

**RECIRCULATED IS/MND
LETTER 1**



T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
Amalia@lozeaudrury.com

VIA EMAIL

February 27, 2023

Oscar Romero, Project Planner
City of Chula Vista
Development Services Department
276 Fourth Avenue
Chula Vista, CA 91910
oromero@chulavistaca.gov

Re: Recirculated Mitigated Negative Declaration for Shinohara Business Center Project

Dear Mr. Romero,

I am writing on behalf of **Supporters Alliance for Environmental Responsibility ("SAFER")** regarding the proposed development of a 173,432 square foot warehouse and office building, located at 517 Shinohara Lane in the City of Chula Vista ("Project"). The City of Chula Vista ("City") has prepared a recirculated mitigated negative declaration ("MND") for the Project. We request that the City prepare an environmental impact report ("EIR") for the Project because there is a fair argument that the Project may have adverse environmental impacts.

These comments are supported by the comments of the expert consulting firm, Soil Water Air Protection Enterprise ("SWAPE"), authored by Dr. Paul Rosenfeld, Ph.D. and Matthew Hagemann, C. Hg. (Exhibit A). It is also supported by comments from expert wildlife biologist Shawn Smallwood (Exhibit C). We incorporate the SWAPE and Smallwood comments herein by reference. As explained below and in the SWAPE and Smallwood comments, there is a fair argument that the proposed Project may have significant adverse environmental impacts, and an EIR is therefore required.

LEGAL STANDARD

As the Supreme Court held, "[i]f no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR." (*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal. 4th 310, 319-320, citing, *No Oil, Inc. v. City of Los*

Angeles, 13 Cal.3d at pp. 75, 88; *Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal. App. 3d 491, 504–505). “The ‘foremost principle’ in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.” (*Communities for a Better Environment v. Calif. Resources Agency* (2002) 103 Cal. App. 4th 98, 109.)

The EIR is the very heart of CEQA. (*Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1214; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal. App. 4th 903, 927.) The EIR is an “environmental ‘alarm bell’ whose purpose is to alert the public and its responsible officials to environmental changes before they have reached the ecological points of no return.” (*Bakersfield Citizens*, 124 Cal.App.4th at 1220.) The EIR also functions as a “document of accountability,” intended to “demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.” (*Laurel Heights Improvements Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392.) The EIR process “protects not only the environment but also informed self-government.” (*Pocket Protectors*, 124 Cal.App.4th 927.)

An EIR is required if “there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment.” (Pub. Res. Code § 21080(d) (emphasis added); see also *Pocket Protectors*, 124 Cal.App.4th at 927.) In very limited circumstances, an agency may avoid preparing an EIR by issuing a negative declaration, a written statement briefly indicating that a project will have no significant impact thus requiring no EIR (CEQA Guidelines § 15371), only if there is not even a “fair argument” that the project will have a significant environmental effect. (Pub. Res. Code §§ 21100, 21064.) Since “[t]he adoption of a negative declaration . . . has a terminal effect on the environmental review process,” by allowing the agency “to dispense with the duty [to prepare an EIR],” negative declarations are allowed only in cases where “the proposed project will not affect the environment at all.” (*Citizens of Lake Murray v. San Diego*, 129 Cal.App.3d 436, 440 (1989).) CEQA contains a “**preference for resolving doubts in favor of environmental review**.” (*Pocket Protectors*, 124 Cal.App.4th at 927 (emphasis in original).)

DISCUSSION

I. The MND Fails to Provide Adequate Information to Evaluate the Project’s Potential Air Quality Impacts.

Matt Hagemann, P.G., C.Hg., and Dr. Paul E. Rosenfeld, Ph.D., of the environmental consulting firm SWAPE reviewed the MND’s analysis of the Project’s impacts on air quality. SWAPE’s comment letter and CVs are attached as Exhibit A and their comments are briefly summarized here.

L1-2
Cont.

L1-3

The MND estimated construction and operation emissions from the Project using California Emissions Estimator Version 2022.1 (“CalEEMod”). (MND, p. 34.) This model, which is used to generate a project’s construction and operational emissions, relies on recommended default values based on site specific information related to a number of factors. (Ex. A, p. 1-2.) CEQA requires any changes to the default values to be justified by substantial evidence. (*Id.*)

L1-4 The version of CalEEMod used by the City to model air emissions does not provide complete output files because it is only a soft-release of the new program. As a result, the calculations prepared by the City fail to provide information on the exact parameters used to calculate the Project’s emissions. Without these parameters, SWAPE is unable to verify that the MND’s air modeling and analysis are accurate. (Ex. A, p. 3.) This conflicts with the public accountability purposes of CEQA, and an EIR should be prepared which provides the model’s output files, so that the public can fully assess the Project’s potential impacts.

II. The MND Failed to Adequately Evaluate Diesel Particulate Matter Emissions from the Project.

L1-5 One of the primary emissions of concern regarding health effects for land development projects is diesel particulate matter (“DPM”), which can be released during Project construction and operation. DPM consists of fine particles with a diameter less than 2.5 micrometers including a subgroup of ultrafine particles (with a diameter less than 0.1 micrometers). Diesel exhaust also contains a variety of harmful gases and cancer-causing substances. Exposure to DPM is a recognized health hazard, particularly to children whose lungs are still developing and the elderly who may have other serious health problems. According to the California Air Resources Board (“CARB”), DPM exposure may lead to the following adverse health effects: aggravated asthma; chronic bronchitis; increased respiratory and cardiovascular hospitalizations; decreased lung function in children; lung cancer; and premature deaths for those with heart or lung disease.¹

The MND prepared a health risk assessment (“HRA”) to analyze the Project’s operational diesel-powered truck emissions, but did not prepare an HRA for construction-related emissions. The MND nonetheless concludes that the Project’s construction-related emissions will not impact human health. This conclusion is not supported by substantial evidence. Instead, it is based on the bare conclusion that the temporary construction schedule and limited number of heavy-duty construction equipment would render the impact automatically less-than-significant. (MND, p. 36.) This conclusion and its rationale are wrong for three reasons. (See Ex. A, p. 4-5.)

L1-6 First, by failing to prepare a full quantified construction HRA, the MND fails to connect emissions to health impacts. (Ex. A at 4.) In failing to connect TAC emissions to

¹ See CARB Resources - Overview: Diesel Exhaust & Health, available at <https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health>).

potential health risks to nearby receptors, the Project fails to meet the CEQA requirement that projects correlate increases in project-generated emissions to adverse impacts on human health caused by those emissions. (*Id.*; See *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 510.)

L1-6
Cont.

Second, failing to conduct an HRA for the Project's construction-related emissions violates the California Department of Justice policy. The DOJ recommends the preparation of a quantitative HRA pursuant to the Office of Environmental Health Hazard Assessment ("OEHHA"), the organization responsible for providing guidance on conducting HRAs in California, as well as local air district guidelines. OEHHA released its most recent guidance document in 2015 describing which types of projects warrant preparation of an HRA. See "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at*: http://oehha.ca.gov/air/hot_spots/hotspots2015.html. OEHHA recommends that projects lasting at least 2 months be evaluated for cancer risks to nearby sensitive receptors, a time period which this Project easily exceeds. (Ex. A at 5.) The OEHHA document also recommends that if a project is expected to last over 6 months, the exposure should be evaluated for the duration of the project. (*Id.*) SWAPE therefore recommends that a quantified HRA be prepared for the Project's entire 18-month construction period. (*Id.*)

L1-7

Finally, failing to combine the cancer risk from Project construction and operation is inconsistent with OEHHA guidance. Although the MND includes an operational HRA, it does not evaluate the *combined* lifetime cancer risk to nearby, existing receptors as a result of construction *and* operation together. (Ex. A, p. 5.) OEHHA guidance states that the cancer risk calculations from construction and operation must be added together to determine cancer risk at the receptor location. (*Id.*) As the MND fails to do this, its analysis is incomplete and inadequate under CEQA. The City must prepare an EIR which calculates, and then adds the Project's construction and operational cancer risks and compares them to the San Diego Air Pollution Control District's (SDAPCD) threshold of 10 in one million. Without this analysis, the MND's conclusion that the Project will not significantly impact human health is not supported by substantial evidence.

L1-8

SWAPE prepared a screening-level HRA to evaluate potential impacts from Project construction and operation using air quality dispersion model AERSCREEN. (*Id.* at 5-10.) SWAPE applied a sensitive receptor distance of 150 meters and analyzed impacts to individuals at different stages of life based on OEHHA and SDAPCD guidance utilizing age sensitivity factors. (*Id.* at 9.) SWAPE found that the excess cancer risk over the course of Project construction is approximately 32.6 in one million for infants, and 34.7 million in total. (*Id.*) When added to the Project's estimated operational cancer risk of 1.08 in one million, the cancer risk over the course of a 30-year residential lifetime is 35.8 in one million. The infant and lifetime cancer risks therefore exceed the SDAPCD's threshold of 10 in one million. (*Id.*)

L1-9

L1-9
Cont.

SWAPE's analysis constitutes substantial evidence that the Project may have a significant health impact as a result of diesel particulate emissions. An EIR must be prepared to analyze and mitigate this significant impact.

III. The MND Fails to Require Mitigation Measures to Reduce the Project's Adverse Environmental Impacts.

Because SWAPE's comments indicate that the Project will have significant impacts on air quality and human health, mitigation measures must be adopted to reduce these impacts to less-than-significant. This is especially important given the Project's proximity to residential areas.

Numerous mitigation measures have been identified to address air pollutant emissions associated with warehouse projects such as this one. The urgency of adopting these measures is increasing because of the increasing prevalence of warehouse and distribution centers in Chula Vista, and the accompanying increase in diesel particulate emissions from heavy duty truck trips generated by those facilities. The following mitigation measures, identified by the California Attorney General to address air pollution from warehouses, must be considered:

[Construction Mitigation Measures]

- Requiring off-road construction equipment to be hybrid electric-diesel or zero-emission, where available, and all diesel-fueled off-road construction equipment to be equipped with CARB Tier IV-compliant engines or better, and including this requirement in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- Prohibiting off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day.
- Using electric-powered hand tools, forklifts, and pressure washers, and providing electrical hook ups to the power grid rather than use of diesel-fueled generators to supply their power.
- Designating an area in the construction site where electric-powered construction vehicles and equipment can charge.
- Limiting the amount of daily grading disturbance area.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than three minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.

L1-10

- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L.
- Providing information on transit and ridesharing programs and services to construction employees.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.

[Operational Mitigation Measures]

- Requiring all heavy-duty vehicles engaged in drayage²² to or from the project site to be zero-emission beginning in 2030
- Requiring all on-site motorized operational equipment, such as forklifts and yard trucks, to be zero-emission with the necessary charging or fueling stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than three minutes and requiring operators to turn off engines when not in use.
- Posting both interior- and exterior-facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, the local air district, and the building manager.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity that is equal to or greater than the building's projected energy needs, including all electrical chargers.
- Designing all project building roofs to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible.
- Constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project.
- Running conduit to designated locations for future electric truck charging stations.
- Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.
- Oversizing electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability.

- Constructing and maintaining electric light-duty vehicle charging stations proportional to the number of employee parking spaces (for example, requiring at least 10% of all employee parking spaces to be equipped with electric vehicle charging stations of at least Level 2 charging performance)
- Running conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- Requiring operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.
- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
- Designing to LEED green building certification standards.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.
- Posting signs at every truck exit driveway providing directional information to the truck route.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.
- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers.

L1-10
Cont.

- Providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

L1-10
Cont.

California Department of Justice, “Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act, Updated September 2022” (attached as Exhibit B).

IV. Substantial Evidence Supports a Fair Argument that the Project Will Have Significant Adverse Biological Impacts that the MND Fails to Adequately Analyze and Mitigate.

L1-11

Shawn Smallwood, Ph.D. reviewed the MND’s analysis of the Project’s biological impacts and prepared a comment, dated February 24, 2023. Dr. Smallwood’s February 2023 comment letter and CV are attached as Exhibit C and his comments are briefly summarized here. Note, Dr. Smallwood also prepared comments on the previous MND, circulated in September 2022. Dr. Smallwood’s February 2023 comments reference his September 2022 comments, and his September 2022 comments are attached as Exhibit D.

a. The MND is inadequate in its characterization of the existing environmental setting as it relates to wildlife.

Dr. Smallwood’s comments are supported by a site visit performed by Noriko Smallwood, a wildlife biologist with a Master’s Degree from California State University Los Angeles. (Ex. C, p. 1.) Noriko visited the site on February 18, 2023 from 7:05 – 10:15 am. (*Id.*) She viewed the site from the northwest, northeast, and southeast corners, using binoculars to scan for wildlife. (*Id.*) Noriko also visited the Project site in September 2022 in support of comments on the previous MND for this Project. (See, Exhibit D.) Between her two visits, she observed 33 distinct species of vertebrate wildlife, 9 of which are special-status. (*Id.*, see Ex. C, p. 8-9.)

The special-status species observed include the following: the Allen’s hummingbird, the Western gull, the California gull, the double-crested cormorant, the Red-tailed hawk, the great horned owl, the Nuttall’s woodpecker, the California thrasher, and the Western bluebird. (*Id.*) Dr. Smallwood noted that such a high percentage of special-status species on a site is unusual and indicates a high level of endemism. (Ex. C, p. 1.)

Dr. Smallwood found numerous flaws in the City’s consultant’s analysis of baseline conditions. First, he found that the reconnaissance survey performed for the City failed to give methodological details necessary to interpret the survey’s results, such as who completed the survey, what time it started, and how long it lasted. (Ex. C, p. 10-11.) Such details are important to understanding whether survey personnel were qualified, and whether their survey effort was reasonable. (*Id.* at 11.)

L1-12

The City's consultant's report also improperly dismissed the importance of its observation of a monarch butterfly onsite, a dismissal which Dr. Smallwood states is based on an inaccurate characterization of the monarch butterfly's habitat. (*Id.* at 11-12.) Dr. Smallwood found that the observation of a monarch butterfly onsite is evidence that the site at least serves as part of its migration route, and more analysis is therefore necessary to assess how the Project will impact this and other special-status species. (*Id.* at 12.) Lastly, Dr. Smallwood concluded that the City's consultant's report failed to conduct the appropriate surveys for assessing the presence of burrowing owls onsite, and failed to adequately report the likelihood of California ground squirrels onsite. (*Id.* at 11-12.)

Every CEQA document must start from a "baseline" assumption. The CEQA "baseline" is the set of environmental conditions against which to compare a project's anticipated impacts. (*Communities for a Better Env't. v. So. Coast Air Qual. Mgmt. Dist.* (2010) 48 Cal. 4th 310, 321.) A skewed baseline such as the one used by the City here ultimately "mislead(s) the public" by engendering inaccurate analyses of environmental impacts, mitigation measures and cumulative impacts for biological resources. (See *San Joaquin Raptor Rescue Center*, 149 Cal.App.4th 645, 656; *Woodward Park Homeowners*, 150 Cal.App.4th 683, 708-711.)

L1-12
Cont.

Based on Dr. Smallwood's own assessment of database reviews and Noriko's site visit of September 2022, Dr. Smallwood concluded in his September 2022 comments that "124 special-status species of vertebrate wildlife are known to occur near enough to the site to be analyzed for occurrence potential at one time or another." (Ex. D, p. 14, see Table 2, p. 15-19). In September 2022, Dr. Smallwood therefore stated that "sufficient survey effort should be directed to the site to either confirm these species use the site or to support absence determinations." (*Id.* at 14.) Indeed, Noriko's second site visit in February 2023 is evidence that additional surveys would likely result in additional species observations – Noriko's February 2023 site visit resulted in detection of 12 (57%) more species of vertebrate wildlife than she had previously detected, including 5 (56%) more special-status species. (Ex. C, p. 7.) Because of the City's failure to adequately characterize the site, a fair argument exists that the Project may have a significant impact on wildlife requiring the preparation of an EIR.

b. The Project will have a significant impact on special status species as a result of habitat loss.

L1-13

Dr. Smallwood reiterates in his February 2023 comments that the Project would contribute to a decline in birds in North America, a trend that has been happening over the last approximately 50 years largely due to habitat loss and fragmentation and would be further exacerbated by this Project. (Ex. C, p. 17; Ex. D, p. 21-22.) Based on studies on the subject, Dr. Smallwood estimated that the presence of the Project on the site could prevent the production of 241 fledglings per year, which would in turn contribute to the lost capacity of 274 birds per year. (Ex. D, p. 21-22.) The City must address this impact in an EIR.

c. The Project will have a significant impact on wildlife movement.

The MND's assessment of whether the Project would interfere with wildlife movement remains flawed. (Ex. C, p. 17; Ex. D, p. 22.) The City's consultant's report states that "[t]here are no wildlife corridors or habitat linkages on site; therefore, there are no direct impacts to wildlife corridors or habitat linkages." (Ex. C, p. 17; MND, Appendix D, p. 13.) However, Dr. Smallwood states that the MND's assessment of impacts of wildlife movement assumes that "only disruption of the function of a wildlife corridor can interfere with wildlife movement in the region." (Ex. C at 17.) However, Dr. Smallwood states:

L1-14

The primary phrase of the CEQA standard goes to wildlife movement regardless of whether the movement is channeled by a corridor. A site such as the proposed project site is critically important for wildlife movement because it composes an increasingly diminishing area of open space within a growing expanse of anthropogenic uses, forcing more species of volant wildlife to use the site for stopover and staging during migration, dispersal, and home range patrol (Warnock 2010, Taylor et al. 2011, Runge et al. 2014). The project would cut wildlife off from stopover and staging opportunities, forcing volant wildlife to travel even farther between remaining stopover sites.

(*Id.*) Dr. Smallwood's expert opinion constitutes substantial evidence that the Project may significantly impact wildlife movement. An EIR must be prepared to properly analyze and mitigate this impact.

d. The Project will have a significant impact on special status species as a result of traffic-related fatalities.

The MND estimates that the Project would generate 301,454 vehicle miles traveled (VMT) from construction and a subsequent 50,303 daily VMT during operation of the Project. However, the MND still fails to adequately analyze the Project's impact on wildlife that will be caused by the traffic on roadways servicing the Project. Although the MND addresses (albeit in one conclusory sentence) the potential for traffic impacts onsite, Dr. Smallwood found that the MND's conclusion was misleading because it examined the potential for impacts solely onsite. (Ex. C, p. 17.) Dr. Smallwood points out that "wildlife collision mortality would occur along the roads used by project-generated traffic, many reaches of which would occur far from the project site. (*Id.*)

L1-15

As noted in Dr. Smallwood's September 2022 comments, vehicle collisions with special-status species is not a minor issue, but rather results in the death of millions of species each year. Dr. Smallwood explains: ". . . the US estimate of avian mortality on roads is 2,200 to 8,405 deaths per 100 km per year, or 89 million to 340 million total per year (Loss et al. 2014)." (Ex. D, p. 23.)

Using the Project's VMT estimates and information from a scientific study on road mortality, Dr. Smallwood was able to predict the Project-generated traffic impacts

to wildlife. (Ex. C at 18.) Dr. Smallwood calculates that the Project would cause an accumulated 10,061 vertebrate wildlife fatalities per year, not including 165 caused by construction traffic. (*Id.*) An EIR must be prepared which includes analysis and mitigation of the Project's impacts on special-status species from the increased traffic generated by the Project.

- e. The MND failed to address the cumulative impacts of past, ongoing, and future projects on wildlife.

The MND failed to analyze cumulative impacts of the project on biological resources. (Ex. C at 18.) The MND's cumulative impacts analysis relies on the City of Chula Vista's General Plan Vision 2020, and impacts are analyzed under the General Plan EIR. However, when relying on an approved plan to mitigate impacts, an agency must "explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable." (*Id.*, quoting CEQA Guidelines § 15064(h)(3).) Here, the MND did not explain how implementing requirements from the General Plan EIR would "minimize, avoid or offset the project's contributions to cumulative impacts." (Ex. C at 18.) An EIR must be prepared with a revised cumulative biological impacts section which adequately meets CEQA requirements.

V. CONCLUSION

For the foregoing reasons, SAFER requests that the City prepare an environmental impact report to analyze and mitigate the Project's significant adverse environmental impacts. Thank you.

Sincerely,

A black rectangular redaction box covering the signature of Amalia Bowley Fuentes.

Amalia Bowley Fuentes
LOZEAU DRURY LLP