

Comment Letter B03: Adams Broadwell Joseph & Cardoza representing Coalition for Responsible Equitable Economic Development (CREED) Los Angeles (continued)

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

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

TEL: (650) 589-1660

FAX: (650) 589-5062

amarshall@adamsbroadwell.com

SACRAMENTO OFFICE

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

TEL: (916) 444-6201

FAX: (916) 444-6209

KEVIN T. CARMICHAEL
CHRISTINA M. CARO
THOMAS A. ENSLOW
KELILAH D. FEDERMAN
RICHARD M. FRANCO
ANDREW J. GRAF
TANYA A. GULESSERIAN
DARION N. JOHNSTON
RACHAEL E. KOSS
AIDAN P. MARSHALL
ALAURO R. MCGUIRE
ISABEL TAHIR

Of Counsel

DANIEL L. CARDOZO
MARC D. JOSEPH

October 29, 2025

VIA EMAIL AND OVERNIGHT MAIL

Patti Garibay, Director of Community Development
City of Lancaster
44933 Fern Avenue
Lancaster, CA 93534

Email: pgaribay@cityoflancasterca.gov;
planning@cityoflancasterca.gov

VIA EMAIL ONLY

Jocelyn Swain, Senior Planner

Email: jswain@cityoflancasterca.gov

Re: Request to Extend the Public Review and Comment Period for the Draft Environmental Impact Report - Parkway Village Specific Plan (SCH No. 2024020979)

Dear Ms. Garibay and Ms. Swain:

On behalf of Coalition for Responsible Equitable Economic Development Los Angeles (“CREED LA”), we respectfully request that the City of Lancaster (“City”) extend the public review and comment period on the Draft Environmental Impact Report (“DEIR”) prepared for the Parkway Village Specific Plan (SCH No. 2024020979) (“Plan”). The current public comment period ends on November 3, 2025.¹ **CREED LA requests an extension of at least 30 days, the minimum public review period² set out in the California Environmental Quality Act (“CEQA”)³ due to the City’s failure to provide access to DEIR reference documents during the entire public comment period.**

¹ City of Lancaster, Notice Of Availability, SCH No. 2024020979, September 19, 2025.

² Pub. Resources Code § 21091(a).

³ Pub. Resources Code §21000 et seq.; California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000 et seq.
8051-004

Comment Letter B03: Adams Broadwell Joseph & Cardoza representing Coalition for Responsible Equitable Economic Development (CREED) Los Angeles (continued)

October 29, 2025

Page 2

A. The City Has Not Made DEIR Reference Documents Available Throughout the Public Review Period, Necessitating an Extension of the Public Comment Period

The City has not made the DEIR's transportation/traffic study available for public review on CEQAnet or the City's website.⁴ The study is referenced in the DEIR as "*Garland and Associates. 2024 (October). Traffic/Transportation Impact Analysis for the Proposed Parkway Village Specific Plan. City of Lancaster. [Available from the Lancaster City Community Development Department].*" Also unavailable are reference documents listed in the "References" sections of Appendices B and C. Several weblinks to reference documents are nonfunctional, including:

- "Rheem. 2019. RP15 Technical Specifications. Available at website URL: <https://budgetheating.com/v/vspfiles/downloadables/RP15%20Technical%20Specifications.pdf>"
- Marathon. 2022. Self-Contained Compactors RJ-250SC. Available at website URL: <https://www.marathonequipment.com/wp-content/uploads/2022/09/Marathon-RJ-250SC-self-containedcompactor-brochure.pdf>

On October 27, 2025, 9:50 A.M., CREED LA submitted a letter to the City ("DEIR References Request"), pursuant to CEQA section 21092(b)(1) and CEQA Guidelines section 15087(c)(5), requesting "immediate access to any and all documents referenced, incorporated by reference, and relied upon" in the DEIR.⁵ On October 28, 2024, CREED LA emailed the City to follow up on the DEIR References Request and request immediate access to the transportation study.⁶ As of the date of this letter, the City has not responded to the DEIR References Request or

⁴ <https://ceqanet.lci.ca.gov/2024020979/2> (last visited October 28, 2025); <https://www.cityoflancasterca.org/our-city/departments-services/development-services/planning/environmental-review/environmental-impact-reports-eirs> (last visited October 28, 2025). Screenshots attached as **Exhibit A**.

⁵ **Exhibit B:** Letter from Adams, Broadwell, Joseph & Cardozo ("ABJC") to City re Request for Immediate Access to Documents Referenced in the Draft Environmental Impact Report - Parkway Village Specific Plan (SCH No. 2024020979) (October 27, 2025).

⁶ **Exhibit C:** Email from ABJC to City re Request for Immediate Access to Documents Referenced in the Draft Environmental Impact (October 28, 2025, 11:30 A.M.).

Comment Letter B03: Adams Broadwell Joseph & Cardoza representing Coalition for Responsible Equitable Economic Development (CREED) Los Angeles (continued)

October 29, 2025

Page 3

CREED LA's email, and the transportation study has not been posted on CEQAnet or the City's website.

CEQA requires that "all documents referenced" – and the CEQA Guidelines require that "all documents incorporated by reference" – in a draft environmental impact report ("EIR") shall be "readily accessible to the public during the lead agency's normal working hours" during the entire public comment period.⁷ Further, an EIR may not rely on hidden studies or documents that are not provided to the public.⁸

The courts have held that the failure to provide even a few pages of a CEQA documents for a portion of the CEQA review period invalidates the entire CEQA process, and that such a failure must be remedied by permitting additional public comment.⁹ In *Ultramar v. South Coast Air Quality Management District*, the lead agency circulated an environmental assessment ("EA") for a 30-day public review period, mailing out copies of the draft EA to interested parties. However, the lead agency failed to include a single chapter of the EA in the copies distributed by mail.¹⁰ The court stated that because the *complete* EA was not available for the full 30 days, "[t]he net effect of [the lead agency's] action was to deprive the public of the full 30-day comment period on the EA."¹¹ The court held that the lead agency's action violated Public Resources Code section 21091, subdivision (a), which mandates a minimum 30-day public review period.¹²

The City is in violation of these legal mandates because the DEIR makes key significance determinations based on studies that have not yet been made available for public review. For example, the DEIR's transportation analysis states "[t]his section is primarily based on the preliminary Traffic/Transportation Impact Analysis (TIA) for the PVSP, prepared by Garland Associates in October 2024."¹³ The noise analysis states that "[e]xisting roadway traffic noise levels were

⁷ Pub. Resources Code § 21092(b)(1); 14 Cal. Code Reg. § 15087(c)(5); see *Ultramar v. South Coast Air Quality Man. Dist.* (1993) 17 Cal.App.4th 689, 699.

⁸ *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.").

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

¹⁰ *Id.* at 697.

¹¹ *Id.* at 701.

¹² *Id.* at 702.

¹³ DEIR, pg. 3.14-1.

Comment Letter B03: Adams Broadwell Joseph & Cardoza representing Coalition for Responsible Equitable Economic Development (CREED) Los Angeles (continued)


October 29, 2025

Page 4

calculated using the Federal Highway Administration (FHWA) Roadway Noise Prediction Model (FHWA RD-77-108) based, in part, on traffic data obtained from the traffic analysis prepared for this project (Garland, 2024).¹⁴ Failure to make the transportation study available during the comment period violates CEQA's requirement that all reference documents be readily accessible to the public throughout the comment period.

Accordingly, we respectfully request that the City extend the public review and comment period on the DEIR for at least 30 days from the date on which the City releases all reference documents for public review.

Sincerely,



Aidan P. Marshall

¹⁴ DEIR, pg. 3.11-7.
8051-004

Comment Letter B03: Adams Broadwell Joseph & Cardoza representing Coalition for Responsible Equitable Economic Development (CREED) Los Angeles (continued)

Screenshot from <https://ceqanet.lci.ca.gov/2024020979/2> (last visited October 29, 2025):

Draft Environmental Document
[Draft IS, NOI_NOA_Public
notices, OPR Summary Form,
Appx,]

Appendix A - AQ GHG Tech Report PDF 4432 K

Appendix B - Biological Resources Technical Report PDF 16034 K

Appendix C - Geology and Soils Technical Report PDF 19095 K

Appendix D - Noise Technical Report PDF 2849 K

Appendix E - Water Supply Assessment PDF 7902 K

Appendix F - NOP and Scoping Comments PDF 24816 K

Parkway Village Notice of Availability Signed PDF 499 K

Parkway Village Specific Plan 2025 R PDF 16151 K

Parkway Village Specific Plan Draft EIR PDF 21573 K

Parkway Village Summary Form PDF 165 K

Notice of Completion (NOC)
Transmittal form

Parkway Village Notice of Completion PDF 306 K

Screenshot from <https://www.cityoflancasterca.org/our-city/departments-services/development-services/planning/environmental-review/environmental-impact-reports-eirs> (last visited October 29, 2025):

Environmental Impact Reports

Font Size: Share & Bookmark Feedback Print

- Parkway Village Specific Plan
 - [Draft Environmental Impact Report](#)
 - Appendices:
 - [A - AQ GHG Technical Report](#)
 - [B - Biological Resources Technical Report](#)
 - [C - Geology and Soils Technical Report](#)
 - [D - Noise Technical Report](#)
 - [E - Water Supply Assessment](#)
 - [F - NOP and Scoping Comments](#)
- Westside Annexation and [North Lancaster Industrial Specific Plan](#)
 - [Draft Environmental Impact Report](#)

Comment Letter B03: Adams Broadwell Joseph & Cardoza representing Coalition for Responsible Equitable Economic Development (CREED) Los Angeles (continued)

From: Swain, Jocelyn
To: Aidan P. Marshall; Garibay, Patti; Planning
Cc: Lorrie J. LeLe; Sheila M. Sannadan; Stenback, Kathleen
Subject: RE: Request for Immediate Access to Documents Referenced in the Draft Environmental Impact Report - Parkway Village Specific Plan (8051)
Date: Thursday, October 30, 2025 4:30:42 PM
Attachments: [image909439.png](#)
[image278398.png](#)
[image726668.png](#)
[image638637.png](#)
[image074932.png](#)
[Preliminary Traffic Impact Analysis.pdf](#)
[Reference List.pdf](#)
[Hazardous Materials Information.pdf](#)
Importance: High

Aidan,

Attached is the reference list from the Draft EIR. Most of the references already had the links included. I added links for other references and indicated which Appendices to the Draft EIR contained other references. I have also attached the preliminary traffic report and the hazardous materials information to this email. The City does not have access to the other references.

The City is willing to extend the comment period on the Draft EIR until November 10, 2025, but cannot extend it beyond that date.

Jocelyn

Jocelyn Swain

Senior Planner - Community Development

City of Lancaster

44933 Fern Ave. | Lancaster, CA 93534

T 661.723.6249

jswain@cityoflanasterca.gov | cityoflanasterca.gov



Creating a better tomorrow. *Together*

From: Aidan P. Marshall <amarshall@adamsbroadwell.com>

Sent: Wednesday, October 29, 2025 4:36 PM

To: Garibay, Patti <pgaribay@cityoflanasterca.gov>; Planning <Planning@cityoflanasterca.gov>; Swain, Jocelyn <jswain@cityoflanasterca.gov>

Subject: RE: Request for Immediate Access to Documents Referenced in the Draft Environmental Impact Report - Parkway Village Specific Plan (8051)

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

Comment Letter B03: Adams Broadwell Joseph & Cardoza representing Coalition for Responsible Equitable Economic Development (CREED) Los Angeles (continued)

Good afternoon,

Please find attached correspondence regarding our request for immediate access to documents referenced in the Draft EIR. As the November 3rd comment deadline is soon approaching, we would appreciate a response to this letter as soon as possible. Please let me know if you have any questions.

Best,
Aidan

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
(650) 589-1660
amarshall@adamsbroadwell.com

From: Aidan P. Marshall <amarshall@adamsbroadwell.com>

Sent: Tuesday, October 28, 2025 11:30 AM

To: Garibay, Patti <pgaribay@cityoflancasterca.gov>; Planning <planning@cityoflancasterca.gov>; Swain, Jocelyn <jswain@cityoflancasterca.gov>

Subject: RE: Request for Immediate Access to Documents Referenced in the Draft Environmental Impact Report - Parkway Village Specific Plan (8051)

Good morning,

On behalf of CREED LA, I am following up on a request for immediate access to documents referenced in the Draft EIR regarding the Parkway Village Specific Plan, submitted on October 27, 9:50 AM. Per our letter, CEQA requires that all DEIR reference documents be made publicly available for the entire comment period. Public Resources Code § 21092(b)(1). Many documents referenced in the DEIR are currently unavailable, including the Project's transportation study, referenced in the DEIR as "Garland and Associates. 2024 (October). Traffic/Transportation Impact Analysis for the Proposed Parkway Village Specific Plan. City of Lancaster." Can you please advise how we can gain immediate access to all DEIR reference documents?

Thank you,
Aidan

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000

Comment Letter B03: Adams Broadwell Joseph & Cardoza representing Coalition for Responsible Equitable Economic Development (CREED) Los Angeles (continued)

South San Francisco, CA 94080
(650) 589-1660
amarshall@adamsbroadwell.com

From: Lorrie J. LeLe

Sent: Monday, October 27, 2025 9:50 AM

To: pgaribay@cityoflancasterca.gov; planning@cityoflancasterca.gov;
kstenback@cityoflancasterca.org; jswain@cityoflancasterca.gov

Cc: Ssannadan@adamsbroadwell.com

Subject: Request for Immediate Access to Documents Referenced in the Draft Environmental Impact Report - Parkway Village Specific Plan (8051)

On behalf of Coalition for Responsible Equitable Economic Development Los Angeles, we submit the attached request for immediate access to documents referenced in the Draft EIR regarding the Parkway Village Specific Plan.

Please respond to Sheila Sannadan – ssannadan@adamsbroadwell.com

Thank you,

Lorrie J. LeLe

Legal Assistant

Adams Broadwell Joseph & Cardozo

520 Capitol Mall, Suite 350

Sacramento, CA 95814

lilele@adamsbroadwell.com | Phone: 916.444.6201 Ext. 10 | Fax: 916.444.6209|

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

Comment Letter B03: Adams Broadwell Joseph & Cardoza representing Coalition for Responsible Equitable Economic Development (CREED) Los Angeles (continued)

From: [Aidan P. Marshall](#)
To: [Garibay, Patti](#); [Planning](#); [Swain, Jocelyn](#)
Subject: RE: Request for Immediate Access to Documents Referenced in the Draft Environmental Impact Report - Parkway Village Specific Plan (8051)
Date: Tuesday, October 28, 2025 11:29:00 AM

Good morning,

On behalf of CREED LA, I am following up on a request for immediate access to documents referenced in the Draft EIR regarding the Parkway Village Specific Plan, submitted on October 27, 9:50 AM. Per our letter, CEQA requires that all DEIR reference documents be made publicly available for the entire comment period. Public Resources Code § 21092(b)(1). Many documents referenced in the DEIR are currently unavailable, including the Project's transportation study, referenced in the DEIR as "Garland and Associates. 2024 (October). Traffic/Transportation Impact Analysis for the Proposed Parkway Village Specific Plan. City of Lancaster." Can you please advise how we can gain immediate access to all DEIR reference documents?

Thank you,
Aidan

Aidan P. Marshall
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
(650) 589-1660
amarshall@adamsbroadwell.com

From: Lorrie J. LeLe
Sent: Monday, October 27, 2025 9:50 AM
To: pgaribay@cityoflancasterca.gov; planning@cityoflancasterca.gov; kstenback@cityoflancasterca.org; jswain@cityoflancasterca.gov
Cc: ssannadan@adamsbroadwell.com
Subject: Request for Immediate Access to Documents Referenced in the Draft Environmental Impact Report - Parkway Village Specific Plan (8051)

On behalf of Coalition for Responsible Equitable Economic Development Los Angeles, we submit the attached request for immediate access to documents referenced in the Draft EIR regarding the Parkway Village Specific Plan.

Please respond to Sheila Sannadan – ssannadan@adamsbroadwell.com

Thank you,

Comment Letter B03: Adams Broadwell Joseph & Cardoza representing Coalition for Responsible Equitable Economic Development (CREED) Los Angeles (continued)

Lorrie J. Lele

Legal Assistant

Adams Broadwell Joseph & Cardozo

520 Capitol Mall, Suite 350

Sacramento, CA 95814

ljlele@adamsbroadwell.com | Phone: 916.444.6201 Ext. 10 | Fax: 916.444.6209|

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