments, LLC, Apple Valley, California. The project would provide 2,520,000 square feet of industrial/warehouse space and associated improvements on 143 acres of vacant land, including loading docks, tractor-trailer stalls, passenger vehicle parking spaces, and landscape area. The layout of the buildings is most representative of a high-cube warehousing land use. However, because a specific end user is not in place for the proposed project, a 15% high-cube cold storage warehousing and 85% high-cube fulfillment

center warehousing split of the building's total square footage was applied to provide a conservative analysis in the event that a small portion of the facility is used for cold storage. Prepared the air quality, GHG, and energy chapters of the EIR. Notably, the air quality analysis included construction and operational health risk assessments to evaluate the potential impacts associated with exposure of proximate sensitive receptors to diesel particulate matter exposure.

California Department of Motor Vehicles Fell Street Headquarters Renovation, California Department of General Services, San Francisco, California. Prepared a technical memorandum and air quality, GHG, and energy analyses for the California Department of General Services' Department of Motor Vehicles field office reconstruction project that involves the demolition of the existing 2-story field office at 1377 Fell Street in San Francisco and the construction of a single-story facility of a similar size. The air quality analysis included a construction health risk assessment based on the proximity to existing off-site residential sensitive receptors.

Buttonwillow City Cal Centre Industrial Project, Faring Capital, Buttonwillow, California. Served as senior air resources specialist and project manager for the preparation of an air quality/GHG technical memorandum and a health risk assessment memorandum for the project, which consists of 4 million square feet of planned warehouse buildings and associated parking/loading areas; stormwater management, wastewater treatment, and potable water treatment facilities; public roads; a power station (microgrid); an electric charging center; a photovoltaic grid; and landscaping on approximately 255 acres. The warehouse facilities would be composed of four buildings: a 590,000-square-foot high-cube cold storage warehouse, a 1,300,000-square-foot high-cube fulfillment center warehouse, a 1,260,000-square-foot high-cube transload and short-term storage warehouse, and an 850,000-square-foot high-cube transload and short-term storage warehouse. The project site is currently developed as irrigated agriculture and is bounded by 7th Standard Road to the south, Buttonwillow Drive to the west, and Interstate 5 to the east.

35th and Avenue H Lancaster 18 Analysis Report, West Avenue H 18, LLC, Lancaster, California. The project would include construction of an industrial warehouse building and associated improvements on 20.15 acres of vacant land. The proposed project would provide 395,390 square feet of industrial/warehouse space and include associated improvements, such as loading docks, tractor-trailer stalls, passenger vehicle parking spaces, stormwater detention basins, and landscape area. The ground floor of the building would provide 10,000 square feet of office space. Prepared an air quality, GHG, and energy technical memorandum, inclusive of construction and operational health risk assessments, as well as the IS/MND analyses.

Los Angeles Medical Center Master Plan EIR, Kaiser Foundation Health Plan, Inc., California. Kaiser Permanente is proposing to replace existing facilities at its Los Angeles Medical Center campus and add new buildings on adjacent parcels of land. The existing medical center campus contains approximately 2 million square feet of building area. The total building area to be demolished is 234,200 square feet, and the total building area to be constructed is 401,100 square feet under Option A and 433,100 square feet under Option B. The total parking structure area to be demolished is 129,800 square feet, and the total parking structure area to be constructed is 655,800 square feet. Serving as senior air resources specialist for the air quality and GHG analyses of the project and development of the respective EIR chapters.

Water Emergency Transportation Authority (WETA) Alameda Main Street Ferry Terminal Refurbishment Project IS/MND, City of Alameda, California. The project would include the replacement of the existing bridge walkway and foundation, gangway, float, and guide piles and upgrades to utilities at the project site. Assessed the air quality, energy, and GHG impacts associated with the project.

Santa Cruz Water Rights Project EIR, City of Santa Cruz, California. Served as senior air resources specialist on the Santa Cruz Water Rights Project EIR and prepared the air quality, GHG, and energy analyses. Components of the project include modifications to existing water rights and related actions required to implement the proposed modifications, including expansion of place of use, clarifications on method and points of diversion and redirection, the addition of an underground storage supplement, extension of time to put water to full beneficial use, and the incorporation of bypass requirements for each water right. The underlying purpose of the project is to improve City of Santa Cruz water system flexibility while enhancing stream flows for local anadromous fisheries. The proposed project also includes water supply augmentation components and surface water diversion improvements that could result after the water rights modifications are approved. Physical infrastructure improvements include aquifer storage and recovery facilities in the Beltz system and potentially elsewhere, intertie facilities to allow for water transfers with neighboring agencies, and improvements to the Tait Diversion/Coast Pump Station and the Felton Diversion.

Idaho-Maryland Mine Project Air Quality and GHG Technical Report, Nevada County, California. Prepared the air quality and GHG emissions technical report for the project. The project proposes to reinstate underground mining and ore processing of the Idaho-Maryland Mine in unincorporated Nevada County. The proposed facilities and operations would be located on two properties owned by Rise Grass Valley Inc., referred to as the Centennial Industrial Site and the Brunswick Industrial Site. Specific tasks include construction and operational criteria air pollutant and GHG emissions estimates, as well as a health risk assessment to analyze TAC (such as diesel particulate matter) exposure at off-site sensitive receptors.

Combie Road Corridor Improvement Project Air Quality and GHG Technical Memorandum, Nevada County, California. Prepared a technical memorandum that presents the air quality and GHG impact analysis of the project, pursuant to the Northern Sierra Air Quality Management District guidance. The project includes the improvement and widening of approximately 4,800 feet of Combie Road in Nevada County, California.

Station Avenue Project – Central Rohnert Park Priority Development Area Plan EIR Consistency Review, City of Rohnert Park, California. The Station Avenue Project is within the Central Rohnert Park Priority Development Area Plan area. This analysis was prepared to evaluate the consistency of the project with the Priority Development Area EIR. The project would remove the two existing buildings (former State Farm Insurance building and City's Corporation Yard), surface parking lots, trees, and grass areas and would result in the construction of a central business district, urban neighborhood, and new downtown area for the city. As part of the consistency review, an HRA was performed that assessed potential cancer and chronic health risk at existing residences proximate to the site, as well as operational health risk for the new residents associated with exposure to TACs from major roadways and the adjacent Sonoma-Marin Area Rail Transit operations.

Meridian West Campus-Lower Plateau Project EIR, March JPA, California. Prepared the air quality and GHG analyses as part of a comprehensive EIR for a large-scale business and warehouse development project in the western portion of the March JPA jurisdiction. The project, approved by the Board Commissioners in 2017, would result in the construction of approximately 2.3 million square feet of industrial warehouse and business park uses. Air and GHG emissions were one of the key issues associated with the project.

Canyon Springs Healthcare Campus Specific Plan, Specific Plan Amendment, and EIR, City of Riverside, California. Managing the preparation of a new specific plan, amendment to an existing specific plan, and preparation of an associated EIR for a new healthcare campus in the City of Riverside. The 50.85-acre project site is currently located within the Canyon Springs Business Park Specific Plan. The Canyon Springs Business Park Specific Plan is proposed to be amended to remove the project site from the specific plan area and create a new Canyon Springs Healthcare Campus Specific Plan. The overall project site is broken up into three smaller sites within the new

Canyon Springs Healthcare Campus Specific Plan. Site A is proposed to be developed as a senior housing facility with an approximately 375,000-square-foot, 3-story, 234-unit senior “age-restricted”, multifamily housing facility. Site B is proposed to be developed as an independent living/memory care, assisted living, and skilled nursing facility. Site C is proposed to be developed with a hospital, five medical office buildings, a central energy plant, and two parking structures, as well as associated landscaping and infrastructure improvements. Key issues for this project are air quality, traffic, as well as potential impacts from helicopter operations.

Belden Barns Farmstead and Winery EIR, Sonoma County, California. As the air quality analyst, assessed the criteria air pollutant and GHG emissions associated with construction and operation of the project, which includes development of a winemaking, hospitality, and farmstead food production facility.

Roberts’ Ranch Specific Plan EIR, City of Vacaville, California. As the air quality analyst, assessed the criteria air pollutant emissions associated with construction and operation of the Roberts’ Ranch Specific Plan land uses in the City of Vacaville.

Grapevine Project Air Quality and GHG Technical Report, Tejon Ranch Corporation, Kern County, California. Prepared the air quality and GHG emissions technical report for the project. The Grapevine Specific Plan project, which is located in the west-central portion of 270,000-acre Tejon Ranch, would be developed as a residential community and employment center within 4,780 acres of the 8,010-acre property. The project, which includes up to 12,000 residential units and 5.1 million square feet of commercial and light industrial land uses (including a community college and medical campus), is designed as a series of conveniently located village centers, each composed of a mix of housing, neighborhood-serving retail and office uses, schools, parks, and community services. Specific tasks include construction and operational criteria air pollutant and GHG emissions estimates, industrial source emissions calculations, odor assessment, Valley Fever assessment, and other air quality topics.

Land Park Commercial Center Project EIR, City of Sacramento, California. As the air quality analyst, assessed the criteria air pollutant and GHG emissions associated with construction and operation of the Commercial Center project and alternatives. For GHGs, included a compliance analysis based on the City of Sacramento Climate Action Plan Consistency Review Checklist.

Avram Apartments Air Quality and GHG Technical Memorandum, City of Rohnert Park, California. Served as air quality analyst. Assessed the criteria air pollutant, GHG, and TAC emissions associated with the construction and operation of the Avram Apartments project. A construction health risk assessment was prepared to estimate potential risk of proximate sensitive receptors from exposure to diesel exhaust from construction equipment and trucks. An operational health risk assessment was also prepared to estimate potential risk of on-site residents to diesel particulate matter from truck traffic on Highway 101.

Ponte Palmero Phase 2 Project EIR, El Dorado County, California. Assessed the criteria air pollutant and GHG emissions associated with construction and operation of the project, which includes development of a community care facility, an assisted living facility, and a clubhouse as Phase 2 of the Ponte Palmero retirement village.

Oakmont Senior Assisted Living Facility IS/MND, City of Novato, California. As the air quality analyst, assessed the criteria air pollutant and GHG emissions associated with construction and operation of the proposed assisted living community within the City of Novato.

Clearwater at Sonoma Hills Assisted Living and Memory Care Facility IS/MND, City of Rohnert Park, California. As the air quality analyst, assessed the criteria air pollutant and GHG emissions associated with construction and operation of the project, which includes development of an assisted living and memory care facility within the City of Rohnert Park.

Residences at Five Creek Project IS/MND, City of Rohnert Park, California. As the air quality analyst, assessed the criteria air pollutant, GHG, and TAC emissions associated with the construction and operation of the Residences at Five Creek mixed-use and City public safety and public works facility. A construction health risk assessment was prepared to estimate potential risk of proximate sensitive receptors from exposure to project-related diesel exhaust from construction equipment and trucks. A cumulative operational health risk assessment was also prepared to estimate potential risk of on-site residents to TACs from permitted stationary sources within 1,000 feet of the project site.

Bellevue Ranch 7 Project IS/MND, City of Santa Rosa, California. As the air quality analyst, assessed the criteria air pollutant and GHG emissions associated with construction and operation of the project, which includes development of 30 single-family homes within the City of Santa Rosa.

High Speed Rail Preconstruction, Dragados-Flatiron Joint Ventura, Fresno, California. Assessed criteria air pollutant emissions associated with re-examination of changes to select construction activities in comparison to the Final EIR/environmental impact statement prepared for the project.

CORE 2 Greenhouse Expansion Project IS/ND, University of California Davis, Davis, California. The proposed CORE 2 project includes the Cacao Germplasm Greenhouses, the Phase 1 Greenhouses, and a Future Expansion Area, as well as demolition of the existing Orchard Park greenhouses. Prepared the air quality and GHG analyses for the proposed project, accounting for the unique attributes associated with greenhouse structures (such as lighting and water use).

Creative Arts and Holloway Mixed-Use Project EIR, San Francisco State University, San Francisco, California. The proposed project includes construction of new housing, neighborhood-serving retail, and student support services on the south side of Holloway Avenue, and construction of the Creative Arts replacement building and concert hall on the north side of the Holloway Avenue/Font Boulevard intersection. The project would also include preparation and implementation of design guidelines, transportation and parking improvements, utility connections, storm drainage improvements, landscaping, and lighting. Prepared the air quality and GHG chapters of the EIR for the project.

Performing Arts and Culinary Services Facility Project IS/MND, Woodland Community College, Woodland, California. The proposed project includes construction of a new 29,118-square-foot Performing Arts and Culinary Services Facility, which will provide for a new facility to consolidate and expand space for the Woodland Community College's Performing, Fine Arts and Speech programs while creating space for a new Culinary Arts program. Prepared the air quality and GHG analyses for the project.

Siskiyou II Science Replacement Building Project IS/MND, California State University Chico, Chico, California. Prepared the air quality and GHG analyses for the project, which includes replacement of the existing Siskiyou Hall with a four to five story building that would provide space for laboratories, support space, offices, classrooms, and a vivarium.

New Student Union IS/MND, Fresno State University, Fresno, California. Prepared the air quality and GHG emissions analyses for the project, which includes the demolition of the existing 7,400-square-foot Keats building, amphitheater, and stage on the project site, and the construction of a new, 70-foot tall, 80,000-gross-square-foot Student Union building. The building would include lounge spaces, meeting rooms for student clubs and

organizations, campus-serving retail services and program spaces, and offices for professional staff affiliated with Fresno State. The Project would also include a 12,000-square-foot multi-purpose ballroom accommodating 800 seats. A new student plaza would be created north of the new Student Union building.

San Jacinto Master Plan Project EIR, Mount San Jacinto College, San Jacinto, California. The proposed project includes the demolition of approximately 207,180-gross-square-foot of existing buildings and facilities and the construction of approximately 594,614-gross-square-foot, which is a net increase of approximately 387,434-gross-square-foot campus wide at buildout. Approximately 4,053 parking spaces would be provided upon full buildout of the project, consisting of 2,396 student parking spaces, 497 visitor parking spaces, 310 faculty/staff parking spaces, 650 overflow parking spaces, and 200 parking spaces in a commuter lot. The total on-campus parking could serve up to approximately 16,212 students. Prepared the air quality and GHG emissions chapters of the EIR.

College Boulevard Improvement Project Air Quality and GHG Technical Report, Oceanside, California. Prepared the air quality and GHG emissions technical report for the project, which consists of widening College Boulevard to a six-lane major arterial from Olive Drive to Old Grove Road, as well as road and right-of-way improvements to the corridor to enhance existing and future traffic operations, provide congestion relief, reduce queue lengths, improve safety conditions for the un-signalized intersections and access points along the corridor, and provide safer travel routes for bicyclists and pedestrians.

South of Palermo 115 kV Power Line Reinforcement Project IS/MND, Butte/Yuba/Sutter Counties, California. The project includes reinforcement of the existing PG&E 115 kV overhead electric power line system between Palermo, Pease, Bogue, and Rio Oso Substations near the City of Oroville and through a small portion of Marysville in Butte, Yuba, and Sutter Counties. The project would replace the existing conductor and modify/replace existing lattice steel towers along approximately 59.5 miles of PG&E's existing Palermo–Rio Oso 115 kV transmission system. Prepared the IS/MND sections to address air quality and GHG emissions impacts of the project.

San Pablo Municipal Broadband Project IS/MND, San Pablo, California. The proposed San Pablo Municipal Broadband Project includes the installation of a fiber-optic ring, spur lines (or running lines), and aggregators that connect to the fiber-optic ring infrastructure. From these aggregators (either in prefabricated fiber huts or existing equipment rooms in existing commercial buildings), the fiber-optic cables would travel along existing streets (below ground) into vaults or utility cabinets and to and from the handholes/cabinets directly to customers. Prepared the IS/MND sections to address air quality and GHG emissions impacts of the project.

Los Coyotes Water Reclamation Plant Sewer Rehabilitation Project IS/MND, County Sanitation District No. 2, Los Angeles County, California. The proposed project consists of the rehabilitation of portions of the Joint Outfall F Unit 3A, a reinforced concrete pipe, by constructing a concrete encasement around the existing siphon structure. The Joint Outfall Unit 3A is a sewer pipeline that connects upstream sewer flows to the Los Coyotes Water Reclamation Plant, which is approximately 300 feet east of the area proposed for rehabilitation. The project alignment includes two distinctive portions of the Joint Outfall F Unit 3A located on either side of the San Gabriel River. Prepared the IS/MND sections to address air quality, energy, and GHG impacts associated with the project.

Las Flores Enhanced Water Reliability Project IS/MND, Santa Margarita Water District, Las Flores, California. Prepared the IS/MND sections to address air quality, energy, and GHG impacts associated with the project, which includes installation of approximately 3,800 linear feet of 16-inch pipe and 6,390 linear feet of 8-inch pipe in residential streets and easements through previously disturbed open space. The Project also involves the conversion of the Las Flores Lift Station, currently out of service, to a recycled water booster pump station, and the rehabilitation of an approximately 3,650 foot long 10-inch existing force main in the right-of-way within Antonio Parkway. Upon completion, the project would permanently convert a total of 209 acre-feet per year of irrigation demand from potable to recycled water.

Ames Noll

AIR RESOURCES SPECIALIST

Ames Noll (*she/her*) is an air resources specialist, specializing in the preparation of air quality, greenhouse gas (GHG), and energy analyses of projects subject to compliance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Ms. Noll is responsible for completing air quality and GHG emissions modeling and technical assessments for a wide range of development projects throughout California.



Education

*University of California,
Santa Barbara, 2023
BS, Environmental Studies
Minor, Spatial Science*

Dudek Project Experience

Confidential Solar and Battery Storage Projects, Confidential Client, Los Angeles County, California. Prepared the air quality and GHG emissions assessments for multiple solar and battery storage projects in unincorporated Los Angeles County. The assessments included construction health risk assessments (HRA) for existing residents surrounding the project area. The projects would support the storage of renewable energy generated in the region.

Downtown West Planned Unit Development (PUD), City of Ontario, California. Prepared the air quality, GHG, and energy initial study/mitigated negative declaration (IS/MND) sections for a project to revitalize the City of Ontario's downtown area. The Downtown West PUD would streamline the PUD process for developers and property owners.

Assisted Living Facility, HSB Pasadena LLC, Pasadena, California. Prepared the air quality and GHG technical memorandum to support a Categorical Exemption for a 95-unit senior living facility. The analysis included a construction HRA for existing residents surrounding the project area.

New Century Mazda Dealership, City of Alhambra, California. Prepared the air quality technical memorandum to support a Categorical Exemption for an automobile dealership in the City of Alhambra.

Lion's Gate Multi-Family Project, City of Rancho Cucamonga, California. Prepared the air quality technical memorandum to support a Categorical Exemption for a 145-unit multifamily residential development in Rancho Cucamonga.

Fairmount Avenue Fire Station, City of San Diego Public Works Department, San Diego, California. Preparing the air quality, GHG, and energy assessments for a new fire station in the City of San Diego. The project would increase the current and future capacity of the San Diego Fire Department.

2023 Annual Report, SpaceX, Vandenberg Space Force Base (VSFB), California. Assisted in preparing the annual emissions report for the 2023 reporting year for the SpaceX space launch operations. This included detailed air emissions calculations for operating the space launch vehicles at VSFB. The 2023 annual report was completed in accordance with the Santa Barbara County Air Pollution Control District's rules and regulations.

South Bay Area Plan, Los Angeles County, California. Assisting in preparing the air quality, GHG, and energy assessments for the South Bay Area Plan Programmatic Environmental Impact Report (EIR) in Los Angeles County, California.

Confidential Battery Storage Project, Confidential Client, San Diego County, California. Assisting in preparing the air quality, GHG, and energy assessments for a project in San Diego County. The assessment included a construction health risk assessment for existing residents surrounding the project area. The project would support the storage of renewable energy generated in the region.

San Diego County Water Authority Climate Action Plan Update, San Diego, California. Assisting in the GHG emissions forecasting for the Water Authority's inventory by modeling emissions from the construction and operation of future projects. Collaborating with other Dudek and Water Authority members to recommend GHG reduction strategies to achieve net zero emissions by 2030.

Relevant Previous Experience

Compliance Intern, Santa Barbara County Air Pollution Control District, California. Reviewed more than 1200 permitted facilities' annual reports detailing their yearly emissions and compared reports to district permit limitations to determine compliance with district rules and regulations. Inspected over 200 diesel-fired emergency backup generators and boilers remotely and in the field. Issued more than 80 violations to permitted sources for non-compliance with permit limitations and annual reporting requirements. Corresponded with and advised over 100 facility contacts on how to adhere to District and state rules and regulations.

Awards

Outstanding Achievement Award, University of California, Santa Barbara, Environmental Studies Department, 2023. Received above a cumulative 3.85 GPA over 4 years of undergraduate education at the University of California, Santa Barbara.

Jennifer Reed

AIR QUALITY SPECIALIST

Jennifer Reed is an air quality and climate change specialist with 18 years' experience. Ms. Reed leads Dudek's air quality services team, and has been responsible for the management, analysis, and technical leadership of projects subject to compliance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). She has completed numerous environmental documents in support of a diverse range of public and private developments and has served in a managing and technical role for Climate Action Plans (CAPs) and Climate Action and Adaptation Plans (CAAPs). Ms. Reed specializes in air quality, greenhouse gas (GHG) emissions, health risk assessment (HRA), and energy technical analyses, as well as climate action planning, and continues to be on the forefront of evolving science, emissions modeling computer programs, regulatory framework, case law, and planning best practices.

Ms. Reed has prepared air quality and GHG assessments for a wide variety of development projects throughout California, including large residential projects, commercial and retail projects, industrial projects, mixed-use developments, colleges and universities, healthcare facilities, energy projects, water and wastewater infrastructure, and transportation improvements, including California Department of Transportation (Caltrans) air quality analyses. Additionally, she has considerable experience in project planning and regulatory compliance pursuant to the California Coastal Act (CCA) and has experience in project management, land-use permit processing, constraints analysis, development feasibility studies, due diligence investigations, and various other land-use planning projects.



Education

*University of California, Santa Barbara
BA, Environmental Studies, 2007
BA, Geography, 2007*

Professional Affiliations

*Association of Environmental Professionals, Climate Change Committee
Air and Waste Management Association*

Project Experience

Development

Grapevine Specific Plan Project, Tejon Ranch Corporation, Kern County, California. Prepared the air quality and GHG emissions technical report for the project, provided management of the HRA and criteria pollutant air quality impact analysis, and provided ongoing technical support. The Grapevine Specific Plan project, which is located in the west-central portion of 270,000-acre Tejon Ranch, would be developed as a residential community and employment center within 4,780 acres of the 8,010-acre property. The project, which includes up to 12,000 residential units and 5.1 million square feet of commercial and light industrial land uses (including a community college and medical campus), is designed as a series of conveniently located village centers, each composed of a mix of housing, neighborhood-serving retail and office uses, schools, parks, and community services. Specific tasks include construction and operational criteria air pollutant and GHG emissions estimates, industrial source emissions calculations, carbon monoxide (CO) hotspot analysis, odor assessment, Valley Fever assessment, and other air quality topics. Also prepared the air quality and GHG emissions technical report for the Supplemental Recirculated

Environmental Impact Report (EIR), which evaluated buildout of the project under five development and vehicle miles traveled scenarios.

Globemaster Corridor Specific Plan EIR/EIS, City of Long Beach, California. Prepared the air quality, GHG emissions, and energy analysis for Phase 2 of the C-17 Transition Master Plan, which provides a framework for development and improvement of the former Boeing C-17 site, Cherry Avenue corridor planning, and surrounding area. Operational emissions were estimated for the Proposed Project (7,011,195 square feet) and Existing Scenario (2,094,175 square feet), which included over 20 different land uses, including warehouse and manufacturing. Mobile source emissions were evaluated in a spreadsheet model using EMFAC2017 emission factors and project-specific vehicle miles traveled for automobiles and heavy-duty trucks separately and all other emissions were estimated using CalEEMod. In addition to the typical land use development emission sources, sources associated with industrial and warehousing land uses such as off-road equipment (forklifts and yard trucks), emergency generators, and transport refrigeration unit emissions were included to comprehensively evaluate the potential emission inventory associated with Specific Plan implementation. To disclose the magnitude of potential construction emissions, a construction modeling scenario was developed and feasible mitigation measures were identified. A detailed list of feasible operational mitigation measures were identified to reduce potential project impacts.

Colton Lee Manufactured Housing Community EIR, County of Ventura, California. Served as deputy project manager and lead environmental analyst overseeing and contributing to the hazardous materials and public health (Valley Fever), land use, noise and vibration, recreation, transportation and tactical access, visual resources and glare, water supply and fire flow availability, GHG, long-term impacts, and alternatives sections of the EIR. This project includes the development of a 100-unit manufactured housing community and widening and safety improvements to the main roadway corridor within the Santa Susana Knolls.

Gless Ranch EIR and Air Quality and GHG Technical Report, City of Riverside, California. Prepared the air quality and GHG technical report and EIR section for the proposed 40-acre commercial development in Riverside. The project included approximately 420,000 square feet of retail and commercial space with three major stores and several small stores. The air quality assessment included an analysis of the project's GHG emissions and the impact on climate change, along with a review of project features and possible mitigation measures to reduce those emissions. Carbon loss was estimated for the removal of an existing citrus grove.

Solana Torrance Air Quality/GHG Report, Reylenn Properties LLC, Torrance, California. Managed and prepared the technical report that analyzed potential impacts associated with development of a 300-unit multifamily residential development, which includes three-, four-, and five-story residential structures constructed over a parking garage and associated amenities. The analysis included a construction HRA to evaluate cancer and non-cancer risk associated with project-generated diesel particulate matter (DPM).

Otay Ranch Village 14 and Planning Areas 16/19, Jackson Pendo Development, San Diego County, California. Managed and contributed to the air quality and GHG emissions technical reports for development of 994 homes, up to 10,000 square feet of commercial/retail uses, public safety facilities, an elementary school, parks, and recreational facilities.

Casden Development Projects EIR, City of Oxnard, California. As deputy project manager and lead environmental analyst, oversaw and contributed to the air quality, land use and planning, public services, long-term impacts, and alternatives sections of the EIR. This project includes the development of two adjacent project sites, resulting in a total of 344 residential units.

Lakeview Promenade Mixed-Use Project EIR, City of Santa Maria, California. Served as deputy project manager and lead environmental analyst. Oversaw and contributed to the air quality, transportation, hazardous materials and hazards, utilities, growth-inducing impacts, and alternatives sections of the EIR, which assessed the impacts of 270 multifamily residential units, 40,000 square feet of retail space, 15,000 square feet of restaurant space, 14,000 square feet of medical office space, and 1,500 square feet of professional space.

Five Lagunas Project, Merlone Geier Management LLC, Laguna Hills, California. Prepared the air quality and GHG emissions assessment that analyzed potential impacts associated with redevelopment and reconfiguration of uses within an approximately 68-acre portion of the approximately 240-acre Urban Village Specific Plan area of the City at the Laguna Hills Mall. The project included the redevelopment of the existing mall property through the partial demolition and reconstruction of the southern portion of the central mall building, the construction of new commercial spaces on development pads (decreasing department store and retail space, but increasing restaurant, health club, cinema, and flex retail/medical office uses), and development of high-density multifamily dwelling units.

EIR, Costco/Vineyard Phase II Retail Development Project, City of Murrieta. Contributed to the air quality, GHG emissions, and energy technical reports and sections of the EIR for the proposed 224,650-square foot Costco warehouse, retail center, and a 40-pump gas station. The HRA was conducted to evaluate the potential project construction and operation exposure to the nearby residential and student receptors. Operational sources of toxic air contaminants (TACs) included heavy-duty trucks (circulation and idling), on-site off-road equipment, transport refrigeration units, gas station operation (loading, dispensing, and spillage), and emergency diesel generators.

Truck Facility Specific Plan Project, KL Fenix Corporation, Carson, California. Prepared the air quality, GHG emissions, and HRAs (construction and operation) analyses for the proposed truck facility in Carson. The truck facility would mainly contribute to mobilizing goods that are imported or exported through the Ports of Los Angeles and Long Beach. The warehouse space with an attached office area would total 53,000 square feet and would include 102 parking spaces for warehouse/office use, 475 parking spaces for cargo containers, and six loading docks.

Housing Element Update Program EIR, County of Los Angeles, California. Prepared the air quality, GHG emissions, and energy analysis for the County's Housing Element Update for the 2021–2029 planning period. The analysis will evaluate the net change in emissions and associated potential impacts resulting from implementation of the land-use and zoning changes to provide additional housing opportunities within the County.

Heritage Ridge (North Willow Springs) Project, The Towbes Group Inc., Goleta, California. Managed and prepared the technical report that analyzed potential impacts associated with development of two housing concepts and a neighborhood park on a 16.2-gross-acre site. The first housing concept is a senior housing project that includes a total of 132 units in two buildings. The second housing concept is workforce housing that includes 228 units in six buildings.

Fairview Fuel Depot Project, John Price, Goleta, California. Managed and prepared the technical memorandum that analyzed potential impacts associated with remodeling of an existing gasoline service station, which included conversion of the existing service bays to an expanded convenience market.

Country Club Villages, New Urban West Inc., Escondido, California. Contributed to the air quality and GHG emissions analyses for the EIR for The Villages Specific Plan located in the city of Escondido. The project proposes a series of residential villages and the ultimate development of 392 homes, a club house, restaurant, open spaces, and greenbelt throughout the community, within a previous golf course.

4275 Mission Bay Drive Mixed-Use Project, JPI Real Estate Acquisition LLC, San Diego, California. Contributed to the GHG emissions technical report that analyzed potential impacts associated with development of 172 residential

units totaling approximately 200,000 square feet gross floor area, 15,500 square feet of commercial retail and office space, and subterranean parking. The project is designed to be a transit-oriented development and GHG emissions reductions associated with the project's sustainable design features were quantified in the analysis.

Murrieta 180 Project, Bel Air Murrieta LLC, Riverside County, California. Prepared the air quality and GHG emissions assessments for the construction of a 196-unit multifamily residential community on a vacant 9.85-acre parcel. The units will be located in nine three-story buildings, situated around community open space, and will include amenities such as a two-story community center and pool, children's play area, and barbecue areas.

Los Alamos Community Plan Update EIR, County of Santa Barbara, California. Contributed to the air quality, public services/solid waste, transportation and parking, and GHG sections of the EIR for the 2010 projected community plan buildout. The Los Alamos Community Plan Update encompasses a 1.0-square-mile area and proposes revisions to the 1994 Los Alamos Community Plan that will allow for development of up to 643 new residential units and 534,709 square feet of new commercial/industrial square footage in the community.

Yokohl Ranch EIR, The Yokohl Ranch Company LLC, Visalia, California. Contributed to the preparation of the air quality and GHG sections of the draft EIR for the proposed Yokohl Ranch project and provided peer review of the air quality impact assessment prepared by the applicant's air quality consultants to ensure consistency with CEQA guidance. The project proposes development of up to 10,000 dwelling units as well as mixed-use, neighborhood commercial, commercial recreation, schools, parks, and light industrial land uses within three planning areas totaling 6,572 acres of the 36,219-acre project site.

Miramar Hotel Project, Caruso Affiliated, Montecito, California. Prepared an air quality assessment technical memorandum for the project, which is an amendment to the approved development plan for construction of a new hotel on the Miramar Hotel project site. The Miramar Hotel Remodel Project was approved by Santa Barbara County in 2008 with 186 rooms. The new proposed project represents a reduction in program and square footage from the previously approved plan and proposes development of a 170-room hotel with 258 restaurant seats, a 400-guest banquet facility, a private beach club, a spa facility, and four employee housing units.

Las Vegas/San Pedro Creeks Capacity Improvements Project, Caltrans, Santa Barbara County, California. Responsible for development of technical reports that analyze potential air quality, noise, and water quality impacts resulting from the proposed improvements to drainage systems, including upgrades or replacement of culverts and bridges and the installation of berm and flood wall along Las Vegas and San Pedro Creeks under Calle Real, SR 101, and the Union Pacific Railroad.

Mariposa at Ellwood Shores Assisted Living Facility HRA, Robert Dixon, Goleta, California. Contributed to the HRA for the proposed Mariposa at Ellwood Shores project in Goleta. The proposed assisted living facility would house up to 99 residents in 63 units. The facility includes a 350-kilowatt, diesel-fueled emergency generator; it is near the Reliant Ellwood peaking power plant and adjacent to Ellwood Elementary School. The HRA evaluated the potential health impacts from the operations of both the emergency generator and the peaking power plant on the residents of the facility and the Ellwood Elementary School.

ARCO Service Station Expansion, Bonsall Service Station LP, San Diego County, California. Responsible for preparation of air quality and GHG assessments, which include modeling of gasoline tank emissions. Dudek was contracted by Bonsall Service Station LP to provide environmental services (CEQA documentation) to raze and rebuild the ARCO ampm station located near the community of Bonsall in San Diego County. The project proposes to rebuild the existing gasoline canopy from a four- to a nine-multiproduct dispenser.

McDonald's Drive-Through at Camino Real Market Place GHG Assessment, McDonald's USA LLC, Goleta, California. Prepared the GHG analysis for the addition of a drive-through facility and related on-site parking lot to the existing restaurant. Analysis included calculation of emissions from vehicle travel and vehicle idling. Dudek provided basic planning, civil engineering, and necessary environmental studies and permitting documentation for approval of the proposed project.

Montclair Plaza Expansion CEQA Review, Best, Best and Krieger LLP, Montclair, California. Contributed to the air quality and GHG sections for a proposed commercial infill redevelopment project in the city of Montclair. The project proposes redevelopment and expansion of Montclair Plaza, an indoor, two-story shopping mall that opened in 1968 and was last renovated in 2008. The applicant's goal is to revitalize and increase the gross leasable area of the current shopping center site for greater walkability and a more upscale shopping experience.

Costco Project Air Quality Technical Report, Costco Wholesale, San Marcos, California. Prepared the air quality technical report that included modeling of project-generated air pollutant emissions and analysis of potential construction, operation, odor, health risk, and GHG impacts resulting from the proposed project, which would replace an existing Costco warehouse and Harley Davidson building with a new Costco warehouse, gasoline station, car wash, tire center, food center, and other associated improvements.

Vincent Winery Odor Abatement Plan, Aladdin Developers Inc., Santa Ynez, California. Developed an odor abatement plan to mitigate the potential for Vincent Winery to cause adverse odors to satisfy a condition of approval required by the County of Santa Barbara. The plan includes a discussion of policies and procedures for complaints, a summary of potential odor sources, and a description of methods to reduce and minimize odors.

The Villages at San Jacinto Specific Plan, City of San Jacinto, California. Contributed to an air quality assessment for a large specific plan in western Riverside County. The project included up to 1,329 residential units, a high school, 196,963 square feet of commercial and office space, and parks. The air quality assessment included an analysis of the project's GHG emissions and the impact on climate change, along with a review of project features and possible mitigation measures to reduce those emissions.

Templeton Hills Assisted Living Project, Templeton Hills Group, LLC, San Luis Obispo County, California. Prepared a memorandum that assessed potential cancer risks from diesel particulate matter (DPM) associated with siting sensitive land uses near a high-traffic-volume roadway (Highway 101) using a screening method, as recommended by the San Luis Obispo County Air Pollution Control District. The assessment was based on the protocol developed by the Sacramento Metropolitan Air Quality Management District for evaluating the location of sensitive land uses adjacent to major roadways.

635 South Citrus Avenue Mitigated Negative Declaration, Best, Best and Krieger LLP, Covina, California. Prepared the air quality and GHG emissions analysis of the mitigated negative declaration (MND) for the proposed commercial infill redevelopment project in the city of Covina. The project consists of redeveloping an automobile rental facility into an automobile dealership, with the overall purpose of revitalizing a partially vacant, aging commercial building to allow for an updated commercial use.

Rice Ranch Specific Plan, Rice Ranch Community, LLC, Orcutt, California. Prepared the GHG Emissions Technical Report and air quality and GHG sections of the impact analysis for the proposed subdivision of several hundred single and multifamily residential units on vacant parcels in the community of Orcutt.

Bacara Resort and Spa Completion Phase Project EIR, Goleta, California. Contributed to the air quality, GHG, and aesthetics/visual resources sections, as well as other required CEQA EIR sections, which analyze impacts associated

with the development of 55 resort condominiums and associated facilities within a portion of the existing hotel property located adjacent to the Pacific Ocean.

Alexander Crossings Apartments Project EIR, City of Napa, California. Assisted in preparation of air quality, GHG emissions, public services, and public utilities sections of the EIR for a 134-unit, multifamily housing project located on a 6.39-acre site in the City of Napa. The MND originally prepared for the project is in litigation, and the City has hired Dudek to prepare an EIR, which was certified in 2012.

Haskell's Landing Initial Study Initial Study/MND and Staff Report, City of Goleta, California. Contributed to the air quality and GHG sections of the initial study (IS)/MND, which analyzed the potential impacts resulting from development of 101 market-rate and affordable residences.

Eastlake Apartments, Mid Town LLC, Chula Vista, California. Contributed to the air quality and GHG emissions assessments for the construction and operation of 156 residential apartment units on a 9.3-acre site located at the southwest corner of State Route (SR) 125. Contributed to the roadway health risk assessment (HRA), which determined the potential impact to the future residents of the proposed project area due to diesel particulate matter emissions resulting from truck traffic along SR 125.

Arlington Cultural Arts Village, Arlington Theatre LLC, Santa Barbara, California. Prepared the air quality technical report for the development of 29 residential units and 10,000 square feet of commercial/retail space. Responsible for calculation of project-generated air pollutant emissions and analysis of potential construction and operational air quality and GHG impacts associated with the proposed mixed-use development.

The Festival Specific Plan EIR, City of San Jacinto, California. Contributed to the EIR air quality section and modeling of estimated project-generated emissions associated with the construction and operation of a large-scale, multiphase commercial/retail project.

Rubidoux Child Development Center, County of Riverside, California. Prepared the air quality and GHG analysis for an IS/MND for the proposed Child Development Center facility located in the community of Rubidoux. The Child Development Center is planned to be about 15,000 square feet on 1.5 acres next to a new library facility. Dudek prepared the MND and circulated it for public review in less than three weeks from notice to proceed.

Starbucks Coffee Project, Starbucks Corporation, Encinitas, California. Prepared the GHG emissions technical report that analyzed potential GHG emissions associated with development of a coffee shop with drive-through and consistency of the project with the City's Climate Action Plan. For disclosure, the analysis also compared GHG emissions associated with the project without a drive-through.

Air Quality Studies, Riverbend Sand and Gravel LLC, Fresno County, California. Contributed to the air quality impact analysis and HRA for the proposed Riverbend Sand and Gravel mine, aggregate plant, hot-mix asphalt plant, and ready-mix concrete plant located southeast of Sanger, in California's Central Valley. The ambient air quality impacts due to emissions of criteria air pollutants were evaluated using dispersion modeling in accordance with San Joaquin Valley Air Pollution Control District's guidance.

Two Rivers Cement Throughput Expansion Project, Two Rivers Cement LLC, Sacramento-Yolo Port District, Sacramento, California. Contributed to the key section of an air quality assessment for a Supplemental EIR that evaluates amending the lease with the Port of West Sacramento to increase the amount of cement permitted to be offloaded, stored, and transported from the Port. Project concerns include air quality, noise, and truck traffic in the area.

Highway 41 Quarry, Vulcan Materials Company, Madera County, California. Contributed to key section of an air quality assessment for a proposed hard rock quarry, aggregate plant, and asphalt plant. The project would involve production of approximately 2.5 million tons of aggregate and 500,000 tons of asphalt. Tasks included estimates of criteria air pollutants, toxic air contaminants, and GHGs from diesel off-road equipment, motor vehicles, and aggregate and asphalt processing equipment. It included a health risk and odor assessment and air quality impact analysis. The risk assessment and air quality impact analysis were prepared for the applicant to submit to the Madera County Planning Department for use in an EIR for the proposed project.

Emission Inventory for the Idaho-Maryland Mining Corporation, Grass Valley, California. Contributed to revisions to an emission inventory for a proposed gold mine and tile manufacturing facility in Grass Valley. Revisions included improved emission factors and estimates for mobile equipment, trucks and employee vehicles, and tile kilns and dryers. New emission estimates included several hazardous air pollutants associated with natural gas combustion and additional indirect sources (electricity and water supply) of GHGs. Audited the Microsoft Excel workbooks used to calculate the project emissions and provided recommendations for improving the assessment and potentially reducing emissions to less-than-significant levels.

El Monte Sand Mining Project EIR, County of San Diego. Contributed to the air quality and GHG emissions and energy analysis in support of the preparation of a subsequent EIR for the El Monte Sand Mining Project, which would provide locally sourced sand aggregate for use in the San Diego region. The EIR was prepared in compliance with CEQA, and ensures that information required by the public as well as County of San Diego decision makers is both adequate and available.

Jurupa Business Park Project Addendum, City of Fontana, California. Prepared the GHG report for an addendum to the Final EIR for the Jurupa Business Park project. The addendum was prepared to clarify minor changes to the Final EIR, which analyzed the development of three distribution/manufacturing buildings for various industrial and commercial uses, totaling 1,277,728 square feet of gross building area.

Newport Banning Ranch Coastal Consulting Services, Aera Energy LLC, Orange County, California. Provided coastal consulting services for the project located on a 401-acre site currently and historically used for oilfield development and production. The project includes the abandonment and re-abandonment of oil production facilities; site remediation; consolidation of existing surface oil production facilities; residential, commercial, resort, visitor-serving commercial, and community park land use development; and preservation of open space.

Dublin Canyon Road Projects, Valley Capital Realty and Mortgage, Alameda County, California. Contributed to two HRA memorandums for residential projects on Dublin Canyon Road. The screening HRAs evaluated the potential health impacts to residential sensitive receptors resulting from nearby roadways and stationary sources.

Sunrise Specific Plan, City of San Marcos, California. Contributed to the air quality and GHG emissions analyses for the technical report and EIR for the Sunrise Specific Plan. The project proposes up to 192 multifamily dwelling units on a 14.4-acre site situated at the City of San Marcos' southeastern limits.

Hughes Circuits Project, City of San Marcos, California. Contributed to the air quality and GHG emissions analyses for the technical report and EIR for the Hughes Circuits Project. The project consists of development of a 67,410-square-foot manufacturing building to support the expansion of the existing operations of Hughes Circuits Inc.

Education

San Diego State University (SDSU) Plaza Linda Verde Addendum 2, Gatzke, Dillon and Balance, California.

Prepared the CO hotspot analysis and contributed to the air quality and GHG emissions analysis. The technical memorandum studied the ramifications of the modifications to the subject segment of College Avenue for implementation of the Complete Streets Scenario and the changed circumstances on the previously certified environmental analysis contained in the 2011 Final EIR.

New Student Services and Administration Building, Riverside Community College District (RCCD), California.

Prepared the air quality and GHG analysis for the proposed project, which includes construction of a new, two-story Student Services and Administration Building with one-story elements to consolidate all student services and administration into an approximately 45,000-square-foot building that will include up to 132 existing employees.

Le Petite Ecole School Project, Gerald Gaucher, San Diego County, California. Managed and prepared the GHG emissions technical report that analyzed potential impacts associated with renovation and redevelopment of an approximately 55,560-square foot two-story office suite to accommodate an English-French pre-kindergarten through 12th grade private school over two phases. Because Phase 1 and Phase 2 involve different land uses, different land use intensity, and different operational years, the analysis evaluated emissions associated with each distinct phase to identify the potential maximum annual (i.e., worst-case) project-generated operational emissions.

Richland Elementary School Reconstruction Project, San Marcos Unified School District, California. Prepared the air quality and GHG emissions technical report and energy IS/MND assessment for the project, which entails complete reconstruction of the existing elementary school. The project includes demolition of existing school buildings and construction of new facilities, including five new buildings (with 44 classrooms), new play structures and fields, and reconfiguration of the parking and drop-off areas.

Campus Master Plan (CMP) EIR, California Polytechnic University (Cal Poly), Pomona, California. Prepared the air quality and GHG emissions assessments for the proposed CMP Revision EIR. The CMP Revision would update the previous 2000 Master Plan and govern development of the campus over the next 20 years. The air quality and GHG assessments evaluated an increase from the current population of 15,715 full-time equivalent students to 20,000 full-time equivalent students and a net increase of campus buildings of nearly 2 million square feet plus nearly 1.7 million square feet of additional public-private partnership buildings. The GHG assessment required an evaluation of the goal of reducing the energy used by campus buildings to 1999/2000 levels on per-square-foot basis and the use of reclaimed water to serve agricultural and landscape irrigation needs. The GHG assessment evaluated the net change in GHG emissions relative to current levels and to levels that would result from business as usual.

Student Housing and Dining Commons Replacement EIR, Cal Poly Pomona, California. Prepared the air quality and GHG emissions assessments for the proposed new campus student housing and dining commons. The existing dining facility and several existing residence halls have reached their usable life and need replacement. The project entails construction of seven new housing buildings, a new state-of-the-art food preparation/dining commons facility, a new central plant, transportation improvements, and other ancillary recreation and open space areas around the new building complex.

Valor Academy Expansion IS/MND, Los Angeles, California. Prepared the air quality and GHG assessment and provided technical support for noise and traffic impact analysis. Valor Academy, a private school located in the Arleta community of Los Angeles, is proposing to incrementally increase its enrollment from 200 to 480 students, establish modular classrooms on the property until construction of new classroom and administration buildings are complete, and construct a new surface parking lot over four phases of development.

West Campus Classroom and Office Building IS/MND, Santa Barbara City College (SBCC), California. Prepared the air quality and GHG IS/MND sections for the proposed project, which proposes a complex of two structures that include classrooms, staff offices, and associated infrastructure. The project represents the second of three phases of portable building removal on the college campus, locating the existing academic programs and student services into permanent buildings.

Moreno Valley Campus Parking Structure and Surge Space, RCCD, Riverside, California. Prepared the air quality and GHG technical report and associated IS/MND sections for the proposed project. The project included demolition of an existing 140-space surface parking lot and replacement with an 800-space, four-story (one floor belowground and three floors aboveground) parking garage facility that will house office space for college staff, meeting rooms, and a small retail bookstore and will be designed and built following Leadership in Energy and Environmental Design (LEED) standards.

Student/Academic Services Phase III, RCCD, Riverside County, California. Prepared the air quality and GHG technical report for construction of a student academic services facility at the Moreno Valley Campus. The proposed project consists of construction of a new three-story academic building to provide additional office and student space to support the continued growth and existing needs of the college.

Norco Network Operations Center, RCCD, Riverside County, California. Prepared the air quality and GHG technical report associated IS/MND sections for the proposed project. RCCD contracted with Dudek to prepare necessary CEQA documentation to build two new structures, a main office and maintenance structure, at the existing RCCD Norco Campus. The total building area was approximately 21,900 square feet on 2.23 acres of land.

University High School Project, San Diego City Schools, California. Analyzed potential air quality and global climate change impacts resulting from improvements to existing athletic facilities, and the replacement of natural turf with artificial turf and track surface with synthetic materials within the school's football stadium.

Energy

Block 12 Development Project, Aera Energy LLC, Kern County, California. Prepared an air quality analysis for an oil and gas development project in Kern County, California. The project consists of the development of oil production and steam injection wells, as well as associated supporting infrastructure, in an existing oil field.

North South Project, Southern California Gas Company (SCGC), San Bernardino County, California. Contributed to the preparation of the air quality and GHG analysis of the project, which will provide natural gas needed to maintain reliability and balance the available supply with customer demand within the Southern System. Primary components of the project consist of installation of a 36-inch diameter transmission pipeline extending approximately 95 miles within the counties of San Bernardino and Riverside, and rebuilding of the Adelanto Compressor Station.

Foundation Windpower IS/MND, Riverside County, California. Prepared the air quality and GHG analysis for the installation of two 1-megawatt wind turbines in unincorporated Riverside County. The wind turbines would be a maximum of 338 feet in height and located one-half mile south of Interstate 10 (I-10), within an existing gravel mining site for Robertson's Ready Mix Concrete.

Campo Wind Project EIS/EIR, Campo Reservation, California. Contributed to the air quality and GHG emissions Environmental Impact Statement (EIS) sections and technical report and the air quality, GHG emissions, and Energy sections of the EIR for the proposed 60 turbine, 252 megawatt wind energy project located on 2,200 acres under the jurisdiction of the Campo Band of Diegueno Mission Indians Reservation with a portion of the generation

transmission line facilities located on approximately 200 acres of private lands that consisted of 14 parcels in southeastern San Diego County. Ensured the analyses was complete, defensible, and prepared in compliance with NEPA and CEQA.

Haynes Generating Station Demolition Project IS/MND, Los Angeles Department of Water and Power, Long Beach, California. Prepared the air quality and GHG emissions IS/MND analysis for the project, which assessed the demolition of decommissioned Units 3–6 at Haynes Generating Station in Long Beach. Key issues evaluated in the CEQA documentation included the effects of the proposed demolition activities on nearby sensitive receptors (air quality, noise, and construction traffic), containment and removal of potentially hazardous materials, and other construction-related effects. Haynes, Scattergood, Valley, and Harbor are generating stations in the Los Angeles Department of Water and Power system that are part of the focus of the Sustainable City pLAn, which aims to have 100% carbon-free sources of energy in Los Angeles by 2050.

Valley Generating Station Demolition Project IS/MND, Los Angeles Department of Water and Power, California. Prepared the air quality and GHG emissions IS/MND analysis for the project, which included the demolition of four units at Valley Generating Station in the Sun Valley area of Los Angeles.

Healthcare

Kaiser Antelope Valley Wind Turbine Project, Kaiser Foundation Health Plan Inc., Lancaster, California. Prepared the air quality and GHG emissions analysis for the implementation of an on-site wind turbine to primarily supply power to the Kaiser Permanente Antelope Valley Medical Offices buildings and the future hospital to be constructed on site. The report also evaluated the benefit the proposed wind turbine project would have by reducing GHG emissions associated with consumption of electricity produced by nonrenewable sources (fossil fuels), which would instead be produced using project-generated wind energy.

Foothill Centre Project, The Towbes Group Inc., Santa Barbara, California. Managed and prepared the technical report that analyzed potential impacts associated with development of office buildings for use as a medical clinic, surgical center, and general office space. In addition to estimating construction and operational emissions, the report included an assessment of potential cancer risk and chronic hazard index for non-cancer health impacts associated with operation of an emergency diesel generator.

Scripps Memorial Hospital La Jolla Master Plan EIR, Childs Mascari Warner Architects, California. Served as an air quality analyst in the preparation of the project EIR and air quality technical report for the expansion of the existing Scripps Memorial Hospital La Jolla. Primary task involved analysis of potential CO hotspot impacts.

New Kaiser Medical Center Project, Kaiser Foundation Health Plan Inc., San Diego, California. Served as an air quality analyst in the preparation of the project EIR and air quality technical report for the development of 936,000 square feet of new hospital campus uses on approximately 20 acres located in the Kearny Mesa planning area in the City of San Diego.

Military

California Dry Dock Solutions, Allied Defense Recycling LLC, Vallejo, California. Contributed to an analysis of mobile source emissions associated with a proposed shipyard operation to dismantle U.S. Navy ships. The analysis included trucks and employee vehicles, mobile equipment, and paved road dust.

Municipal

California Air Resources Board (CARB) Southern California Consolidation Project, Department of General Services (DGS), Riverside, California. Contributed to the air quality and GHG emissions analysis for the consolidation and relocation of CARB's motor vehicle emissions standards development and testing to an 18-acre campus style facility. The new campus, which will be a national and international center for air pollution and climate change research, is designed to accommodate approximately 460 employees and will include approximately 800,000 square feet of testing space, chemistry laboratory space, office/administrative space, and facilities and support space (e.g., warehouse, shipping and receiving area, and vehicle wash areas). Key issues for the project were air quality and GHGs, due to vehicle miles traveled for the employees traveling to the new campus and CARB's goal to achieve net zero energy for the project. In addition to employee vehicle emissions, emissions were estimated for vehicle testing, vehicle fueling, fuel storage, boilers, a fuel cell plant, an emergency generator, chemistry laboratory, and miscellaneous operations that generate criteria air pollutant, GHGs, and toxic air contaminant emissions. A net carbon storage and sequestration analysis for the project was conducted.

Santa Monica City Yards Master Plan EIR, Santa Monica, California. Contributed to the air quality and GHG emissions analysis for implementation of the City of Santa Monica City Yards Master Plan, which would entail demolition of existing buildings/facilities and reconstruction of the City Yards Site with new buildings/facilities, infrastructure upgrades, circulation improvements, and sustainable features to address existing deficiencies. Emission sources included emergency generators, offroad equipment, welders, and fire department training.

Resource Management

Energy and Conservation Action Strategy Update, City of Vacaville, California. Contributed to the preparation of the Energy and Conservation Action Strategy (ECAS) Update, which provides a strategic road map for the City of Vacaville to meet the state's GHG reduction targets established by Senate Bill 32 and demonstrate substantial progress towards meeting Executive Order S-3-05. The year 2035 was identified as the target year, which required a reduction of approximately 54% from the 2035 business-as-usual scenario. The ECAS Update builds on the strategies and measures established by the City's 2015 ECAS, identifies GHG reduction targets, and develops locally applied actions to reduce GHG emissions from community-wide activities. Emission sectors included transportation, residential energy, nonresidential energy, water and wastewater, solid waste disposal, off-road equipment, and carbon storage. The ECAS Update identified new City policies to account for a reduction of more than 300,000 metric tons of carbon dioxide equivalent, which exceeded the City's GHG reduction target.

Yolo County Climate Action and Adaptation Plan, Yolo, California. Serving as Project Manager for the CAAP. Technical assistance focus is on the GHG inventory, GHG reduction measures, and the adaptation reduction measures, as well as preparing the plan in an understandable and engaging fashion. The County's goal is carbon negative by 2030 and the CAAP will include a Community Engagement and Equity Strategy along with extensive outreach materials and website, three types of GHG inventories (community-wide, municipal, and a consumption-based narrative), collaboration with the Resources Conservation District to identify carbon sequestration potential, identification of vulnerabilities and adaptation and resilience strategies, development of a feasible funding and financing roadmap, and preparation of an implementation and monitoring plan that integrates with the County's existing tools.

Climate Action and Adaptation Plan, Buena Park, California. Serving as Project Manager to assist the City in developing a CAAP to meet statewide GHG reduction and climate adaptation goals, with an emphasis on how the local economy in Buena Park can meaningfully contribute to emission reductions and build communitywide resilience. To do this sustainability leaders for Buena Park's tourism businesses and logistics warehouses, which

drastically impact transportation emissions, are joining an environmental working group and will collaborate with the City on policy. The CAAP includes a robust existing plan, policies, and best practices review; development of a GHG emissions inventory, forecasts, target setting, and local gap analysis; vulnerability assessment and development of adaptation measures; development of tiered GHG emission reduction measures; creative stakeholder engagement; effective implementation plan for ongoing monitoring and reporting; and a CEQA analysis and CEQA tiering mechanism. The final plan is being developed with implementation tools that ensure ease of use by city staff, and a website-focused final product that will allow residents to interact with the plan in an engaging way.

San Diego County Water Authority Climate Action Plan Update, San Diego, California. Serving as Project Manager to assist the Water Authority in preparing an updated CAP to meet current protocols and ensure integration with the Water Authority's upcoming Master Plan Update. Tasks include reviewing existing GHG emissions inventory data, development of an updated GHG baseline, establishment of forecasted business-as-usual emissions, identification of a GHG emission-reductions target and establishment of objectives, identify and evaluate GHG reduction measures that are feasible and effective (GHG reduction and cost-effective), preparation of an updated CAP document, and CEQA integration including a CEQA streamlining mechanism.

Malibu Parks Public Access Enhancement Plan, Mountains Recreation and Conservation Authority, Los Angeles County, California. Contributed to the air quality, noise, traffic and parking, and GHG sections of the EIR, which analyzes impacts associated with implementation of a comprehensive plan, consisting of a public works plan and City of Malibu Local Coastal Program (LCP) Amendment, to address park and recreational facility program needs for state-owned parklands.

Tejon Mountain Village Project, Kern County, California. Contributed to the climate change analysis for the Tehachapi Uplands Multiple Species Habitat Conservation Plan (MSHCP), which covers approximately 144,000 acres of the 280,000-acre Tejon Ranch property. The plan addresses the Tehachapi Mountains portions of Tejon Ranch, a transverse range providing an important regional linkage between the Sierra Nevada and the Coastal Ranges and provides for conservation and coverage of 27 species. Potential carbon loss for land use changes and associated removal of vegetation was included.

Rincon Trail Project, City of Carpinteria, California. Deputy project manager and lead environmental analyst for preparation of an IS and MND to assess a 1-mile segment of the Carpinteria Coastal Vista Trail in eastern Santa Barbara County. The Rincon trail is located along Carpinteria Bluffs, on lands within the jurisdictions of the City of Carpinteria and the County of Santa Barbara, and it extends within the Union Pacific Railroad and Caltrans rights-of-ways. As part of the 1,200-mile California Coastal Trail, the Rincon segment will provide a hiking and biking connection between Santa Barbara and Ventura Counties and will improve safety and access to the Santa Barbara Channel shoreline.

Yuba-Sutter Regional Conservation Plan EIR/EIS, Counties of Yuba and Sutter, California. Prepared the air quality and GHG/climate change analyses for the Yuba-Sutter Regional Conservation Plan, which will serve as an habitat conservation plan (HCP)/ natural community conservation plan (NCCP) for the Counties of Yuba and Sutter and Cities of Wheatland, Yuba City, and Live Oak. The Plan will provide endangered species coverage for commercial, residential, industrial, and associated development; public and private infrastructure; water supply and delivery facilities; waste management facilities; and HCP/NCCP management activities. Covered activities will also include operation and maintenance of public service, public and private infrastructure, recreational, transportation, flood control, and other stream-related and waste management facilities and HCP/NCCP management activities.

Tejon Ranch Ranch-Wide Carbon Storage Analysis White Paper, Kern and Los Angeles Counties, California.

Managed and contributed to an evaluation of carbon stored within approximately 250,000 acres of conserved land including permanently preserved land, agricultural land, and retained natural open space within development areas. The study area supports 111 different vegetation/land cover types, which were grouped into seven general categories for reporting: chaparral, forest, grassland, riparian and wetland, scrub, woodland, and agriculture. The white paper focused on estimating the carbon stored in two pools: aboveground live biomass (e.g., trunks, branches) and belowground live biomass (e.g., roots), and estimated carbon stored based on available authoritative sources. After estimating the snapshot of total carbon stored within the conserved lands, to understand the estimated carbon in everyday terms, the study then presented the equivalent of the carbon stored in GHG emissions from various sources, including passenger vehicles driven for one year and homes' electricity use for one year.

TerraCount Assessment for San Diego County, San Diego County, California. Project manager and GHG lead for the San Diego Association of Governments carbon storage and sequestration assessment for San Diego County using the California Department of Conservation's TerraCount tool. The analysis will estimate the carbon inventory for the natural and working lands of San Diego County to estimate the current carbon storage and forecasted trends to 2050 and report out the effects of management activities and co-benefits in the region.

Monterey Airport Focused Carbon Sequestration Analysis, Coffman Associates, Monterey County, California.

Prepared a focused carbon sequestration analysis for the Monterey Peninsula Airport Runway Safety Area Improvements project proposed by the Monterey Peninsula Airport District to address the Supreme Court of California's finding that the potential change in carbon dioxide (CO₂) sequestration from the loss of vegetation requires further study than what was provided in the 2011 EIR. The analysis estimates CO₂ emissions associated with the one-time loss of sequestered carbon resulting from proposed land use changes. This analysis also estimates a one-time carbon-stock change associated with the proposed planting of trees that will sequester new CO₂.

Monterey Regional Airport's Proposed Master Plan and Associated Development Projects Focused Carbon Sequestration Analysis, Coffman Associates, Monterey County, California. Managed and contributed to a focused carbon sequestration analysis to estimate and evaluate the potential net change in sequestered carbon associated with implementation of the proposed project and an alternative. The one-time loss of sequestered carbon resulting from proposed removal of trees and the gain of sequestered carbon from tree plantings was estimated using the i-Tree software suite developed and provided by the United States Forest Service. The carbon loss from vegetation removal (non-trees) was estimated using the California Emission Estimator Model (CalEEMod).

As-Needed Environmental Services for the State Water Project, Division of O&M, Castaic, California. Contributed to the air quality and GHG emissions analyses for projects under the California Department of Water Resources State Water Project contract—specifically, the Sisk Dam Safety Project Subsequent EIR.

Transportation

San Diego Association of Governments (SANDAG)/Caltrans Public Works Plan, Kimley-Horn & Associates, San Diego County, California. Contributed to the Public Works Plan, specifically the Energy Conservation and Emissions Reduction Chapter and the LCP/Plan Consistency Analyses. Dudek was contracted on the proposed transportation improvements to I-5 and the Los Angeles–San Diego Rail Corridor in northern San Diego County. Improvements to I-5 proposed by Caltrans District 11 will include adding managed and general-purpose lanes from La Jolla Village Drive in the city of San Diego to Harbor Drive in the city of Oceanside, including a number of bridge and interchange structures.

Cesar Chavez Boulevard Improvement, KOA Corporation, Calexico, California. Prepared an Air Quality Study Report and an Air Quality Conformity Analysis for the project, which proposes the widening of Cesar Chavez Boulevard to five lanes (from 2nd Street to SR 98) and implementation of additional improvements including surface rehabilitation, turn lanes, traffic signal, lighting, and sidewalks. The purpose of the project is to improve traffic operations, accommodate cross-border vehicular access to the Land Port of Entry, and accommodate local access along Cesar Chavez Boulevard. The Air Quality Conformity Analysis included a Transportation Air Quality Conformity Findings Checklist and a PM Conformity Hot Spot Analysis Project Summary for Interagency Consultation with the Transportation Conformity Working Group.

Concord Bay Area Rapid Transit (BART) Station Air Quality, NCE, Contra Costa County, California. Prepared an Air Quality Conformity Analysis for the project, which proposes to improve bicycle and pedestrian access to the Downtown Concord BART station. The project includes corridor enhancements along five roadways in Downtown Concord to provide last mile bicycle and pedestrian connections to the Concord BART station from the east, south, and west, and would also include bicycle detection at multiple signals, two enhanced crosswalks, and a raised intersection. This report is provided all information needed to support a full project-level conformity determination.

I-210 Soundwall Phase III Improvements Project, Ardurra, La Cañada Flintridge, California. Prepared the air quality and GHG emissions analysis for the project, which includes development of three soundwalls totaling approximately 5,310 feet in length. The analysis included Clean Air Act transportation conformity, estimated construction emissions, and a GHG emissions analysis to support Executive Order B-30-15.

I-5/Grapevine Interchange Improvement Project, Tejon Ranch Corporation, Kern County, California. Prepared the preliminary air quality and climate-change technical memorandum pursuant to Caltrans's Guidelines for Preparing a Preliminary Environmental Analysis Report (PEAR) for Project Study Report/Project Development Support. Four build alternatives were analyzed. Under the build alternatives, the existing interchange would be replaced with a new interchange and a new, separate local road overcrossing would be constructed over I-5. The local road overcrossing would also be designed to accommodate "complete streets" concepts for roadways, such as prioritizing bicycle travel and enhancing pedestrian travel. Under two build alternatives, the existing southbound I-5 Commercial Vehicle Enforcement Facility would be relocated.

Water

Orange County Sanitation District Facilities Master Plan, Project No. PS17-08. Prepared the air quality, GHG emissions, and energy sections of a Program EIR for the Sanitation District's 2017 Facilities Master Plan. The analysis covers projects included in a 20-year Capital Improvement Program to ensure that the Sanitation District can sustain its infrastructure, meet future regulatory requirements, and continue to provide a reliable service to the public. These include facilities at Reclamation Plant No. 1 in Fountain Valley, Treatment Plant No. 2 in Huntington Beach, the sewer collection system, and improvements at various pump stations. All 75 project- and program-level projects were evaluated quantitatively at either a project-level or representative project approach.

Pure Water Program, North City Project, EIR, City of San Diego, California. Contributed to the air quality and GHG technical analyses for the North City Project which proposed to produce 30 million gallons per day of potable recycled water. This included expansions of existing water reclamation facilities, construction of new treatment facilities, and installation of 29 miles of new pipeline. The project included installing landfill gas fueled power generation at the existing treatment facility. A health risk assessment was prepared as part of the project for both construction and operation. This project utilized the City's Climate Action Plan (CAP) Checklist to evaluate the project's impact to GHG emissions.

Olympic Well Field Restoration and Arcadia Water Treatment Plant Project, City of Santa Monica, California.

Prepared the air quality, GHG emissions, and energy assessment for the project, which aims to enhance sustainability of the City of Santa Monica's water supply through developing alternative water supplies and expanding local groundwater supplies to eliminate reliance on purchase of imported water supplies. The Project would accomplish this goal through the restoration of the Olympic Well Field's pumping capacity, expansion of local groundwater production and concurrent reduction of imported water supply, conveyance of the extracted groundwater to a new Olympic Advanced Water Treatment Facility (co-located at the Arcadia Water Treatment Plant) via a new dedicated pipeline, and upgrades to the Arcadia Water Treatment Plant with an innovative concentrate treatment technology to increase production efficiency and produce additional potable water production while reducing concentrate discharges to the sewer system.

Wheeler Reef Subsequent EIR, California State Lands Commission, San Clemente, California. Prepared the subsequent EIR air quality, GHG emissions, and energy analyses of the effects of expanding the existing Wheeler North Reef by an additional 210 acres. Emissions were estimated for tugboats and other marine vessels, off-road equipment, and on-road vehicle travel. For the tugboats, transit, maneuvering, and hoteling emissions were separately evaluated for each air basin (South Coast Air Basin, San Diego Air Basin, and outside of United States waters), as applicable, under unmitigated and mitigated conditions.

San Diego Regional Water Quality Control Board Former Naval Training Center Boat Channel Sediment Remediation Project. Contributed to the air quality and GHG emissions assessments of proposed remedial actions including dredging of contaminated sediment, dewatering on a barge, testing of dredged materials, vessel transport to Naval Base San Diego (between Piers 11 and 12), and truck transport of dredged materials to the Copper Mountain Landfill disposal facility in Wellton, Arizona. The air quality and GHG emissions analysis estimated emissions from operation of a tugboat, work boat, derrick barge, and vibracore sampler, as well as truck trips and worker vehicle trips.

Distribution System Infrastructure Protection Program (EIR, Metropolitan Water District of Southern California, Orange County, California. Prepared the air quality and GHG emissions analyses for the Program EIR for the Orange County region Operations and Maintenance Plan and Capital Investment Plan. The EIR includes analyses for approximately 300 facility sites in Orange County.

Distribution System Infrastructure Protection Program EIR, Metropolitan Water District of Southern California, San Bernardino, California. Prepared the air quality and GHG emissions analyses for the program EIR for the Western San Bernardino County Region Operations and Maintenance Plan and Capital Investment Plan.

San Bernardino County Master Storm Water System Maintenance Program EIR, San Bernardino County Flood Control District, California. Contributed to the air quality and GHG emissions analyses for the program EIR for maintenance of approximately 500 flood-control facilities within San Bernardino County, including channels, dams, basins, groins, storm drains, levees, and spreading grounds. Projects were evaluated using a representative project approach, which allows for estimation of emissions from activities by modeling representative projects for each activity and scaling emissions appropriately to account for anticipated maximum daily and annual maintenance activities.

Lakeland Village Master Drainage Plan Program, County of Riverside, California. Contributed to preparation of a program EIR for the District's Lakeland Village Master Drainage Plan, including air quality and GHG emissions analyses. Master drainage plans are long-term planning documents that identify facilities and locations for future storm drain infrastructure. The storm drain facilities will be built over 10 to 30 years; therefore, a program EIR will be

prepared to outline the environmental analysis and framework for future mitigation that may be needed when a specific facility is to be constructed.

Coastal Treatment Plant Export Sludge Force Main Replacement Project, South Orange County Wastewater Authority, Aliso Viejo, California. Prepared the air quality and GHG EIR sections for the replacement of approximately 16,600 feet of two existing parallel 4-inch pipelines between the Coastal Treatment Plant and Alicia Parkway with a single 6-inch force main made of high-density polyethylene, which would minimize anticipated corrosion challenges.

Bandicoot and Oak Hills Basins IS/MND Project, County of San Bernardino, California. Prepared an air quality assessment and CEQA documentation for the construction of two storm-water detention basins to provide additional flood protection for the existing downstream structures, residences, businesses, and for public safety due to historic flooding within the project area.

Temescal and Dawson Canyons Pipelines and Non-Potable Water Tank IS/MND, Temescal Valley Water District, Riverside County, California. Prepared an air quality and GHG assessment for the construction of a 6,700-linear-foot Temescal Canyon Pipeline, an 11,800-linear-foot Dawson Canyon Pipeline, and a 1.5-million-gallon non-potable water tank, located in unincorporated Riverside County.

Plano Forcemain CEQA Services, Santa Margarita Water District, Irvine, California. Prepared the air quality and GHG assessment for the relocation of the Plano lift station force main from underneath Tijeras Creek onto a new bridge crossing the creek. The bridge would be built within the District's existing 100-foot wide permanent easement. The project would also include the construction of a new lift station and 3-inch to 6-inch diameter sewer line in the Cañada Vista Park for new sewer service at the park.

Recycled Water MNDs, El Toro Water District (ETWD) Orange County, California. Prepared an air quality assessment and CEQA documentation (IS/MND, MND Addendum, and CEQA Plus analysis) for the expansion of the ETWD Water Recycling Plant to provide for the delivery of up to 1,175 acre-feet per year of additional tertiary-treated recycled water to existing dedicated irrigation customers within the ETWD service area. Separate evaluations were conducted for the water recycling plant expansion and the distribution system. The assessment included estimates of construction and operational emissions of criteria air pollutants and GHGs.

Biodiesel Feedstock Production Facility, Eastern Municipal Water District (EMWD), Perris, California. Prepared an air quality assessment for a biodiesel feedstock production facility at the Perris Valley Regional Water Reclamation Facility. The facility would process approximately 5 million gallons of trap waste annually, which is anticipated to result in an estimated 200,000 gallons of recovered biodiesel feedstock product for production of biofuels. The assessment included estimates of construction and operational emissions of criteria air pollutants and GHGs. The operational mobile source calculations relied on EMFAC2011-generated emission factors for trucks. Boiler emissions were based on Environmental Protection Agency (EPA) emission factors and compliance with the South Coast Air Quality Management District (SCAQMD) rule for small boilers and water heater.

West Padaro Lane Sewer Main Line Extension IS/MND, Douglas Harris, Carpinteria, California. Prepared the air quality and GHG assessment for the proposed 4,100-foot long extension of a Carpinteria Sanitary District sewer main that would be aligned along a rural residential street that parallels the coastline about 600 feet from the shore.

Hay Ranch Water Extraction and Delivery System, Coso Operating Company LLC, Coso Junction, California. Contributed to the air quality and GHG sections of the environmental assessment, which analyzed the construction of a groundwater extraction and pipeline delivery system from the Coso Hay Ranch to the water distribution station and injection system located at the Coso Geothermal Field.

Eric Schniewind

GEOLOGIST, HYDROLOGIST, HAZARDOUS MATERIALS SPECIALIST

Eric Schniewind (*AIR-ik SHNEE-wind, he/him*) has 30 years' experience as a geologist, hydrogeologist, hydrologist, and hazardous materials specialist in environmental consulting, with the last 20 years focusing on California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) environmental review. His technical background includes geotechnical engineering, soil and groundwater contamination investigations, environmental remediation planning and implementation, and Phase I Environmental Site Assessments (ESAs). In addition, Eric has been involved in fault trace identification and landslide hazard studies. His general responsibilities have included providing geological, geotechnical, hydrogeological, and hazardous materials technical support for CEQA/NEPA documents, such as Environmental Impact Reports (EIRs), Environmental Impact Statements (EISs), and environmental assessments (EAs).



Education

*University of California,
Santa Barbara
BA, Geological Sciences*

Mr. Schniewind has contributed CEQA analysis for a wide range of projects located throughout California, including water infrastructure, wastewater treatment plants, groundwater water supply programs, commercial developments, large-scale residential developments, shoreline projects involving sea-level-rise issues, solar and wind energy developments, petroleum refineries, electric grid transmission projects, sports and entertainment arenas, General Plan updates, high-rise developments, military base redevelopments, port redevelopments, transportation improvements, hospital expansions and redevelopments, airports, rocket engine testing, research and development facilities involving radioactive materials, large-scale hazardous materials remediation projects, and landfill expansions and redevelopments (also including joint CEQA/NEPA projects). His NEPA experience has included projects for or including the California Coastal Commission, U.S. Navy, U.S. Department of Energy, U.S. Bureau of Reclamation, U.S. Department of Housing and Urban Development, and U.S. Veterans Affairs throughout the western United States.

Previous Project Experience

Creekside Village Specific Plan Draft EIR, El Dorado County, California. Provided analysis for the geology and hydrology sections of the EIR for this mixed-use Specific Plan that covers over 200 acres in unincorporated El Dorado County. Analysis involved substantive changes to drainage patterns to an expansive undeveloped area.

Trails at Lyons Canyon Project Draft EIR, Los Angeles County, California. Prepared the geology, hydrology, and hazardous materials sections of the Draft EIR for this large-scale development on over 230 acres that would include development of residential units, a recreation center, a future fire station, flood control facilities, open-space and pocket parks, internal roadways, and a water tank.

Hunter Subdivision Project EIR, City of St. Helena, California. Provided analysis for the hydrology and utilities sections of the EIR for this controversial project. Analysis involved a thorough evaluation of water supply and groundwater resources that would be associated with this new development. In addition, the site is protected

by a levee that is not certified by the U.S. Army Corps of Engineers (USACE), but is designed to provide 200-year flood protection.

Aviara Apartments Project Joint EIS/EIR, City of Carlsbad, California. Provided the analysis for the geology, hydrology, and hazardous materials sections of the EIS/EIR, where the primary environmental issues associated with the project included slope stability, drainage control changes, and the potential for legacy contaminants. The project involved developing a multifamily apartment community on two different parcels that had former industrial and commercial land uses.

Bella Linda Residential Development EIR, City of Temecula, California. Analyzed potential impacts related to geology, hydrology, and hazardous materials for a residential development in the City of Temecula on a site that is adjacent to Pechanga Parkway and Loma Linda Road. The project included 325 apartment units and 49 senior family units and would require General Plan and zoning amendments resulting in a change from the existing Professional Office designation to Medium Density Residential.

Brisbane Baylands Specific Plan EIR, City of Brisbane, California. Prepared the geology, hydrology, and hazardous materials sections of the EIR for a Specific Plan for an approximately 600-acre planning area in the City of Brisbane. The brownfield site was formerly occupied by a landfill and a railroad yard. The Specific Plan presented for evaluation included a variety of land uses, such as commercial/retail, research and development, civic/cultural, institutional, industrial, residential, and public space/open space. Upon completion, the proposed project would include more than 7 million square feet of nonresidential development and approximately 5 million square feet (4,500 units) of medium- to high-density residential development. Major issues included settlement of nonengineered fill and waste materials, hydrology, hazards/hazardous wastes, geology and ground settlement/stability, and sea level rise.

Solaris Business Park Specific Plan, Draft EIR, City of Escondido, San Diego County, California. Provided the analysis for the geology, hydrology, hazards, and hazardous materials sections of the EIR for this proposed business park on largely undeveloped land. The 45 acre-site would include a variety of office, research and development, industrial, and hospital land uses to support the neighboring hospital facility. The project site is located on a rocky hillside that would require rock blasting for the purposes of foundation construction.

Insite 1450 Artesia Specific Plan EIR, Gardena, Los Angeles County, California. A mixed-use redevelopment is proposed for this underutilized, blighted property that includes historical sumps that were used for disposal of sludge wastes, refinery wastes, and other hazardous substances. Redevelopment plans would include remediation of site and vapor controls to protect future inhabitants. Provided the analysis of the geology, hydrology, and utilities sections of the EIR.

Western South of Market Community Plan, Rezoning of Adjacent Parcels and 350 Eighth Street Project EIR, City of San Francisco, California. Provided the analysis for the geology, hydrology, and hazardous materials sections of the EIR that addresses environmental impacts of the Western South of Market (SoMa) Community Plan, Rezoning of Adjacent Parcels, and the 350 Eighth Street Project. These three geographically related projects are located in an area generally bounded by Market, Fourth, Townsend, and 13th Streets in San Francisco. The Western SoMa Community Plan was developed through a community-driven planning process and seeks to protect existing residential enclaves and districts, while attempting to channel commercial and office growth to the southern portion of the plan area, closer to the Caltrain tracks along Townsend Street. Issues included seismic hazards, legacy contaminants, and changes to drainage patterns.

Treasure Island Naval Base and Yerba Buena Island Redevelopment Plan EIR, City of San Francisco, California. Hazardous materials specialist and geologist for the EIR on the redevelopment of the former naval base that had a long

history of hazardous materials use. The base was divided into separate areas determined by historical releases of a wide range of contaminants. The proposed project included development of wetland for treatment of stormwater runoff. Geotechnical hazards at the Treasure Island site included the placement of unengineered fills that are comprised primarily of dredged sediment, the presence of soft Bay Mud deposits, a perimeter berm that is founded on hydraulically placed dredged sediments, liquefaction, settlement, and lateral spreading.

Sunnydale-Velasco Housing Reconstruction EIR, City of San Francisco, California. Conducted the analysis for geology, hydrology, and hazardous materials sections of the EIR for this Focused EIR on the 50-acre Sunnydale-HOPE Redevelopment Plan Project located in San Francisco along the bay shoreline. Key environmental issues analyzed included exposure to seismic hazards, such as slope stability and settlement.

Central District Redevelopment Plan EIR, Oakland, California. Provided the geology, hydrology, and hazardous materials sections of the EIR associated with future development and activities that could occur with proposed amendments to the Central District Redevelopment Project Area in downtown Oakland. This program-level document identified appropriate mitigation measures that would reduce the potential effects of future development. Key issues included tsunami runup, seismic ground-shaking hazards, and settlement associated with soft compressible Bay Mud deposits.

Saddle Crest Homes EIR, Orange County, California. Authored the geology and hydrology sections of the EIR for a proposed residential development in unincorporated Orange County within the Foothill/Trabuco Specific Plan. Project included development of approximately 65 homes with an average lot size of 20,000 square feet on 113 acres. Project comprised analysis of two project designs where issues included flooding, seismic hazards, and slope stability.

Bayview Development EIR, Contra Costa County, California. Conducted technical analysis and data review on landslide hazards for a controversial hillside development and the hydrology and hazardous materials analysis for the EIR. This project required large-scale grading efforts that left relatively steep slopes above proposed residential development. Various geotechnical grading, drainage, and other geotechnical mitigation measures were proposed to ensure slope stability.

Oak to Ninth Avenue Waterfront Development EIR, City of Oakland, California. Analyzed the various geotechnical challenges associated with shoreline development on Bay Mud, soil and groundwater quality issues, shoreline erosion potential, effects of dredged sediments for use as fill, and the presence of contaminated subsurface materials and their potential impacts to the public. The project would redevelop an underutilized maritime industrial area along the Estuary and the Embarcadero into a revitalized area. As part of a Port of Oakland endeavor, this project would also include a new wetland at the mouth of Clinton Basin.

Gateway Village Project-Specific EIR, Madera County, California. Prepared the geology and hydrology sections for a Program EIR for the Gateway Village project, a mixed-use development of residential, retail, office, open-space, and public facilities located north of Fresno along State Route 41. The EIR documented potential impacts associated with implementation of the project's Area Plan, Specific Plan, and Infrastructure Master Plan and will be used to the extent feasible by Madera County in approving subsequent phases of the project. Analyzed existing technical reports to address water supply, hydrology and water quality, and soils/geology issues.

Huntington Village Specific Plan, Draft Subsequent EIR, City of Arcadia, Los Angeles County, California. Provided the analysis for the geology and hydrology sections of the EIR, which addresses environmental impacts associated with the implementation of the Specific Plan. The analysis considered the redevelopment across the 11.5-acre site that would demolish existing structures to create new residential and commercial land uses at the site.

South Bay Area Plan, Draft Program EIR, Los Angeles County, California. Prepared the CEQA analysis for the geology and hydrology issue areas for this program analysis, which would guide future development within seven different County communities and provide land use and zoning changes to facilitate additional housing and commercial uses. While the program does not include specific development, the analysis had to consider a full buildout scenario with zoning changes.

Mesa Verde Specific Plan, Draft Subsequent EIR, City of Calimesa, Riverside County, California. Provided the analysis for the geology, hydrology, and hazardous materials sections of the SEIR, which addresses environmental impacts associated with the amended Specific Plan. The analysis considered the phased development across the nearly 1,500 acre site that would develop currently vacant land with residential units of varying densities, a Business Park, commercial, school, and open space/parkway land uses.

Housing Incentive Overlay Zone, Draft EIR, City of Fullerton, Orange County, California. Conducted the analysis for the hydrology, minerals, and utilities sections of the Draft EIR (DEIR), which addresses environmental impacts associated with the City's Program to apply a housing overlay on 759 parcels across the City to accommodate the City's Regional Housing Needs Assessment (RHNA) goals. The analysis considered the potential impacts of redeveloping these parcels even though the project does not include specific development.

Clara Oaks Specific Plan, Draft Subsequent EIR, City of Claremont, Los Angeles County, California. Provided the analysis for the geology and hydrology sections of the DEIR, which addresses environmental impacts associated with the phased development across the 103-acre site that would develop currently vacant land with 40 individual residential lots as well as a public trail parking lot/drainage lot and booster pump station, potable water tank site, open-space areas, on-site access roads, and associated utility infrastructure.

City of Sacramento 2040 General Plan, Master EIR, City of Sacramento, California. Provided the analysis for the geology, hydrology, and utilities sections of the Master EIR, which addresses environmental impacts associated with the implementation of the updated 2040 General Plan. The analysis considered development across the City and all the inherent hazards that are present within the City with the new General Plan policies constructed to mitigate impacts.

Dublin Sphere of Influence Project EIR, Danville, California. Conducted technical analysis of geologic impacts associated with the Dublin Preserve Sphere of Influence and General Plan Amendment to support developing 1,450 acres of land in Alameda County at the eastern edge of the City of Dublin into the Dublin Sphere of Influence. The project would also amend the Dublin General Plan and Eastern Extended Planning Area to incorporate the same. Key issues included transportation access, development in proximity to Cottonwood Creek that bisects the site, preservation of steep undeveloped hillsides and grasslands, and consideration of potentially historical farms.

Bay Point Waterfront Strategic Plan EIR, San Francisco, California. Evaluated geologic and hydrologic impacts for the EIR for the proposed Bay Point Waterfront Strategic Plan. The redevelopment agency proposed to revitalize the Bay Point waterfront area by developing a full-scale marina with related commercial/support uses, medium-density housing, interconnected open space and pedestrian walkways, and natural open space. A majority of the Plan Area is located within the jurisdiction of the San Francisco Bay Conservation and Development Commission. The Plan also required an amendment to change both the urban limit line and the land use designations for some portions of the site.

Attachment D

Bat Survey

June 7, 2024

Andrew Daymude, Vice President of Community Development
Highland Fairview
14225 Corporate Way
Moreno Valley, California 92553

Subject: Results of Bat Roost and Acoustic Monitoring Surveys for the Aquabella Project, Riverside County, California

Dear Mr. Daymude:

The following summarizes a survey for bat species conducted by Dudek within the Aquabella project site (project site), and within a 100-foot buffer of the project site boundary (study area), from March 19 to March 26, 2024. This report provides methods and results of the surveys and discusses conclusions supported by these results.

1 Introduction

The purpose of the survey was to inspect any areas that could support crevice or foliage roosting bat species and collect acoustic data on bat species potentially active in the study area. Particular focus was on the potential for special-status bats, including but not limited to Townsend's big-eared bat (*Corynorhinus townsendii*), western red bat (*Lasiurus frantzii* [formerly *L. blossevillii*]), western yellow bat (*Lasiurus xanthinus*), and California mastiff bat (*Eumops perotis californicus*), all of which are California Species of Special Concern and known to occur in the project site region, to occur within the project site and study area. In general, bats require sheltered locations to roost during the day and surrounding habitat with a suitable insect prey base for foraging at night. Bats use roost sites for hibernation, mating, rearing young, and avoiding inclement weather and predation and can roost in a variety of natural and artificial substrates including trees and snags, bridges, culverts, and buildings (Kunz and Fenton 2003). Common species occurring in Southern California include Brazilian free-tailed bat (*Tadarida brasiliensis*), big brown bat (*Eptesicus fuscus*), Yuma myotis (*Myotis yumanensis*), California myotis (*Myotis californicus*), and fringed myotis (*Myotis thysanodes*), among others. Less-common species that may sometimes roost in buildings, trees, and cliff faces include Townsend's big-eared bat, little brown bat (*Myotis lucifugus*), and pallid bat (*Antrozous pallidus*) (Kunz and Martin, 1982; Wilkins, 1989).

2 Methods

2.1 Project Location and Site Description

The project site is generally located in western Riverside County, south of State Route 60 (Moreno Valley Freeway), east of Lasselle Street Road, north of Iris Avenue, and west of Oliver Street, and is bisected by Nason Street (Figure 1, Project Location; figures are attached at the end of this report). The project site is on Assessor's Parcel Numbers 486-300-013, 486-310-036, 486-310-014, 486-320-012, 486-320-009, 486-300-012, 486-320-010,

486-320-013, 486-320-011, and 486-310-035, and associated rights-of-way. The latitude and longitude for the approximate center of the project site are 33° 54' 12.94" N and 117° 11' 49.39" W, and the site is mapped on the U.S. Geological Survey Sunnymead quadrangle, Sections 15, 16, 21, and 22 of Range 3W, Township 3S.

The project site is generally flat, with elevations ranging from 1,490 feet to 1,560 feet above mean sea level. The site has experienced substantial disturbance from historical agricultural activities and previous grading, which have occurred off and on across the entire site over the past two decades. In several areas, shallow basins have formed as a result of the initial grading of the site, particularly in association with contouring for a planned artificial lake feature and on flat graded pads that are found across the site where soil compaction allowed for shallow depressions to occur. Only 6% of the project site supports areas of native vegetation, most of which is within the riparian vegetation area extending along the southern edge of the existing County flood control channel that was established and preserved as mitigation in association with previously acquired state and federal wetland permits. Additional areas of more sparse riparian vegetation occur in the central area of the project site, south of Cactus Avenue and west of Nason Street.

Currently, the project site is predominantly characterized as highly disturbed and developed. The majority of the site is either in a disturbed condition or supports existing development, while the rest is dominated by non-native grasses and forbs, primarily due to past agriculture and grading activities. As a result of the high level of historical disturbances, the project site does not support the original natural landscape or soil surfaces that occurred prior to disturbance.

2.2 Bat Focused Surveys

2.2.1 Roosting Habitat Assessment

Prior to conducting the field survey, Dudek bat biologist Jacob Rogers conducted a desktop review to identify potential roosting habitat such as buildings, bridges, and trees. Additionally, data included in the National Hydrography Dataset (USGS 2024) and National Wetlands Inventory (USFWS 2024) were reviewed to determine the location of any mapped drainages or waterways that could potentially provide suitable foraging and/or roosting habitat for bats.

Following this review, Dudek biologists Jacob Rogers and Steven Neumann conducted a field assessment within the project site to identify and evaluate potential bat roosting and hibernaculum sites (e.g., buildings, tree snags, culverts and roadway overpasses, rock outcroppings). Potential bat roost sites were surveyed during daytime hours when bats would be roosting and bat sign (e.g., guano, staining) would be visible. Dudek also recorded information on any potential suitable roosting locations immediately adjacent (within the 100-foot survey buffer) to the project site. During the roost site assessment, all current white-nose syndrome decontamination protocols were followed to prevent spreading the fungus that causes white-nose syndrome in many bat species. Potential locations for later bat emergence surveys and passive acoustic monitoring of bat activity were also identified during the roost assessment.

2.2.2 Emergence Surveys

The emergence surveys included monitoring for visual signs of bat emergence at the highest-quality potential roosting habitat observed on the project site during the roost habitat assessment, i.e., the riparian trees and

vegetation that lined the County flood control channel along the southern boundary of the project site (see Figure 2 below). The surveys were conducted from 30 minutes prior to sunset to 90 minutes after sunset. Prior to sunset, Dudek biologists positioned themselves to view the trees from opposite directions, particularly near locations where bats could potentially emerge from any active roost sites. Dudek visually monitored the survey area until lighting conditions after sunset no longer permitted visual observation. In conjunction with the visual monitoring, Dudek biologists used an Echo Meter Touch 2 Pro bat detector attached to an iPhone to monitor any bat activity that may occur during the emergence surveys.

2.2.3 Acoustic Monitoring and Analysis

Passive acoustic detectors record the high-frequency sounds emitted by echolocating bats and reduce the need to capture, handle, stress, or alter the behaviors of the animals being monitored (Schwab and Mabee 2014). Passive acoustic surveys also provide the ability to study multiple sites simultaneously and are generally less labor intensive than capturing bats; the use of acoustic detectors have become standard methodology in the study and survey of bats (Rydell et al. 2017; Towsey et al. 2014).

For the passive acoustic monitoring, Dudek biologists deployed two Wildlife Acoustics SM4BAT full spectrum acoustic detectors within the project site (see Figure 2 below). The detectors were deployed for one week (7 monitoring nights) in order to reach a >90% confidence level of detecting all bat species present within an approximate 100-meter perimeter around each detector. Each detector recorded echolocation calls from 30 minutes prior to sunset to 30 minutes after sunrise during the sampling period. The detectors were secured in a box with an omnidirectional microphone raised on an approximately 6-foot pole (see photos below).

At the completion of the acoustic monitoring period, individual call files were downloaded and analyzed to determine the species detected using Sonobat 4.2 software. The analysis included a combination of data review by the software as well as manual vetting of individual recordings by viewing digital sonograms of the calls. Clear recordings with two or more echolocation pulses were defined as a “bat pass.” Recordings were processed and analyzed within the U.S. West suite of Sonobat 4.3.0 software (Sonobat Bat Call Analysis Software, USA). Sonobat software first scrubbed files to remove recordings without bats, then classified and/or identified remaining files to species level.

Following data processing, any questionable or ambiguous identifications were manually vetted to either confirm or correctly identify the recording using available reference files and classification keys. Total bat passes indicate activity levels at a detector site, not the total number of individual bats found, as one bat can record multiple echolocation calls.

Dudek biologists conducted the daytime inspection for potential bat roosting, the visual emergence surveys, and active acoustic monitoring under favorable weather conditions.

3 Results

3.1 Roosting Habitat Assessment

No suitable bat roosting habitat was determined to be present within the project site, either within the disturbed areas that dominate the project site or within the riparian trees within the County flood control channel along the southern boundary. Furthermore, no suitable roost habitat was observed immediately adjacent to the project site.

3.2 Emergence Surveys

As previously noted, the emergence surveys focused on the riparian trees and vegetation area within the flood control channel along the southern boundary of the project site as this area provided the only potential bat roosting habitat. No bats were observed emerging from the riparian trees and vegetation during the survey period.

3.3 Acoustic Analysis

A total of 1,263 bat passes were identified to the species level during the 7-night passive acoustic monitoring effort. Only two species, both considered common, were identified within the confirmed bat pass call files: Brazilian free-tailed bat (1,214 passes; 96.1%) and California myotis (49 passes; 3.9%). The identifiable bat passes corresponded to a low-to-moderate level of activity. The result of the acoustic monitoring is indicative of foraging activities in a given area and are typically not representative of a colony of bats that would be emerging from a roost, which can generate thousands of calls in a single night. The bats recorded during the passive monitoring effort were presumably foraging within the study area and roosting elsewhere in the project site region.

4 Conclusions

As noted above, no roosting bats were detected during the survey. The disturbed habitat that dominates the site is primarily non-native grassland and does not provide the resources required for bat roosting. Dudek examined the trees within the County flood control channel for any obvious signs of foliage-roosting bats and monitored the trees during emergence surveys. The trees and shrubs there are generally small, short, and lack crevices, hollow trunks, or thick foliage—characteristics that tree-roosting bats generally utilize. Furthermore, the flood control channel generally experiences high levels of noise and human activity disturbances from development which essentially surrounds the project site. Active acoustic monitoring results during the emergence survey support the absence of roosting bats in this channel. In addition, passive acoustic analysis did not detect any foliage-roosting bats using any part of the project site during the survey period.

Passive acoustic monitoring results indicate a fairly low level of bat activity and bat diversity. Additionally, greater bat activity was acoustically detected along the County flood control channel at the project site southern boundary than within the disturbed grassland characterizing most of the remainder of the site. Because of the riparian vegetation along the channel, it is likely that this feature provides more insect resources for foraging bats, thus resulting in more bat activity being recorded.

As previously noted, only two common bat species were acoustically recorded: Brazilian free-tailed bat and common myotis. Brazilian free-tailed bats were the most actively recorded during acoustic monitoring. These bats are abundant throughout their range, roost in large groups, travel long distances nightly while foraging, and are often found foraging over uncluttered open environments such as that within the project site. These bats require structures for roosting, like buildings, bridges, and caves. Furthermore, this species is known to roost communally in large groups, and roosts are conspicuous and easy to locate; however, no such roosts were detected within the study area.

California myotis are also common and abundant throughout California. They generally prefer to roost in crevices and could possibly be using nearby cliff face crevices as roosts. This species uses desert, chapparal, woodlands, and forests as foraging habitat. The common California myotis was detected only at and near the County flood control channel.

In conclusion, only two common bat species were detected during the project site surveys; no bat species considered of special status by state and/or federal resource agencies were detected during the surveys, and no bats were observed to be roosting within the study area. Therefore, proposed development within the project site is not expected to result in any adverse impacts to roosting bats.

If you have any comments or questions regarding the contents of this report, feel free to contact Tommy Molioo at 949.373.8321 or tmolioo@dudek.com or Jacob Rogers at 805.450.5414 or jrogers@dudek.com.

Sincerely,



Tommy Molioo
Senior Bat Biologist



Jacob Rogers
Bat Biologist

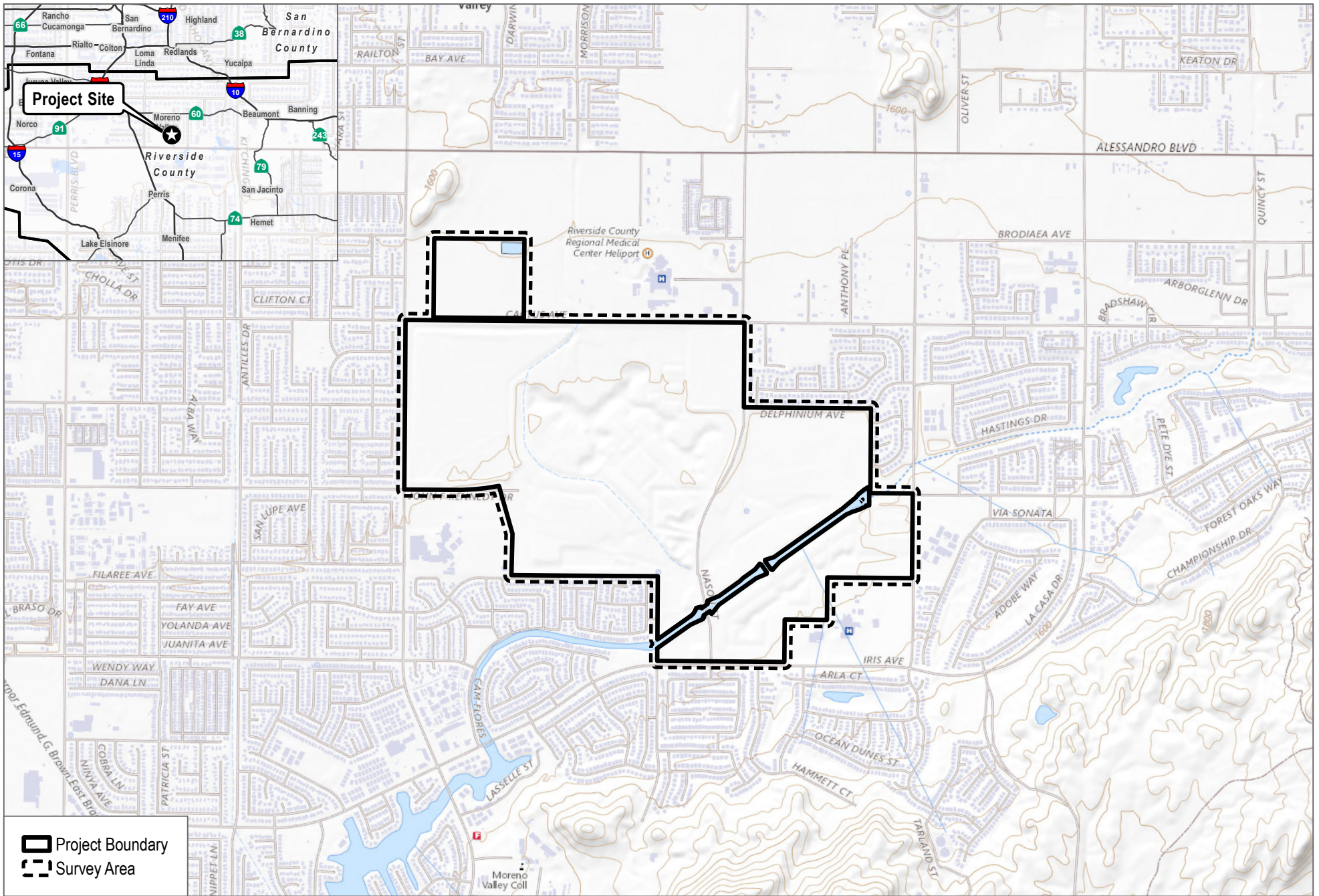
Att.: *Figures*
Photo Log
cc: *Keith Babcock, Dudek*

5 References

- Ammerman, L. K., C. L. Hice, and D. J. Schmidly. 2012. *Bats of Texas*. College Station, Texas: Texas A&M University Press.
- Kunz, T.H., and M.B. Fenton, eds. 2003. *Bat Ecology*. Chicago: University of Chicago Press.
- Kunz, T.H., and R.A. Martin. 1982. *Plecotus townsendii*. Mammalian Species, No. 175. American Society of Mammalogists.
- Rydell, J., S. Nyman, J. Eklöf, G. Jones, and D. Russo. 2017. "Testing the Performances of Automated Identification of Bat Echolocation Calls: A Request for Prudence." *Ecological Indicators* 78:416–420.
- Schwab, N., and T. Mabee. 2014. "Winter Acoustic Activity of Bats in Montana." *Northwestern Naturalist* 95(1): 13–27.
- Simmons, J., W. Lavender, B. Lavender, J. Childs, K. Hulebak, M. Rigden, J. Sherman, B. Woolman, and M. O'Farrell. 1978. "Echolocation by Free-Tailed Bats (Tadarida)." *Journal of Comparative Physiology* 125:291–299.
- Towsey, M., S. Parsons, and J. Sueur. 2014. "Ecology and Acoustics at a Large Scale." *Ecological Informatics* 21:1–3.
- Wilkins, K.T. 1989. *Tadarida brasiliensis*. Mammalian Species, No. 331. American Society of Mammalogists.
- USFWS (U.S. Fish and Wildlife Service). 2024. National Wetlands Inventory. <https://www.fws.gov/program/national-wetlands-inventory>.
- USGS (U.S. Geological Survey). 2024. National Hydrography Dataset. <https://www.usgs.gov/national-hydrography/national-hydrography-dataset>.

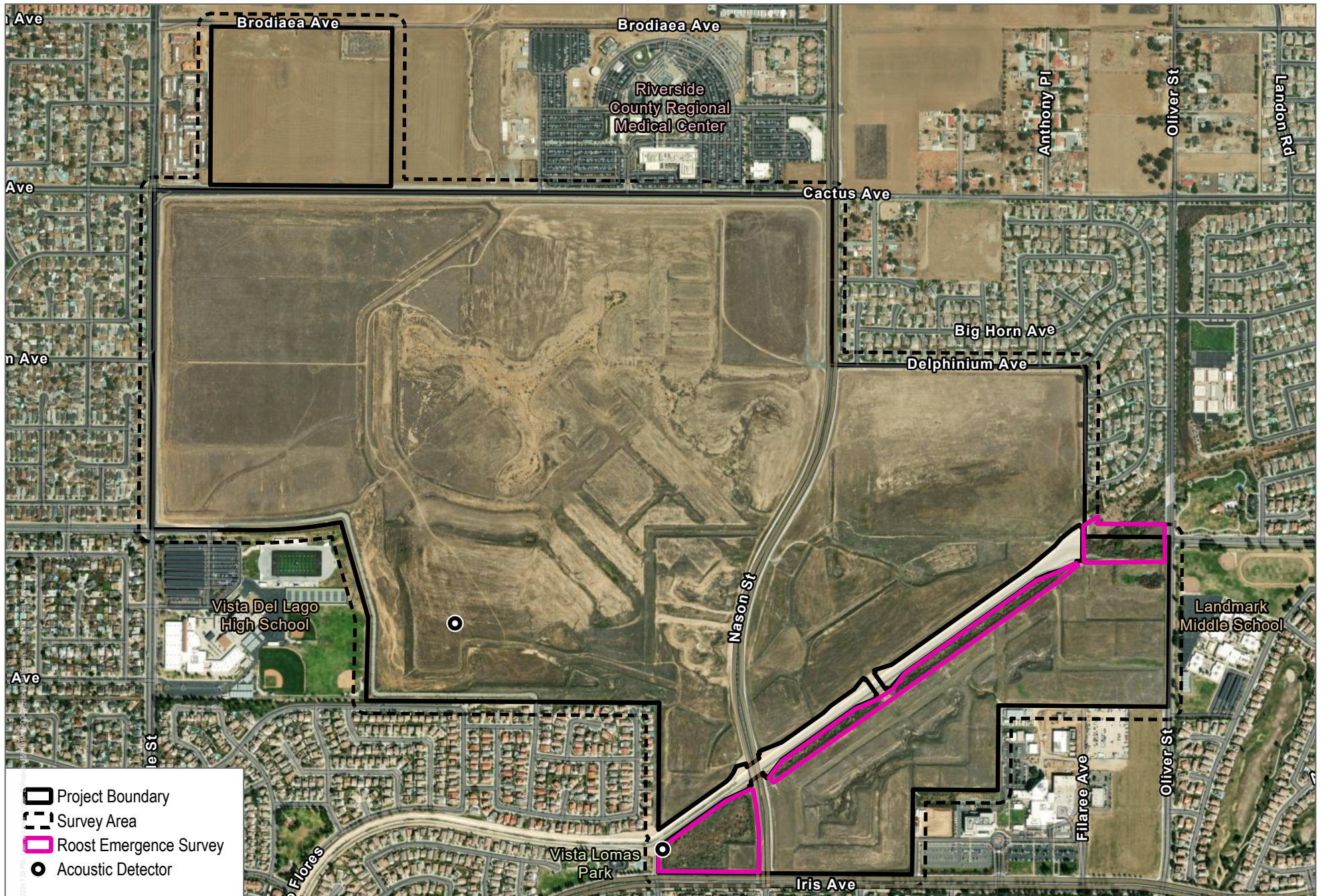
Attachment A

Figures



SOURCE: USGS National Map 2024

FIGURE 1
Project Location
Aquabella



SOURCE: Maxar 2022



FIGURE 2

Bat Focus Surveys

Attachment B

Photo Log



Photo 1. Northern detector location in disturbed habitat.



Photo 2. Example of rolling habitat throughout the project site.



Photo 3. Southern detector location in riparian habitat.



Photo 4. Riparian corridor and roost emergence habitat.



Photo 5. Bat detector setup example.



Photo 6. Bat detector microphone extended vertically.

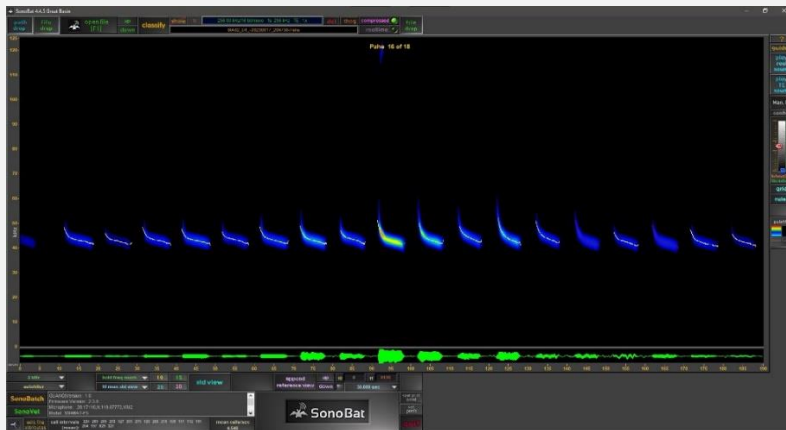


Photo 7. Example of Sonobat analysis of a bat pass.



Photo 8. Single bat call from pass, analyzed and identified to species.