

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

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

TEL: (916) 444-6201
FAX: (916) 444-6209

kcarmichael@adamsbroadwell.com

SO. SAN FRANCISCO OFFICE

801 GATEWAY BLVD., SUITE 1000
SO. SAN FRANCISCO, CA 94080

TEL: (650) 589-1680
FAX: (650) 589-5082

ARIANA ABEDIFARD
KEVIN T. CARMICHAEL
CHRISTINA M. CARO
THOMAS A. ENSLOW
KEITH J. H. FRIEDMAN
RICHARD M. FRANCO
ANDREW J. GRAF
TANYA A. GULESSERIAN
DARION N. JOHNSON
RACHAEL E. KOSS
AIDAN P. MARSHALL
TARA C. RENGIFO

Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

May 16, 2024

VIA EMAIL

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

RE: Notice of Settlement - 1M Warehouse Project (SCH No. 2023020285)

Dear Mr. Alcayaga:

This firm represents **Californians Allied for a Responsible Economy ("CARE CA")** with regard to the above-referenced 1M Warehouse Project (SCH No. 2023020285) ("Project"). On October 30, 2023, CARE CA submitted comments to the Town stating objections and concerns regarding the Draft Environmental Impact Report ("DEIR") prepared for the Project.

We are pleased to report that, as a result of direct discussions with the Applicant, the Applicant has agreed to additional measures beyond the measures currently proposed in the DEIR to address the potential air quality, public health and greenhouse gas emissions impacts identified in CARE CA's comments. CARE CA requests that the Town incorporate the Additional Measures as mitigation in the Final EIR for the Project. These include the following:

A. Air Quality, Public Health and Transportation

1.1 Emissions

- 1.1.1 Diesel off-road construction equipment shall meet USEPA Tier 4 Final off-road emissions standards for equipment rated at 25 horsepower or greater wherever and whenever available. In the**

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event that Tier 4 Final construction equipment is not available, Applicant may utilize Tier 4 Interim or Tier 3 construction equipment outfitted with Best Available Control Technology ("BACT") devices, including but not limited to a CARB certified Level 3 Diesel Particulate Filters ("DPF").

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1.1.2 Applicant shall install at minimum two Level 3 electric chargers at the Project site in a place convenient for heavy-duty truck access prior to beginning Project operation.

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1.2 Valley Fever

1.2.1 Injury Prevention Program shall include measures to prevent exposure to Valley Fever spores and the worker awareness training described in Labor Code Section 6709(c) and (d).

1.2.2 Applicant shall (a) provide National Institute for Occupational Safety and Health (NIOSH)-approved respirators for workers with a history of Valley Fever; and (b) provide half-face respirators equipped with a minimum N-95 protection factor for workers engaged in or working near soil disturbance activities.

1.2.3 Applicant shall prevent transport of cocci outside the Project area during Project construction by (a) thoroughly cleaning vehicles and equipment before they are moved off-site to other work locations; (b) provide workers with coveralls, lockers or other daily changing facilities to keep work and street clothing and shoes separate; and (d) post warnings of potential Valley Fever exposure onsite and consider limiting access to visitors, especially those without adequate training and respiratory protection.

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1.2.4 Applicant shall provide prompt access to medical care to construction workers who have symptoms of Valley Fever.

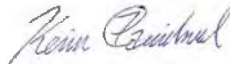
1.3 Transportation

1.3.1 The Transportation Demand Management Plan shall include a commute trip reduction program which provides either (a) on-site ridesharing and vanpooling, or (b) financial incentives to workers for use of alternate transportation.

With the adoption of these measures, CARE CA's objections to the Project and the DEIR are fully resolved, and we respectfully request that the Town approve the Project.

Please let me know if you have any questions.

Sincerely,



Kevin Carmichael

KTC:lj

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