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July 2, 2025

Via U.S. Mail and Email

Brian Desatnik
Development Services Director
City of Redlands
Development Services Department
35 Cajon Street, Suite 4
Redlands, CA 92373
Email: bdesatnik@cityofredlands.org;
planning@cityofredlands.org

Via Email Only

Sean Reilly, Principal Planner
Email: sreilly@cityofredlands.org

Re: Request to Extend Public Review and Comment Period on Initial Study/Mitigated Negative Declaration – the Commons at California Project, 913 California Street (CUP Nos. 1200, 1203; TPM No. 20854; Commission Review & Approval No. 0937; SCH No. 2025060163)

Dear Mr. Desatnik and Mr. Reilly:

We are writing on behalf of **Californians Allied for a Responsible Economy (“CARE CA”)** to respectfully request that the City of Redlands (“City”) extend the public review and comment period on the Initial Study/Mitigated Negative Declaration (“MND”)¹ for the Commons at California Project, 913 California Street (CUP Nos. 1200, 1203; TPM No. 20854; Commission Review & Approval No. 0937; SCH No. 2025060163) (“Project”) due to the City’s failure to provide timely access to documents referenced and relied upon in the MND. The MND public review period

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¹ City of Redlands, Initial Study/Mitigated Negative Declaration for the Commons at California Project (June 2025), available at: https://www.cityofredlands.org/sites/main/files/file-attachments/913_california_street_ismnd_reduced.pdf.

currently ends on July 7, 2025.² CARE CA asks that the public review period be extended **by at least 30 days** from the date on which the City releases *all* MND reference documents for public review. **Given the short time remaining in the public comment period, we request the City's response to this letter by July 3, 2025.**

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On June 20, 2025, our office submitted a request, pursuant to the California Environmental Quality Act ("CEQA"),³ for immediate access to any and all *documents referenced, incorporated by reference, and relied upon in the MND.*^{4 5} CEQA's section 21092(b)(1) and CEQA Guidelines section 15072(g)(4) require that "all documents referenced" and "all documents incorporated by reference" in a mitigated negative declaration shall be "readily accessible to the public during the lead agency's normal working hours" during the entire public comment period.⁶

On June 23, 2025, we received a response from the City acknowledging receipt of our request. On June 30, 2025, the City provided access to seven (7) MND reference documents and informed us that our request was marked as completed. However, our review of the MND demonstrates that there are numerous critical MND reference documents that were not provided by the City, are missing from the MND, and are not readily available online, including the following:

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1. Documents referenced in the MND's environmental impact analysis with missing PDF or weblink access:
 - _____. 2021. 2020 Integrated Regional Urban Water Management Plan (IRUWMP), Part 2, Chapter 4, Redlands 2020 UWMP. May 27.
 - _____. 2024a. Annual Report of Development Impact Fees. December 17.

² City of Redlands Development Services Department, Notice of Intent to Adopt a Mitigated Negative Declaration for the Commons at California Project, available at:

https://www.cityofredlands.org/sites/main/files/file-attachments/noi_signed_5.30.25_california_st_project.pdf.

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

⁴ **Exhibit A** – Letter to Brian Desatnik, Jeanne Donaldson, and Sean Reilly, City of Redlands from Sheila M. Sannadan, Adams Broadwell Joseph & Cardozo re: Request for Immediate Access to Documents Referenced in the Initial Study/Mitigated Negative Declaration – the Commons at California Project, 913 California Street (SCH No.2025060163) (June 20, 2025).

⁵ The same day, our office submitted a separate public records request pursuant to the Public Records Act ("PRA") for access to other *public records* related to the Project. **Exhibit B** – Letter to Brian Desatnik, Jeanne Donaldson, and Sean Reilly, City of Redlands from Sheila M. Sannadan, Adams Broadwell Joseph & Cardozo re: Request for Immediate Access to Public Records – the Commons at California Project, 913 California Street (SCH NO. 2025060163) (June 20, 2025).

⁶ Pub. Resources Code § 21092(b)(1); 14 C.C.R. § 15072(g)(4).

- Lutz and Associated Consulting. 2024. The Commons at California Fire Master Plan. April 30.
2. Documents referenced in MND's environmental impact analysis with broken weblinks:
 - United States Environmental Protection Agency (USEPA). n.d. Carbon Monoxide Emissions. Website:
https://cfpub.epa.gov/roe/indicator_pdf.cfm?i=10 (accessed March 2025).
 3. Documents Referenced in the MND Appendix E—Phase I ESA with missing PDF or weblink access:
 - American Society for Testing and Materials (ASTM), Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment (ESA) Process, ASTM Designation: E 1527-21.
 - ASTM, Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions, ASTM Designation E 2600-10.
 - Environmental Data Resources, Inc. (EDR), Aerial photographs, Microsoft® Research Maps, Certified Sanborn Map Report, City Directory Abstract, Regulatory Database Report, Topographic Map Report.
 - Rebecca Abuhamra, the Phase I ESA User.
 4. Documents Referenced in the MND Appendix I—Noise Impact Study with missing PDF or weblink access:
 - 2019 SoundPLAN Essential 8.1 Manual.
 - 2018 Technical Noise Supplement to the Traffic Noise Analysis Protocol. Sept.
 5. Documents referenced in MND Appendix B—Biological Resources Letter with missing PDF or weblink access:
 - Baldwin, B.G., D.H. Goldman, D.J. Keil, R. Patterson, T.J. Rosatti, and D.H. Wilken, editors. 2012. The Jepson Manual: Vascular Plants of California, second edition. University of California Press, Berkeley.
 6. Documents referenced in MND Appendix B—Biological Resources Letter with broken weblinks:
 - U.S. Fish and Wildlife Service (USFWS). 2024a. Occurrence Information for Multiple Species within Jurisdiction of the Carlsbad

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Fish and Wildlife Office (CFWO). Retrieved from:
<http://www.fws.gov/carlsbad/gis/cfwogis.html>.

7. Documents referenced in MND Appendix C– Cultural Resources Assessment with missing PDF or weblink access:

- Barrows, David Prescott 1900 *The Ethno-botany of the Coahilla [sic] Indians of Southern California*. University of Chicago Press.
- Bean, Lowell John 1978 Cahuilla. In *California*, edited by R. F. Heizer, pp. 575–587. *Handbook of North American Indians*, vol. 8, W.C. Sturtevant, general editor, Smithsonian Institution, Washington, D.C.
- Bean, Lowell John, and Charles R. Smith 1978 Serrano. In *California*, edited by R.F. Heizer, pp. 570–574. *Handbook of North American Indians*, vol. 8, W.C. Sturtevant, general editor, Smithsonian Institution, Washington, D.C.
- Beck, Warren A., and Ynez D. Haase 1974 *Historical Atlas of California*. University of Oklahoma Press, Norman.
- Bright, William 1975 Two Notes on Takic Classification: Paper read at the Third Annual Uto-Aztecan Conference, Flagstaff, June 19–20, 1975. (Copy, Manuscript No. 76–66 in National Anthropological Archives, Smithsonian Institution, Washington, D.C.)
- Gudde, Erwin G. 1998 *California Place Names: The Origin and Etymology of Current Geographical Names*. Fourth edition, revised and enlarged by William Bright. University of California Press, Berkeley and Los Angeles.
- Harley, R. Bruce 1988 Rev. Juan Caballeria: Historian or Storyteller? Rethinking the 1810 Dumetz Expedition. *San Bernardino County Museum Quarterly* 35(2), 42p.
- Heizer, Robert F., and Albert B. Elsasser 1980 *The Natural World of the California Indians*. University of California Press, Berkeley and Los Angeles.
- Hooper, Lucile 1920 *The Cahuilla Indians*. University of California Publication in American Archaeology and Ethnology. Vol. 16, No. 6. Reprinted by Malki Museum Press. Banning, California.
- James, Harry C. 1960 *The Cahuilla Indians*. Los Angeles: Westernlore Press. Reprinted in 1969 and 1985 by Malki Museum Press. Banning, California.
- Kroeber, Alfred L. 1908 *Ethnography of the Cahuilla Indians*. University of California Publications in American Archaeology and Ethnology. Vol. 8. No. 2. Reprinted by Malki Museum Press, Banning, California.

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cont.

- McGroarty, John Steve 1914 Southern California. Southern California Panama Exposition Commission.
 - Moratto, Michael J. 2004 California Archaeology. Academic Press, Orlando, Florida. Reprinted by Coyote Press in 2004.
 - Norris, R.M., and R.W. Webb 1976 Geology of California. John Wiley and Sons, Inc., New York
 - Richards, Elizabeth W. 1966 Guideposts to History: Concerning Origins of Place and Street Names in San Bernardino County. Santa Fe Federal Savings.
 - Schoenherr, Allan A. 1992 A Natural History of California. University of California Press, Berkeley and Los Angeles.
 - Strong, William D. 1929 Aboriginal Society in Southern California. University of California Publications in American Archaeology and Ethnology 26(1): 1–358. Berkeley.
 - Wallace, William J. 1955 A Suggested Chronology for Southern California Coastal Archaeology. Southwestern Journal of Anthropology 11(3):214-230. 1978
 - Post-Pleistocene Archaeology. In California, edited by R. Heizer, pp. 550–563. Handbook of North American Indians, Vol. 8. W.C. Sturtevant, general editor. Smithsonian Institution, Washington, D.C.
 - Warren, Claude N. 1968 Cultural Tradition and Ecological Adaptation on the Southern California Coast. Eastern New Mexico University Contributions in Anthropology 1(3). Portales.
 - 1984 The Desert Region. In California Archaeology, by M. Moratto with contributions by D.A. Fredrickson, C. Raven, and C. N. Warren, pp. 339–430. Academic Press, Orlando, Florida.
 - Warren, Claude N., and Robert H. Crabtree 1986 Prehistory of the Southwestern Area. In W.L. D'Azevedoed., Handbook of the North American Indians, Vol. 11, Great Basin. pp. 183–193. Smithsonian Institution, Washington, D.C.
8. Other Agency Guidance Documents with missing weblinks that are not readily available from an internet search, referenced in MND Appendix A—Air Quality, Greenhouse Gas, and Energy Impact Study:
- 2008 ARB Recommended Interim Risk Management Policy for Inhalation-Based Residential Cancer Risk – Frequently Asked Questions
 - 2018 Historical Air Quality, Top 4 Summary
 - Governor's Office of Planning and Research, 2009 CEQA Guideline Sections to be Added or Amended

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cont.

To date, the City has failed to provide access to these documents referenced and relied upon in the MND, in violation of CEQA. CEQA compels a lead agency to make all documents referenced in a negative declaration “available for review” during the entire public comment period.⁷ We ask that the City fully and immediately comply with our June 20, 2025, request for immediate access by providing access to the above-listed MND reference documents.

The courts have held that the failure to provide even a few pages of a CEQA document for a portion of the public review period invalidates the entire CEQA process, and that such a failure must be remedied by permitting additional public comment.⁸ It is also well settled that a CEQA document may not rely on hidden studies or documents that are not provided to the public.⁹

By failing to make all documents and underlying data referenced in the MND readily available during the entirety of the public comment period, the City is depriving members of the public the ability to meaningfully comment on the potentially significant environmental impacts of the Project and is violating the procedural mandates of CEQA.

O-1-3

In sum, we request the City:

- 1) Extend the public review and comment period **for at least 30 days from the date on which the City releases *all* MND reference documents** for public review.
- 2) Immediately provide access to the MND reference documents referenced herein.

Given the short time before the current comment deadline ends, please contact me as soon as possible with your response to this request, but no later than close of business on **Thursday, July 3, 2025.**

⁷ *Id.*

⁸ *Ultra mar v. South Coast Air Quality Man. Dist.* (1993) 17 Cal.App.4th 689, 699.

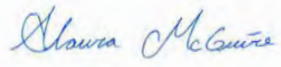
⁹ *Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3rd 818, 831 (“Whatever is required to be considered in an EIR must be in that formal report; what any official might have known from other writings or oral presentations cannot supply what is lacking in the report”).

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

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Sincerely,



Alaura McGuire

Attachments
ARM:acp