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January 3, 2024

VIA EMAIL AND U.S. MAIL

Irma Huitron, Director of Community Development
City of Downey
Community Development Department
11111 Brookshire Avenue
Downey, CA 90241
Email: ihuitron@downeyca.org

Maria Alicia Duarte, CMC
City of Downey
City Clerk's Office
11111 Brookshire Ave
Downey, CA 90241
Email: cityclerk@downeyca.org

VIA EMAIL ONLY

Alfonso Hernandez, Principal Planner
Email: ashernandez@downeyca.org

**Re: Request for Immediate Access to Public Records – Prologis
Stewart and Gray Road Warehouse Project (SCH No. 2022030738)**

Dear Ms. Huitron, Ms. Duarte, and Mr. Hernandez:

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 City of Downey's possession referring or related to the Prologis Stewart and Gray Road Warehouse Project (SCH No. 2022030738), proposed by Prologis, Inc. ("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 demolition of existing five buildings totaling approximately 433,000 square feet (SF) and the construction of an approximately 535,685-square-foot industrial concrete tilt-up building for warehouse/logistics uses. The Project would include 683 auto parking spaces, 255 trailer and/or container parking spaces and 109 dock loading doors. The new industrial building would be used for logistics and distribution purposes, and specifically as a fulfillment center

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and for cold storage. Approximately 95 percent of the warehouse (508,900 SF) would be high cube fulfillment and the remaining 5 percent (26,785 SF) would be for cold storage (i.e., refrigerated warehouse space). The facility would also include 20,000 SF of office area and 25,000 SF of mezzanine area within the 535,685-SF building. The Project would be located on an approximately 29.16-acre site in the southeastern portion of the City Downey, Los Angeles County, California. The Project site is bounded by Hall Road on the north, Woodruff Road on the east, Stewart and Gray Road on the south, and an industrial building on the west. The Project site is comprised of Assessor's Parcel Numbers 6284-019-013 through 017.

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.

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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Please use the following contact information for all correspondence:

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Sheila M. Sannadan
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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:acp

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City of Downey
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Email: cityclerk@downeyca.org

VIA EMAIL ONLY

Alfonso Hernandez, Principal Planner
Email: ashernandez@downeyca.org

**Re: Request for Immediate Access to Documents Referenced in the
Draft Environmental Impact Report – Prologis Stewart and Gray
Road Warehouse Project (SCH No. 2022030738)**

Dear Ms. Huitron, Ms. Duarte, and Mr. Hernandez:

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 Prologis Stewart and Gray Road Warehouse Project (SCH No. 2022030738), proposed by Prologis, Inc. ("Applicant"). **This request excludes a copy of the DEIR and its appendices. This request also excludes any documents that are currently available on the City of Downey website.**¹

The Project proposes the demolition of existing five buildings totaling approximately 433,000 square feet (SF) and the construction of an approximately 535,685-square-foot industrial concrete tilt-up building for warehouse/logistics uses. The Project would include 683 auto parking spaces, 255 trailer and/or container

¹ Accessed <https://www.downeyca.org/our-city/departments/community-development/planning/environmental-documents> on January 3, 2024.

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parking spaces and 109 dock loading doors. The new industrial building would be used for logistics and distribution purposes, and specifically as a fulfillment center and for cold storage. Approximately 95 percent of the warehouse (508,900 SF) would be high cube fulfillment and the remaining 5 percent (26,785 SF) would be for cold storage (i.e., refrigerated warehouse space). The facility would also include 20,000 SF of office area and 25,000 SF of mezzanine area within the 535,685-SF building. The Project would be located on an approximately 29.16-acre site in the southeastern portion of the City Downey, Los Angeles County, California. The Project site is bounded by Hall Road on the north, Woodruff Road on the east, Stewart and Gray Road on the south, and an industrial building on the west. The Project site is comprised of Assessor's Parcel Numbers 6284-019-013 through 017.

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

Please use the following contact information for all correspondence:

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South San Francisco, CA 94080-7037

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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.

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Exhibit D.1

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Cont.

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

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