

**Findings of Fact for the
Pettit Water Storage Tank Expansion and Transmission Pipeline Project
(SCH # 2022110477)**

December 2023

The Findings of Fact is organized as follows:

- Section I.A provides the background and context of the Pettit Water Storage Tank Expansion and Transmission Pipeline Project (project) and describes the need for these Findings.
- Section I.B includes a brief description of the project.
- Section I.C describes the CEQA environmental review process for the project.
- Section I.D describes the record of documents for the project.
- Section I.E summarizes the significant environmental impacts of the project and contains EMWD's Findings of Fact regarding the project's impacts.
- Section I.F contains EMWD's Findings regarding alternatives to the project.
- Section I.G contains EMWD's general Findings regarding the project and EIR.
- Section I.H describes and adopts the MMRP for the project.

I. FINDINGS OF FACT PURSUANT TO CEQA

A. Introduction

1. Project Overview and Findings Summary

The Eastern Municipal Water District (EMWD) proposes to approve the Pettit Water Storage Tank Expansion and Transmission Pipeline Project (project), which includes installation of two 4.5 million gallon (MG) storage tanks and demolition of an existing 2 MG storage tank, as well as approximately 4,000 linear feet of transmission pipeline in Moreno Valley, California. The project would be implemented in two phases.

EMWD has conducted a CEQA project-level analysis of the project. As a result, EMWD has concluded the following CEQA significance determinations: no impact, less than significant impact, and less than significant impact with implementation of mitigation. All of the project's potentially significant impacts are reduced to less than significant levels with implementation of mitigation measures.

2. Project Purpose and Objectives

The overall intent of the project is to increase potable water storage capacity within the eastern region of the 1764 Pettit Pressure Zone which is currently served by EMWD. The objectives of the project are as follows:

- Provide replacement tanks to increase potable water storage capacity to meet near- and long-term demands associated with planned development in eastern Moreno Valley.
- Provide a transmission pipeline to connect the replacement tanks with existing and proposed infrastructure.
- Maximize usable storage capacity of other tanks within the 1764 Pettit Pressure Zone.
- Further EMWD's strategic planning goal to develop adaptable water storage and delivery system improvements to manage uncertain delivery conditions and emergency outages.

3. Requirements for CEQA Findings

The California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 et seq. and the regulations implementing that statute, Cal. Code Regs., tit. 14, Sections 15000 et seq. (the CEQA Guidelines) (collectively, the Act and the CEQA Guidelines are referred to as CEQA) require public agencies to consider the potential effects of their discretionary activities on the environment and, when feasible, to adopt and implement mitigation measures that avoid or substantially lessen the effects of those activities on the environment. Specifically, Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." Section 21002 goes on to state that "in the event [that] specific economic,

social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles set forth in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, Section 21081, subd. (a); CEQA Guidelines, Section 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The three possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant effects on the environment.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by the other agency.
- (3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

The EMWD Board of Directors hereby adopts these Findings as part of the approval of the project. These Findings constitute EMWD’s best efforts to set forth the evidentiary and policy bases for its decision to approve the project in a manner consistent with the requirements of CEQA. These Findings, in other words, are not merely informational, but rather constitute a binding set of obligations that come into effect with EMWD’s approval of the project.

CEQA also requires a mitigation monitoring or reporting program to be adopted by the Lead Agency. EMWD thus prepared a Mitigation Monitoring and Reporting Program (MMRP) in compliance with the requirements of Public Resources Code Section 21081.6 to assess and ensure the efficacy of mitigation measures. The Final EIR identifies the potentially significant environmental impacts associated with the project and specifies measures designed to mitigate adverse environmental impacts. The MMRP relates directly to the procedures to be used to implement the mitigation measures adopted in connection with the certification of the Final EIR and the methods of monitoring and reporting.

B. Description of the Project

The project would involve construction of a new 4.5 MG steel storage tank adjacent to the existing tank, transmission pipeline, and stormwater drainage facilities, including a drainage ditch, detention basin, 18-inch storm drain, energy dissipators, and related improvements as part of the Phase 1 project. Under buildout conditions that are expected to occur after 2045, the Phase 2 project would involve demolition of the existing 2 MG storage tank and construction of a second 4.5 MG storage tank in its place. Total capacity at the project site would encompass 9 MG.

1. Phase 1 Project

As part of the Phase 1 project, EMWD would construct a new 4.5 MG steel storage tank to the north of the existing 2 MG storage tank, which would remain in service during Phase 1. Grading, excavation, and potential blasting would be required to construct the tank foundation that would extend approximately 10 feet to 35 feet below ground surface (bgs). The majority of grading required to install the Phase 2 storage tank would be completed under Phase 1.

Water would be supplied to and from the water storage tank via the proposed 24-to-30-inch transmission pipeline that would connect the water storage tank to the future Cactus II Feeder within Alessandro Boulevard. The pipeline would be installed to the west of the roadway centerline and entirely within existing rights of way of Moreno Beach Drive and Alessandro Boulevard. The pipeline would be approximately 4,000 linear feet in length and would be installed at depths of up to 10 feet bgs. The pipeline would be equipped with typical appurtenances such as blow-offs (to facilitate pipeline flushing and dewatering activities) and combination air valves (to facilitate release and admittance of air for safe and efficient operation of the pipeline). A series of inlet and outlet pipes would be installed onsite to connect the tank to the proposed transmission pipeline.

Site improvements would be required to accommodate the Phase 1 tank. A 20-foot access road would be paved around the new tank and a new 25-foot driveway/entrance to the site would be paved in accordance with City of Moreno Valley specifications. Proposed water storage tank appurtenances include lighting and an antenna tower to be used for SCADA control.

The area surrounding the project site does not have engineered stormwater management facilities. As a result, the current drainage design concept includes proposed onsite and offsite drainage facilities that would allow a storm event to be conveyed through and around the site without impacting the water storage tank and other site facilities. At the west end of the project site, a portion of the existing hill would be graded to accommodate both tanks and a retaining wall would be installed between the two tanks due to an elevation difference in the interim condition (Phase 1). To convey storm flows safely around the project site, a concrete drainage ditch would be constructed around the limits of the project site, as well as a series of 12-to-18-inch storm drains, an emergency overflow structure, and detention basin. Stormwater would flow to four proposed energy dissipaters at the northern, southern and eastern boundaries of the project site, and would exit the project site under Morena Beach Drive to an undeveloped area to the east.

2. Phase 2

As part of the Phase 2 project, the 2 MG tank and supporting infrastructure such as pipelines and vaults would be demolished. EMWD would construct a new 4.5 MG steel storage tank in its place just south of the tank installed as part of the Phase 1 project. Grading, excavation, and potential blasting would be required to construct the tank foundation that would extend approximately 10 feet to 35 feet bgs. Existing pipeline connections installed under Phase 1 would support the second phase.

C. CEQA Public Review Process

1. Notice of Preparation and Public Scoping

In accordance with Section 15082 of the CEQA Guidelines, a Notice of Preparation (NOP) of a Draft EIR was prepared and circulated by mail for review by applicable local, state and federal agencies and interested parties on November 21, 2022 for a period of 30 days. The NOP was also made available on EMWD's website. The NOP presented an overview of the project, and provided a brief and preliminary list of environmental resources that could be affected. Two comment letters were received on the NOP.

2. Notice of Availability of the Draft EIR and Invitation to Provide Comments

Once the Draft EIR was complete, a Notice of Completion was submitted to the Office of Planning and Research (OPR) as required by CEQA Guidelines Section 15085, along with electronic copies of the Draft EIR for distribution to public agencies via the State Clearinghouse (CEQA Guidelines Section 15087(f)) (<https://ceqanet.opr.ca.gov/2022110477/2>). The Draft EIR was made available for public review from September 11, 2023 to October 25, 2023 for a total of 45 days as required by CEQA Guidelines Section 15105(a). At the same time, a Notice of Availability (NOA) of the Draft EIR was posted with the Riverside County Clerk (CEQA Guidelines Section 15087(d)). The NOA also was published in *The Press-Enterprise* on September 11, 2023 (per CEQA Guidelines Section 15087(a)). Printed copies of the Draft EIR were sent to the following public library per CEQA Guidelines Section 15087(g) and the EMWD office:

- Moreno Valley Public Library, 25480 Alessandro Boulevard, Moreno Valley, CA 92553.
- EMWD Office, 2270 Trumble Road Perris, CA 92572.

The Draft EIR was also posted on EMWD's website (<https://www.emwd.org/public-notices>). Two comment letters were received on the Draft EIR for the project.

3. Circulation and Posting of the Final EIR

As required by section 15088(b) of the CEQA Guidelines, EMWD provided the Final EIR, which includes written responses to all comments, to commenters ten days in advance of the meeting at which the Board of Directors will consider certification of the EIR and approval of the project. In addition, EMWD made the Final EIR available to the public at the following locations:

- EMWD Web Site (<https://www.emwd.org/public-notices>).
- EMWD Office, 2270 Trumble Road, Perris CA 92570.

EMWD concludes it has met the requirements of CEQA relating to public noticing and outreach during the public review period of the Draft EIR. EMWD further concludes that it has provided

ample time for agencies, organizations, and interested members of the public to participate in the CEQA process by reviewing the Draft EIR and providing substantive comments.

D. The Record of Proceedings

EMWD is the custodian of the documents and other materials that constitute the record of proceedings upon which the Board of Director's decision is based, and such documents and other materials are located at EMWD's Office, 2270 Trumble Road, Perris CA 92570. Copies of the Draft EIR and Final EIR are also available at the EMWD Website (<https://www.emwd.org/public-notice>).

For the purposes of CEQA and these Findings, the record of proceedings is composed of all non-privileged documents relating to the project in EMWD's files on this matter, including, without limitation:

- The NOP prepared for the project;
- The Draft EIR for the project, including all Appendices to the Draft EIR;
- All comments or documents submitted by public agencies or by members of the public during or after the comment period on the Draft EIR and up to the Board of Director's approval of the project;
- The Final EIR for the project;
- The MMRP;
- All Findings and Resolutions adopted by the Board of Directors in connection with the project and all documents cited or referred to therein;
- All staff reports and presentation materials related to the project, including internal reports and analyses prepared by consultants to EMWD;
- All studies conducted for the project and contained in, or referenced by, staff reports, the Draft EIR, the Final EIR, or the MMRP;
- All public reports and documents related to the project prepared for or by EMWD including, without limitation, all planning documents;
- All Draft EIR and Final EIR references, whether or not the referenced documents are included in the Appendices;
- All documentary and oral evidence received and reviewed at public hearings, meetings and workshops related to the project, the Draft EIR, the Final EIR, or the MMRP;
- All other public reports and documents relating to the project that were used by EMWD staff or consultants in the preparation of the Draft EIR, the Final EIR or the MMRP; and
- All other documents, not otherwise included above, required by Public Resources Code Section 21167.6.

E. Findings of Fact Regarding Project Impacts

1. Findings Regarding No Impacts

The EIR concludes that the project will result in no impacts to the following resource areas:

- Aesthetics Impact 3.1-2 (Scenic Highway).
- Air Quality Impact 3.2-4 (Odors).
- Biological Resources Impacts 3.3-2 (Sensitive Natural Communities) and 3.3-6 (Habitat Conservation Plan).
- Geology and Soils Impacts 3.6-1 (Earthquake Fault) and 3.6-8 (Sewers).
- Hazards and Hazardous Materials Impacts 3.7-2 (Hazardous Materials Near a School), 3.7-3 (Hazardous Materials Site), and 3.7-4 (Airports).
- Hydrology and Water Quality Impact 3.8-5 (Water Quality Control Plan).
- Noise Impact 3.9-3 (Airport Land Use Plan).

The Board of Directors finds, based on the EIR and the entire record, that the EIR's conclusions regarding the project's impacts to these resource areas are correct.

2. Findings Regarding Less than Significant Impacts

The EIR concludes that the project will result in less than significant impacts without the need for mitigation measures to the following resource areas:

- Aesthetics Impact 3.1-1 (Scenic Vistas).
- Air Quality Impacts 3.2-1 (Air Quality Plan), 3.2-2 (Criteria Air Pollutants), 3.2-3 (Sensitive Receptors), 3.2-5 (GHG Emissions), 3.2-6 (GHG Reduction Plan), 3.2-7 (Cumulative Air Quality Impacts), and 3.2-8 (Cumulative GHG Impacts).
- Biological Resources Impacts 3.3-3 (Wetlands) and 3.3-5 (Local Policies and Ordinances).
- Energy Impacts 3.5-1 (Energy Consumption), 3.5-2 (Energy Efficiency Plan), and 3.5-3 (Cumulative Energy Impacts).
- Geology and Soils Impacts 3.6-2 (Ground Shaking); 3.6-3 (Seismic-Related Ground Failure); 3.6-4 (Landslides); 3.6-5 (Erosion); 3.6-6 (Unstable Geologic Unit); and 3.6-7 (Expansive Soil).
- Hazards and Hazardous Materials Impact 3.7-1 (Hazardous Materials).
- Hydrology and Water Quality Impacts 3.8-1 (Water Quality); 3.8-2 (Groundwater Management); 3.8-3 (Drainage); 3.8-4 (Flooding); and 3.8-6 (Cumulative Water Quality Impacts).
- Noise Impact 3.9-2 (Vibration).

- Transportation Impact 3.10-2 (CEQA Guidelines).
- Utilities and Service Systems Impacts 3.12-2 (Water Supply); 3.12-3 (Wastewater Treatment); 3.12-4 (Solid Waste); and 3.12-5 (Solid Waste Reduction Regulations).
- Wildfire Impact 3.13-4 (Flooding or Landslides).

The Board of Directors finds, based on the EIR and the entire record, that the EIR's conclusions regarding these specific potential impacts are correct.

3. Findings Regarding Potentially Significant Impacts That Will Be Mitigated or Avoided to Less than Significant Levels

EMWD makes the Findings below in accordance with CEQA Guidelines, Section 15091, subd. (a)(1): Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant effects on the environment.

Aesthetics

Impact 3.1-3: The proposed project could substantially degrade the existing visual character or quality of public views of the site and its surroundings.

Finding: The project would require temporary construction equipment that would be visible at public vantage points; however, construction impacts from Phase I and Phase II of the project would not permanently affect the existing visual character and quality of the surrounding area and impacts would be less than significant. The proposed pipeline that would be installed under Phase I of the project would be located underground and would have no impact to the existing visual quality of the project site or surrounding area. The proposed Phase 1 and 2 storage tanks would not significantly obstruct views of the local hillsides or alter existing landforms or ridgelines; however, depending on the finished material used as coating on the tank, the visual contrast of the storage tank to the hillside landscape colors and textures could result in a significant impact to visual character. Therefore, EMWD would be required to implement Mitigation Measure AES-1, which would design the proposed Phase 1 and Phase 2 water storage tank and associated facilities to have the same color palettes as the existing 2 MG tank to blend in with the surrounding character of the project site. Furthermore, EMWD would implement a Landscape Plan that would ensure that trees, shrubs, and ground covers are planted to soften the view and impact to the local character in the immediate vicinity. Implementation of Mitigation Measure AES-1 and design features would reduce the impact to visual character and quality to a less than significant level.

Facts in support of Finding: EMWD has adopted and will implement the following mitigation measures and design features that will reduce Impact 3.1-3 to a less than significant level:

Mitigation Measure AES-1: Aboveground buildings/structures shall be finished with a non-reflective material and painted with an earth-tone color to blend in with the surrounding landscape and vegetation.

Impact 3.1-4: The proposed project could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Finding: Construction activities would not require lighting and, therefore, would have no impact related to light and glare. Operation activities of the pipeline would also have no impact to light and glare, as the pipeline would be underground and would not require nighttime lighting. The increase in lighting that would be associated with operation of the storage tanks and associated facilities that could result in spill over lighting onto neighboring parcels. Furthermore, lighting could be visible from motorists, bicyclists, or pedestrians traveling along Moreno Beach Drive, or by the nearest sensitive receptors, which would be a significant impact. Therefore, EMWD would implement Mitigation Measure AES-2, which would require exterior lighting to be shielded and directed downward, and Mitigation Measure AES-3, which would ensure that the water storage tank is designed with non-glare exterior materials that would minimize glare or reflection. With implementation of Mitigation Measures AES-2 and AES-3, potential impacts associated with light or glare would be reduced to a less than significant level.

Facts in support of Finding: EMWD has adopted and will implement the following mitigation measures that will reduce Impact 3.1-4 to a less than significant level:

Mitigation Measure AES-2: All new permanent exterior lighting associated with the proposed water storage tanks shall be shielded and directed downward to avoid light spill onto neighboring parcels and visibility from surrounding public vantage points.

Mitigation Measure AES-3: The proposed water storage tanks and aboveground facilities shall be designed to include non-glare exterior materials and coatings to minimize glare or reflection. The paint used for this purpose should be low-luster (low reflectivity) so as to reduce glare.

Impact 3.1-5: Concurrent construction and operation of the proposed project and related projects in the geographic scope could result in cumulative short-term and long-term impacts to aesthetics.

Finding: The project area and immediate area is mostly rural residential with pockets of developed land. As the City of Moreno Valley continues to develop, future cumulative projects would involve residential and commercial development and could eliminate portions of the remaining natural areas that are within the project area. With regard to the overall visual and scenic character of the project area, cumulative development would result in more alterations of the existing visual quality of the city and could result in cumulatively significant impacts to existing scenic vistas. Additionally, cumulative development could result in increased lighting and glare within the city. However, cumulative development would need to occur directly adjacent to the project site/area in order to result in a cumulatively considerable impact. The project facilities would be installed within an area already developed with a water storage tank and within the public right-of-way. Because potential impacts to aesthetics associated with the implementation of the project would be less than significant with implementation of Mitigation

Measures AES-1 through AES-3, the project's contribution to potential cumulative aesthetics impacts would be less than cumulatively considerable and the project would have a less than significant cumulative impact with respect to aesthetics.

Facts in support of Finding: EMWD has adopted and will implement the following mitigation measures that will reduce Impact 3.1-5 to a less than significant level:

Mitigation Measures AES-1 through AES-3.

Biological Resources

Impact 3.3-1: The proposed project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Finding: There are no special status-plants with a moderate or high potential to occur within the biological study area; therefore, construction of the project would have no impact to special status plants. Habitat for Crotch's bumble bee is present within storage tank grading limits and temporary impact limits on the east side of Moreno Beach Drive. During construction, there is a potential for direct mortality of Crotch's bumble bee or removal of their nests if present; therefore, the project would implement Mitigation Measures BIO-1 and BIO-2 to reduce the construction impact to a less than significant level. Brittle brush scrub on the west side of the existing storage tank site and surrounding the offsite energy dissipator provides marginal habitat for San Diego desert woodrat and construction activities have potential to result in direct mortality of this species if present. Therefore, the project would implement Mitigation Measure BIO-3, which would reduce the potential impact to a less than significant level. Brittle brush scrub on the west side of the proposed storage tank sites provides marginal habitat for Belding's orange-throated whiptail, coastal western whiptail, coast patch-nosed snake, and red-diamond rattlesnake. Construction activities have the potential to result in direct mortality to these special status reptiles, if present; therefore, the project would implement Mitigation Measure BIO-4 which would reduce potential impacts to a less than significant level. Habitat suitable for the southern California rufous-crowned sparrow occurs within the areas surrounding the proposed water storage tank grading limits and construction of the project could result in mortality of this species, removal of its habitat, or disturbance of active nests. Therefore, the project would implement Mitigation Measure BIO-5 to reduce impacts to less than significant level. Operation of the project would not impact special status plants, invertebrates, mammals, reptiles, or birds.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measures that will reduce potentially significant Impact 3.3-1 to a less than significant level:

Mitigation Measure BIO-1: Construction Training. Prior to commencement of construction activities, a qualified biologist shall prepare a Worker Environmental Awareness Program (WEAP) that provides a description of potentially-occurring special-status species that could be affected by the project.

The WEAP shall include information on identifying special-status species, and measures to avoid special-status species during construction activities, including (but not limited to):

- staying within limits of disturbance,
- establishing an onsite speed limit of 15 miles per hour,
- covering trenches and open pits at the end of each workday,
- installing wildlife escape ramps in open trenches or pits,
- and daily trash and debris disposal from the project.

The WEAP training shall be provided to all construction personnel by a qualified biologist. Completion of the WEAP training shall be documented for all construction personnel on a sign-in sheet that shall be onsite at all time during construction activities.

The qualified biologist shall also verify fencing or marking limits of disturbance (marking habitat suitable to support special-status species as well as sensitive vegetation communities) prior to commencement of construction activities, if applicable.

Mitigation Measure BIO-2: Construction Surveys and Mitigation for Crotch's Bumble Bee. Within seven (7) days prior to the start of construction activities, a qualified entomologist familiar with the species behavior shall conduct a pre-construction survey for Crotch's bumble bee, within 100 feet of construction activities near host plant communities (including nectar plants for Crotch's bumble bee).

If any of these species are present or determined to be within 100 feet of construction areas, construction best management practices (BMPs) will be implemented and incorporation of information about these species will be incorporated into the WEAP training to avoid potential impacts to these species. BMPs shall include

- Limiting construction vehicle speeds to 15 miles per hour when operating within 100 feet of the habitat areas.
- Fencing habitat areas using temporary silt fencing, and cleaning up all trash and debris daily.

In coordination with the CDFW, additional avoidance measures may be required that include establishing a buffer around the species host plants where no work can occur, and onsite monitoring dependent on distance from the work area. Construction personnel will be instructed to not directly harm any special-status species onsite by halting activities until the species can move to offsite areas or contact a qualified biologist to move the species out of harm's way.

Mitigation Measure BIO-3: San Diego Desert Woodrat Pre-Construction Survey and Avoidance or Relocation. Thirty days prior to construction activities, a qualified mammalogist with experience in identifying and trapping San Diego desert woodrat shall conduct a survey within proposed construction disturbance zone and within 200 feet of the disturbance zone for San Diego desert woodrat. The survey shall incorporate appropriate methods to detect San Diego desert woodrat prior to any project activities in areas that have or may have the potential to support these species.

- If active San Diego desert woodrat nests (stick houses) are identified within the disturbance zone, a construction fence shall be erected around the nest site adequate to provide the woodrat sufficient foraging habitat at the discretion of the qualified biologist. The biologist shall be present during those periods when disturbance activities will occur near active nest areas to avoid inadvertent impacts to these nests.
- Where nest avoidance is not possible, the project biologist shall clear vegetation from immediately surrounding active nests followed by a night without further disturbance to allow woodrats to vacate the nest. Each occupied nest shall subsequently be gently disturbed by a qualified wildlife biologist in possession of a scientific collecting permit to entice any remaining woodrats to leave the nest and seek refuge outside the project construction area. The stick nests shall be carefully removed from the project construction area and be placed near a suitable vegetation or rocky substrate similar to original nest location. Relocation of special-status species and/or salvaged nest-building material (rocks, sticks, etc.) shall target undeveloped areas of the project that shall not be disturbed. Removal of the nests outside of breeding season is preferred if feasible (i.e., breeding season is May through October).
- If young are found within the nest during the dismantling process, clearing and construction within the fenced area shall be postponed or halted until young have left the nest. The material shall be placed back on the nest and the nest shall remain unmolested for two to three weeks in order to give the young enough time to mature and leave the nest on their own accord. After two to three weeks, the nest dismantling process may begin again.

The project biologist shall document all woodrat nests moved and provide a written report to EMWD.

Mitigation Measure BIO-4: Special-Status Reptile. A qualified herpetologist, who holds a scientific collecting permit, shall conduct a pre-construction clearance survey throughout the project, including a 100-foot buffer, for coastal western whiptail, Belding's orange-throated whiptail, coast patch nosed snake, and red-diamond rattlesnake within two weeks prior to the start of construction activities.

If any of these species are observed during the survey, a qualified biologist should relocate the individual to suitable habitat at least 100 feet from the project. Trapping and relocation methods should be conducted in consultation with the EMWD.

Mitigation Measure BIO-5: Nesting Bird Season Avoidance or Pre-Construction Survey. Construction and vegetation removal should occur outside of nesting season (i.e., nesting season is February 1 to August 31 for songbirds, January 15 to August 31 for raptors). If construction and vegetation removal must occur during nesting season (i.e., between January 15 and August 31), a qualified biologist shall conduct a pre-construction survey for breeding and nesting birds and raptors 30 days prior to the start of construction, and then weekly, within 300-feet of the construction limits to determine and map the location and extent of breeding birds that could be affected by the project. During nesting season, the following conditions shall be implemented:

- Nesting bird surveys shall be conducted at appropriate nesting times and concentrate on potential roosting or perch sites.
- Weekly surveys will take place with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
- If project activities are delayed or suspended for more than 7 days after the last survey, surveys shall be repeated before work can resume.
- If an active nest is located, clearing and construction within appropriate buffers as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting.
- Due to vicinity of natural open spaces adjacent to the project, 500-feet for raptors (including burrowing owls) and 300-feet for passerine birds could suffice for nesting bird buffers however it will be at the discretion of the qualified biologist. The buffer zone from the nest shall be established in the field with flagging and stakes.
- The qualified biologist shall retain the ability to increase or decrease buffers as needed to protect the nesting birds (based on bird behavior, construction activities, etc.).
- Temporary fencing and signage shall be maintained for the duration of the project. Construction personnel shall be instructed on the sensitivity of the area and be advised not to work, trespass, or engage in activities that would disturb nesting birds near or inside the buffer.
- Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest. Project activities may encroach into the buffer only at the discretion of the qualified biologist.

Impact 3.3-4: The proposed project could interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Finding: The project area is not expected to function as an important regional migration corridor and impacts to migratory fish or established native resident or migratory wildlife corridors would be less than significant. The project would be partially constructed within brittle brush scrub habitat as well as disturbed and developed land uses that may provide suitable nesting habitat for birds protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game (CFG) Code Section 3500. Impacts to birds during the general avian nesting season may include direct mortality to individuals, nests, and eggs or disturbance associated with human activities and construction noise and vibration. In addition, roosting bats may utilize the rocky outcroppings located within 100 feet of the project and removal or blasting of bedrock within the project area may result in disturbance of maternity roosts. Therefore, the project would implement Mitigation Measure BIO-5 and BIO-6, which would require pre-construction surveys and implementation of avoidance and minimization measures which would reduce the impacts to nesting birds and roosting bats to a less than significant level. Operation of the project would include limited maintenance that would not impact nesting birds or roosting bats.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measures that will reduce potentially significant Impact 3.3-4 to a less than significant level:

Mitigation Measure BIO-6: Roosting Bat Avoidance or Pre-Construction Survey.

Construction and vegetation removal should occur outside of maternity roosting season (September 1– March 31). The following conditions shall be implemented if construction must occur during maternity roosting season:

- If construction and vegetation removal must occur during maternity roosting season, then prior to commencement of construction activities within the maternity roosting season (April 1–August 31), a qualified biologist with a scientific collecting permit shall conduct a pre-construction clearance survey of suitable rocky outcroppings located adjacent to the project that have the potential to provide suitable bat roosting habitat to determine if bats are roosting onsite. If bats are determined to be using trees specifically for roosting, the biologist will determine whether a day roost (non-breeding) or maternity roost (lactating females and dependent young) is present.
- If a day roost is determined to be present and the removal of any trees or rocky outcroppings supporting a day roost would occur, the biologist will ensure that all roosting individuals disperse from the location prior to removal of the vegetation to prevent direct mortality.
- If a maternity roost is observed, the qualified bat biologist will determine whether construction activities are likely to disturb breeding activities.

- If it is determined that the vegetation or rocky substrate supporting the roost must be removed or activities are expected to disturb the breeding activities, a Bat Avoidance, Minimization, and/or Exclusion Plan shall be prepared in consultation with EMWD. At a minimum, the plan shall include avoidance and minimization measures to reduce potential impacts to breeding bats during construction activities and/or prescribed methods to safely and humanely evict bats from the roost in order to minimize any potential impacts.

Impact 3.3-7: Concurrent construction and operation of the proposed project and related projects in the geographic scope could result in cumulative short-term and long-term impacts to biological resources.

Finding: Development in the Inland Empire has altered native habitats and affected native plant and wildlife. Historic agricultural use and the expansion of urban areas in the region has resulted in the loss of open space and the degradation of natural areas that historically supported populations of unique or rare species and habitats. The majority of developments in the City of Moreno Valley are located in areas that are already substantially developed or within sites that have previously been altered due to grading or agricultural practices and would not contribute significantly to direct impacts to biological resources. The effects of the project would not contribute incrementally to cumulative impacts on biological resources since few sensitive biological resources are expected to occur and because the majority of the project site has already been disturbed or developed. Impacts to special-status species and biological resources within the project area would be avoided, minimized, and/or mitigated through implementation of Mitigation Measures BIO-1 through BIO-6. Therefore, when considered in addition to anticipated impacts of other projects in the cumulative scenario, the project's incremental contribution to biological resources impacts would not be cumulatively considerable. With implementation of mitigation measures, impacts would be less than significant.

Facts in support of Finding: EMWD has adopted and will implement the following mitigation measures that will reduce Impact 3.3-7 to a less than significant level:

Mitigation Measures BIO-1 through BIO-6.

Cultural Resources

Impact 3.4-1: The proposed project could cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

Finding: There is one historic-period archaeological site located within a portion of the project site, an asphalt-paved road, that was relocated and appeared to be in the same condition as previously recorded. This resource was found not to be significant under the California Register of Historic Places (CRHR). A water tank is located within the project site that was constructed in 1971 and meets the eligibility requirements for historical resources pursuant to CEQA Section

15064.5(a). The tank is not considered eligible for listing in the National or California registers because it was not found to be significant under any of the four eligibility criteria. As such, the tank does not meet the definition of historical resources as outlined in CEQA Guidelines section 15064.5(a)(1) or (2), and neither the Phase 1 or 2 project would not impact previously recorded historic architectural resources qualifying as historical resources. Impacts to these resources would be less than significant. There is only one prehistoric archaeological resource that has been previously recorded within a portion of the project site. In addition, two resources were newly recorded during the pedestrian survey within a portion of the project site. All of these resources are indicative of prehistoric habitation and food preparation in the project site and the vicinity. The potential for yielding surficial and buried prehistoric archaeological resources within the project site is considered high and the project has the potential to encounter surficial or shallowly buried habitation refuse in the area of bedrock milling features. The project impacts to archaeological resources qualifying as historical resources would be potentially significant; therefore, the project would implement Mitigation Measures CR-1 through CR-3 which would reduce construction impacts to a less than significant level. Operation of the proposed facilities would not involve ground disturbance activities that could result in the destruction of resources; therefore, no operational impacts to archaeological resources that could qualify as historical resources would occur.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measures that will reduce Impact 3.4-1 to a less than significant level:

Mitigation Measure CR-1: Eastern Municipal Water District (EMWD) shall retain a Qualified Archaeologist under the Secretary of the Interior Standards to carry out all mitigation related to archaeological resources for the project. Prior to the start of ground-disturbing activities, the Qualified Archaeologist or their designee shall conduct construction worker archaeological resources sensitivity training for all construction personnel. Training shall include at a minimum:

- Information on how to identify the types of prehistoric and historic archaeological resources that may be encountered.
- Proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources.
- Safety precautions to be taken when working with archaeological monitors.

EMWD shall ensure that construction personnel are made available for and attend the training and retail documentation demonstrating attendance.

Mitigation Measure CR-2: The qualified Archaeologist shall oversee an archaeological monitor who shall be present during construction activities and shall work with the monitor to create an Environmentally Sensitive Area of 15-feet around ESA-040423-01F and ESA-040423-02F so that these areas will not be disturbed by the project, and shall remain in place for the duration. At a minimum, the archaeological monitor shall:

- Observe activities such as demolition, clearing/grubbing, drilling/auguring, grading, trenching, excavation, or other ground disturbing activity associated with the project.
- Have the authority to direct the pace of construction equipment activity in areas of higher sensitivity and to temporarily divert, redirect or halt ground disturbance activities to allow identification, evaluation, and potential recovery of archaeological resources in coordination with the qualified Archaeologist.

Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined appropriate by the qualified Archaeologist.

In the event that historic-period (e.g., bottles, foundations, early infrastructure, refuse dumps/privies, railroads, etc.) or prehistoric (e.g., hearths, burials, stone tools, shell and faunal bone remains, etc.) archaeological resources are unearthed, the following shall occur:

- Ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated.
- A 50-foot buffer shall be established by the qualified Archaeologist around the find where construction activities shall not be allowed to continue. Work may continue outside of the buffer area.
- All archaeological resources unearthed by project construction activities shall be evaluated by the qualified Archaeologist. If a resource is determined by the qualified Archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to Public Resources Code Section 21083.2(g), the Qualified Archaeologist shall coordinate with EMWD to develop a formal treatment plan that would serve to reduce impacts to the resources.
- If any prehistoric archaeological sites are encountered within the project area, consultation with consulting Native American parties will be conducted to apprise them of any such findings and solicit any comments they may have regarding appropriate treatment and disposition of the resources.

The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment and shall be explored to see if project activities can avoid archaeological resources, such as: if the archaeological site can be deeded into a permanent conservation easement, if the resources can be capped with chemically stable soil or if the resource can be incorporated within open space.

If, in coordination with EMWD, it is determined that preservation in place is not feasible, and in order to mitigate potential impacts to significant resources pursuant to Section 15064.5 of CEQA, data recovery is feasible. Appropriate treatment of the resource shall be developed by the qualified Archaeologist in coordination with the district and a data recovery plan shall be implemented. A data recovery plan will make provision for adequately recovering the scientifically consequential information from and about the historical resources and may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing, analysis, reporting, and commemoration in the form of signage or other public education and awareness.

Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.

Mitigation Measure CR-3: At the conclusion of the archaeological monitoring, the qualified Archaeologist shall prepare a technical report that follows the format and content guidelines provided in California Office of Historic Preservation's Archaeological Resource Management Reports (ARMR). The technical report shall include the following:

- A description of resources unearthed, if any;
- Treatment of the resources;
- Results of the artifact processing, analysis, and research;
- Evaluation of the resources with respect to the California Register of Historical Resources and CEQA; and
- Appropriate California Department of Parks and Recreation Site Forms shall also be prepared and provided in an appendix to the report.

The technical report shall be prepared under the supervision of the qualified Archaeologist and submitted to EMWD within 150 days of completion of the monitoring. The final draft of the report shall be submitted to the Eastern Information Center.

Impact 3.4-2: The proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

Finding: The potential for yielding surficial and buried prehistoric archaeological resources within the project site is considered high. A previously recorded prehistoric archaeological resource (bedrock milling feature) is recorded within a portion of the project site; additionally, a total of two resources (bedrock milling features) were newly recorded during the pedestrian

survey within a portion of the Phase 1 and 2 project site. Should the project encounter surficial or shallowly buried habitation refuse in the area of the bedrock milling features, impacts to archaeological resources would be potentially significant. Therefore, the project would implement Mitigation Measures CR-1 through CR-3 which would reduce construction impacts to prehistoric and historic-period archaeological resources to a less than significant level. Operation of the project would not involve ground disturbance activities that could result in the destruction of resources; therefore, no operational impacts to archaeological resources would occur.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measures that will reduce Impact 3.4-2 to a less than significant level:

Mitigation Measures CR-1 through CR-3.

Impact 3.4-3: The proposed project could disturb human remains, including those interred outside of formal cemeteries.

Finding: Phase 1 and 2 project-associated grading and excavation would extend into fill and older alluvium soils making it unlikely to encounter buried human remains; however, two burials of unknown age are known to exist within the general vicinity of the project site. Therefore, construction may disturb human remains, including those interred outside of dedicated cemeteries, which would be a potentially significant impact. Therefore, the project would implement Mitigation Measure CR-4 which would reduce the impact to a less than significant level.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.4-3 to a less than significant level:

Mitigation Measure CR-4: Inadvertent Discovery of Human Remains. If human skeletal remains are uncovered during ground disturbance the district shall immediately halt work, contact the Riverside County coroner to determine whether the remains are human, and follow the procedures and protocols set forth in Section 15064.5 (e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, they shall contact the Native American Heritage Commission (NAHC), in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code Section (PRC) 5097.98 (as amended by AB 2641). The NAHC shall then identify the person(s) thought to be the Most Likely Descendant (MLD) of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains. Per PRC 5097.98, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the MLD regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.

Impact 3.4-4: Concurrent construction and operation of the proposed project and related projects in the geographic scope could result in cumulative short-term and long-term impacts to cultural resources.

Finding: Many of the projects in the cumulative scenario would require excavation that could potentially expose or damage archaeological resources. These projects are located within previously undeveloped lots and have the potential to encounter and cause a significant impact on surface resources. In association with CEQA review and depending on the depth of excavation and sensitivity of respective sites, mitigation measures or conditions of approval would be required for related cumulative projects that have the potential to cause significant impacts to undiscovered archaeological resources which would avoid significant impacts to cultural resources. State requirements regarding impacts on archaeological resources and CEQA compliance require monitoring of excavation activities and treatment and/or curation of discovered resources where appropriate which provides for protection, recovery and curation of discovered resources and preserves their contributions to the knowledge base of past population activity in the area. The project would implement Mitigation Measures CR-1 through CR-4 that would ensure proper identification, treatment, and preservation of any resources, and reduce significant impacts on cultural resources to less than significant levels. Therefore, when considered in addition to anticipated impacts of other projects in the cumulative scenario, the project's incremental contribution to cultural resources impacts would not be cumulatively considerable. Therefore, the cumulative impacts of the project on cultural resources would be less than significant.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measures that will reduce Impact 3.4-4 to a less than significant level:

Mitigation Measures CR-1 through CR-4.

Geology, Soils, and Paleontology

Impact 3.6-9: The proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Finding: The subsurface deposits encountered at the project site include artificial fill, older alluvial fan deposits, (Qvofa), and Tonalite bedrock (Kt) underlying the alluvial soils. No fossil localities have been previously recorded directly within the project site, but fossil localities exist nearby from the same Pleistocene sedimentary deposits that occur in the project site, either at the surface or at depth. These fossil localities have yielded specimens of bovidae, monkfish (*Squatina*), stickleback (*Gasterosteus*); invertebrates – insect (*Sobobapteron kirkbaye*), brachiopod (*Terebratalia hemphili*), horse Family (Equidae), mammoth (*Mammuthus*), and whip snake (*Masticophis*). A University of California Museum of Paleontology (UCMP) search also indicated that approximately 136 specimens were found from the Pliestocene of Riverside County including small rodents and larger mammals such as tapirs, horses, deer, sloth, and mammoths. The paleontological sensitivity analysis indicates that very old alluvium, which has

“High Potential” to host paleontological resources, is found throughout the project site and ranges from the surface to 5 feet below ground. While no fossils are recorded at the Natural History Museum of Los Angeles County (LACM) from the project site, there are significant finds from similar facies near the project site, and the project could destroy unique paleontological resources. Therefore, the project would implement Mitigation Measure GEO-1 through GEO-3, which would reduce the construction impact to paleontological resources to a less than significant level. Operation of the proposed facilities would not involve ground disturbance activities that could result in the destruction of paleontological resources; therefore, no operational impacts to paleontological resources would occur.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.6-9 to a less than significant level:

Mitigation Measure GEO-1: Prior to the start of construction activities, EMWD shall retain a Qualified Paleontologist that meets the standards of the Society for Vertebrate Paleontology (2010) to carry out all mitigation measures related to paleontological resources. Prior to start of any ground disturbing activities, the Qualified Paleontologist shall conduct pre-construction worker paleontological resources sensitivity training. The Qualified Paleontologist shall contribute to any construction worker cultural resources sensitivity training either in person or via a training module. The training shall include information on what types of paleontological resources could be encountered during excavations, what to do in case an unanticipated discovery is made by a worker, and laws protecting paleontological resources. All construction personnel shall be informed of the possibility of encountering fossils and instructed to immediately inform the construction foreman or supervisor if any bones or other potential fossils are unexpectedly unearthed in an area where a paleontological monitor is not present. The Applicant shall ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance.

Mitigation Measure GEO-2: The Qualified Paleontologist shall supervise a paleontological monitor meeting the Society for Vertebrate Paleontology standards (2010) who shall be present during all excavations in the early Pleistocene ‘very old alluvium.’ Based on the current information, the base of any artificial fill is anticipated at 5 feet below ground surface. Therefore, monitoring shall be required for all excavations below 5 feet below ground surface. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened standard sediment samples (up to 4.0 cubic yards) of promising horizons for smaller fossil remains (SVP 2010). Depending on the conditions encountered, such as recognition of sedimentary facies too coarse to likely host significant fossils, full-time monitoring can be reduced to part-time inspections or ceased entirely if determined adequate by the Qualified Paleontologist. The Qualified Paleontologist may spot check the excavation on an intermittent basis and recommend whether the depth of required monitoring should be revised based on his/her observations. Monitoring activities shall be documented in a Paleontological Resources Monitoring Report to be prepared by the Qualified Paleontologist at the completion of construction and shall be provided to EMWD within six (6) months of project completion. If fossil resources are identified

during monitoring, the report will also be filed with the Natural History Museum of Los Angeles County.

Mitigation Measure GEO-3: If a paleontological resource is discovered during construction, the paleontological monitor shall be empowered to temporarily divert or redirect grading and excavation activities in the area of the exposed resource to facilitate evaluation of the discovery. An appropriate buffer area shall be established by the Qualified Paleontologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the Qualified Paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing and evaluation of the find. All significant fossils shall be collected by the paleontological monitor and/or the Qualified Paleontologist. Collected fossils shall be prepared to the point of identification and catalogued before they are submitted to their final repository. Any fossils collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a local school in the area for educational purposes. Accompanying notes, maps, photographs, and a technical report shall also be filed at the repository and/or school.

Impact 3.6-10: Concurrent construction and operation of the proposed project and related projects in the geographic scope could result in cumulative short-term and long-term impacts to geology and soils.

Finding: Cumulative projects include those with structures that have the potential to expose people and property in the project area to hazards associated with seismic ground shaking, liquefaction, landslides, erosion, unstable geologic units, and expansive soils. However, because impacts relative to geologic hazards are generally site-specific, the geographic scope of analysis for cumulative geologic impacts encompasses and is limited to the project site and its immediately adjacent area. None of the cumulative projects would be located in proximity to the proposed project; thus, these related projects would not have the potential to combine together with the project to create a cumulatively considerable impact. Furthermore, the structural elements of cumulative projects would undergo appropriate design-level geotechnical evaluations prior to final design and construction, and each project would be required to comply with the applicable federal, state, and local regulations and engineering standards. Furthermore, operational activities required for the project would not include activities that could result in geology and soils impacts. The project's contribution to cumulative geology and soils impacts would be less than cumulatively considerable and the impact would be less than significant.

The region is known to have paleontological resources and related projects in the vicinity have the potential to encounter paleontological resources due to prior discoveries in the area and the generally high sensitivity of underlying soils. Accordingly, cumulative impacts would be significant; however, related projects would be required to implement monitoring and

preservation measures or conditions of approval. With implementation of these measures, cumulative impacts to paleontological resources would be reduced to a less than significant level.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measures that will reduce Impact 3.6-10 to a less than significant level:

Mitigation Measures GEO-1 through GEO-3.

Hazards, Hazardous Materials, and Wildfire

Impact 3.7-5: The proposed project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Finding: Public evacuation routes would not be impacted by the construction of the proposed storage tanks because they are located outside public rights-of-way. Construction of the transmission pipeline would occur within the public right-of-way and would temporarily restrict vehicular traffic due to localized closure of traffic lanes which could increase traffic on local roads and intersections, block access to roadways or driveways, and disrupt or delay the response times of emergency responders. The City of Moreno Valley Local Hazard Mitigation Plan provides an evacuation map which designates Moreno Beach Drive as a primary evacuation route (City of Moreno Valley, 2022b). Therefore, construction-related impacts associated with the pipeline could impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Thus, the project would implement Mitigation Measure TRA-1 which requires preparation of a Traffic Control Plan identifying specific traffic control measures and that appropriate emergency service providers are notified ahead of planned road closures. With implementation of Mitigation Measure TRA-1, construction-related impacts to emergency response and emergency evacuation planning during construction would be reduced to a less than significant level. Operational activities including maintenance of the proposed storage tanks and pipeline would require minimal trips that would not significantly impact the surrounding roadways and operation of these facilities would not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.7-5 to a less than significant level:

Mitigation Measure TRA-1: Prior to project construction, EMWD shall require the construction contractor to prepare a Traffic Control and Detour Plan, in accordance with the City of Moreno Valley traffic control guidelines. The Traffic Control and Detour Plan shall, at minimum:

- Identify staging locations to be used during construction.
- Identify safe ingress and egress points from staging areas.

- Identify potential road closures.
- Establish haul routes for construction-related vehicle traffic.
- Include a Detour Plan that identifies alternative safe routes to maintain pedestrian and bicyclist safety during construction.
- Include provisions for traffic control measures such as barricades, warning signs, cones, lights, and flag persons, to allow safe circulation of vehicle, bicycle, pedestrian, and emergency response traffic.
- Ensure access to individual properties.

The Traffic Control and Detour Plan shall be reviewed and approved by EMWD's project manager and the construction inspector prior to the commencement of project construction activities. EMWD's construction inspector shall provide the construction schedule and Traffic Control and Detour Plan to the City of Moreno Valley for review, to ensure that construction of the proposed project does not conflict with other construction projects that may be occurring simultaneously in the project vicinity.

Prior to project construction, EMWD's Public and Governmental Affairs Department will perform public outreach to local residents informing them of upcoming construction activities. EMWD shall require the construction contractor to provide EMWD with a four (4) week notice for any project activities that may have an impact on surrounding communities. Public outreach to local residents may include any or all of the following:

- Written notices (i.e., letters, door hangers, other like forms of community engagement).
- Attendance at community events or presentations.
- Contact information for community complaints.

If the contractor receives complaints directly, the contractor shall forward complaint directly to the Public and Governmental Affairs staff and immediately notify the project inspector.

Impact 3.7-6: The proposed project could expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

Finding: The project area is located within a very high fire hazard severity zone. Heat or sparks from construction vehicles and equipment could ignite dry vegetation and create hazardous fire conditions. Additionally, construction activities could result in sparks that could be a source of ignition. Depending on the time of year and the location of construction activities, potential fire ignition associated with construction could exacerbate wildfire risk. All personnel on the site

would be required to comply with applicable Public Resources Code Sections, which include regulations related to the handling of combustible fuels and equipment that can exacerbate fire risks. In addition, all construction must comply with fire protection and prevention requirements specified by the California Code of Regulations (CCR) and the California Division of Occupational Safety and Health (Cal/OSHA) including measures such as easy accessibility of firefighting equipment, proper storage of combustible liquids, no smoking in service and refueling areas, operation of a blaster and handling of explosive materials during blasting activities, and worker training for firefighter extinguisher use. Furthermore, the project would implement Mitigation Measure WDF-1 which requires implementation of additional fire hazard reduction measures. Compliance with applicable regulations and implementation of Mitigation Measure WDF-1 would reduce the construction impact to a less than significant level. Operation of the project would include limited maintenance truck activity that would have a low potential of producing sparks, fire, or flame that could result in uncontrolled spread of wildfire. Operational wildland fire impacts would be less than significant.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.7-6 to a less than significant level:

Mitigation Measure WDF-1: Fire Hazard Reduction Measures. In accordance with S.1-14 of the Moreno Valley 2040 General Plan, prior to construction, EMWD shall prepare a fire protection plan that includes an assessment of site characteristics, brush clearance locations and techniques, equipment requirements for working in dry brush including spark arrestors, spotters for welding activities, fire extinguisher accessibility, use of fire safe building materials, and installation of fire-resistant landscaping. Fire hazard reduction measures outlined in the fire protection plan shall be implemented during construction. Construction activities would adhere to applicable regulations related to wildfire risk reduction.

Compliance with fire protection and prevention requirements specified by the CCR and Cal/OSHA.

Impact 3.7-7: Concurrent construction and operation of the proposed project and related projects in the geographic scope could result in cumulative short-term and long-term impacts to hazards and hazardous materials.

Finding: The cumulative projects would require transport, use, and disposal of hazardous materials and would be required to comply with applicable federal, state, and local regulations regarding the handling, storage, transportation, and disposal of hazardous materials. If cumulative projects have the potential to adversely affect emergency access routes during construction, the cumulative projects would be required to implement a mitigation measure similar to Mitigation Measure TRA-1 that would implement a traffic control plan to prevent interference with emergency access. Cumulative developments would also be required to implement fire reduction building techniques and design to reduce potential impacts regarding wildland fires. As the project-related potential impacts to schools, airport hazards, emergency response and emergency evacuation plans, and wildfire risk would be less than significant with

implementation of Mitigation Measures TRA-1 and WDF-1, the project's contribution to cumulative hazards and hazardous materials impacts would be considered less than cumulatively considerable. Thus, a less than significant cumulative impact would occur to hazards and hazardous materials.

Facts in support of Finding: EMWD has adopted and will implement the following mitigation measures that will reduce Impact 3.7-7 to a less than significant level:

Mitigation Measure TRA-1 and WDF-1.

Noise

Impact 3.9-1: The proposed project could generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Onsite construction noise levels would fluctuate depending on the type, number, and duration of uses of various pieces of equipment. In addition, material haul truck trips would raise ambient noise levels along haul routes, depending on the number of haul trips made and the number of vehicles used. Construction would result in exposure of sensitive receptors to noise levels that would exceed the 65 dBA threshold when located at 200 feet or greater from an active construction area at receptors R1 and R2 that would constitute a significant impact. When necessary, blasting could be used to clear bedrock material at depths greater than 10 feet below ground surface, but would not exceed the City's 65 dBA standard. Mitigation Measure NOISE-1 would be implemented to reduce construction noise impacts to a less than significant level. During Phase 2 of construction, conditions would remain the same except for conditions experienced during blasting noise, in which the baseline conditions may include an additional new sensitive receptor at the time of construction in 2045 resulting in noise levels exceeding 65 dBA at sensitive receptor R5. As a result, temporary construction noise associated with Phase 2 of the project would be significant. Therefore, Mitigation Measure NOISE-1 would be implemented to reduce construction noise impacts to a less than significant level, and Mitigation Measure NOISE-2 through -4 would be required to reduce blasting impacts to a less than significant level. During operation of the project, storage tanks would produce minimal operational noise and equipment would be designed to generate similar levels of noise as existing EMWD infrastructure. The project would be designed in accordance with noise ordinances of the City of Moreno Valley to ensure that noise thresholds at the property boundary do not exceed day and nighttime limitations for neighboring land uses. Therefore, operational noise impacts from the project would be less than significant.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.9-1 to a less than significant level:

Mitigation Measure NOISE-1: Construction Equipment Noise Shielding and Muffling Devices. To reduce construction noise impacts, EMWD shall require construction contractors to implement the following:

- During construction, the contractor shall outfit all equipment, fixed or mobile, with properly operating and maintained exhaust and intake mufflers, consistent with manufacturers' standards. All documentation demonstrating the equipment has been maintained in accordance with manufacturers' specifications shall be maintained on-site at all times.
- Impact tools (e.g., jackhammers, pavement breakers) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. When use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used. External jackets on the tools themselves shall be used where feasible.
- Stationary noise sources that could affect adjacent receptors shall be located away from adjacent receptors when feasible.
- Prior to issuance of any demolition, grading or building permit for Phase 2, the project shall provide temporary ground-level 10-foot-tall construction noise barriers equipped with noise blankets or equivalent noise reduction materials rated to achieve sound level reductions of at least 12 dBA between the project Site and the sensitive receptor location R5. These temporary noise barriers shall be used to block the line-of-sight between the construction equipment and the noise-sensitive receptor(s) during the duration of construction activities. The project applicant shall provide documentation prepared by a qualified noise consultant verifying compliance with this measure.

Mitigation Measure NOISE-2: Blasting Sound Blankets. To reduce construction noise impacts related to blasting, EMWD shall require construction contractors to utilize sound blankets and/or noise barriers to cover/surround at the localized blasting area when feasible to do so. The sound blanket and/or barrier shall achieve a reduction of at least 5 dBA and should block the line of sight to nearby sensitive receptors, particularly receptor R5.

Mitigation Measure NOISE-3: If blasting is necessary in either Phase 1 or Phase 2, notices will be sent out to sensitive receptors (residences, residential areas, schools, and hospitals) within 1,000 feet of the storage tank area at least 10 days prior to the occurrence of any blasting activities.

Mitigation Measure NOISE-4: Prior to construction of the storage tanks, EMWD shall notify sensitive receptors (residences, residential areas, schools, and hospitals) within 500 feet of project construction activities of the construction methods and schedule and provide a point of contact for local residences to report excessive noise.

Impact 3.9-4: Concurrent construction and operation of the proposed project and related projects in the geographic scope could result in cumulative short-term and long-term impacts to noise and vibration.

Future cumulative projects would include a mix of residential, commercial, industrial, and mixed-use land uses. These developments would include noise-and-vibration-generating activities during construction and operation that could result in significant environmental effects to noise and vibration. However, the closest cumulative projects to the project are located too far away from the project to combine together to result in a cumulative noise or vibration-related impact. The project would result in potentially significant impacts to noise and vibration that would be mitigated to a less than significant level with implementation of Mitigation Measures NOISE-1 through NOISE-4. The project's contribution to local noise levels in combination with other projects' noise emissions would not result in a cumulative increase in ambient noise levels because the projects are not close enough in proximity to combine together to result in significant noise impacts and noise impacts would not be cumulatively considerable. The project would have a less than significant impact with respect to cumulative noise and vibration impacts.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.9-4 to a less than significant level:

Mitigation Measures NOISE-1 through NOISE-4.

Transportation

Impact 3.10-1: The proposed project could conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

Finding: Phase 1 construction of the project would generate up to 20 worker vehicle round trips per day and approximately 184 haul truck round trips per day. In 2045, Phase 2 construction would generate 10 worker vehicle round trips per day and approximately 42 haul truck round trips per day. While construction activities would not substantially increase the number of vehicles on the local and regional circulation systems, construction of the transmission pipeline in Phase 1 would require partial closure of traffic lanes, which may include closures of portions of Moreno Beach Drive, Bay Avenue, Alessandro Boulevard, and Cottonwood Avenue. These closures have the potential to affect the alternative transportation system including existing Class II bicycle lanes on either side of Moreno Beach Drive and the existing Riverside Transit Agency (RTA) Route 20 which includes stops at the Moreno Beach Drive/Alessandro Boulevard intersection. Therefore, Phase 1 construction activities within roadways could potentially impact the performance of applicable roadways and alternative transportation methods and the project would implement Mitigation Measure TRA-1 to reduce the impact to a less than significant level. Phase 2 construction would not involve construction outside of the proposed tank site that could affect roadways, bicycle lanes, public transit routes, or pedestrian facilities in the project area. However, Moreno Valley's Master Plan of Trails includes plans to finish the southern loop of Cold Creek trail which could be located adjacent to the Phase 2 water tank site. If construction of the Phase 2 project occurs after the trail is built, EMWD would coordinate with the City of

Moreno Valley to ensure that the public would be able to access the trail during construction and operation of Phase 2 of the project and impacts to applicable program plans, ordinances or policies addressing the circulation system during construction would be less than significant. During operation, the project would require weekly maintenance that would consist of a maximum of two service truck trips per week which would not cause existing roadway levels of operation to decrease. Therefore, operational impacts to the applicable program plans, ordinances or policies addressing the circulation system during operation, including transit, roadway, bicycle and pedestrian facilities, would be less than significant.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.10-1 to a less than significant level:

Mitigation Measure TRA-1: Prior to project construction, EMWD shall require the construction contractor to prepare a Traffic Control and Detour Plan, in accordance with the City of Moreno Valley traffic control guidelines. The Traffic Control and Detour Plan shall, at minimum:

- Identify staging locations to be used during construction.
- Identify safe ingress and egress points from staging areas.
- Identify potential road closures.
- Establish haul routes for construction-related vehicle traffic.
- Include a Detour Plan that identifies alternative safe routes to maintain pedestrian and bicyclist safety during construction.
- Include provisions for traffic control measures such as barricades, warning signs, cones, lights, and flag persons, to allow safe circulation of vehicle, bicycle, pedestrian, and emergency response traffic.
- Ensure access to individual properties.

The Traffic Control and Detour Plan shall be reviewed and approved by EMWD's project manager and the construction inspector prior to the commencement of project construction activities. EMWD's construction inspector shall provide the construction schedule and Traffic Control and Detour Plan to the City of Moreno Valley for review, to ensure that construction of the project does not conflict with other construction projects that may be occurring simultaneously in the project vicinity.

Prior to project construction, EMWD's Public and Governmental Affairs Department will perform public outreach to local residents informing them of upcoming construction activities. EMWD shall require the construction contractor to provide EMWD with a four (4) week notice for any project activities that may have an impact on surrounding communities. Public outreach to local residents may include any or all of the following:

- Written notices (i.e., letters, door hangers, other like forms of community engagement).
- Attendance at community events or presentations.
- Contact information for community complaints.

If the contractor receives complaints directly, the contractor shall forward complaint directly to the Public and Governmental Affairs staff and immediately notify the project inspector.

Coordinate with the City of Moreno Valley to ensure that construction of Phase 2 would not affect public access to the Cold Creek Trail, if it has been built by the time Phase 2 occurs.

Impact 3.10-3: The proposed project could substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Finding: While construction of the Phase 1 transmission pipeline would require partial road closures on some local roadways which could potentially result in hazardous driving conditions, the project would implement Mitigation Measure TRA-1 which would minimize the effects on roadway safety. Therefore, construction of the Phase 1 project would not result in a hazardous design feature within the project area and construction impacts would be less than significant with mitigation incorporated. Construction of Phase 2 would not involve any roadway improvements or alterations and would thus not increase hazards due to a design feature such as a sharp curve or dangerous intersections. During operation of Phase 1 and 2, the project would generate up to two service truck trips per week for maintenance that would be similar to what occurs at other water storage facilities in EMWD's service area and impacts would be less than significant.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.10-3 to a less than significant level:

Mitigation Measure TRA-1.

Impact 3.10-4: The proposed project could result in inadequate emergency access.

Finding: While construction of the project would not significantly increase the amount of trucks and vehicles on the local and regional circulation systems, construction activities within roadways would require partial road closures, which could interfere with emergency access and could result in a potentially significant impact. In order to reduce impacts to emergency access during construction, the project would implement Mitigation Measure TRA-1 which would require the preparation and implementation of a Traffic Control Plan. The Traffic Control Plan

would be coordinated with the City of Moreno Valley, as well as with fire departments, police departments, and ambulances that have jurisdiction within the project area. The mitigation measure also requires that EMWD notify emergency responders of proposed partial or full lane closures at least 30 days prior to impacts. With implementation of Mitigation Measure TRA-1, construction impacts to emergency access would be less than significant. Project-related operational activities would generate minimal vehicle trips and it is reasonable to assume that these trips would not interfere with emergency access. Thus, impacts to emergency access during operation would be less than significant.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.10-4 to a less than significant level:

Mitigation Measure TRA-1.

Impact 3.10-5: Concurrent construction of the proposed project and related projects in the geographic scope could result in cumulative short-term and long-term impacts to transportation.

Finding: Cumulative projects have the potential to affect traffic patterns on roadways in the project area. These projects could combine together with the project to create a cumulatively considerable impact. The construction-related traffic trips associated with all of the cumulative projects would be short-term and temporary in nature; however, some of the larger developments would permanently affect traffic in the area due to a greater number of people living in the area and traveling to/from the residences in their cars. These cumulative projects would be similar to the project in that the Environmental Impact Reports (EIRs) prepared for the developments analyzed the permanent increase in daily trips associated with new large-scale developments. Although construction of the project may require temporary road closures and operation would increase traffic roadway volumes, the project would implement Mitigation Measure TRA-1 which would require implementation of a Traffic Control Plan and would ensure coordination with appropriate agencies/private property owners to reduce construction-related effects of the project to less than significant levels. The Traffic Control Plan should also take into consideration the effects of other construction occurring simultaneously in the project area. As a result, the project would not combine together with cumulative projects to result in significant impacts to traffic and transportation in the project area and the combined impacts to traffic and transportation within the geographic scope would not be considered cumulatively considerable. Cumulative impacts would be less than significant.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.10-5 to a less than significant level:

Mitigation Measure TRA-1.

Tribal Cultural Resources

Impact 3.11-1: The proposed project could cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is either listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Finding: The project site is situated within the Rincon Band of Luiseño Indians and the Agua Caliente Band of Cahuilla Indians Traditional Use Areas and the project site is considered sensitive as there are existing sites in the surrounding areas. As a result of consultation, no known tribal cultural resources, as defined in PRC Sections 21074(a)(1), or resources determined by EMWD in its discretion and supported by substantial evidence to be significant pursuant to PRC Section 5024.1, have been identified within the project site. A records search results indicated two cultural resources, CA-RIV-2866, which is a prehistoric archaeological milling site, and P-33-28830, which is a historic-period asphalt-paved surface, are recorded as located within portions of the project site. As a result of the pedestrian survey, a total of two new previously unrecorded resources were also documented (ESA-040423-01F and ESA-040423-02F). Based on these findings and in consultation with the tribes, the project site appears to have a high potential for encountering tribal cultural resources during construction and could cause a substantial adverse change in the significance of a tribal cultural resource as described in PRC Section 21084.2. Therefore, EMWD would implement Mitigation Measure TRIBAL-1 through TRIBAL-4 which would reduce construction impacts to tribal cultural resources to a less than significant level. Operation of the proposed facilities would not include involve ground disturbance activities that could result in the destruction of potential tribal cultural resources. Therefore, no operational impacts to tribal cultural resources would occur.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.11-1 to a less than significant level:

Mitigation Measure TRIBAL-1: Tribal Resources Monitoring Agreement. At least 30 days prior to the start of any ground-disturbing activities, Eastern Municipal Water District (EMWD) shall contact the Consulting Tribes(s) to develop a Cultural Resources Treatment Monitoring Agreement (“Agreement”). The Agreement shall address the treatment of archaeological resources that may be Tribal Cultural Resources inadvertently discovered on the project site; project grading; ground disturbance and development scheduling; the designation, responsibilities, and participation of tribal monitor(s) during grading, excavation, and ground disturbing activities; and compensation for the tribal monitors, including overtime, weekend rates, and mileage reimbursements.

Mitigation Measure TRIBAL-2: Tribal Monitoring. Prior to the start of ground-disturbing activities, a Tribal monitor may participate in the construction workers archaeological resources sensitivity training, conducted by the project archaeologist. At least seven business days prior to ground-disturbing activities, EMWD shall notify the Consulting Tribes of the grading/excavation schedule and coordinate the Tribal monitoring schedule. A Tribal monitor shall be present for ground-disturbing activities associated with the project. Both the archaeologist and Tribal monitor shall have the authority to stop and redirect grading activities in order to evaluate the nature and significance of any cultural resources discovered within the project limits. Such evaluation shall include culturally appropriate, temporary and permanent treatment pursuant to the Cultural Resources Treatment and Monitoring Agreement, which may include avoidance of resources, in-place preservation, data recovery, and/or reburial so the resources are not subject to further disturbance in perpetuity. Any reburial shall occur at a location determined between EMWD and the Consulting Tribes as described in TRIBAL-4. Treatment may also include curation of the resources at a Tribal curation facility or an archaeological curation facility, as determined in discussion among EMWD, the Consulting Tribes and the project archaeologist, as addressed in the Cultural Resources Treatment and Monitoring Agreement. The on-site Tribal monitoring shall end when all ground disturbing activities on the project site are completed, or when the Tribal representatives and Tribal monitors have indicated that the project site has little or no potential for impacting Tribal Cultural Resources.

Mitigation Measure TRIBAL-3: Disposition of Inadvertent Discoveries. In the event that Tribal Cultural Resources are recovered during the course of grading, EMWD shall relinquish ownership of all cultural resources, including sacred items, burial goods, archaeological artifacts, and non-human remains. EMWD will coordinate with the project archaeologist and the Consulting Tribes to conduct analysis of recovered resources. If it is determined that the resource is a Tribal Cultural Resource and thus significant under CEQA, avoidance of the resources will be explored as the preferred option and on-site reburial will be evaluated as the second option. If avoidance and on-site reburial are not possible, a treatment plan shall be prepared and implemented in accordance with state guidelines and in consultation with the Consulting Tribes. The treatment plan may include, but would not be limited to capping in place, excavation and removal of the resource, interpretive displays, sensitive area signage, or other mutually agreed upon measure. Treatment may also include curation of the cultural resources at a Tribal curation facility, as determined by EMWD and Consulting Tribes.

Mitigation Measure TRIBAL-4: Non-Disclosure of Reburial Locations. It is understood by all parties that unless otherwise required by law, the site of any reburial of culturally sensitive resources shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 6254(r), parties, and Lead Agencies will be asked to withhold public disclosure information related to such reburial.

Impact 3.11-2: Concurrent construction and operation of the proposed project and related projects in the geographic scope could result in cumulative short-term and long-term impacts to tribal cultural resources.

Finding: The projects included in the cumulative scenario would require excavation that could potentially expose or damage potential tribal cultural resources. As required by CEQA review, and depending on the depth of excavation and sensitivity of respective sites, mitigation measures or conditions of approval would be required for related projects that have the potential to cause significant impacts to undiscovered tribal cultural resources. Implementation of such mitigation measures, conditions of approval, and compliance with regulations would avoid significant impacts. Furthermore, state requirements regarding impacts to tribal cultural resources would be adhered to by all cumulative projects which could provide for protection, recovery and curation of discovered tribal cultural resources and preserve their contributions to the knowledge base of past population activity in the area. The project is required to comply with the Mitigation Measures TRIBAL-1 through TRIBAL-4 which would require excavation monitoring and treatment and curation of discoveries, and would ensure proper identification, treatment and preservation of any resources. Implementation of these mitigation measures would reduce impacts to tribal cultural resources to less than significant levels. Therefore, to the extent impacts on tribal cultural resources from cumulative projects may occur, further contribution from the project would not be cumulatively considerable, and the cumulative impacts of the project would be less than significant.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.11-2 to a less than significant level:

Mitigation Measure TRIBAL-1 through TRIBAL-4.

Utilities and Service Systems

Impact 3.12-1: The proposed project could require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

Finding: In addition to installation of new water storage tanks, the project would involve construction of a stormdrain system that would convey flows offsite. Impacts associated with installation of these new utility-related components are evaluated throughout the Draft EIR and would all be reduced to a less than significant level with mitigation. Construction of the Phase 1 pipeline would occur mainly underground within existing public rights-of-way where existing water, wastewater, electric, natural gas, and telecommunications facilities occur within the Moreno Beach Drive right-of-way. However, the project would be designed to avoid the existing sewer, telecommunication, and gas lines which intersect the proposed pipeline route and no utility relocations are proposed as part of the Phase 1 pipeline construction. Furthermore, the

project would implement Mitigation Measure UTIL-1 which would require an underground utilities search and coordination with utility providers operating within proposed construction impact areas during the design phase and prior to construction. Impacts regarding the expansion or relocation of utilities would be less than significant during Phase 1 construction. Phase 2 construction would involve the need for additional power to supply the new storage tank, either by solar panels mounted or a new electrical service line on the project site. If a new electrical service line is required, it would tie into the existing Moreno Valley Utility (MVU) line within the Moreno Beach Drive right-of-way. Construction associated with the new line is included as part of the project and no additional construction outside of the Pettit tank site would be required. Additionally, EMWD will coordinate with MVU regarding installation of any new electrical service line infrastructure. As a result, Phase 2 construction impacts related to new or relocated utilities would be less than significant. Operation of the project would not result in the relocation of utilities. No new or expanded wastewater, stormwater, electric power, telecommunications or natural gas facilities are proposed during operation of Phase 1, and operation of Phase 2 would require solar panels or installation of an additional MVU electrical service line which would not result in significant environmental effects. Therefore, impacts from operation would be less than significant.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.12-1 to a less than significant level:

Mitigation Measure UTIL-1: During design and prior to construction of the project pipeline, EMWD shall conduct an underground utilities search and coordinate with all utility providers that operate in the same public rights-of-way impacted by construction activities. EMWD shall ensure that any temporary disruption in utility service caused by construction is minimized and that any affected parties are notified in advance.

Impact 3.12-6: Concurrent construction and operation of the proposed project and related projects in the geographic scope could result in cumulative short-term and long-term impacts to utilities and service systems.

Finding: Cumulative projects would require expanded utility services such as water, wastewater, stormwater electricity, telecommunications, and natural gas. These projects could combine together with the project to create a cumulatively considerable impact. The project would require either solar panels or a MVU electrical service line connection and would also involve construction of a stormdrain system that would convey flows offsite. Mitigation Measure UTIL-1 would ensure that the appropriate utilities are coordinated with to lessen impacts. Cumulative projects would involve substantial new utility services to support hundreds of additional homes and industrial facilities. These cumulative projects would be similar to the project in that the EIRs prepared for the developments analyzed all impacts to the expanded utility services. While the cumulative projects would require expansion of existing facilities above existing conditions, the development has been approved by the City of Moreno Valley and is accounted for in the planned growth of the city. As a result, the project would not combine together with cumulative projects to result in significant impacts to utilities and service systems. Therefore, the combined

impacts to utilities and service systems within the geographic scope would not be considered cumulatively significant and impacts would be less than cumulatively considerable.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.12-6 to a less than significant level:

Mitigation Measure UTIL-1.

Wildfire

Impact 3.13-1: The proposed project could substantially impair an adopted emergency response plan or emergency evacuation plan.

Finding: The proposed Phase 1 and 2 storage tanks would be constructed within the existing Pettit storage tank site and would not impact evacuation routes within rights-of-ways. The pipeline would be installed entirely within the existing rights of way of Moreno Beach Drive and would require localized closure of traffic lanes including portions of Moreno Beach Boulevard, Cottonwood Avenue, Bay Avenue, and Alessandro Boulevard which could congest local roadways that could be used by the public and emergency responders if an emergency or disaster were to occur. Therefore, the project would implement Mitigation Measure TRA-1, which would require preparation of a Traffic Control Plan and other measures to ensure that impacts to emergency evacuation routes do not occur as a result of the project. With implementation of Mitigation Measure TRA-1, construction of the project would not impair or physically interfere with emergency response or an evacuation plan and the construction impact would be reduced to a less than significant impact. During operation, the proposed water storage tanks would require weekly maintenance consisting of a maximum of two service truck trips per week (1/2 ton pickup) that would travel normally on public rights-of-ways. The pipeline would be installed entirely underground. No operation-related activities would occur within surrounding rights-of-ways or along evacuation routes and operation of the project would not result in impacts on emergency response plans or emergency evacuations. No operational impacts would occur.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.13-1 to a less than significant level:

Mitigation Measure TRA-1: Prior to project construction, EMWD shall require the construction contractor to prepare a Traffic Control and Detour Plan, in accordance with the City of Moreno Valley traffic control guidelines. The Traffic Control and Detour Plan shall, at minimum:

- Identify staging locations to be used during construction.
- Identify safe ingress and egress points from staging areas.
- Identify potential road closures.

- Establish haul routes for construction-related vehicle traffic.
- Include a Detour Plan that identifies alternative safe routes to maintain pedestrian and bicyclist safety during construction.
- Include provisions for traffic control measures such as barricades, warning signs, cones, lights, and flag persons, to allow safe circulation of vehicle, bicycle, pedestrian, and emergency response traffic.
- Ensure access to individual properties.

The Traffic Control and Detour Plan shall be reviewed and approved by EMWD's project manager and the construction inspector prior to the commencement of project construction activities. EMWD's construction inspector shall provide the construction schedule and Traffic Control and Detour Plan to the City of Moreno Valley for review, to ensure that construction of the proposed project does not conflict with other construction projects that may be occurring simultaneously in the project vicinity.

Prior to project construction, EMWD's Public and Governmental Affairs Department will perform public outreach to local residents informing them of upcoming construction activities. EMWD shall require the construction contractor to provide EMWD with a four (4) week notice for any project activities that may have an impact on surrounding communities. Public outreach to local residents may include any or all of the following:

- Written notices (i.e., letters, door hangers, other like forms of community engagement).
- Attendance at community events or presentations.
- Contact information for community complaints.

If the contractor receives complaints directly, the contractor shall forward complaint directly to the Public and Governmental Affairs staff and immediately notify the project inspector.

Impact 3.13-2: Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

Finding: The project site is located in a Local Responsibility Area classified as Very High Fire Hazard Severity Zone. The project site rests on a slope and the western section of the project site and surrounding area is dominated by a shrub canopy which can be highly flammable. Any sparks or flames would have the potential to ignite vegetation on the western edge of the project site that could act as wildfire fuel. During construction, equipment and onsite diesel fuel could pose a risk to wildfire with possible ignition sources such as internal combustion engines,

gasoline-powered tools, blasting equipment, and equipment that could produce a spark, fire, or flame. The use of spark-producing construction machinery within fire risk areas could expose temporary project workers and contractors to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire, resulting in a potentially significant impact. All project-related personnel would have to comply with PRC Sections 4427, 4428, 4431, and 4442, which would ensure that contractors are responsible for all monitoring and safety measures ensuring that any risk to exacerbate wildfire would be reduced. All construction must also comply with fire protection and prevention requirements specified by the CCR and Cal/OSHA. Furthermore, implementation of Mitigation Measure WDF-1 would be required to ensure a fire protection plan and fire hazard reduction measures are implemented during project activities to further reduce the potential for wildfire impacts on project workers. As a result, construction-related impacts would be reduced to a less than significant level with mitigation. Operational activities would involve a limited number of maintenance trucks for inspections and material delivery. These trucks would be limited to established roads and would have a low potential of producing sparks, fire, or flame, that could result in uncontrolled spread of wildfire and operational impacts would be less than significant.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.13-2 to a less than significant level:

Mitigation Measure WDF-1: Fire Hazard Reduction Measures. In accordance with S.1-14 of the Moreno Valley 2040 General Plan, prior to construction, EMWD shall prepare a fire protection plan that includes an assessment of site characteristics, brush clearance locations and techniques, equipment requirements for working in dry brush including spark arrestors, spotters for welding activities, fire extinguisher accessibility, use of fire safe building materials, and installation of fire-resistant landscaping. Fire hazard reduction measures outlined in the fire protection plan shall be implemented during construction.

Impact 3.13-3: The proposed project could require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

Finding: The proposed Phase 1 and Phase 2 pipeline and storage tanks do not pose additional risk to exacerbation of wildfires other than what is discussed in Impact 3.13-2. Construction would require compliance with PRC Sections 4427, 4428, 4431, and 4442, which include regulations relating to the handling of combustible fuels and equipment that can exacerbate fire risks. Construction will also comply with Cal/OSHA regulations by ensuring that the blaster is physically present on site when blasting operations are performed and explosive materials are stored in an appropriate magazine until they are used. Additionally, Mitigation Measure WDF-1 would be required to ensure a fire protection plan and fire hazard reduction measures are implemented during project activities to further reduce the potential for wildfire impacts on project workers. Construction-related impacts would be reduced to a less than significant level with mitigation. During operation, the project would require weekly maintenance consisting of a

maximum of two service truck trips per week (1/2 ton pickup) that would be limited to established roads and would have a low potential of producing sparks, fire, or flame, that could result in uncontrolled spread of wildfire. It is possible that the new SCE electrical service line that could be constructed to support the Phase 2 water storage tank could exacerbate fire risk if compromised by high winds or other utility failure, resulting in a potentially significant impact. However, site preparation for the electrical service line would include the clearance of vegetation and the project would comply with S.1-14 of the Moreno Valley 2040 General Plan which requires brush clearance and fire-resistant landscaping. As a result, operational impacts would be reduced to a less than significant level.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.13-3 to a less than significant level:

Mitigation Measure WDF-1.

Impact 3.13-5: Concurrent construction and operation of the proposed project and related projects in the geographic scope could result in cumulative short-term and long-term impacts to wildfire.

Finding: None of the cumulative projects identified in the Draft EIR are located in Very High Fire Hazard Severity Zones, and would therefore not combine with the project to result in a significant cumulative impact. The project is located on a slope and is surrounded by flammable vegetation, and construction could pose a risk to wildfire with possible ignition sources such as internal combustion engines, gasoline-powered tools, blasting equipment, and equipment that could produce a spark, fire, or flame. Mitigation Measures WDF-1 and TRA-1 would ensure that the appropriate fire hazard reduction measures and Traffic Control Plan are implemented so that the potential for wildfire impacts on project workers is reduced and impacts to emergency evacuation routes do not occur. As a result, the project would not combine together with cumulative projects to result in significant impacts to wildfire. Therefore, the combined impacts to wildfires within the geographic scope would not be considered cumulatively significant and impacts would be less than cumulatively considerable.

Facts in Support of Finding: EMWD has adopted and will implement the following mitigation measure that will reduce Impact 3.13-5 to a less than significant level:

Mitigation Measures TRA-1 and WDF-1.

F. Findings Regarding Alternatives

CEQA requires that an EIR describe and evaluate a reasonable range of feasible alternatives to a project, or to the location of a project, that would attain most of the project objectives and avoid or substantially lessen significant project impacts. The alternatives analysis must also include the “No Project Alternative” as a point of comparison. The No Project Alternative includes existing

conditions and reasonably foreseeable future conditions that would exist if the project were not approved (CEQA Guidelines Section 15126.6(e)). Alternatives considered in an EIR need to attain most of the project objectives in order to be considered feasible per CEQA Guidelines Section 15126.6(f).

EMWD's consideration of a broad range of alternatives to the project is described below. Alternatives that were considered but found to be infeasible are described first. Second, the alternatives evaluated in the EIR are described and their associated environmental impacts are summarized. The reasoning behind rejection of each of the evaluated alternatives is provided.

1. Alternatives Considered and Dismissed from Further Consideration

CEQA Guidelines Section 15126.6(c) provides that an EIR "should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination." EMWD considered two alternatives in addition to the project that were rejected from further consideration in the EIR. Both alternatives are based on the analysis included in the *Pettit Storage Siting Evaluation Technical Memorandum* and proposed different tank size and site configurations to achieve 8 MG storage capacity at the project site. The first alternative would involve demolition of the existing 2 MG tank and construction of a new 5 MG tank in its place, and construction of a new 3 MG tank located just to the north of the 5 MG tank on the acquired EMWD property. The second alternative would involve keeping the existing 2 MG tank onsite and construction of a new 6 MG tank located just to the north of the 2 MG tank on the acquired EMWD property. The following discussion describes the two alternatives that were considered but not evaluated in detail in the EIR.

a. New 3-MG Tank and New 5-MG Tank

This alternative includes the demolition of the existing 2 MG tank and construction of a new 5 MG tank at the location of the existing tank, and a 3 MG tank located just to the north of the 5 MG tank on EMWD property. The access road to the tank would have a 7% slope uphill towards the tank. The detention basin would be located on the northeastern portion of the site. The northern tank would be constructed and operational prior to demolition of the existing tank and construction of the southern tank.

The alternative would involve similar environmental impacts as the proposed project because two tanks would be built at the project site. The alternative would provide the least storage capacity for immediate use. As a result, the alternative would not meet the project objective of providing replacement tanks to increase potable water storage capacity to meet near- and long-term demands associated with planned development in eastern Moreno Valley. Because of these reasons, EMWD has rejected the alternative as infeasible and it is not considered further in this Draft EIR.

b. Existing 2-MG Tank to Remain and New 6-MG Tank

This alternative involves keeping the existing 2 MG tank onsite and construction of a new 6 MG tank located just to the north of the 2 MG tank on EMWD property. The access road to the tank would have a 15% slope uphill towards the tank. This alternative also requires the construction

of a retaining wall on the northern side of the site. The detention basin would be located on the northeastern portion of the site.

The alternative would involve fewer environmental impacts as the proposed project because only one tank would be built at the project site, resulting in fewer construction-related air quality emissions and aesthetics impacts. However, the existing 2 MG tank would still have freeboard issues that eliminates the ability of other storage tanks in the area to maximize usable space. As a result, the alternative would not meet the project objective of maximizing usable storage capacity of other tanks within the 1764 Pettit Pressure Zone. Because of these reasons, EMWD has rejected the alternative as infeasible and it is not considered further in this Draft EIR.

2. Alternatives Considered in the EIR

Section 15126.6(e) of the CEQA Guidelines requires that an EIR include analysis of a “no project” alternative. Based on the “rule of reason” governance in the CEQA Guidelines, an EIR is only required to “set forth only those alternatives necessary to permit a reasoned choice.” (CEQA Guidelines Section 15126.6(f)). The following discussion describes the two alternatives evaluated in detail in this EIR.

a. Alternative 1: No-Project Alternative

Under the No Project Alternative, EMWD would not construct the two new 4.5-million-gallon (MG) water storage tanks, transmission pipeline, stormwater drainage facilities, or related improvements. The existing 2 MG storage tank at the project site would continue to be operational. The benefits of the project, which include improved operating conditions in the 1764 Pettit Pressure Zone, would not occur.

3. The Environmentally Superior Alternative

Section 15126.6(e) of the CEQA Guidelines requires the lead agency to identify which of the alternatives other than the no-project alternative is environmentally superior. The No Project Alternative would avoid all of the mitigated environmental impacts associated with the proposed project, but would not meet all of the project objectives. Because the proposed project does not result in any significant and unavoidable impacts, the No Project Alternative does not avoid or substantially lessen significant and unavoidable impacts. The proposed project is the environmentally superior alternative because it meets all of the project objectives and does not result in significant and unavoidable impacts.

G. Additional Findings

1. Certification of the EIR

In accordance with CEQA, EMWD and its Board of Directors have considered the effects of the project on the environment, as shown in the Draft EIR, Final EIR, and the whole of the administrative record, prior to taking any action to approve the project. As required by Section 15088(b) of the CEQA Guidelines, EMWD provided the Final EIR, which includes written responses to all comments, to commenters ten days in advance of the meeting at which the Board of Directors will consider certification of the EIR and approval of the project. The Board of Directors has reviewed and considered the Draft EIR and Final EIR and the information relating

to the environmental impacts of the project contained in those documents and certifies that the EIR has been prepared and completed in compliance with CEQA. By adopting these Findings, the Board of Directors ratifies and adopts the conclusions of the Final EIR as set forth in these Findings. The Final EIR and these Findings represent the independent judgment and analysis of the Board of Directors.

2. Changes to the Draft EIR; No Need to Recirculate

Minor changes have been made to the Draft EIR as a result of comments received on the Draft EIR, but none of these minor modifications have revealed the existence of: (1) a new significant environmental impact that would result either from changes to the project or the need for an additional mitigation measure; (2) a substantial increase in the severity of an environmental impact; (3) a feasible project alternative or mitigation measure not adopted that is considerably different from others analyzed in the Draft EIR that would clearly lessen the significant environmental impacts of the project; or (4) information that indicates that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR. No significant new information has been generated by EMWD related to the project within the meaning of Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5. Recirculation of the Draft EIR or any portion thereof, is therefore not required.

3. Evidentiary Basis for Findings

These Findings are based upon substantial evidence in the entire record before EMWD. The references to the Draft EIR and Final EIR set forth in these Findings are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these Findings.

H. Adoption of Mitigation Measures and Mitigation Monitoring and Reporting Program

1. Mitigation Measures Adopted

Except as otherwise noted, the mitigation measures herein referenced are those identified in the Final EIR and adopted by EMWD as set forth in the MMRP.

2. Impact After Implementation of Mitigation Measures.

Except as otherwise stated in these Findings, in accordance with CEQA Guidelines Section 15092, EMWD finds that the environmental effects of the project will not be significant or will be mitigated to a less than significant level by the adopted mitigation measures. EMWD has substantially lessened or eliminated all significant environmental effects associated with the project. Except as otherwise stated in these Findings, EMWD finds that the mitigation measures incorporated into and imposed upon the project will not have new significant environmental impacts that were not analyzed in the EIR.

3. Relationship of Findings and MMRP to the FEIR

These Findings and the MMRP are intended to summarize and describe the contents and conclusions of the Draft EIR and Final EIR for policymakers and the public. For purposes of clarity, these impacts and mitigation measures may be worded differently from the provisions in the Final EIR and/or some provisions may be combined. Nonetheless, EMWD will implement all

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measures contained in the Final EIR. In the event that there is any inconsistency between the descriptions of mitigation measures in these Findings or the MMRP and the Final EIR, EMWD will implement the measures as they are described in the Final EIR. In the event a mitigation measure recommended in the Final EIR has inadvertently been omitted from these Findings or from the MMRP, such a mitigation measure is hereby adopted and incorporated in the Findings and/or MMRP as applicable.