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VIA EMAIL

March 13, 2025

Dr. Michael Cao, Mayor
And Honorable City Council Members
Arcadia City Council
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Re: Appeal Comment for the Mitigated Negative Declaration for the Arcadia Town Center Project (Resolution No. 2164; SCH No. 2024110749)

Dear Honorable Members of the Arcadia City Council and Mr. Arreola:

This comment is submitted on behalf of **Supporters Alliance for Environmental Responsibility (“SAFER”)** regarding the appeal of the proposed Mitigated Negative Declaration (“MND”) for the Arcadia Town Center Project (Resolution No. 2164; SCH No. 2024110749) (“Project”). The Project involves the demolition of an existing commercial building and carport, and the construction and use of a new, seven-story residential building with 95 dwelling units and two levels of parking, located at 5-19 West Huntington Drive and 25-75 North Santa Anita Avenue in Arcadia, CA. The Arcadia Planning Commission approved the Project at its hearing on January 14, 2025 and in its Notice of Determination from January 15, 2025.

On December 20, 2024, during the MND comment period, SAFER submitted written comments (“December 20 Letter”) to the Planning Commission, concluding that the MND does not adequately analyze the Project’s environmental effects and that there is a fair argument that the Project will have significant adverse impacts on biological resources, noise, air quality, and indoor air quality. For the Planning Commission hearing on January 14, 2025, Psomas, the City of Arcadia’s (“City”) environmental consultant, prepared and submitted to the City a “Response to Comments Memorandum” (“RTC Memo”), in which Psomas responded to SAFER’s December 20 Letter.

Expert wildlife biologist Dr. Shawn Smallwood, noise expert Ani Toncheva from the acoustical consulting firm Wilson Ihrig, and air quality experts Matt Hagemann, P.G., C.Hg., and Dr. Paul Rosenfeld, Ph.D., from the environmental consulting firm Soil/Water/Air Protection Enterprise (“SWAPE”) have reviewed the RTC Memo and prepared responses. Dr. Smallwood’s reply is attached hereto as Exhibit A and is incorporated herein by reference in its entirety. Ms.

Toncheva's reply is attached hereto as Exhibit B and is incorporated herein by reference in its entirety. SWAPE's reply is attached hereto as Exhibit C and is incorporated herein by reference in its entirety.

After careful review, SAFER appeals the Planning Commission's decision to approve the Project, maintaining that the MND inadequately analyzes the Project's environmental effects and that there is a fair argument that the Project will have significant adverse impacts on biological resources, noise, air quality, and indoor air quality. SAFER thus respectfully requests that the Arcadia City Council require the City to conduct further CEQA review of the Project through preparation of an environmental impact report ("EIR") pursuant to the California Environmental Quality Act ("CEQA").

I. LEGAL STANDARD

As the California 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 Env't v. South Coast Air Quality Mgmt. Dist.* (2010) 48 Cal.4th 310, 319-20.) "Significant environmental effect" is defined very broadly as "a substantial or potentially substantial adverse change in the environment." (Pub. Res. Code ["PRC"] § 21068; see also 14 California Code of Regulations ["CCR"] § 15382.) An effect on the environment need not be "momentous" to meet the CEQA test for significance; it is enough that the impacts are "not trivial." (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 83.) "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 Env't v. Cal. Res. 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 1184, 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, supra*, 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 Univ. of Cal.* (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 903, 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." (PRC § 21080(d); see also *Pocket Protectors, supra*, 124 Cal.App.4th at 927.) An MND instead of an EIR is proper only if project revisions would avoid or mitigate the potentially significant effects identified in the initial study "to a point where clearly no significant effect on the environment

would occur, and . . . there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.” (*Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 331 [quoting PRC §§ 21064.5, 21080(c)(2)].) In that context, “may” means a reasonable possibility of a significant effect on the environment. (PRC §§ 21082.2(a), 21100, 21151(a); *Pocket Protectors, supra*, 124 Cal.App.4th at 927; *League for Protection of Oakland's etc. Historic Res. v. City of Oakland* (1997) 52 Cal.App.4th 896, 904-05.)

An EIR must be prepared rather than an MND “whenever it can be fairly argued on the basis of substantial evidence that the project may have a significant environmental impact.” (*No Oil, Inc. v City of Los Angeles* (1974) 13 Cal.3d 68, 75.) Under this “fair argument” standard, an EIR is required if any substantial evidence in the record indicates that a project may have an adverse environmental effect—even if contrary evidence exists to support the agency’s decision. (14 CCR § 15064(f)(1); *Pocket Protectors, supra*, 124 Cal.App.4th at 931; *Stanislaus Audubon Society v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150-51; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602.) The “fair argument” standard creates a “low threshold” favoring environmental review through an EIR rather than through issuance of negative declarations or notices of exemption from CEQA. (*Pocket Protectors, supra*, 124 Cal.App.4th at 928.)

The “fair argument” standard is virtually the opposite of the typical deferential standard accorded to agencies. As a leading CEQA treatise explains:

This ‘fair argument’ standard is very different from the standard normally followed by public agencies in making administrative determinations. Ordinarily, public agencies weigh the evidence in the record before them and reach a decision based on a preponderance of the evidence. [Citations]. The fair argument standard, by contrast, prevents the lead agency from weighing competing evidence to determine who has a better argument concerning the likelihood or extent of a potential environmental impact. The lead agency’s decision is thus largely legal rather than factual; it does not resolve conflicts in the evidence but determines only whether substantial evidence exists in the record to support the prescribed fair argument.

(Kostka & Zishcke, *Practice Under CEQA*, § 6.29, pp. 273-74.) The Courts have explained that “it is a question of law, not fact, whether a fair argument exists, and the courts owe no deference to the lead agency’s determination. Review is de novo, with a preference for resolving doubts in favor of environmental review.” (*Pocket Protectors, supra*, 124 Cal.App.4th at 928.)

II. DISCUSSION

A. Response 2.5 - Biological Impacts

In Response 2.5 of the RTC Memo, the City replied to Comment 5. Comment 5 is composed of comments from SAFER’s December 20 Letter that summarize the findings of

expert wildlife biologist Dr. Shawn Smallwood. Dr. Smallwood had reviewed the MND and biological analysis the City had prepared for the Project. He had concluded that the Project will have significant adverse impacts on biological resources. Here, Dr. Smallwood found that the RTC Memo failed to specifically address the biological issues he raised in his original comment letter.

1. The City’s hypothetical argument that the Project would have greater biological impacts on a greenfield site is irrelevant.

In Response 2.5, the City made the hypothetical argument that if the Project were developed on a greenfield site or in urban location with half the density of Arcadia, then the Project would have vastly greater potential for significant biological impacts under CEQA, the CEQA Guidelines, the California Fish & Game Code, and possibly other regulations. (RTC Memo at 2-26.) The City then stated that an urban infill redevelopment project on a site that is completely developed, almost devoid of pervious surfaces, with only sparse and ornamental vegetation, and adjoining two of the main thoroughfares through the City of Arcadia is a setting that inherently serves to minimize biological resources impacts. (*Id.*) Although it may or may not be true that the Project would have greater impacts to wildlife if it were built on a greenfield site, the City’s hypothetical argument is irrelevant because no greenfield site was considered as a project alternative. (Ex. A at 1.) Also, the question under CEQA is not whether the Project would have a greater impact elsewhere, but whether there is a fair argument that the Project may have any adverse impact. There is always a location where any project may have greater impacts, but that is irrelevant. Additionally, one of the Project’s largest impacts would be bird-window collision mortality, which is partly influenced by avian travel patterns. Avian travel patterns on greenfield sites are not necessarily more vulnerable to window collisions than on the proposed Project site. (*Id.*)

2. In the MND’s biological analysis, the City failed to thoroughly review the Project’s potentially significant construction and operational impacts on biological resources.

The City also claimed that Section 3.4 of the MND (1) provided a full analysis of the Project’s potential impacts to biological resources, including wildlife species and wildlife movement, (2) thoroughly reviewed and discussed the Project’s potential construction and operational impacts on biological resources based on established best practices, and (3) concluded there would be less-than-significant impacts on wildlife, and therefore no mitigation for biological impacts is required. (RTC Memo at 2-27.) However, for thorough review, the City’s biological analysis needed an accurate characterization of “the [Project’s] environmental setting as a basis for opining on, or predicting, potential project impacts to biological resources,” yet the City conducted no such surveys to provide the most basic information required for this description of the wildlife community. (Ex. A at 2.) For example, the bird species that occur at the site are not identified, nor is there any attempt to characterize how birds fly across the site, such as from which directions they fly, their height above ground, and their behaviors. (*Id.*) Thus, the most fundamental level of biological analysis is missing from the MND. Furthermore, the MND failed to analyze the potential impacts of the Project’s interference with wildlife

movement in the region from (1) bird-window collision mortality, which Dr. Smallwood predicted would be 217 bird fatalities per year, and (2) wildlife-traffic collision mortality resulting from project-generated traffic, which Dr. Smallwood predicted range from 166 to 554 fatalities per year. (*Id.*)

3. The City failed to adequately address the Project's cumulative impacts.

Additionally, the City stated that in Section 3.21 of the MND, it addressed cumulative impacts, concluding that there would be less-than-significant cumulative impacts, and therefore no mitigation for cumulative impacts was required. (RTC Memo at 2-27.) The MND claims that compliance with existing policies and regulations would continue to avoid cumulative impacts to wildlife. However, the City makes these claims without detailing how any specific policy or regulation would actually achieve this result. (Ex. A at 2.) Dr. Smallwood's own research has refuted this claim. (Smallwood and Smallwood 2023). His comments included in the December 20 Letter also provide predictions for bird mortality resulting from collisions with the building's windows and project-generated traffic, which would contribute significantly to the Project's cumulative impacts. (Ex. A at 2.) The RTC Memo failed to address any of these issues. (*Id.*)

4. The City makes the unsubstantiated claim that Dr. Smallwood asserts his predicted biological impacts as facts and evidence.

Lastly, the City stated that "as part of an academic exercise," an expansive array of definitions, methodologies, and impacts "can be asserted as fact and evidence without the functional and legal parameters provided by CEQA, the CEQA Guidelines, and relevant case law," which are "necessary to facilitate a consistent, equitable, reasonable, and meaningful analysis of any of the 20 environmental topics addressed pursuant to CEQA." (RTC Memo at 2-27.) The City fails to explain what it means by "academic exercise" and fails to provide a single definition, method, or impact of its alleged "expansive array of definitions, methodologies and impacts." (Ex. A at 3.) The City also seems to claim that Dr. Smallwood asserted biological impacts as facts and evidence, whereas he actually just predicted impacts based on inferences drawn from evidence, which is how scientific predictions are made. (*Id.*)

Overall, the RTC Memo failed to specifically address the biological issues Dr. Smallwood raised in his comment letter. For example, the response is silent regarding the species his associate Noriko Smallwood detected at the Project site. (*Id.*) If the City was skeptical of the photographic evidence of the species Ms. Smallwood saw on the site, then the City could have sent qualified biologists to survey the site. This approach would have been more informative than speculating on the relative impacts of the Project on a hypothetical greenfield. (*Id.*) Likewise, if the City was skeptical of Dr. Smallwood's predictions on wildlife mortality from window or traffic collisions, then it could have reviewed the literature he cited for accuracy or consulted with experts on bird-window collisions or wildlife roadkill. (*Id.*) A project predicted to take several hundred wild animals annually warrants more extensive environmental review in an EIR rather than an MND. (*Id.*) Thus, there is a fair argument that the City needs to prepare an EIR to accurately characterize the wildlife community as part of the site's existing environmental

setting, properly analyze the Project's potential impacts, and create appropriate mitigation measures. (*Id.*)

B. Response 2.6 - Noise Impacts

In Response 2.6 of the RTC Memo, the City replied to Comment 6. Comment 6 is composed of comments from SAFER's December 20 Letter that summarize the findings of noise expert Ani Toncheva from the acoustical consulting firm Wilson Ihrig. Ms. Toncheva had reviewed the MND and noise analysis the City had prepared for the Project. She had concluded that the Project will have significant adverse impacts on noise levels. Here, Ms. Toncheva found that the RTC Memo was largely unresponsive to the specific noise issues she raised in her original comment letter.

1. The City improperly established the ambient noise baseline in the MND.

Ms. Toncheva's initial comments on the MND showed that the City failed to establish a proper ambient noise baseline, for the noise measurements were not taken at any sensitive areas near the Project site. In Response 2.6, the City stated that the measurement to establish the ambient noise baseline was taken at the Project's western boundary (54 dBA) and was representative of the ambient noise levels at the homes along Santa Clara Street, since they are the same distance from the HVAC equipment at the Mercedes Benz dealership at the western boundary. (RTC Memo at 2-27.) However, this claim is unsubstantiated because it does not address other noise sources at the homes. (Ex. B at 1.) The MND also does not provide any photos or maps of where the measurement was taken. (*Id.*) Nevertheless, based on the description and Project boundaries, mechanical noise dominates in that location, and the location is shielded from traffic noise by existing buildings. (*Id.*) This measurement therefore does not capture traffic levels along Santa Clara Street, which would be the dominant noise source at those homes. (*Id.*)

Additionally, the City incorrectly claims that the CEQA requirement to disclose potential project-related impacts apply to the site itself rather than nearby sensitive land uses. (RTC Memo at 2-27.) Although predicted noise levels generated by the Project are calculated based on the distance from the Project's noise sources, the CEQA Guidelines clearly state that significant impacts should be assessed based on the "generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies." (Ex. B at 1.) Thus, the local general plan and noise ordinance standards, as outlined in the MND, pertain to the receiving land use, not the Project site. (*Id.*; RTC Memo at 3-72 to 3-76.) Unless the City can show that the ambient noise level at the Project site would be equal to the levels at the sensitive receptors, the Project site itself is not an appropriate location for ambient noise measurements.

2. The Project has potentially significant construction noise impacts.

Ms. Toncheva's initial comments on the MND explained that the City's construction

analysis did not disclose the Project's potentially significant construction noise impacts. The City responded that, as the lead agency, it determines which significance thresholds are used in CEQA analysis and stated that the City's noise ordinances are the basis for the noise impact analysis. (RTC Memo at 2-29.) The City then claimed that the noise limits in Section 4310 of the City's Noise Ordinance are inapplicable to construction noise, referring to page 3-79 of the RTC Memo for the significance thresholds for construction. (*Id.*) However, page 3-79 does not provide any alternative quantitative criteria to evaluate construction noise. (*Id.* at 3-79; Ex. B at 2.) Regardless, the noise levels predicted in the MND exceed the City's Noise Ordinance for stationary-source noise limits for both residential and commercial properties. (Ex. B at 2.)

The City then asserted that it is typical for California municipalities to have neither numeric limits on construction noise levels nor a definition for a "substantial" ambient noise level increase. (RTC Memo at 2-29.) Although it is true that city ordinances may not provide these details, in their absence, a CEQA document still needs to provide some criteria to assess a "substantial temporary or permanent increase in ambient noise levels." (Ex. B at 2.)

The City maintained that the residences identified in the MND are too far from the Project to be assessed for noise impacts, yet it measured construction noise levels at distances farther than the nearest residences. (RTC Memo at 2-28.) Additionally, neither the CEQA guidelines nor the local codes state that substantial increase analysis does not apply beyond a certain distance. (Ex. B at 2.) Furthermore, the City's Noise Ordinance clearly states that "at the boundary line between two of the above [land use] zones, the noise level of the quieter zone shall be used." (*Id.*) If the predicted construction noise levels at the residences are "in excess of standards established," then there would be a significant noise impact. (*Id.*)

The City incorrectly claimed that the construction noise level predictions in the MND cannot be adjusted for distance from nearby residences using the standard $20 \cdot \log(\text{distance} / \text{ref. distance})$ formula. (RTC Memo at 2-28.) However, the City acknowledged that the MND itself used this formula. (*Id.*) Moreover, Appendix G of the MND states that its construction noise predictions are based on 1971 USEPA 50-foot Leq (not maximum) reference levels for each type of activity. Both the maximum and average construction noise levels summarized in Table 25 of the MND are adjusted for distance using the abovementioned formula. (RTC Memo at 3-78.) With the USEPA reference level at 50 feet, Ms. Toncheva found that the Leq at the closest residence is 69 dBA. This level exceeds the only criterion the MND provides for residences. (Ex. B at 2.)

Lastly, the City argued that the noise levels provided in the MND may overestimate construction noise, explaining that the Project environment is not a free-field condition, (2) indoor noise levels would be lower than the ones presented, and (3) the noise levels predicted are worst-case. (RTC Memo at 2-28.) The fact that the Project is not a free-field condition is irrelevant because the MND used a free-field formula for its calculations, and the only criteria provided for residential and commercial properties were outdoor criteria. (Ex. B at 3.) The City also noted possible intervening structures, but none are present between the construction site and the nearest residence. (*Id.*; RTC Memo at 2-28.) Additionally, the reference levels the City used

from the USEPA document cited are for the minimum required equipment present at the site, as acknowledged in Appendix G of the MND, and pertain to suburban residential areas with a low ambient noise level (50 dBA). (Ex. B at 3.) Levels for all pertinent equipment on the Project site are up to 14 dB higher, as shown in USEPA Table I-a. (*Id.*)

3. The MND's operational noise analysis is incomplete.

The City is unresponsive regarding the MND's lack of quantitative analysis on operational mechanical noise. As Ms. Toncheva explained in her initial comments, the MND claims, without evidence, that "there would be a less than significant impact" from the Project's operational noise. (Ex. B at 4; RTC Memo at 3-97.) Although the MND does identify a criterion for HVAC noise, to provide a "stationary source impact finding" based on that criteria, the study would need to make a numerical estimate of HVAC noise from the Project. (Ex. B at 4; RTC Memo at 2-29.) No such predictions were provided, so the City's assertion that there would be a less-than-significant impact from operational noise is unsubstantiated. (Ex. B at 4.)

Overall, the RTC Memo was unresponsive to the specific noise issues Ms. Toncheva raised in her original comments. The City failed to address any substantial temporary and permanent noise increases at residences near the Project, adequately evaluate the Project's potentially significant construction impacts, and provide a full analysis of mechanical noise.

C. Response 2.7 - Air Quality Impacts

In Response 2.7 of the RTC Memo, the City replied to Comment 7. Comment 7 is composed of comments from SAFER's December 20 Letter that summarize the findings of air quality experts Matt Hagemann and Dr. Paul Rosenfeld from the environmental consulting firm Soil/Water/Air Protection Enterprise ("SWAPE"). SWAPE reviewed the MND and air quality analysis the City had prepared for the Project. SWAPE concluded that the Project would have significant adverse impacts related to air quality and human health. Here, SWAPE found that the RTC Memo was largely unresponsive to the specific air quality issues it raised in its original comment letter.

1. The City failed to provide complete CalEEMod Output Files.

In its initial comments on the MND, SWAPE reviewed the MND's California Emissions Estimator Model ("CalEEMod") output files and found that the "Arcadia Town Center v2" model included land use inputs but omitted all other qualitative outputs regarding the Project's construction and operational emissions. (RTC Memo at 2-33, 2-34; Ex. C at 1.) The City claimed that the omissions were due to a software "glitch" and that disclosure of the "complete CalEEMod output files" was irrelevant to determine the appropriate CEQA document. (RTC Memo at 2-30, 2-31.) However, SWAPE maintains that without access to the "User Changes to Default Data" table, it cannot verify if any changes were made to the model's default values or evaluate the accuracy of the model's inputs. (Ex. C. at 1.) CEQA requires public disclosure of a project's environmental impacts to ensure transparency with regards to the potential impacts of

land use developments and to “foster informed public comment.” (*Id.* at 1-2) For the City to comply with CEQA and allow for informed public review of the Project, SWAPE thus recommends that an EIR should be prepared to provide the Project’s complete CalEEMod output files. (*Id.* at 2.) But until this information is provided, the City’s determination that the Project’s potential air quality and GHG emissions are less-than-significant is unreliable. (*Id.*)

2. The City inadequately evaluated the Project’s diesel particulate matter (“DPM”) emissions.

The City maintained that a construction health risk analysis (“HRA”) did not need to be prepared for the Project because the Project’s construction involves limited off-road diesel equipment and has a relatively short construction schedule compared to a 40-year exposure period. (RTC Memo at 2-38.) However, CEQA mandates that all agencies link the emissions of their projects to the potential adverse health impacts they may cause. (Ex. C at 2.) Thus, SWAPE reasserts that the MND’s claim of a negligible health risk impact, without performing a construction HRA, violates CEQA’s requirements. (*Id.*)

Additionally, the City concluded that SWAPE’s construction HRA, which was based on SWAPE’s own CalEEMod emissions, was incorrect and unsubstantiated. (RTC Memo at 2-38.) However, as mentioned above, the City failed to provide the Project’s complete CalEEMod output files and, therefore, SWAPE still cannot verify the accuracy of the Project’s emissions. (Ex. C at 2.) Until this information is provided, SWAPE had to create its own model to try to measure the Project’s potential emissions. (*Id.*) SWAPE also maintains that the MND should compare the Project’s excess cancer risk to the South Coast Air Quality Management District’s (“SCAQMD”) threshold of 10 per million. (*Id.*; RTC Memo at 3-27.)

In its original comment letter, SWAPE performed a screening-level HRA of the Project’s construction-related health risk impacts and found a significant cancer risk, warranting further analysis and use of more developed modeling. (Ex. C at 2.) SWAPE maintains that an EIR should be prepared to include a comprehensive construction HRA to comply with CEQA’s formal regulatory standards. (*Id.*)

3. The City must implement all feasible mitigation measures to reduce the Project’s DPM emissions.

As mentioned above, the RTC Memo failed to provide the output files necessary to verify the Project’s air quality, health risk, and greenhouse gas emissions impacts. (*Id.*) Under CEQA, the City is required to implement all feasible mitigation measures to reduce the Project’s potential air quality impacts. (*Id.* at 3.) Thus, SWAPE maintains its recommendation that the City provide additional feasible mitigation measures, as proposed in its original comment letter. (*Id.* at 2.) To reduce DPM emissions, the City should include various mitigation measures, such as using existing power sources and clean fuel generators, developing a traffic plan to minimize community impacts from construction activities, and requiring use of Tier 4 Final equipment or better for all engines above 50 horsepower. (*Id.* at 3.) The CalEEMod User’s Guide also states

that methods for decreasing DPM emissions include the use of “alternative fuel, electric equipment, diesel particulate filters (DPF), oxidation catalysts, newer tier engines, and dust suppression.” (*Id.* at 4.) These mitigation measures would effectively reduce Project-related DPM emissions by integrating lower-emitting design features into the Project and minimizing construction emissions. (*Id.*) An EIR should be prepared to include all feasible mitigation measures and updated air quality and health risk analyses, ensuring the maximum reduction of emissions. (*Id.*)

Overall, SWAPE found that the City provided inadequate evidence in the RTC Memo to support its claim that the MND sufficiently addressed the Project’s air quality, human health, and greenhouse gas impacts.

III. CONCLUSION

SAFER respectfully requests that the City Council require the City to prepare an EIR in accordance with CEQA to analyze and mitigate the Project’s significant adverse environmental impacts before Project approval. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Hayley Uno".

Hayley Uno
LOZEAU DRURY LLP