

**FRIENDS OF THE NORTHERN SAN JACINTO VALLEY**  
**P.O. Box 9097**  
**Moreno Valley, CA 92552-9097**

18 September 2008

Via e-mail: [Markg@moval.org](mailto:Markg@moval.org) and FAX (951) 413-3210

Mr. Mark Gross, Senior Planner  
City of Moreno Valley  
14177 Frederick Street/P.O. Box 88005  
Moreno Valley, California 92552

Dear Mr. Gross:

**Re: Draft Environmental Impact Report (DEIR) Highland Fairview Corporate Park – SCH:  
2007101132**

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Highland Fairview Corporate Park and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Michael Brandman Associates, to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration.

**Aesthetics - Loss of Scenic Vista:** Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) capable of avoiding or minimizing this aesthetic impact. Moreover, the CEQA impact analysis fails to consider the project applicant is the owner of 1,800 acres immediately adjacent to the south and east of the proposed Highland Fairview Corporate Park site (DEIR Section 8.3 - Logistic Modified General Plan Concept). The project proponents land ownership makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of

Highway 60. A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway. In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. In addition, because the project proponent also controls the lands east of the project site along Highway 60, the use of offsite view mitigation should be considered in the CEQA impact analysis.

**Agriculture - Loss of Prime Farmland and Loss of Farmland of Local Importance:** The Project will convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. The fact that the project proponent is the owner of 1,800 acres of existing agricultural lands adjacent to the proposed Highland Fairview Corporate Park warrants consideration of the General Plan mitigation measures in the Draft EIR.

**Air Quality:** The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the intended warehouse tenant Sketchers Corporation to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. A simple contract condition in the Sketchers trucking agreements could implement such a program thereby mitigating the project health burdens imposed on the community.

**Climate Change and Greenhouse Gases:** AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Highland Fairview project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced.

**Biological Resources:** To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP or the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation

fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable.

In reviewing the Draft Environmental Impact document (both hard copy and CD-ROM versions) we found that the Friends' NOP letter of November 20, 2007 is missing. We are attaching a copy of our NOP letter.

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter.

Sincerely

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Attachment:

Friends' Highland Fairview Logistics Building comment letter, November 20, 2007