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Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

October 13, 2023

Via U.S. Mail and Email

Daniel Alcayaga, AICP, Planning Manager
Planning Division
Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307
Email: dalcayaga@applevalley.org;
planning@applevalley.org

Attn: Public Records Act Coordinator
Town Clerk's Office
Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307
Email: records@applevalley.org;
townclerk@applevalley.org

Re: **Request for Immediate Access to Public Records – 1M Warehouse Project (SCH No. 2023020285)**

Dear Mr. Alcayaga and Public Records Act Coordinator:

We are writing on behalf of **Californians Allied for a Responsible Economy ("CARE CA")** to request **immediate access** to any and all public records in the Town of Apple Valley's possession referring or related to the 1M Warehouse Project (SCH No. 2023020285), proposed by AP Investors Group ("Applicant"). This request includes, but is not limited to, any and all file materials, applications, correspondence, resolutions, memos, notes, analysis, email messages, files, maps, charts, and any other documents related to the Project. *This request does not include the Draft Environmental Impact Report ("DEIR") or documents referenced or relied upon in the DEIR, which we have requested in a separate letter pursuant to the California Environmental Quality Act.*

The Project proposes the construction and operation of a 1,080,125-square-foot industrial/warehouse building and associated improvements on approximately 68.2 acres of vacant land in the Town of Apple Valley, San Bernardino County, CA. The Project would involve associated improvements, including loading docks, truck and vehicle parking, bike parking, and landscaped areas. The Project site is located south of Johnson Road, east of Central Road, north of Lafayette Street, and west of Sycamore Lane. The Project site consists of Assessor's Parcel Numbers 0463-241-02 and 0463-241-03.

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This request is made pursuant to the **California Public Records Act** (Government Code §§ 7920.000, *et seq.*). This request is also made pursuant to Article I, section 3(b) of the California Constitution, which provides a Constitutional right of access to information concerning the conduct of government. Article I, section 3(b) provides that any statutory right to information shall be broadly construed to provide the greatest access to government information and further requires that any statute that limits the right of access to information shall be narrowly construed.

We request ***immediate access*** to review the above documents pursuant to section 7922.525 of the Public Records Act, which requires public records to be “open to inspection at all times during the office hours of a state or local agency” and provides that “every person has a right to inspect any public record.”¹ Therefore, the 10-day response period applicable to a “request for a copy of records” under Section 7922.535(a) does not apply to this request.

We request access to the above records in their original form, as maintained by the agency.² Pursuant to Government Code Section 7922.570, if the requested documents are in electronic format, please upload them to a file hosting program such as Dropbox, NextRequest or a similar program. Alternatively, if the electronic documents are 10 MB or less (or can be easily broken into sections of 10 MB or less), they may be emailed to me as attachments.

We will pay for any direct costs of duplication associated with filling this request **up to \$200**. However, please contact me at (650) 589-1660 with a cost estimate before copying/scanning the materials.

Please use the following contact information for all correspondence:

U.S. Mail

Sheila M. Sannadan
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080-7037

Email

ssannadan@adamsbroadwell.com

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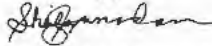
¹ Gov. Code §7922.525(a).

² Gov. Code § 7922.570; *Sierra Club v. Super. Ct.* (2013) 57 Cal. 4th 157, 161-62.

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If you have any questions, please call me at (650) 589-1660 or email me at ssannadan@adamsbroadwell.com. Thank you for your assistance with this matter.

Sincerely,



Sheila M. Sannadan
Legal Assistant

SMS:ljl

6756-003j

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October 13, 2023

Via U.S. Mail and Email

Daniel Alcayaga, AICP, Planning Manager
Planning Division Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307
Email: dalcayaga@applevalley.org ; planning@applevalley.org

La Vonda M. Pearson, Director of Government Services/Town Clerk
Town of Apple Valley
14955 Dale Evans Pkwy
Apple Valley, CA 92307
Email: townclerk@applevalley.org

**Re: Request for Immediate Access to Documents Referenced in the
Draft Environmental Impact Report – 1M Warehouse Project
(SCH No. 2023020285)**

Dear Mr. Alcayaga and Ms. Pearson:

We are writing on behalf of **Californians Allied for a Responsible Economy (“CARE CA”)** to request ***immediate access*** to any and all documents referenced, incorporated by reference, and relied upon in the Draft Environmental Impact Report (“DEIR”) prepared for the 1M Warehouse Project (SCH No. (SCH No. 2023020285), proposed by AP Investors Group (“Applicant”). ***This request excludes a copy of the DEIR and its appendices. This request also excludes any documents that are currently available on Town of Apple Valley.***¹

The Project proposes the construction and operation of a 1,080,125-square-foot industrial/warehouse building and associated improvements on approximately 68.2 acres of vacant land in the Town of Apple Valley, San Bernardino County, CA.

¹ Accessed <https://www.applevalley.org/services/planning-division/environmental> on October 13, 2023.

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The Project would involve associated improvements, including loading docks, truck and vehicle parking, bike parking, and landscaped areas. The Project site is located south of Johnson Road, east of Central Road, north of Lafayette Street, and west of Sycamore Lane. The Project site consists of Assessor's Parcel Numbers 0463-241-02 and 0463-241-03.

Our request for ***immediate access*** to all documents referenced in the DEIR is made pursuant to the California Environmental Quality Act ("CEQA"), which requires that all documents referenced, incorporated by reference, and relied upon in an environmental review document be made available to the public for the entire comment period.²

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Cont.

Please use the following contact information for all correspondence:

U.S. Mail

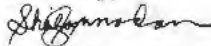
Sheila M. Sannadan
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080-7037

Email

ssannadan@adamsbroadwell.com

If you have any questions, please call me at (650) 589-1660 or email me at ssannadan@adamsbroadwell.com. Thank you for your assistance with this matter.

Sincerely,



Sheila M. Sannadan
Legal Assistant

SMS:lj1

² See Public Resources Code § 21092(b)(1) (stating that "all documents referenced in the draft environmental impact report" shall be made "available for review"); 14 Cal. Code Reg. § 15087(c)(5) (stating that all documents incorporated by reference in the EIR . . . shall be readily accessible to the public"); see also *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442, as modified (Apr. 18, 2007) (EIR must transparently incorporate and describe the reference materials relied on in its analysis); *Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3rd 818, 831 ("[W]hatever is required to be considered in an EIR must be in that formal report. . ."), internal citations omitted.