

Julia Descoteaux

From: Linda M Castellano <linda@lindacastellano.com>
Sent: Thursday, May 14, 2020 3:23 PM
To: Julia Descoteaux
Subject: Revised Environmental Impact Report

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Julia, this email is regarding the revised EIR for WLC. I moved to this area to stay in Moreno Valley but to get away from the "city". I am 100% against changing some of our 2 lane streets to 4 lanes. I for one do not want truck routes in my neighborhood. Why is this map of street changes buried in Mr. Benzeevi's EIR? He has not made the changes needed to mitigate the traffic, noise, pollution so the planning commission needs to vote NO! We already have enough trucks and pollution with the warehouses just southeast of the 60 freeway. The negative impact this would bring to the rural area of Moreno Valley is terrifying!

Hear my voice, it matters!

Linda M. Castellano
Linda@LindaCastellano.com

From: Alejandro Briseno <ab24888@aol.com>
Sent: Thursday, May 14, 2020 3:53 PM
To: City Clerk <cityclerk@moval.org>
Subject: recertification for the WLC

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Dear Planning Commission and City Council. We are MR. and Mrs. Alejandro Briseno and have been living here in Moreno Valley for the last 29 years,same address. all our 5 kids and some our grand kids lived with us,We just love our city because it offer us security and the pleasure of having lake Perris and other nice places to enjoy. I used to go downtown Los Angeles to work,now Im retired and happy to support this project ..WLC. We are sure and very positive that it will help and improve the quality of live of all of us residents of Moreno Valley and all others that will come and work here...please, we need to ask you to expedite the RECERTIFICATION OF THE WLC PROJECT.

MAY GOD BLESS YOU ALL.

Alejandro and Georgina Briseno 24888 Fortune Bay Lane Moreno Valley Ca 92551 951) 498-9390

From: malardner@aol.com
Sent: Thursday, May 14, 2020 4:14 PM
To: Julia Descoteaux
Subject: WLC Revised EIR comments for tonight

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There has not been adequate time given to review these large documents for the WLC in time for tonight's meeting especially with the chaos and disruption of lives due to the virus. We have also been unable to easily meet with neighbors and go over these documents due to disrupted lives, stay at home orders, etc. . Little notice was put out to the communities and neighborhoods about this revised EIR being released and the planning commission meeting happening tonight. It appears there was no news release from the city and this project revised EIR is not obvious on the city web site. For a project with as many impacts as this, there should have been wide public notice to the residents of Moreno Valley as it affects many in the city, especially on the east end and will have long lasting impacts on our quality of life here.

It appears little has changed from the prior version of the EIR to mitigate any prior impacts that were described in the previous EIR and it would appear that additional impacts to our neighborhoods have been added now. There is a proposal to significantly expand streets around the east end that would have a direct impact on our lives in our neighborhood. Street widenings are now proposed for Moreno Beach, Redlands, Ironwood, and Locust. Moreno Beach widening to six lanes over Petit Hill would be a significant impact to our neighborhood with significantly increased noise and traffic over a greater number of hours and destroy the beauty of the hills around this area and the quiet of our neighborhoods. The hills would need to be cut into or even leveled significantly to do this widening. At one time the connection via Eucalyptus to Redlands was supposed to be completed instead of widening Moreno Beach to not impact hills and neighborhoods around this area. And last time this project was discussed the truck traffic from the WLC was supposed to be contained to areas on the east end such as Theodore and Gilman Springs and not onto Redlands and into San Timoteo Canyon. But now it appears the plan is for traffic to be directed even more into our neighborhoods and significantly impact our quality of life. We were promised last time that truck traffic would not flow into San Timoteo Canyon nor impact Redlands Blvd and streets west of there but with these street widenings being proposed that now appears to be the plan - trucks all over the east end. And no where is there a plan for any kind of truck stop or rest area for trucks within the WLC so they will park all over nearby streets illegally as they are already doing now but to a much greater extent. The WLC should incorporate some place like this within the center and not create more impact on neighborhoods.

In this revised EIR there appears to be no change to project set backs, or change to designs adjacent to residential neighborhoods for traffic, air quality or noise. There appears to be no change to the border with the San Jacinto Wildlife Area (where there needs to be a buffer). There is no change to mitigations needed for the diesel exhaust from trucks with the exception of buying greenhouse credits but that does nothing for the people living near this project. There is very little promise of going green with solar installations or green trucks and other vehicles. There is no additional mitigations for city street impacts. There is no mitigation for night time sky lighting from this project. There is no consideration of the increased impacts to Highway 60 and Gilman Springs and this project would add significantly to impacts from traffic on those already busy roadways.

I wish I had more time to review and comment on this project EIR revision but the turn around time is so short. Packing together a general plan update, the Theodore Street interchange and the WLC EIR review in a short time is not fair to the residents in this time of chaos and disruption of lives. And during this time we have an inability to have public meetings where people can easily attend and there is an inability to meet with friends and neighbors due to stay at home orders. And not all people are able to participate via zoom meetings at this time so it is unfair to them. The process should be slowed down during this time of chaos and not rushed and slipped by many residents of the city. Please give us additional time to adequately review the documents and comment on the revised plans. These plans will change our entire way of living and enjoying our home on the east end. We moved to the east end for a more rural life and this is not what we bought into. Please help save our neighborhoods from these increased impacts.

Melody Lardner
a resident of the east end of Moreno Valley (near Moreno Beach and Cottonwood)

From: Greg and Susan Billinger <GSK99@msn.com>
Sent: Thursday, May 14, 2020 4:24 PM
To: Julia Descoteaux
Subject: Don't Approve The World Logistics Center!

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Please share our email with all the planning commissioners. We are residents of Moreno Valley who view the World Logistics Center as a LOSE-LOSE project for the City of Moreno Valley. Residents will lose because they and their children will have to breathe filthy air from particulate matter as the 12,000 daily big rig wheels hit the asphalt and cause huge amounts of particulate matter to enter the air. Young children will be the primary victims of the filthy air here, causing even higher rates of asthma and other life-long health problems. Adults and Older people will also suffer earlier death from the particulates and emissions going into the air. Air pollution and very heavy big-rig traffic is degrading, and the City of Moreno Valley itself will be degraded overall, by having such heavy big-rig traffic and air pollution. It will result in a lowered reputation for the City as a whole.

Residents should not be financially burdened as their tax dollars go into widening all the city roads for big-rigs. The tax dollars should be used for amenities for residents, like parks and libraries that benefit residents, like the beautiful new library Riverside is building. Instead the Moreno Valley taxpayers have to pay, pay, pay more and more taxes, to have massive road widening, just to accommodate big-rigs. This is a totally unfair tax burden on Moreno Valley residents which will benefit one developer but not the residents in any way. Besides enduring very heavy big-rig traffic and noise and pollution, they will see a few warehouse jobs available and no amenities from all the taxes.

Increasing sophistication of robotics in factories will ensure that Moreno Valley residents get few jobs out of this massive polluting development. It is such a VAGUE CONCEPT OF DEVELOPMENT that I believe the planning commission needs to really investigate exactly what all the warehouses will be used for, before approving such a development. By rushing into such a development without really understanding clearly the exact steps and timing and end result and effects, and without being 100% certain that it will really bring any benefits to the majority of Moreno Valley residents, it could turn into a colossal disaster.

This World Logistics Center is a flawed project. Most residents will be deeply unhappy with all the big-rig traffic, pollution, and few jobs.

Do Not Approve This Project!

Sincerely,

Long-time Residents

Greg and Susan Billinger

From: Cipriano Castellano <cyegone@verizon.net>
Sent: Thursday, May 14, 2020 4:25 PM
To: Julia Descoteaux
Subject: REVISED ENVIRONMENTAL IMPACT REPORT

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As a home owner in a rural residential area, I am concerned!

This email is regarding the "revised EIR for WLC"

The proposed changes will make MY neighborhood a "Commercial Route"
This will compromise what is supposed to be a Rural Neighborhood without "Commercial".

Our 2 lanes steets are what they are...2 lanes street that are not to commadate Commercial Trucks! with
will bring "Traffic".

Changing the streets to 4 lanes street will "open the door" for "Commercial Trucks"! mark my words.

Along with the changes will bring "code changes" & changes to OUR neighborhood & so on.....

I moved out into this area, outside the Moreno Valley City...to get away from the "Traffic" & again...
Changing our 2 lanes to 4 lanes will bring that "Traffic" especially the Commercial Trucks! & after that, the door
that WE opened will be hard to close.

These map street changes that were buried in Mr. Benzeevi's EIR, he has not made the changes "needed" to Mitigate the
traffic, noise, pollution.

Our neighborhood has already had a "taste" of that Commercial Traffic.... when the 60 freeway is diverted due to accidents,
closures, fires.....traffic is unbearable especially if you are resident i the ares.

My Voice matters,
Cipriano Castellano
cyegone@verizon.net

Julia Descoteaux

From: Adrian Martinez <amartinez@earthjustice.org>
Sent: Thursday, May 14, 2020 4:33 PM
To: Julia Descoteaux
Cc: amartinez@earthjustice.org
Subject: Earthjustice WLC Revised FEIR Comments Email 1 of 3
Attachments: WLC Revised FEIR Comments 5.14.2020.pdf

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Dear Ms. Descoteaux,

Please find the attached comment letter for the Agenda Item No. 2 on the Planning Commission Agenda for tonight. I will be sending two forthcoming emails with the relevant attachments referenced in the letter.

All the best,
Adrian

Adrian Martinez
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earthjustice.org



May 14, 2020

Ms. Julia Descoteaux
Associate Planner
City of Moreno Valley
juliad@moval.org

Re: NOTICE OF COMPLETION - Revised Final Environmental Impact Report (Revised Final EIR) (2012021045); Agenda Item No. 2 on May 14, 2020 Planning Commission Meeting (World Logistics Center Project Development Agreement, Tentative Parcel Map for Finance and Conveyance Purposes only with Certification of the Recirculated Revised Final Environmental Impact Report)

Dear Ms. Descoteaux:

I respectfully submit the following comments to the 2020 Revised Final Environmental Impact Report (“Revised FEIR”) for the World Logistics Center Project (“WLC” or “Project”), in addition to the World Logistics Center Project Development Agreement, Tentative Parcel Map for Finance and Conveyance Purposes Only. Please present these comments and the attachments to the Planning Commission prior to hearing this matter.

As described in the Revised FEIR, this Project entails construction of the largest warehouse development in the nation. For a development of this magnitude, it is vital to properly disclose the environmental consequences of the proposed action and to identify and adopt all feasible mitigation measures and alternatives. Unfortunately, the Revised FEIR continues to fail in its duty to comply with the California Environmental Quality Act (“CEQA”). As such, the City cannot rely on the environmental review contained in the document for the purpose of Project approval, and must require preparation and circulation of a new Recirculated Draft Environmental Impact Report (“Recirculated DEIR”) to allow the public and decision-makers an opportunity for meaningful review of the Project’s impacts, prior to issuing any Project approvals.

I. The Air Quality Analysis Continues To Be Flawed.

The various versions of the EIR constantly have sought to understate air quality impacts from this project. But, high levels of emissions and impacts will result from this Project. The thousands of trucks and other vehicles associated with this project will harm a large area of the region with impacts to local residents in the project vicinity most acutely. The decision on this Project is being based on a flawed air quality analysis.

For example, the Statement of Overriding Considerations concludes “[c]urrently, the 2016 AQMP is being reviewed by the U.S. EPA and CARB. Until the approval of the EPA and

CARB, the current regional air quality plan is the Final 2012 AQMP adopted by the SCAQMD on December 7, 2012. Therefore, consistency analysis with the 2016 AQMP has not been included.” Statement of Overriding Considerations, at 151. This is wrong. The EPA approved the 2016 AQMP on October 1, 2019. 84 Fed. Reg. 52005 (Oct. 1, 2019). Therefore, the EIR must analyze the projects compliance against the 2016 AQMP. Moreover, conclusory statements about compliance with the 2016 AQMP are not sufficient. The Revised FEIR and the Statement of Overriding Considerations must actually analyze compliance with this most recently approved air plan.

The Revised FEIR also continues to ignore the feasibility of implementing zero-emission technologies, including zero-emission trucks – amongst many classes (ie class 2-8) – as a mitigation measure. The Revised FEIR notes “[t]he mitigation measures adopted included some of the suggestions from [California Air Resources Board’s (“CARB”)] previous letters, but do not include the zero-emission technology requirements. Subsequent environmental review may require that specific technology that work with future users be required as condition of approval, but a broad requirement that unknown future users use a specific technology is not currently feasible since current zero-emission technology is very limited in medium-duty and heavy-duty trucks.” Revised FEIR, at 89.

The Revised FEIR’s dismissal of zero-emissions technologies for a project that spans decades based on an analysis from the past is not supported by CEQA. The Revised FEIR notes that “[t]he status of zero-emission technology was addressed in the responses to both of CARB’s previous letters. Essentially, as CARB’s ongoing multi-year planning (not implementation) effort on the Sustainable Freight Plan to lay out pathways to get to a zero-emission freight sector demonstrates, there are no commercially available technology zero-emission on-road heavy-duty trucks available and as CARB’s own progress report on heavy-duty technology and fuels assessment states zero- and non-zero emission technologies are still at the demonstration phase.” Revised FEIR, at 89. This basis is largely based on an analysis completed by CARB in 2015.

In fact in a more recent fact sheet from the Air Resources Board, the commercial availability is answered with the following:

Are any zero-emission trucks commercial available?

There are more than 70 different models of zero-emission vans, trucks, and buses that already are commercially available from several manufacturers. Most trucks and vans operate less than 100 miles per day and several zero-emission configurations are available to serve that need. As technology advances, zero-emission trucks will become suitable for more applications. Most major truck manufacturers have announced plans to introduce market ready zero-emission trucks in the near future.

California Air Resources Board, Advanced Clean Trucks Accelerating Zero-Emission Truck Markets, available at <https://ww2.arb.ca.gov/sites/default/files/2019-07/190521factsheet.pdf>. In fact, CARB feels comfortable enough with this feasibility of zero-emission trucks that next month it will adopt the Advanced Clean Trucks Rule, which will require manufacturers to produce zero-emission trucks starting as soon as 2024. The Revised FEIR never explains with substantial evidence why zero-emission trucks for any of the classes that will visit this Project

are infeasible to be used at the project start for a portion (or all) of the trucks servicing the new warehouses as they are built. And the Revised FEIR also does not provide substantial evidence why these zero-emission technologies cannot be used out into the future when CARB will require manufacturers to make zero-emission trucks across a broad class of trucks. *See* CARB, Proposed Amendments to the Proposed Clean Trucks Regulation, *available at* <https://ww3.arb.ca.gov/regact/2019/act2019/30daynotice.pdf>. The Revised FEIR failure to address new data on feasibility of zero-emission trucks, including addressing the forthcoming sales mandate from CARB, violates CEQA.

II. The Revised FEIR Fails to Adequately Disclose, Analyze the Significance of, and Provide Mitigation for the Project’s Significant Climate Impacts.

The City’s review of this Project’s climate and greenhouse gas (“GHG”) emissions impacts has always been fatally flawed, as outlined in numerous prior comment letters, which are hereby incorporated by reference. The sufficiency of that analysis is now pending before the California Court of Appeal. Now, in a final EIR released only days before the Planning Commission once again considers Project-related approvals, the City and developer have proposed an entirely new strategy for analyzing and mitigating GHG emissions. The new strategy, like the old, fails to satisfy CEQA’s requirements.

a. Legal Standards

The City’s determinations regarding the significance of greenhouse gas (“GHG”) emissions and the effectiveness of mitigation must be based on a correct interpretation of the law. (See, e.g., *City of San Diego v. Board of Trustees of California State University* (2015) 61 Cal.4th 945, 956 [agency’s use of erroneous legal standard constitutes a failure to proceed in a manner required by law].) Moreover, because the FEIR continues to use a quantitative threshold as the basis for its significance determination,¹ there must be specific, quantitative evidence to support a conclusion that mitigation measure (“MM”) 4.7.7.1 will actually reduce Project emissions sufficiently to achieve compliance with that threshold. (See *Center for Biological Diversity v. California Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 227-28.) And even to the extent the FEIR is still relying on the prior threshold of 10,000 metric tons CO₂-equivalent (“MM CO_{2e}”) per year, the same quantitative evidentiary standard controls.

CEQA establishes strict standards for mitigation. “Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments.” CEQA Guidelines § 15126.4(a)(2). Development of specific mitigation measures may be deferred only if the agency makes an enforceable commitment to mitigation and adopts specific performance

¹ The EIR contains two independent thresholds of significance. (See Draft Recirculated Revised Sections of the Final Environmental Impact Report at 4.7-18.) Exceedance of either threshold would result in significant climate impacts. Accordingly, the City and developer may not dismiss fatal flaws in the EIR’s analysis of one threshold by attempting after the fact to rely solely on the other.

standards that measures must meet. (CEQA Guidelines § 15126.4(a)(1)(B); *King and Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814, 857-58.)

Proposals for the use of offsets or carbon credits as CEQA mitigation must be evaluated in light of other state statutes addressing these instruments. When it adopted Assembly Bill 32 (“AB 32”) in 2006, the Legislature established standards for greenhouse gas offsets used in any statewide Cap-and-Trade system: (1) they must be “real, permanent, quantifiable, verifiable,” and “enforceable” by the California Air Resources Board (“CARB”); and (2) they must be “in addition to any greenhouse gas emission reduction otherwise required by law or regulation, and any other greenhouse gas emission reduction that otherwise would occur.” (Health & Safety Code, § 38562(d)(1), (2).) CARB adopted regulations applying these standards to carbon credits issued by private “registries”—essentially carbon market brokers—who wish to sell credits for use within the Cap-and-Trade system. (*See* Cal. Code Regs., tit. 17, §§ 95970(a), 95971, 95972.)

Evaluating compliance with these standards requires substantial expertise and rigorous analysis. CARB follows a detailed regulatory process in an effort to establish that offset “protocols”² intended for Cap-and-Trade compliance meet statutory and regulatory requirements. (*See* CARB, *California Air Resources Board’s Process for the Review and Approval of Compliance Offset Protocols in Support of the Cap and Trade Regulation* (May 2013), at <https://ww3.arb.ca.gov/cc/capandtrade/compliance-offset-protocol-process.pdf> (visited May 10, 2020); attached as Exhibit A.) Offset credits must represent greenhouse gas reductions that are “permanent” (i.e., will last at least 100 years), “conservatively quantified to ensure that only real reductions are credited,” independently verifiable, and enforceable through “clear monitoring requirements that can be ... enforced by ARB.” (AR 1383:66171.) Offsets also must be “additional, or beyond any reduction required through regulation or action that would have otherwise occurred in a conservative business-as-usual scenario”; this would exclude any “project type that includes technology or GHG abatement practices that are already widely used.” (*Ibid.*; see also *id.*, pp. 66174-75.)

b. Mitigation Measure 4.7.7.1 Fails to Satisfy CEQA’s Requirements

MM 4.7.7.1 falls far short of CEQA’s standards for adequate mitigation. Any finding that the Project’s climate impacts would be less than significant based on implementation of MM 4.7.7.1 would lack both evidentiary and legal support.

i. Mitigation Measure 4.7.7.1 Cannot Support a Conclusion that the Project’s GHG Emissions Will Be Less Than Significant.

MM 4.7.7.1 proposes that the Project’s massive GHG emissions be mitigated through “proof” of either “offsets” or “carbon credits.” (FEIR 1a at 755-56.) As a threshold matter, the

² “Protocols” are, in effect, the rules offset projects must follow. CARB defines an “offset protocol” as “a documented set of procedures and requirements to quantify ongoing GHG reductions or GHG removal enhancements achieved by an offset project and calculate the project baseline. Offset protocols specify relevant data collection and monitoring procedures, emission factors, and conservatively account for uncertainty and activity-shifting and market-shifting leakage risks associated with an offset project.” (Cal. Code Regs., tit. 17, § 95802.)

difference between “offsets” and “carbon credits” is not explained. “Offsets” appear to be purported GHG reductions from projects *other* than those listed by a registry or conducted pursuant to any established protocol or other recognized mechanism for reducing emissions. Yet MM 4.7.7.1 provides no standards for the City’s Planning Official to use in determining whether such “offsets” are “real, permanent, additional, quantifiable, verifiable, and enforceable by an appropriate agency.” These determinations require rigorous, transparent review and substantial expertise, as reflected in CARB’s Cap-and-Trade regulations and protocol review process. There is no evidence that “the City’s Planning Official” has the expertise or capacity to ensure compliance with or enforcement of these standards. Nor does MM 4.7.7.1 provide any performance standards to guide the Planning Official’s determinations. It also appears that the Planning Official would reach his or her determinations without any public or expert review—in short, without any transparency whatsoever. Finally, to the extent MM 4.7.7.1 would apply similar criteria to “offsets” and “carbon credits,” it cannot ensure compliance with those criteria for the reasons discussed below. As a result, MM 4.7.7.1’s reliance on “offsets” is vague, unenforceable, ineffective, improperly deferred, and inadequate under CEQA.

The “carbon credits” provisions of MM 4.7.7.1 similarly are unsupported by either law or evidence.

First, there is no evidence MM 4.7.7.1 will result in effective mitigation. Although MM 4.7.7.1 lists the basic criteria required under Health and Safety Code section 38562(d)(1) and (2), it requires the City to “conclusively presume[.]” that these criteria are satisfied by any offset credit purchased from “a carbon registry approved by the California Air Resources Board.” (FEIR 1a at 756 [listing without limitation “Climate Action Reserve, American Carbon Registry, Verra [formerly Verified Carbon Standard] or GHG Reduction Exchange (GHG RX)”].) The City cannot simply presume that every carbon credit purchased from one of these registries will meet the referenced criteria. On the contrary, to support such a conclusion, the City would need to identify substantial evidence showing that each and every credit generated under each and every protocol used by each and every registry “approved” by CARB, now or in the future, would meet these criteria. No such evidence exists. Indeed, MM 4.7.7.1’s reliance on a conclusive presumption is a tacit concession that no such evidence exists.

Tellingly, MM 4.7.7.1 and CARB take complete opposite approaches to review of voluntary market carbon credits marketed by private registries. CARB does not simply presume all credits issued by specified registries are adequate, as MM 4.7.7.1 would require the City to do. Nor does CARB take registries at their word that all of their protocols meet state requirements. Rather, CARB independently evaluates each protocol through a full regulatory process in order to determine whether it complies with state standards. (See generally 17 Cal. Code Regs. §§ 95970-95972; see also Exhibit A.) Using these procedures, CARB has approved only six protocols for use in the Cap-and-Trade system over the last 10 years. (CARB, Compliance Offset Program, at <https://ww3.arb.ca.gov/cc/capandtrade/offsets/offsets.htm> (visited May 8, 2020).) And, as discussed below, CARB’s approved protocols remain beset by serious questions as to their adequacy and efficacy despite this process. MM 4.7.7.1, on the other hand, completely abandons any pretense of review or oversight. It would *require* the City to accept credits generated under any protocol listed by any registry, without any review

whatsoever of whether those credits or the protocols they were generated under satisfy the measure's stated criteria, and without any ability even to question whether the credit is adequate.

Second, CARB "approval" of a registry does not establish anything about the quality of carbon credits sold by that registry on the voluntary market. The reference to CARB approval in MM 4.7.7.1 is therefore deeply misleading.³ The fact that a registry is "approved by CARB" does not establish that voluntary market carbon credits sold by that registry satisfy the criteria listed in MM 4.7.7.1. CARB approval of a registry to list Cap-and-Trade-compliant credits does not entail CARB review or approval of other protocols used or credits listed by that registry; CARB's procedures for approving compliance protocols and authorizing registries to list credits generated under those protocols are entirely separate. (Compare 17 Cal. Code Regs. §§ 95970-95972 [CARB compliance protocol approval process] with *id.*, § 95986 [establishing conflict of interest, insurance, expertise, and other business requirements for registries that list Cap-and-Trade compliance credits].) At best, MM 4.7.7.1's reference to "approved" registries reflects a misinterpretation of CARB's regulations and their application (or lack thereof) to the quality of offsets traded on the voluntary market; at worst, it reflects an intentional effort to mislead decision-makers and the public. Either way, the measure's reliance on CARB "approval" is legally erroneous. As a result, a registry's "CARB-approved" status cannot support any conclusion regarding the effectiveness of MM 4.7.7.1, the ability of registry credits to satisfy the measure's purported criteria, or the significance of the Project's impacts after mitigation.

Third, although each private registry may use a wide range of protocols or methodologies in determining which carbon credits to list for sale, the City cannot simply presume that compliance with those protocols ensures compliance with the criteria that purportedly govern MM 4.7.7.1. All GHG offsets are inherently uncertain because reductions embodied in offset credits must be compared against what would have happened without the offset project—a counterfactual scenario that cannot be tested because it will never happen. (See Haya et al. 2016, attached as Exhibit B.) Studies have shown that even the Cap-and-Trade compliance protocols adopted through CARB's regulatory process do not result in one-for-one reductions of GHG emissions. (Haya 2019, attached as Exhibit C; Anderson and Perkins 2017, attached as Exhibit D.) CARB's compliance protocols are largely based on Climate Action Reserve protocols, which suffer from the same deficiencies. Moreover, American Carbon Standard and Verra both list projects using United Nations Clean Development Mechanism ("CDM") methodologies.⁴

³ Notably, despite MM 4.7.7.1's suggestion to the contrary, the "GHG RX" registry has *not* been approved by CARB to handle transactions in Cap-and-Trade offsets. (California Air Resources Board, Offset Project Registries, at <https://ww3.arb.ca.gov/cc/capandtrade/offsets/registries/registries.htm> (visited May 8, 2020), attached as Exhibit M.) The "GHG Rx" program was developed by the California Air Pollution Control Officers Association, but it currently lists no available projects or credits available for purchase, and appears for all practical purposes to be defunct. (See CAPCOA Greenhouse Gas Reduction Exchange (GHG Rx), at www.ghgrx.org (visited May 8, 2020); attached as Exhibit N.)

⁴ See American Carbon Registry, Carbon Accounting, at <https://americancarbonregistry.org/carbon-accounting/old/carbon-accounting> (visited May 8, 2020) (generally accepting CDM methodologies with some additional review); Verra, Verified Carbon Standard Methodologies, at <https://verra.org/methodologies/> (visited May 8, 2020) (accepting "any methodology developed under the [CDM] ... for projects and programs registering with VCS).

Scientists and academic experts have long criticized CDM offset projects for their lack of additionality and other flaws. (See, e.g., Aldy and Stavins 2012, attached as Exhibit E; Cames et al. 2016, attached as Exhibit F; Haya 2009, attached as Exhibit G; He and Morse 2013, attached as Exhibit H; Wara 2008, attached as Exhibit I; Zhang and Wang 2011, attached as Exhibit J.) Carbon markets can also create perverse incentives that undermine the environmental integrity and additionality of offsets. (Schneider & Kollmuss 2015; attached as Exhibit K.)

ii. MM 4.7.7.1 Improperly Defers Formulation of Mitigation.

Because MM 4.7.7.1 defers the identification of specific measures to offset the Project’s GHG emissions (whether those measures are denominated “offsets” or “carbon credits”), it must meet CEQA’s requirements for deferred mitigation. It fails to do so. MM 4.7.7.1 lacks specific performance standards “the mitigation *will* achieve.” (CEQA Guidelines § 15126.4(a)(1)(B).) The measure’s list of basic criteria offsets and credits must satisfy does not suffice, because the measure does not establish any performance standards governing how compliance with those criteria will be measured. Performance standards must be specific, not so vague as to grant officials unfettered discretion as to whether effective mitigation will be implemented at all. See *King and Gardiner Farms*, 45 Cal.App.5th at 857-58. As discussed above, there is no evidence the voluntary market registries’ processes are designed to ensure carbon credits comply with these criteria, and the City cannot wish this lack of evidence away by “presuming” otherwise. Nor is there any evidence the City’s Planning Official can credibly implement these criteria in the absence of any performance standards, guidance, or relevant expertise in evaluating offset projects or carbon credit purchases. MM 4.7.7.1 simply requires the City to presume that whatever a developer submits is adequate. That is not a performance standard. Nor is it even an adequate commitment to ensure mitigation is implemented. MM 4.7.7.1 is improperly deferred.

iii. MM 4.7.7.1 Improperly Defers Implementation of Mitigation.

Implementation of mitigation under MM 4.7.7.1 is also improperly deferred until after emissions occur. Under CEQA, mitigation measures must be in place before an impact occurs; unmitigated impacts are not permitted before mitigation is implemented. *King and Gardiner Farms, LLC v. County of Kern* (2020) 45 Cal.App.5th 814, 860. Rather, “[o]nce the project reaches the point where activity will have a significant adverse effect on the environment, the mitigation measures must be in place.” *POET, LLC v. State Air Resources Bd.* (2013) 218 Cal.App.4th 681, 738. Accordingly, there must be substantial evidence that GHG reductions embodied in offsets or carbon credits have actually occurred prior to any GHG-emitting activity. MM 4.7.7.1 violates this requirement by allowing a developer to provide offsets or carbon credits as a condition of issuance of a certificate of occupancy. (FEIR 1a at 756). However, a certificate of occupancy cannot be issued until after grading and construction are complete and the buildings are inspected. (See generally 2019 California Building Code, tit. 24, Part 2, § 111.) By that time, all construction-related emissions will have occurred *before* mitigation is in place—a clear violation of CEQA’s prohibition against deferred implementation. Moreover, some carbon credit registries (including Climate Action Reserve) are now marketing carbon credits based on “forecasted” emissions reductions that have not yet occurred. Reliance on such credits—which MM 4.7.7.1 does nothing to restrict—also would violate CEQA’s requirement that mitigation be in place before impacts occur.

iv. MM 4.7.7.1 Is Not Adequately Enforceable.

MM 4.7.7.1 improperly eliminates any role for the City in enforcing the effectiveness of mitigation. At best, MM 4.7.7.1 relies entirely on enforcement by carbon credit registries, without identifying any evidence as to how or whether enforcement might occur, and how or whether City enforcement could serve as a backstop in the event registry enforcement fails. As a result, credits under MM 4.7.7.1 are not “enforceable by an appropriate agency” as MM 4.7.7.1 purports to require. The term “agency” as used in CEQA means a *public* agency, not a third-party broker of offset credits. (See, e.g., Pub. Resources Code §§ 21001.1, 21004, 21062, 21063, 21065, 21069, 21070.) Public agencies are ultimately responsible under CEQA for the efficacy and enforcement of mitigation measures. Public agencies must make findings regarding the significance of impacts and the incorporation of feasible mitigation measures (*id.*, § 21081), and must adopt mitigation monitoring and reporting plans that ensure implementation and enforcement of mitigation (*id.*, § 21081.6). The City cannot delegate its basic legal responsibilities under CEQA to developers, offset program operators, registries, or other third parties.

Nor can MM 4.7.7.1 be deemed enforceable by virtue of any third-party agreements that might govern the registries’ issuance of carbon credits. Under MM 4.7.7.1, it does not appear the City would even be aware of, much less be able to monitor or enforce, any agreement between an carbon credit project developer and the registry listing the credits. And even if any such agreement were capable of being enforced by the registry (for example, where an offset project violated the agreement and credits issued by that project were subsequently invalidated), MM 4.7.7.1 contains no mechanism that would require the developer to provide additional credits or take any other action. As the California Attorney General pointed out in a recent amicus brief addressing a substantively similar mitigation measure proposed by the County of San Diego, such measures “lack any adequate criteria to ensure enforceability of the offsets purchased....” (Amicus Brief of the California Attorney General in Support of Petitioners and Respondents, *Sierra Club, et al. v. County of San Diego*, Cal. Ct. App., Fourth Dist., Div. 1, Case No. D075478 (filed Oct. 29, 2019), attached as Exhibit L.) MM 4.7.7.1 improperly abdicates the City’s basic enforcement responsibility.

v. MM 4.7.7.1 Appears to Arbitrarily Limit Mitigation Obligations to 30 Years.

Although MM 4.7.7.1 is not entirely clear on this point, it appears that the developer’s mitigation obligations may be limited to “construction and 30-years operation [*sic*] of all Project facilities.” (FEIR 1a at 756 [citing Tables 4.7-8 and 4.7-16].) Yet nothing in the FEIR appears to limit the Project’s operations to a 30 years following buildout. Accordingly, the FEIR’s conclusion that MM 4.7.7.1 will reduce Project emissions to “net zero” is unsupported. Moreover, as the California Attorney General pointed out in its *Sierra Club v. County of San Diego* amicus brief, developments like the Project that increase VMT result in “structural” GHG emissions that likely will continue well beyond 2050, jeopardizing the state’s ability to meet its

long-term emissions reduction goals.⁵ (See Exhibit L at 22-23.) Mitigation obligations must continue throughout the life of the project.

vi. The FEIR Fails to Address Potentially Significant Impacts of Mitigation.

The FEIR adds an entirely new mitigation strategy, but fails to address any of the environmental impacts of that strategy. CEQA requires analysis of potentially significant impacts that could occur from implementation of mitigation measures. (CEQA Guidelines § 15126.4(a)(1)(D).) Two offset project types generating large shares of offsets on the voluntary offset market globally can have significant environmental and social impacts. Large hydropower projects often impact river water quality and river ecosystems (Haya & Parekh 2011; attached as Exhibit O). Numerous articles have documented the impact that avoided deforestation offset projects have had by displacing forest communities or barring forest communities from their traditional use of the forest. (See, e.g. Kansanga & Luginaah 2019, attached as Exhibit P; Beymer-Farris & Bassett 2012, attached as Exhibit Q.) Researchers also have identified severe adverse environmental and social effects from international forest carbon projects. (See, e.g., Cavanagh & Benjaminsen 2014, attached as Exhibit R.) In the United States and around the world, solar and wind energy projects, livestock digesters, and solid waste to energy projects—all of which are eligible carbon offset projects under various registry protocols—can damage wildlife habitat and increase air pollution. The FEIR’s complete omission of any analysis of these readily foreseeable environmental impacts is legal error and also deprives the FEIR of any evidentiary support.

c. The FEIR Must Be Recirculated for Full Public Review and Comment.

The FEIR contains significant new information and must be recirculated for public review and comment before being considered by the City. (CEQA Guidelines § 15088.5.) The FEIR reflects a fundamental change in how climate impacts are disclosed, analyzed, and mitigated. Prior to release of the FEIR, environmental review for this Project assumed that all GHG emissions with some tenuous connection to the state’s Cap-and-Trade system (what the FEIR still misleadingly calls “capped” emissions) could be dismissed as less than significant. Now, with the California Court of Appeal poised to rule on the correctness of this argument, the City and the developer have switched strategies entirely, substituting a “net zero” analysis for the EIR’s previous “capped emissions” analysis.

Recirculation is required here for at least two reasons. First, the FEIR’s new analysis, however conditional, shows that prior versions of the EIR were fundamentally inadequate. By including a brand new mitigation strategy in the FEIR only a few days before the Planning Commission hearing, the City has thwarted meaningful public comment on significant new information raising complex new issues. Recirculation is required on this basis alone. Second, the FEIR’s new analysis in reveals that impacts previously dismissed as insignificant before mitigation are, in fact, significant. Table 4.7-5 as it appeared in the Draft Recirculated Revised

⁵ This aspect of the Project also deprives the FEIR’s conclusions under the second threshold of significance for climate impacts (interference with policies or plans) of support.

Sections of the Final Environmental Impact Report measured only “Total Uncapped” Project emissions in applying the 10,000 MT CO₂e/year significance threshold. (DRRSFEIR at 4.7-27 to 4.7-28.) The table thus concluded that emissions for 2020 through 2023 would be less than significant without mitigation, even though “Total Capped” emissions exceeded 10,000 MT CO₂e for each year. (*Ibid.*) The FEIR, in contrast, at least conditionally considers all Project emissions—both “capped” and “uncapped”—in applying the 10,000 MT CO₂e/year threshold. By this measure, Project emissions for 2020 through 2023 would exceed the 10,000 MT CO₂e threshold in each year, and thus would be significant before mitigation. The FEIR may not dismiss this impact by concluding that MM 4.7.7.1 will prevent any significant impact after mitigation; the significance of impacts must be disclosed and analyzed prior to development and incorporation of mitigation measures, not after. avoidance (See *Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 655-58.) The FEIR must be recirculated.

III. The Revised FEIR’s Continued Reliance on the Cap and Trade Program to Cover the Vast Majority of GHG Emissions Remains Unlawful.

The Response to Comments in the Revised FEIR does not resolve the significant critiques to the GHG analysis. In fact, it doubles down on the flawed approach of using cap and trade as a mechanism to disguise the vast majority of GHG emissions from this Project. This letter solely addresses a few new items included in the Revised FEIR.

Importantly, the California Air Resources Board, the agency responsible for implementation of AB 32 and the Cap-and-Trade Program, has stated several times that the “[Cap-and-Trade] Program does not, and was never designed to, adequately address emissions from local projects and CEQA does not support a novel exemption for such emissions on this ground.”⁶ In fact, this issue was raised in the Final Statement of Reasons for the 2018 revisions to the California Environmental Quality Act Guidelines where the Building Industry Association made the following request:

Comment 44.37

Guideline 15064.4. Analyzing Impacts from Greenhouse Gas Emissions

Consistent with *Association of Irrigated Residents v. Kern County Board of Supervisors* (2017) 17 Cal.App.5th 708, the following sentence should be added at the end of subsection (b)(3): “Project-related greenhouse gas emissions resulting from sources subject to the cap-and-trade program shall not be considered when determining whether the project-related emissions are significant.”⁷

The Natural Resources Agency emphatically rejected this comment from the Building Industry Association in stating the following:

⁶ Letter from California Air Resources Board to Moreno Valley, September 7, 2018, *available at* https://ww3.arb.ca.gov/toxics/ttdceqalist/logisticsfeir.pdf?_ga=2.143040245.1938875667.1580500719-1770248365.1564513994.

⁷ California Natural Resources Agency, Final Statement of Reasons for Regulatory Action Amendments to the State CEQA Guidelines, OAL Notice File No. Z-2018-0116-12, Exhibit A. at p. 219 (November 2018) *available at* http://resources.ca.gov/ceqa/docs/2018_CEQA_ExA_FSOR.pdf.

Response 44.37

The Agency declines to make any changes in response to this comment. The decision in *Association of Irrigated Residents v. Kern County Board of Supervisors* (2017) 17 Cal.App.5th 708 (“AIR v. Kern”) is from one state appellate court and has not been consistently applied by any other appellate courts. Moreover, the Agency finds that the case does not support the suggested addition. The holding in that case is limited to its facts. That court held only that the CEQA Guidelines may authorize a lead agency to determine that a project's greenhouse gas emissions will have a less than significant effect on the environment based on the project's compliance with the Cap-and-Trade program. The project in that case was directly regulated by the Cap-and-Trade program. The decision did not hold that all emissions from may be subject to the Cap-and-Trade regulation at any point in the supply chain are exempt from CEQA analysis, regardless of how those sources are used by the project.⁸

The Natural Resources Agency further elaborated referencing the Air Resources Board’s letter on the exact project studied in the Draft Recirculated FEIR.

The Agency notes that the California Air Resources Board (CARB) has prepared an extensive legal analysis setting forth why the Cap-and-Trade program does not excuse projects from CEQA’s analysis and mitigation requirements, including emissions from vehicular trips or energy consumption from development projects. (This analysis, prepared by CARB as CEQA comments regarding a major freight logistics facility, is available at <https://www.arb.ca.gov/toxics/ttdceqalist/logisticsfeir.pdf>.) The Agency further notes that CARB’s analysis is consistent with this Agency’s discussion of how greenhouse gas regulations factor into a CEQA analysis of greenhouse gas emissions. (See Final Statement of Reasons (SB 97), December 2009, at p. 100 (“Lead agencies should note ... that compliance with one requirement, affecting only one source of a project’s emissions, may not necessarily support a conclusion that all of the project’s emissions are less than significant”).)

The effect of existing regulations is addressed further in the updates to Sections 15064(b) and 15064.7 of the CEQA Guidelines.⁹

Thus, the agency responsible for implementation of AB 32 and the Cap-and-Trade Program, in addition to the agency responsible for drafting the CEQA Guidelines the Draft Recirculated FEIR relies upon for authority disagrees with the approach taken by the City to rely on Cap-and-Trade for all transportation and energy emissions.

Instead of adhering to the position of the relevant agency, the Revised FEIR continues to rely on two agencies that deserve no deference on this issue. But, even if these agencies positions were entitled to deference on this issue, which they are not, the evidence in the record is flawed. The Revised Final EIR includes new attachments A and B, which are the specific South Coast AQMD Documents relied upon for the conclusion to support the use of cap and trade to erase

⁸ *Id.*

⁹ *Id.*

transportation and energy emissions. Importantly, both of these documents are from 2014. Since that time, the South Coast has produced several other CEQA documents. In fact, in the most recent document from 2020, they do not use this same approach of arguing emissions from transportation will be addressed under the cap and trade program. See South Coast AQMD, Phillips 66 Los Angeles Refinery Ultra Low Sulfur Diesel Project Environmental Impact Report, available at <http://www.aqmd.gov/docs/default-source/ceqa/documents/permit-projects/2020/01-feir-chapters1-7.pdf?sfvrsn=6>. The Developer asked the South Coast to weigh in on its settlement in Attachment Q, so it is unclear why the Developer failed to ask whether the South Coast AQMD continues to use this clearly flawed cap and trade rationale for transportation and energy-related emissions. In reviewing the other CEQA documents where the South Coast AQMD was a lead agency, I could not find other instances of this approach being used after 2014.

In the context of the San Joaquin Valley APCD document, the Revised FEIR fails to explain the relevance of an agency interpretation that has no nexus to this Project. Because of this, the City must recirculate a Draft EIR to properly disclose the significant climate pollution impacts from this Project.

IV. The FEIR Must Be Recirculated Before Project Approval and Certification.

Under CEQA, an EIR must be re-circulated for review and comment whenever significant new information becomes known to the lead agency and is added to the EIR after public notice of the availability of the draft document has been made, and before the EIR is certified. Pub. Res. Code § 21092.1. Under such circumstances the lead agency is specifically required to re-notice the environmental review document to the public and all responsible agencies, and is required to obtain comments from the same, before certifying the document's impacts and alternatives analyses as well as any mitigation measures. See *id.*; see also, Pub. Res. Code § 21153. A lead agency's decision not to recirculate an EIR must be supported by substantial evidence. Cal. Code Regs. tit. 14 ("CEQA Guidelines" or "Guidelines") § 15088.5(e). "Significant new information" includes any information regarding changes in the environmental setting of the project under review. Guidelines § 15088.5(a). It also includes information or data that has been added to the EIR and is considered "significant" because it deviates from that which was presented in the draft document, depriving the public from a meaningful opportunity to comment upon a significant environmental effect of the project, or a feasible way to mitigate or avoid such an effect at the time of circulation of the draft. *Id.* Some examples of significant new information provided in the CEQA Guidelines are: "(1) information relating to a new significant environmental impact that would result from the project or a new mitigation measure; (2) a substantial increase in the severity of an environmental impact [that] would result unless mitigation measures are adopted; and (3) any feasible alternative or mitigation measure considerably different from others previously analyzed ..." Guidelines § 15088.5 (a)(1)-(3). Recirculation is further required where the draft EIR is "so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded." Guidelines § 15088.5 (a).

The required re-noticing and new comment period for a re-circulated EIR is essential to meeting CEQA's procedural and substantive environmental review requirements, as the EIR's

assessment of a project's impacts, mitigation measures and alternatives and the public's opportunity to weigh in on the same is at the heart of CEQA. *Laurel Heights Improvement Assn. v. Regents of University of California* (1993) 6 Cal.4th 1112, 1123. Where new information is added to an EIR in such a way as to highlight informational deficiencies in the draft document's environmental impacts, mitigation and alternatives analyses, the public must be allowed the opportunity and additional time to comment on the changes made in the final document's analyses. Moreover, where significant new information that is added to the EIR's assessment of a particular impact area falls within the purview of another responsible agency's area of expertise that agency must also be allowed a meaningful opportunity to review and respond to such new information and any changes implicated in the EIR's analyses.

While re-circulation is indeed an exception and not the rule in the preparation of final environmental review documents, it is an exception that must be invoked here – where the absence of significant information rendered the draft EIR ineffective in meeting CEQA's substantive mandates, and now, where included, the addition of significant new information substantially changes the FEIR's analyses and conclusions regarding the Project's impacts, feasible alternatives and required mitigation. *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* (1993) 6 Cal.4th 1112, 1132. As stated in numerous comments to the various versions of the EIR, that document failed to provide critical information regarding the project area and scope of the project's impacts; it failed to adequately describe fundamental information relating to the phasing and timing of the project's massive structural and infrastructural developments; it lacked adequate detail specifically regarding the construction and operations phases of the project; and it contained analyses and mitigation measures relating to the Project's air quality, traffic, human health and biological resources impacts based on outdated or inapplicable studies and data. In some instances the Revised FEIR erratically and arbitrarily includes selective new data into its analysis of the Project's impacts and mitigation measures, and in others critical information remains absent from the document. Whether referenced in the Revised FEIR as new information, or wholly omitted from the document's analyses, the addition of such information is essential to the public's ability to participate in the environmental review process. The Revised FEIR must therefore be re-drafted and re-circulated document to provide the public at large and the Project's numerous other responsible agencies with more time to review and analyze the Project's impacts and to assess or prescribe necessary mitigation measure to minimize those impacts. The City cannot render a determination on the issuance of the project approvals under consideration until such recirculation occurs, and CEQA compliance is assured.

V. The Draft Statement of Overriding Considerations is Unsupported by Substantial Evidence and Fails To Justify the Project's Significant Impacts and Interference with Health Protective Air Quality Standards Attainment

The Statement of Overriding Considerations is insufficient to justify the Project's significant and unavoidable impacts for the reasons explained below. The statement's terms are insufficiently analyzed in both the draft EIR and in the Revised FEIR. Moreover because the Revised FEIR as a whole suffers from serious deficiencies that taint the whole of the analyses contained in the document, the draft statement cannot adequately weigh the Project's adverse, significant impacts with the espoused benefits from the Project contained in any statement of overriding considerations. *Vedanta Society of So. California v. California Quartet, Ltd.* (2000)

84 Cal.App.4th 517, 530 (a project with significant and unmitigated environmental impacts can only be approved when “the elected decision makers have their noses rubbed” in the Project’s environmental effects, and still vote to move forward). As such the statement and its purported benefits must be rejected.

As the lead agency for the Project, if the City is to approve a project of this magnitude, and with the unmitigated significant environmental and human health impacts that the Project will cause, it “must adopt a statement of overriding considerations.” Pub Res. Code § 21081, subd. (b); Guidelines, § 15093. In contrast with mitigation and feasibility findings, overriding considerations can be “larger, more general reasons for approving the project, such as the need to create new jobs, provide housing, generate taxes, and the like.” *Concerned Citizens of South Central L.A. v. Los Angeles Unified School Dist.* (1994) 24 Cal.App.4th 826, 847. Yet, like mitigation and feasibility studies, a statement of overriding consideration is also subject to a substantial evidence standard of review. *Sierra Club v. Contra Costa County* (1992) 10 Cal.App.4th 1212, 1223; Guidelines § 15093, subd. (b).” Thus, an agency's unsupported claim that the project will confer general benefits is insufficient, and the asserted overriding considerations must be supported by substantial evidence in the FEIR or somewhere in the record. *Sierra Club v. Contra Costa County* (1992) 10 Cal.App.4th 1212, 1223; Guidelines § 15093, subd. (b).”

As part of the EIR review process, statements of overriding consideration are intended to “vindicate the ‘right of the public to be informed in such a way that it can intelligently weigh the environmental consequences’ of a proposed project[;]” and they must make a good-faith effort to inform the public of the risks and potential benefits of the Project whose approval is proposed. *Woodward Park Homeowners Ass'n, Inc. v. City of Fresno* (2007) 150 Cal.App.4th 683, 717-718 (citing *Karlson v. City of Camarillo* (1980) 100 Cal.App.3d 789, 804).

In accordance with this standard, before approving the Project and the FEIR the City must show that it has considered each of the Project’s significant and unavoidable impacts in light of *each* of the alleged overriding considerations that it asserts will justify those impacts. *Cherry Valley Pass Acres & Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, 357 (upholding a statement of overriding consideration on the basis that “the City found the project had eight benefits, each of which ‘separately and individually’ outweighed its unavoidable impacts). Thus, the City must specifically consider and set forth overriding considerations to justify the Project’s significant and unavoidable direct indirect and cumulative impacts in each of the following areas: aesthetics, land use and biological resources, noise, traffic and air quality.

The statement of overriding consideration attached to the FEIR asserts two general areas of benefits that it asserts outweigh the Project’s significant and detrimental, un-mitigated impacts: (1) an increase in jobs that improves the job to housing ratio in the City of Moreno Valley, and (2) an increase the in the City’s overall tax revenue, which could be used to improve schools and confer other public benefits to the residents of the City. Any additional public benefits that the draft statement assumes may result from approval of the Project flow from one of those two underlying considerations.

These two alleged benefits are, however, based on erroneous assumptions that (a) the

Project will bring secure, desirable and certain jobs to the City of Moreno Valley; and (b) that the environmental degradation caused by the Project's significant and unavoidable impacts will not outweigh the benefits conferred by the Project in monetary terms, or based on any other form of valuation methodologies. While the draft statement sites thoroughly to "appendix O" the Fiscal and Economic Impact Study, it fails to account for aspects of the job market that will undoubtedly impact the nature and desirability of the jobs made available at the Project, if it is approved, constructed and permitted to operate. Just some of these unmentioned aspects include trends towards employing largely contract, part-time or temporary or short-term labor to fill the jobs created by the WLC. Indeed the study is based on an assumption that either the WLC or other logistics uses will result in the permanent employment of .5 employees per 1,000 building square feet. Appendix O, at 20. Yet the study fails to calculate what the rate of employment would be if some or all of those jobs were characterized as part-time or temporary contract labor employment.

The draft statement of overriding considerations similarly fails to account for any discrepancy in full-time vs. part time, temporary or contract jobs. Moreover, additional aspects of job desirability including working conditions for laborers employed at the WLC or similar logistics enterprises that would operate in the project area are left wholly omitted from both the Appendix O study and the statement, and to the extent the draft statement relies on the development agreement to ensure that such jobs are actually ensured, such assurances are illusory as the development agreement terms remain unclear.

The draft statement of overriding considerations also fails to adequately quantify, either monetarily or based on some other form of valuation method, the consequences of the Project's impacts, specifically including its impacts to human health, the environment and invaluable threatened and endangered biological resources that surround the proposed project area.

Weighing the Project's true impacts against its purported benefits is a critical environmental review requirement. *See Woodward Park Homeowners Ass'n, Inc. v. City of Fresno*, 150 Cal.App.4th, 720. The City must therefore engage in a good faith effort to thoroughly analyze of the full scope of the impacts for which the statement of overriding consideration is being offered.

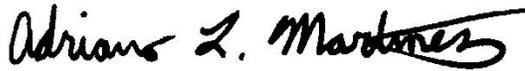
Doing so here would involve some process by which to measure conclusory statements that fully contradict the evidence on the record, such as the statement that the Project will improve health public health. Draft Statement of Overrid., at 209.

Finally, the draft statement of overriding considerations fails to justify the Project's impediment to the South Coast Air Basin achieving federal and state NAAQS, and it's steady, foreseeable future contribution to the region's ability to meet Air Quality Management Plan targets, which are essential to ensuring compliance with state and federal law. The statement of overriding consideration cannot, in essence justify the Project's apparent conflict of potentially causing violations of air quality standards, which carry severe economic sanctions for the 18 million people living the South Coast Air Basin based on parochial economic justifications for one city.

For these reasons stated herein and because the alleged Project benefits included in the draft statement of overriding consideration run counter to the evidence on the record, the City cannot approve the Project, and cannot certify the Revised FEIR as an informational document.

Given the limited time, this comment only raises some of the issues that are of concern related to this project. We appreciate your consideration of these comments. Please do not hesitate to contact us at amartinez@earthjustice.org if you have questions about this comment letter.

Sincerely,



Adriano L. Martinez
Earthjustice

The following Exhibits have been emailed to the Planning Commission for Review.

Exhibit List
(All exhibits submitted in electronic format)

Exhibit	Title
A	California Air Resources Board, <i>California Air Resources Board's Process for the Review and Approval of Compliance Offset Protocols in Support of the Cap and Trade Regulation</i> (May 2013).
B	Haya, B., A. Strong, E. Grubert, and D. Cullenward, <i>Carbon Offsets in California: Science in the Policy Development Process</i> , in J.L. Drake et al. (eds.), <i>Communicating Climate-Change and Natural Hazard Risk and Cultivating Resilience, Advances in Natural and Technological Hazards Research</i> 241-254 (2016) ("Haya et al. 2016").
C	Haya, B. (2019). The California Air Resource Board's U.S. Forest Projects offset protocol underestimates leakage. GSPP Working Paper ("Haya 2019").
D	Anderson, C. & J. Perkins. (2017). Counting California Forest Carbon Offsets: Greenhouse Gas Mitigation Lessons from California's Cap-and-Trade U.S. Forest Compliance Offset Program. Stanford ("Anderson & Perkins 2017").
E	Aldy, J. E. & R. N. Stavins. (2012). The Promise and Problems of Pricing Carbon: Theory and Experience. <i>Journal of Environment & Development</i> , 2, 152-180 ("Aldy & Stavins 2012").
F	Cames, M., R. O. Harthan, J. Füssler, M. Lazarus, C. M. Lee, P. Erickson & R. Spalding-Fecher. (2016). How additional is the Clean Development Mechanism? Berlin ("Cames et al. 2016").
G	Haya, B. (2009). Measuring emissions against an alternative future: fundamental flaws in the structure of the Kyoto Protocol's Clean Development Mechanism (Report No. ERG09-001). Berkeley: Energy and Resources Group ("Haya 2009").

H	He, G. & R. Morse. (2013). Addressing Carbon Offsetters' Paradox: Lessons from Chinese Wind CDM. <i>Energy Policy</i> , 63, 1051-1055 ("He & Morse 2013").
I	Wara, M. (2008). Measuring the Clean Development Mechanism's Performance and Potential. <i>UCLA Law Review</i> , 55, 1759-1803 ("Wara 2008").
J	Zhang, J. & C. Wang. (2011). Co-benefits and additionality of the clean development mechanism: An empirical analysis. <i>Journal of Environmental Economics and Management</i> , 140-154 ("Zhang & Wang 2011").
K	Schneider, L. & A. Kollmuss. (2015). Perverse effects of carbon markets on HFC-23 and SF6 abatement projects in Russia. <i>Nature Climate Change</i> , 5, 1061-1063 ("Schneider & Kollmuss 2015").
L	Amicus Brief of the California Attorney General in Support of Petitioners and Respondents, <i>Sierra Club, et al. v. County of San Diego</i> , Cal. Ct. App., Fourth Dist., Div. 1, Case No. D075478 (filed Oct. 29, 2019).
M	California Air Resources Board, Offset Project Registries, at https://ww3.arb.ca.gov/cc/capandtrade/offsets/registries/registries.htm (visited May 8, 2020).
N	CAPCOA Greenhouse Gas Reduction Exchange (GHG Rx), at www.ghgrx.org (visited May 8, 2020).
O	Haya, B. & P. Parekh. (2014). Hydropower in the CDM: Examining additionality and criteria for sustainability (Working Paper ERG-11-001). Berkeley: Energy and Resources Group ("Haya & Parekh 2011").
P	Kansanga, M. M. & I. Luginaah. (2019). Agrarian livelihoods under siege: Carbon forestry, tenure constraints and the rise of capitalist forest enclosures in Ghana. <i>World Development</i> , 113, 131-142 ("Kansanga & Luginaah 2019").
Q	Beymer-Farris, B. A. & T. J. Bassett. (2012). The REDD menace: Resurgent protectionism in Tanzania's mangrove forests. <i>Global Environmental Change</i> , 22, 332-341 ("Beymer-Farris & Bassett 2012").
R	Cavanagh, C. & T. A. Benjaminsen. (2014). Virtual nature, violent accumulation: The 'spectacular failure' of carbon offsetting at a Ugandan National Park. <i>Geoforum</i> , 56, 55-65 ("Cavanagh & Benjaminsen 2014").

From: Sharon Eirew <seirew@icloud.com>
Sent: Thursday, May 14, 2020 4:41 PM
To: Julia Descoteaux; Ulises Cabrera; Dr. Yxstian A. Gutierrez; Victoria Baca; David Marquez; Dr. Carla J. Thornton
Subject: City council/ warehouses

Warning: External Email – Watch for Email Red Flags!

Dear Sirs,

I want to voice my strong objection to the continuation of building warehouses. The developer has done nothing for the city. The jobs are mostly low wage and the impact of pollution and destruction of roads destroys the city fabric.

I also object that the city council would push such a hot button topic through with out advance notice to its citizens and the ability to meet in person. I hope they look at the polls which show this topic has a negative poll of 87%. It is pretty clear to me that the citizens of Moreno Valley are tired of fighting this topic.

I am hoping to be part of this virtual meeting but in the event I'm tied up I want my disapproval on record. I just hope the city council doesn't keep giving in to this developer. It makes their decisions questionable when the citizens don't want the warehouses built. Why else would it have been in litigation for so long?

Sincerely,

Sharon Eirew

Sent from my iPhone

-----Original Message-----

From: Jessica Reza <jgreza@yahoo.com>

Sent: Thursday, May 14, 2020 4:45 PM

To: City Clerk <cityclerk@moval.org>

Subject: Recertification of the WLC - Support

Warning: External Email – Watch for Email Red Flags!

De city council & planning commission,

My name is Jessica Reza and I have been a resident of Moreno Valley resident for over 20 years. Over the course of the years I have seen the city come a long way with development and am proud to live in our city that has a lot of good business within it.

Keeping this in mind I would like to express my support for the WLC. Highland Fairview is a company that has a great track record as a business partner in our city. They have supported a lot of local causes in our cities such as non profit organizations to our local hospital to families in need. I am in complete support of anything they bring to the table for business and look forward to seeing a business expansion from a company such as theirs. We need more companies like this in our city to continue to thrive. Please move forward in approving this project again and brining more economic growth, opportunities and tax revenue to our city. Thank you for your time in this matter,

Jessica Reza
951-992-9691

From: George Hague <gbhague@gmail.com>
Sent: Thursday, May 14, 2020 5:01 PM
To: Julia Descoteaux
Cc: City Clerk; Ashley Aparicio
Subject: Sierra Club's WLC letter to the Planning Commissioners

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Dear Planning Commissioners May 14, 2020

RE: World Logistic Center (WLC) Project Development Agreement, Tentative Parcel Map for Finance and Conveyance Purposes only with Certification of the Recirculated Revised Final Environmental Impact Report.

The Sierra Club will be very impressed with each Planning Commissioner who will be able to say that (s)he was able to read all the documents under review for tonight's meeting during the last two weeks — prior to voting. I am still reading and that is why my letter may appear to be last minute, but the public needs even more time to give justice to the comments we want you to consider prior to voting. I also hope if anyone on the commission has accepted gifts of any size from Highland Fairview that they will disclose that at the very beginning and remove themselves from the meeting room during the hearing on the WLC. The public will be grateful for this act of transparency.

The Sierra Club appreciates this opportunity to express a few of many concerns. A major concern is that one of the alternatives doesn't require the maximum coverage of each building with solar as well as some of the passenger car parking areas. This would make it much more likely that all equipment, appliances, cars and many large trucks would be zero emission electric. They would run on sunshine which Moreno Valley has plenty. It is a crime not to use it to reduce the harmful health and global effects of diesel and other petroleum as well as other carbon/hydro carbon based products. It is sad that the Moreno Valley Utility (MVU) doesn't appear to want maximum use of Solar on the WLC's buildings and other large buildings because they want to make money by selling power to them. The City needs to think of the people and the environment and require this alternative. The noise impacts caused by the WLC would be significantly reduced with electric forklifts, yard goats, hostlers, yard trucks, sweepers, Alternative Power Units (APU's), pallet jacks, trucks of all different sizes as well as all the job-eliminating automation and robotics.

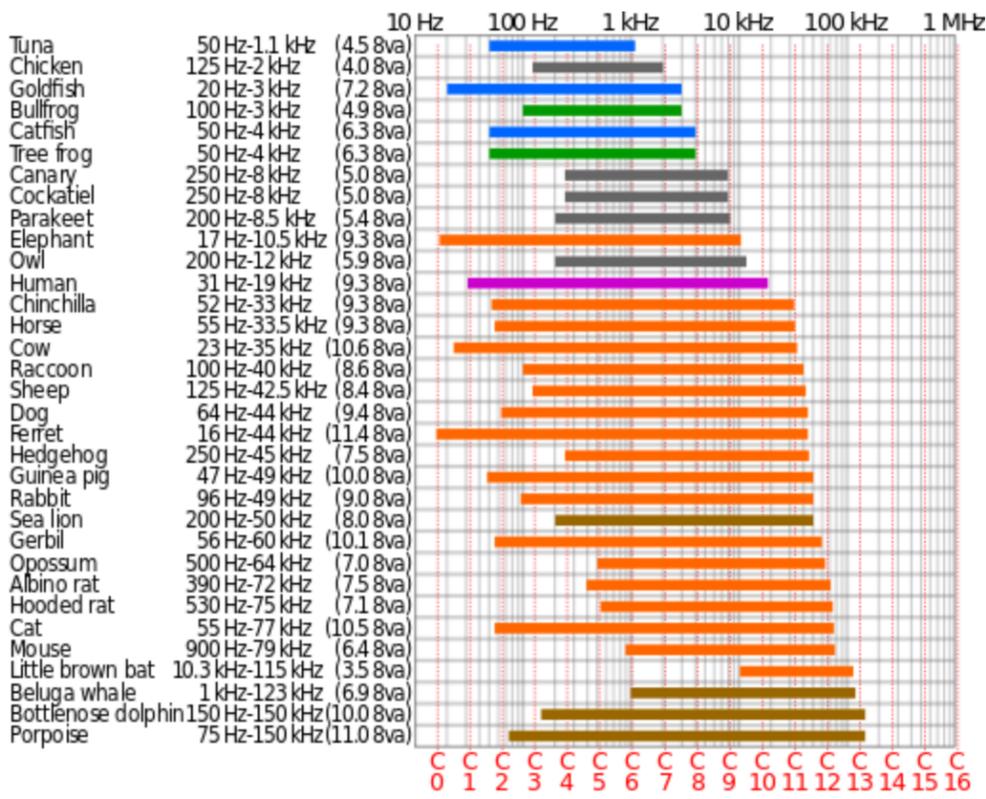
The trucks also emit diesel particulate matter that lingers over communities, creating 'diesel death zones' that elevate levels of asthma, heart disease and cancer. Rapidly phasing out diesel trucks for clean electric trucks would be a huge win for our community, public health, and air quality. The WLC must pre-wire the entire project for electric trucks to protect their workers and residents. Much of Moreno Valley's officially designated "Disadvantage Areas" is the result of diesel pollution. from approved warehouses. Electric trucks are already on the road in California and will be used everywhere well before the proposed 15 year buildout of the WLC. Maximum Solar on all roofs and car parking areas could be a source of energy for these trucks and also help to reduce the pollution in our non-attainment area. To protect the Health, Safety and Welfare of Moreno Valley residents and warehouse workers the City decision makers must do everything possible to reduce particulate pollution of the WLC.

"Effects of Residential Gas Appliances on Indoor and Outdoor Air Quality and Public Health in California" from UCLA's Fielding School of Public Health April 2020 study is found in the following link:

<https://ucla.app.box.com/s/xyzt8jc1ixnetiv0269qe704wu0ihif7>.

On page 54 of this article it reads that Riverside County produces 72 Tons/year of PM 2.5 Emissions from Gas Appliances and 960 Tons/year of NOx Emissions from Gas appliances . The WLC must be required to use only electric appliance which includes all water heaters. Regarding outdoor air quality, this report indicates that under a 2018 scenario where all residential gas appliances were transitioned to clean-energy electric appliances, the reduction of secondary nitrate fine particulate matter (PM2.5) [from nitrogen oxides (NOX)] and primary PM2.5 would result in 354 fewer deaths, and 596 and 304 fewer cases of acute and chronic bronchitis, respectively. The reduction in associated negative health effects is equivalent to approximately \$3.5 billion in monetized health benefits for just one year. While the WLC isn't a residence it will have many appliance and water heaters. The WLC must be part of the solution of reducing PM2.5 and NOx by requiring it to have only electric appliances/water heaters.

Both operational and construction noise pollution will have a major impact of those nearby homeowner and those forced to be within the WLC specific plan, but also many of the resources of the San Jacinto Wildlife Area(SJWA) which would be forced to have an almost two mile border with the WLC. The location of the noise level monitoring sensors for the information in Table 4.4.--7 on page 4.4-98 is very import to make these readings valid for their impact on the SJWA. "Available research indicates that increased noise levels near wildlife areas can contribute to behavioral changes such as increased startling in birds, which can be especially harmful during nesting periods, hunting pattern changes or avoidance which decrease habitat value and use, sleep pattern disruption, and decreased overall health from noise stress. These impacts can affect mammals, birds, and other species present within the SJWA." (page 4.4-99) The World Logistic Center may have some set backs from the SJWA, but they are not restricting mechanical equipment/trucks within these setbacks and therefore much noise will still be produced to impact the SJWA.



As shown in the chart found above the range of hearing ability ranges widely within the animal kingdom. There is nothing in the the WLC environmental documents to show the impacts on the many plants, animals and insects of the San Jacinto Wildlife Area. Remember, this is a wildlife area and not urban park. Some of these species are threatened or endangered or species of concern and based on scientific literature the WLC's generated noises will harm many in many ways. Increased noise levels will not only significantly impact the northern portion of the San Jacinto Wildlife Area, but also along major roads adjacent to the SJWA which will handle a significant increase in truck traffic because of the WLC. Riverside County and the Riverside County that Transportation Commission originally litigated the WLC to provide some improvement and relief to these impacted roads which include, but are not limited to the following roads adjacent to the SJWA as seen in the map: Gilman Springs Road, Bridge Street and the Ramona Expressway. All of these roads will generate additional significant noise as a result of the WLC and will impact many parts of the SJWA. The many different species that rely on the SJWA's very important habitat will be impacted and the current noise analysis doesn't do justice to how each species will react and be harmed.



"Gilman Springs Road from Alessandro Boulevard to Bridge Street (S-16) is already deficient and needs to be widened to four lanes and will need to be widened to six lanes in the future. In accordance with General Plan Policy 5.5.7, the City will require the developer to widen Gilman Springs Road to provide three southbound lanes and one northbound lane along the frontage of the WLC project. The developer will receive a TUMF credit for the portion of the cost of this improvement that exceeds the project's fair share contribution.

1. *However, because Gilman Springs Road is partially a Riverside County facility and is thus partially outside the jurisdiction of the City of Moreno Valley, the City cannot ensure that the identified improvements would be made outside of its jurisdiction. Moreover, there are right-of-way constraints involving sensitive environmental areas that may limit widening to four lanes between Alessandro Boulevard and Bridge Street, or even preclude any widening at all. The project's impacts in the Existing Plus Project scenario on Gilman Springs Road must therefore be considered significant and unavoidable. The City will work with Riverside County find funding for improvements that would provide an acceptable LOS on this road to the extent feasible.*
2. ***Gilman Springs Road from SR-60 to Alessandro Boulevard (S-17)*** *is already deficient and needs to be widened to four lanes. In accordance with General Plan Policy 5.5.7, the City will require the developer to widen Gilman Springs Road to provide three southbound lanes and one northbound lane along the frontage of the WLC project. The developer will receive a TUMF credit for the portion of the cost of this improvement that exceeds the project's fair share contribution.*

Section 4.15 Traffic and Circulation 4.15-113

Revised Sections of the Final Environmental Impact Report

However, because Gilman Springs Road is partially a Riverside County facility and is thus partially outside the jurisdiction of the City of Moreno Valley, the City cannot ensure that the identified improvements would be made outside of its jurisdiction. The project's impacts in the Existing Plus Project scenario on Gilman Springs Road must therefore be considered significant and unavoidable. The City will work with Riverside County to find funding for improvements that would provide an acceptable LOS on this road to the extent feasible." (four paragraphs found above page" (4.15-112/113)

The Different Charts on the Level of Service along Gilman Springs Road from SR-60 to Bridge St. shows a LOS "F"(Table 4.15-7, Table 4.15-15 and others). Since a large portion of Gilman Springs Road is within the County it may remain a LOS F because the City will not be able to require its improvement. The WLC will add significant traffic to Gilman Springs Road which as the Map found above shows runs along much of San Jacinto Wildlife Area's —Davis unite-- eastern border. Traffic wanting to enter/leave the eastern portion of the WLC as well as other portions will use Gilman Springs Road and many of those will also use Bridge Street to transition with the Ramona Expressway. The improvements to the Ramona Expressway will not reach Bridge Street for many years and therefore the project's impact to Bridge Street and the entire section of the Ramona Expressway west to I-215 needs to be fully analyzed.— from Bridge St, This is a route between the WLC and the I-215 that truckers/commuters will heavily utilize. As the CA Department of Fish and Wildlife map found above shows Gilman Springs Road, Bridge Street and the Ramona Expressway are all adjacent to the SJWA. The air quality, noise/vibration, light and water run off pollution as well as fumes/smells from WLC's trucks/commuters using these roads will all significantly impact the resources of the SJWA. The WLC environmental documents fails to analyze/address all these pollutions impacts on the many different species that rely on the SJWA for their very survival as well as the survival of their species. Each SJWA species — which are different at different times of the year — has their own special senses and their reaction/response to the various forms of pollution caused by the WLC will develop/manifest differently from what you and I might suffer.

"The following article on "Noise pollution and the environment : (<https://www.science.org.au/curious/earth-environment/noise-pollution-and-environment>) expresses concerns on the impact of noise on wildlife. Some of the studies shared by the WLC looked at animals in urban settings which in some cases have adapted to City noises. The SJWA is not an urban park, but a wildlife area and noise from WLC human activity will be a big change for a large portion of it. The article found above and partially printed below has a study from Boise State University which shows how a road can impact an area used by wildlife and wrote that noise "prompt more than the usual number of birds on thousand-mile marathons to skip a chance to rest and refuel". The SJWA is a major stop over for many species of birds. Audubon Society during their Christmas bird count in and around the SJWA usually spots between 140 and 155 different species. This includes 25 species of Raptors of which five are owls. These owls are acoustic predators and will be impacted as explained below. This Christmas bird count usually puts this area in the top 1 or 2 % for diversity of bird species for an inland area in all of North America. How will the WLC impact these counts? Gilman Springs Road currently has very few large trucks, but that will change because of the WLC as will the level of noise impacting wildlife/habitat on both side of the road. The WLC needs to fund at least one linkage under or over Gilman Springs Road to reduce road kill of wildlife and also project human life from vehicles hitting wildlife. The WLC is required to "provide three southbound lanes on one northbound along the frontage of the WLC". This will result in very unsafe conditions on the entire southbound portion of Gilman Springs Road which is south of the WLC. The entire northbound lanes of Gilman Springs Road will be unsafe and put truckers and car drivers in harms way which will jeopardize their lives.

There is also a portion of the article found below that also shows how an impact on a species can impact the entire ecosystem. There is nothing in the WLC environmental documents that shows how all the various pollutions generated by the WLC could easily lead to the decline in the ecological value of the SJWA which in turn could harm many species. The state of California has spent more than \$80,000,000 on the SJWA which is also a

Western Riverside County Multi-Species Habitat Conservation Plan Area Core Reserve for the protection of many species. Who pays when the WLC pollutions harms any or all parts of the SJWA?

The following comes from this link: <https://www.science.org.au/curious/earth-environment/noise-pollution-and-environment>

"The population and diversity of certain bird populations has been shown to decline or change when exposed to continuous noise generated by urban environments, such as roads, cities and industrial sites.



Birds may seem well adapted to live alongside humans, but our noises disrupt the way they live. Image source: [Tim Rich and Lesley Katon / Flickr](#).

*Several species have begun to adjust their vocal calls in an attempt to be heard above the din. Male great tits (*Parus major*) for example, have been noted to **change the frequency of their call** in order to be heard over anthropogenic noise. Female great tits prefer lower frequency calls when selecting a mate, but these frequencies are harder to hear over urban noise. Males who sing at higher frequencies are less attractive to females, but females may still mate with them if there are no lower-frequency singers available. Males are therefore placed in a difficult position—sing at a lower frequency and not be heard, or sing at a higher frequency and potentially be dismissed!*

*Another study, conducted in 2007, found that urban European robins (*Erithacus rubecula*), highly territorial birds who rely strongly on vocal communication, **adjusted the timing of their singing** to compensate for acoustic pollution. They began to sing at night when it was quieter, rather than only during the daytime, when noise pollution was at a peak. If birds need to sing at night rather than sleep, it can begin to alter behavioural patterns in urban species.*



The European robin has been known to sing at night, because it's hard to be heard during the day. Image source: [nutmeg66 / Flickr](#).

Scientists **studying the behaviour of scrub jays**, birds common across the western United States, found that they avoid nesting in noisy areas, such as near gas wells where the constantly running compressors drowned out their communication calls. The study's lead author, **Clinton Francis, said**, 'We're starting to see that noise may actually be a big problem, because [it] acts as a form of sensory pollution, forcing animals to adapt their calls to be heard over it, or leave the area altogether'.

However, the study also found something else—as the scrub jays relocated, the forest they left behind began to decline. The birds are considered critical to the health of the pinyon pine ecosystem in New Mexico. In normal conditions, the birds collect and bury pine seeds in preparation for winter. The birds fail to collect all the seeds they bury, and these become the next generation of trees. In the areas near the gas wells, without jays to plant the seeds, the pines are disappearing. This could have long-term effects on ecosystem diversity and structure.



When scrub jays leave their homes to find more quiet areas to live, the forests they once helped to seed start to disappear. Image source: [Bob Devlin / Flickr](#).

Similarly, some birds, such as the black-chinned hummingbird (*Archilochus alexandri*), have been shown to commonly select noisy areas, such as near active gas wells, to avoid nest predators who are themselves more susceptible to sound. Again, this change in behaviour can have unexpected flow-on effects. By discouraging species sensitive to loud sound, and replacing them with more tolerant ones, noise may be reshaping ecosystems. This can potentially alter whole food webs and species combinations, resulting in groupings that may never have occurred naturally in the wild. As researcher at Boise State University in Idaho, [Jesse Barber](#), said, ‘We’re not studying noise. We’re studying ecology’.

There are other effects too. A [2013 study by researchers at Boise State University](#) created a ‘phantom road’ using a series of electronic speakers placed in the woods which played the sounds of a busy highway at regular intervals. The phantom road was situated near an important stop for migratory birds, where they would traditionally rest and fatten up before undertaking the journey ahead. For four days the team turned on the speakers playing the faux traffic noise. The results showed that during the periods of noise, birds stopping to rest in the area declined by more than one-quarter. When the speakers were off, the numbers bounced back. The researchers concluded that [noise can change an animal’s most basic stay-or-go assessments of habitat](#), and ‘prompt more than the usual number of birds on thousand-mile marathons to skip a chance to rest and refuel’.

Birds are not the only animals affected by noise. A [study published in 2010](#) found that noise pollution—specifically traffic noise—decreased the foraging efficiency of an acoustic predator, the greater mouse-eared bat (*Myotis myotis*). Successful foraging bouts decreased and search times increased dramatically with proximity to the highway. As the animals being hunted by the bats are themselves predators, the study noted that ‘the noise impact on the bats’ foraging performance will have complex effects on the food web and ultimately on the ecosystem stability’. Noise pollution could potentially interfere with other acoustic predators, such as owls, in a similar fashion."

Land species

"Noise pollution can also kill off your sex life—at least if you’re a frog. A study conducted in Melbourne, Australia, by Dr Kirsten Parris and colleagues found that, for some highly vocal frog species, [noise pollution is correlated with an increase in the frequency of their calls](#). This increase partially compensates for the loss of communication distance in noise-traffic areas experienced by these frogs. The mating call of male pobblebonk frogs could historically be heard up to 800 metres away by interested females. At very noisy sites, this is reduced to just 14 metres. If male frogs alter their call to a higher frequency to be heard, the females may not like what they hear. Female frogs of some species prefer lower-pitched calls, which often indicate larger and/or more experienced males. Once again for the male frogs, it’s a tough call—to not be heard, or to be heard and rejected!



The pobblebonk frog and other highly vocal frog species have trouble being heard in noisy areas. Image source: [Will Brown / Flickr](#).

Researchers noted a *different outcome for the black-tailed prairie dog* (*Cynomys ludovicianus*) in free-ranging colonies in Colorado. The dogs were exposed to simulated traffic noise from a series of speakers, similar to that which would be heard if a real highway were 100 metres from the colony. The dogs did not leave their homes, but the researchers did note a distinct change in their behaviour during times of traffic noise broadcast:

- The number of prairie dogs above ground declined by 21 per cent.
- The proportion of individuals foraging declined 18 per cent.
- Vigilance (looking out for predators) increased by 48 per cent.
- Social interactions and resting declined by 50 per cent.

The researchers concluded that ‘road noise can alter key survival behaviours’ and that ‘these findings highlight that the presence of animals in a location is no guarantee of population and ecological integrity’. So while noise pollution may not necessarily drive animals away from a site, it may alter their established behaviours and be having a less-obvious negative effect on their physical wellbeing. ”

The following link explains of other impacts to wildlife as a result of noise/vibrations:

<https://www.healthyhearing.com/report/52843-Hearing-in-the-animal-kingdom>

It mentions how human ears are controlled by three muscles, but a 'cat's ear is controlled by close to three dozen muscles". The noise analyze by the WLC fails to study all the frequencies/vibration levels that will impact the many animals, insects and plants that use the SJWA during all times of the year. Since the SJWA doesn't have the noise levels of Moreno Valley, these organisms have never had to adapt and this could result in them as well as the SJWA being harmed.

The article further explains how “**birds in the wild** rely on their keen sense of hearing to alert them of danger” and also locate their next meal. How their ears work in tandem with sharp sight to hunt in the dark. “**Scientists** say some species of moths have hearing 150 times more sensitive than any human. Their ability to hear the highest frequencies (300 kilohertz), helps them escape bats, their main predator, before they are attacked.” The article even mentions that spiders are most sensitive to low-frequency sounds. Snakes and lizards also respond to noise/vibrations. The current WLC documents have not done the sounds studies of all the frequencies at all times of day/night that might impact all the wildlife at the SJWA which makes them inadequate. Page 4.4–98 reads that “The northern portion of the SJWA will experience increased, fluctuating sound levels during construction and operation (e.g., vehicle traffic and truck loading and unloading), but truck traffic and human activity will result in an incremental increase in overall ambient sound over the long term.” “The SJWA, may be subject to construction activity on a 24-hour-per-day, 7-day-per-week schedule.” (Page 4.4–98) These sounds that are mentioned appear to make the SJWA and all its resources collateral damage to the construction and operation of the WLC. That there is nothing or very little within the documents to show how to make this not the case means that much more needs to be done concerning the impacts of the WLC on the SJWA. No operations of the WLC should be allowed within 450 feet of the border of the SJWA — not just structures as required by the CDFW.

The SJWA's ecosystems has evolved over many years of careful management by the California Department of Fish and Wildlife, resulting in diverse and complex biological communities living in balance with their environment. Harm to anyone of those communities by any of the pollutions generated by the WLC will also impact other SJWA communities. These pollutions include, but are not limited to the following: noise/virbrations, air quality, light and water runoff pollution as well as fumes/smells. These forms of pollution would result from both the project site and also from the roads used by those vehicles connected to the WLC. All of these pollutions' direct, indirect, cumulative impacts on the SJWA's ecosystem, resources and all forms of life must be fully analyzed and

eliminated to produce no harm or the WLC's environmental document will be inadequate. The previous WLC's documents relied heavily on what they called the "CDFW owned Conservation Buffer Area" within the SJWA to mitigate impacts on some of the resources of the SJWA. Since the judge ruled against using these lands being used to help mitigate/reduce the WLC's impacts to the SJWA and its resources, almost nothing in the recent WLC documents have replaced those lands for mitigation. In previous environmental documents the WLC used these CDFW owned lands to try to show they will not impact the "MSHCP Conservation Criteria Areas" and Federal Migratory Bird Act and CA DF&W" as shown with redlines on pages 4.4-61 through 4.4-74. Throughout the biological section these "CDFW owned Conservation Buffer Area" previous importance are shown with redlines without any adequate mitigations to replace this "buffer" in the latest WLC environmental documents currently being reviewed. The "CDFW buffer area" and "CDFW Conservation Buffer Area" were mentioned beginning on pages 4.4-3 and 4.4-4 and were continued to be redlined throughout the document without any or adequate replacement mitigations for impacts to the SJWA.

The article's link found above contain the following paragraphs on the impacts of noise to wildlife and domestic animal life:

Our furry best friends

"Even the most pampered of domesticated cats have excellent hearing. They can detect an extremely wide range of frequencies, hearing higher-pitched sounds than humans or dogs. While a human ear consists of three muscles and the three tiniest bones in the body, a cat's ear is controlled by close to three dozen muscles, which allow them to rotate their ears 180 degrees.

By today's standards, most dogs would not be considered wildlife with all the creature comforts lavished upon them by dog lovers, but dogs' sense of hearing is impressive when compared to that of their owners. According to [Bark magazine](#), the frequency range dogs can hear is far greater than that of humans. That's why dogs can hear the ultra high-pitched pulse of the crystal resonator in most alarm clocks and even vibrations emitted by termites inside building walls. Their ears can move independently of one another. If you pay close attention to your best friend, you can gain clues about his mood from the position of his ears.

Birds

Birds in the wild rely on their keen sense of hearing to either alert them of danger or, in the case of birds of prey, to find their next meal with amazing precision. Owls, for example, have crooked ears. [One ear is located slightly forward than the other](#), which aids them in pinpointing sounds of their prey. Because they are nocturnal animals, their hearing works in tandem with sharp sight to help them hunt successfully in the dark. During flight, an owl's left ear picks up sounds from below while the right ear hears sounds from above.

Moths and spiders

Consider the lowly moth, an insect that has spent so many centuries evading predators that its hearing has evolved to being the best in the human and animal kingdom. [Scientists](#) say some species of moths have hearing 150 times more sensitive than any human. Their ability to hear the highest frequencies (300 kilohertz), helps them escape bats, their main predator, before they are attacked."

Since The WLC would be across the street from many homes and it has even forced homes to be within the Specific Plan, its noise impacts will also impact domestic animals and residents of homes that would be forced to live near this massive warehouse project. Nothing or very little will be done to analyze these impacts or to mitigate the WLC's noise and other pollutions that would result from the project site or any of the roads that the trucks/cars use to access/exit the project site. The project noise mitigations have been reduced since the first documents such as construction (grading) activity setbacks have lessened by 2/3 and there are mitigation measure to do away with mitigation measure for sound barriers if there is not 100% approval for installation by those affected. It appears there is a change in how close the Cactus extension will get to Wilmount and there are no longer any mitigation measures for all the streets with increased noise and pollution levels brought on by the project. Allowing more noise and other pollution impacts on people, domestic animals, wildlife and the San Jacinto Wildlife Area is even more evident in these current WLC environmental documents under review versus the previous poorly written WLC documents.

"Some available research¹ states that night lighting can have a wide range of adverse effects on wildlife, including mammals, birds, bats, amphibians, insects, fish, even plants. Effects range from reduced health by upsetting diurnal rhythms, reduced clutch size, egg size, or survival success of nesting birds, to actual mortality from increased predation under higher ambient lighting levels. Bats and certain insects are also attracted to outdoor night lighting, which may adversely affect their survival or cause them to become dependent on the lighting. Small mammals would also be attracted to these areas and might suffer increased predation or roadkill crossing streets."
Page 4.4–100 The World Logistic Center needs to honor the International Dark Sky standards and without that they will be

bringing harm to the resources of the SJWA. In addition they need to limit light poles to 20 feet and dim all lights by 9 pm as well as turn off a majority of them by midnight. Failing to do this means the WLC is not doing everything feasible to reduce significant impacts to the ecosystem of the SJWA and all its resources. If WLC is allowed to move ahead without these restrictions on lighting as well as emitting significant noise and as a result the SJWA resources are severely impacted, then what will be the recourse for the SJWA to be able to return to normal and restore its ecosystem? What is the WLC responsibility to make that happen?

"Research by the California Air Resources Board (CARB)¹ indicates that 80 percent of the particulates generally settle out of the atmosphere within 1,000 feet of emission sources. Therefore, diesel particulate deposition may occur within approximately 1,000 feet of truck activities within the project, which would extend part way into the **northern portion of the** SJWA. (Page 4.4 104) Read the relined words within this section and one realizes that they relied heavily on the CDFW owned Conservation Buffer Area to mitigate the toxic pollution. The document then does nothing replace what they considered was mitigation — CDFW Buffer — for the construction and operation of the WLC. This impact actually extends beyond 1,000 feet because 80% is not 100% and other experts recognize 500 meters (about 1,500 feet) is the area of impact from diesel truck and car pollution. The quote found above only mentions the northern portions of the SJWA., but as explained above both sides of Gillman Springs Road, Bridge Street and the Ramona Expressway will impact habitat as well as the SJWA. The current documents a woefully inadequate in all the studies of all the forms of biological life that can and will be impacted by the construction and operation of the WLC — especially but not limited to the SJWA. Since different animals and other forms of wildlife/plant life/insect life use the SJWA and surrounding lands at different times of the year, the much needed revised studies will be inadequate unless they are all included.

*"Most of the available (and most applicable) research is on diesel pollutant impacts on humans. Although the physiology of many animals is very different than humans, data on health effects from diesel pollution may nonetheless be somewhat instructive when attempting to assess diesel impacts on wildlife. Potential health effects on wildlife obviously depend on the species involved, but in general health effects from air pollution/diesel exhaust include impaired cardiac and lung or respiratory function, reduced heart function or longevity, decreased clutch size or hatching success, increased incidence of cancer and other mutagenic or teratogenic effects, ingestion of air deposited particulates, reduction in overall biodiversity, reproductive failure, etc. In general, impacts on higher animals are most commonly attributed to food loss and reproductive effects, rather than to direct toxic effects on adults." "Research⁶ suggests that wildlife may be more susceptible to air pollutant impacts than humans, due to their smaller size, higher respiration rates, smaller lung capacities, ingestion of local plant materials that have also been exposed, higher metabolic rates, etc., although some factors like shorter lifespans would reduce the length of exposure over time. For these reasons and for the purposes of this analysis, it is assumed that animals within the SJWA would be at least as susceptible to health effects from air pollution, including diesel exhaust **compared to, as humans.**" (Pages 4.4–101/4.4–102.)* The important words in the last sentence are "At Least" which means animals could easily be much more susceptible to all the concerns listed above. The sentence also doesn't address plant life and insect life which are all important parts of the ecosystems. Providing information on tumors may be valid but it doesn't eliminate all the other significant impacts that can befall biological life as a result of the construction and operation of the WLC.

"In addition to pollutants associated with diesel trucks, passenger vehicles produce additional air 2 pollutants including carbon monoxide, nitrogen oxides, particulates, etc. These pollutants will also have indirect impacts on wildlife resources of the SJWA. Two impacts of most concern would be ozone degradation (e.g., plants having an unusual dry or "burned" look) and the deposition of additional nitrogen, both of which can disrupt plant growth cycles. (Page 4.4-102). Direct, indirect and cumulative impacts of all pollutions resulting from the construction and operation of the WLC on the entire SJWA ecosystem as well as surrounding lands needs to fully analyzed and subject to peer review prior to any decision maker voting. The winds that are mentioned would blow the WLC pollutions/noise towards the MSHCP Criteria Cells to the east across Giliman Springs Road. These cells also need the same attention as the SJWA when analyzing the WLC's impacts on their resources. While they try to dismiss some impacts to the SJWA by saying that sometimes the winds blow another direction, they fail to mention the cloud cover we often have that makes noise pollution eve worse.

"Based on available scientific data, it is reasonable to conclude that the **proposed** project, due to its size and expected amount of truck traffic, will have potentially significant impacts on wildlife within the SJWA and east across Gilman Springs Road from project air pollution, including diesel truck exhaust." (Page 4.4–103) Nothing is analyzing the significant impact of fumes/urban smells on the wildlife of the SJWA and surrounding lands. I was once in a wolf preserve and was told by the guide that when we stepped out of the car the wolf already smelled us. We were the equivalent of three city blocks away when we parked. Many animals have much keener senses of smell than we humans and could easily be impacted by the smell of diesel and other urban smells. These could be coming from the project site or from diesel trucks as well as the activities of built warehousing. The environmental documents are inadequate in this area and data is missing for all the species that use the SJWA. How will the impacts be manifested by each species and what will the WLC do to significantly reduce them. Again the ideas of electric equipment for all warehouse related work needs to be required and all warehouses being prewired for electric big rigs must also be required.

Removing almost 2,600 acres from raptor foraging is recognized as an "adverse" impact, but the WLC believes "no mitigation is necessary or proposed". (page 4.4-111) With 25 species of raptors using the area, this is not an acceptable response to this direct, indirect and cumulative impact to this wonderful natural resource. Migration in the area is needed for the loss of raptor foraging and can be combined with mitigation for loss of Agricultural lands.

"The SJWA is a significant resource for avian species and other wildlife. In 1981–82, the State Wildlife Conservation Board initially purchased 15,000 acres of the Mystic Lake area as mitigation for habitat impacts associated with the construction of the State Water Project (SWP)" (Page 4.4 - 22) The above sentence is very incorrect about the initial purchase to begin the SJWA and when Mystic Lake became part of the SJWA as well as its size. The WLC must not compromise the California Department of Fish and Wildlife's mission in regards to the SJWA. That mission is as follows: The Mission of the Department of Fish and Wildlife is to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. The WLC's many forms of direct, indirect and cumulative pollutions based on the current proposal will significantly undermine the CDFW's mission and the ecological value/ecosystem/biological life of the SJWA.

"Research by the California Air Resources Board (CARB)¹ indicates that 80 percent of the particulates generally settle out of the atmosphere within 1,000 feet of emission sources. Therefore, diesel particulate deposition may occur within approximately 1,000 feet of truck activities within the project, which would extend part way into the **northern portion of the** SJWA. (Page 4.4 104) This information means that at the very least family homes within 1,000 feet will also be impacted by what happens during the construction and operation of the WLC. As mentioned above some experts believe pollution impacts will happen to those who live within 500 meters. Articles like the following mention 500 meters,

<https://www.sciencedaily.com/releases/2018/09/180910111237.htm>

<https://dieselnet.com/news/2010/01hei.php>

Operations of the WLC includes all the diesel trucks and cars associated with the project that travel on Moreno Valley roads. Those individuals who at the very least live within 1000 feet of diesel truck routes to and from the WLC will very likely result in health impacts and this may take place over time — especially to the young and elderly. What will be the WLC's responsibility if children along these truck routes or who live within 1,000 feet or 500 meters of the project develop life threatening asthma or other medical problems? Will many develop more underlining conditions and make them more susceptible to COVID—19. The environmental documents must include a large section on COVID — 19 and its impact on Moreno Valley residents — especially those who will live within 500 meters or at the least 1,000 feet of the project and current/proposed truck routes. Making sure all equipment at the WLC is electric and installing electric plugins at all truck docking bays for electric APU's. That all landscape equipment is electric. That each warehouse is required to have a lounge for truckers with TV and fully stocked vending machines to reduce diesel trucks idling their diesel APU's. Require the WLC system to have an enforcement mechanism to immediately refuse entry to the WLC by diesel trucks that do not meet 2010 or newer standards. Build the infrastructure at each warehouse for electric big rig trucks to be recharged and for all electric cars to fast charge. That all homes within a minimum of 1,000 must have a completely new HVAC and air filtration system as well as a ten year maintenance agreement. This happened on two settlement agreements with the Sierra Club on Moreno Valley warehouse projects approved in the last two years and must be required of the WLC.

Title 24 Building Energy Efficiency Standards are updated about every three years and the WLC must be required to meet the current Title 24 standards at time of any construction...Not the Title 24 standards at the time of the entire project approval which could be 15 years old. This will make a big difference in the project's impacts on global warming and Greenhouse Gas as well as other pollutions. The entire project also needs to be required to meet the current LEED standards on all warehouse construction. TUFF fees must be paid throughout the life of the project and at the rate they are at the time they are paid.

We have large areas that are listed as disadvantaged communities because of the pollutions from warehouse projects that have been approved by our decision makers as well as some low income areas. The WLC is a big part of the reason we are on the disadvantaged area map and the current project before the Planning Commission does little to reduce the pollution impacts to our City or the impacted residents. Environmental justice doesn't seem to be important to Moreno Valley's City Council majority. The City is currently undergoing a General Plan Update (GPU) with the World Logistic developer as one of the seven members on the General Plan Advisory Committee. The WLC project before the planning commission will prejudice the General Plan Update and make Moreno Valley's environmental justice and other GPU elements much worse.

The Sierra Club appreciates the opportunity to make comments on the World Logistic Center (WLC) Project Development Agreement, Tentative Parcel Map for Finance and Conveyance Purposes only with Certification of the Recirculated Revised Final Environmental Impact Report. More needs to be written, but time requires that I stop at this point. Most of the pages numbers found above came from the Revised FEIR with Redlines — July 2018. The Sierra Club hopes that all documents were made available to both the public and the decision makers. If any were missing, then the public has a right to see them and use them as the basis for comments prior to any decisions on this project. The Sierra Club believes the current documents are inadequate and incomplete for the

Planning Commissioners to vote in favor of any aspect of the project at this time. You need to recommend the documents be sent back for revision to address the problems/inadequacies/incompleteness we mention above as well as others we didn't have time to research and convey.

Please keep the Sierra Club informed by using this email address and the address under my name.

Sincerely and Stay Safe,

George Hague

Sierra Club

Moreno Valley Group

P.O. Box 1325

Moreno Valley, CA 92556-1325

Julia Descoteaux

From: Karen Jakpor <kmjakpor@gmail.com>
Sent: Thursday, May 14, 2020 1:01 PM
To: Julia Descoteaux
Cc: City Clerk; Jakpor, Karen
Subject: written comments for tonight's meeting on WLC revised EIR
Attachments: Moreno Valley Planning Commission Hearing on the World Logistics Center Revised Final EIR Report.docx

Warning: External Email – Watch for Email Red Flags!

I am submitting these written comments for the Planning Commission to consider for tonight's meeting about the WLC revised EIR.

Best,
Karen Jakpor, MD, MPH
Riverside, CA

Moreno Valley Planning Commission Hearing on the World Logistics Center Revised Final EIR Report
5-13-2020 by Zoom

Comments submitted by Karen Jakpor, MD, MPH 5-14-2020

Dear Members of the Moreno Valley Planning Commission and City Council Members,

You would think that a project that consumes a portion of land equivalent in size to 700 football fields, would be a project that would concern all Moreno Valley residents and would motivate the city to provide for as much public input as possible. You would think that a proposal for “the nation’s largest master-planned warehouse complex” with impacts extending throughout the entire region would warrant hearings conducted in a way as to provide the most environmental justice possible. But here we are, in the middle of a public health crisis the likes of which we have never seen before, and the developer is trying to rush through his project in such a way that community input will definitely be hindered. Shouldn’t the City of Moreno Valley be focusing instead on the immediate needs of the citizens of Moreno Valley while they are suffering through this crisis?

How many of you members of the Planning Commission have read the entire Revised Final Environmental Impact Report cover to cover that you plan to approve during this hearing? Again, the developer is trying to flood us with information written in a difficult way for the community to understand, and I bet challenging for you planners as well. You have to flip back and forth through countless pages to refer to tables in various documents as you are reading. Did you actually do that? If not, how can you say that you have properly evaluated the project being proposed. And for the record, I am very dissatisfied with the responses I received to the numerous questions I submitted during the review process of the revised EIR. In my opinion, this remains an inadequate environmental impact report.

My name is Dr. Karen Jakpor, and I am a physician volunteer with the American Lung Association. I have also been diagnosed with severe asthma and have been hospitalized more times than I can count. Let me distill this enormous report for you. The project should not be approved, because there were “significant and unavoidable impacts” before, and now in the revised EIR there will still be “significant and unavoidable impacts.” So this project can only be approved if the City Council decides there are “overriding considerations.”

Why claim that there are “overriding considerations” warranting project approval when the City of Moreno Valley and the entire Inland Empire already has a hugely disproportionate share of the nation’s warehouses and accompanying air pollution from the association diesel truck trips? Why do we need another warehouse of this size consuming such a huge portion of the land to produce jobs for robots. What we really need are jobs for people, and other projects could provide far more jobs per acre than large warehouses run by robots.

I believe the City of Moreno Valley should consider the impact of COVID-19 in their planning. We could be dealing with the impacts of COVID-19 for some time, and the COVID-19 pandemic directly affects the environmental health impacts of the proposed World Logistics Project. So these impacts, which are not address in this revised final EIR, must be fully evaluated and considered in this report. Without that consideration, the mortality projections from the report are no longer correct.

The reason I say this is that a recent study from Harvard University showed that for each increase in particulate air pollution of 1 µg in PM_{2.5}, there was an associated 8% increase in the risk of death from COVID-19. We know that pre-existing conditions increase the risk of death for COVID-19. Air pollution is causes an increase in many of these same pre-existing conditions, such as cardiovascular disease.

The study found that a person living in a county with high levels of fine particulate air pollution is 15% more likely to die from COVID-19 than someone living in a county with less fine particulate air pollution. The bad news is that we live in a county with some of the highest particulate air pollution. Do we really want to make our risk of dying of COVID-19 even higher by building the World Logistics Center?

So remember, even a small increase in particulate air pollution results in a large increase in the risk of death from COVID-19. That should be your overriding concern as you evaluate this project for approval during a pandemic!

Sincerely,

Karen Jakpor, MD, MPH
Riverside, California

References

<https://projects.iq.harvard.edu/covid-pm>

<https://www.nytimes.com/2020/04/07/climate/air-pollution-coronavirus-covid.html>

<https://www.bloomberg.com/opinion/articles/2020-05-04/how-trump-s-epa-is-making-covid-19-more-deadly>

From: Daniel Mendoza <danprestigeone@gmail.com>
Sent: Thursday, May 14, 2020 10:43 AM
To: City Clerk <cityclerk@moval.org>
Subject: Re-certification for the WLC

Warning: External Email – Watch for Email Red Flags!

Dear Planning Commission and City Council:

It has recently come to my attention that the World Logistics Center Environmental Impact Report needs to be re-certified. As a resident of Moreno Valley, I have come to know the struggles this city has had. The World Logistics Center is the opportunity our community needs to flourish in an ever changing world. While other cities have become known for their great economic merits, Moreno Valley remains unknown by most. A project such as this will allow 15,000 construction job opportunities; if not more. As a result, many people in our communities will be able to financially support their families. Currently, our city is undergoing budget cuts due to the pandemic. This project will provide our local schools with over \$25 million to prevent the layoff of many teachers and the ensure the continued support of low-income families. The city will also be receiving money each year to help our brave first responders. Moreno Valley can and will become the epitome of financial excellence as well as diversity; everyone coming together and working for a common goal. Moreno Valley can become a partner and asset for other businesses and cities alike. Denying this change will negatively impact any chance this city and its people have to prosper. I kindly urge you to re-certify and thus accelerate the process of the Environmental Impact Report.

Best Regards,

Daniel Mendoza
Prestige One Development Corp.
Cell: (951) 906- 8471

-----Original Message-----

From: Vilma Restrepo <vilmarestrepo25@gmail.com>

Sent: Wednesday, May 13, 2020 5:18 PM

To: City Clerk <cityclerk@moval.org>

Subject: Recertification for the WLC

Warning: External Email – Watch for Email Red Flags!

Dear Planning Commission and City Council

My name is Vilma Restrepo and I am a resident of Moreno Valley for over 25 years.

The Planning Commission and the City Council should move quickly to re-certify the Environmental Impact Report for the WLC. With the thousands of jobs that will be created by the WLC we can rest assured that is going to give Moreno Valley an economic boom. Now as we deal with the consequences of the Coronavirus Pandemic, the World Logistics Center will be a super-powered engine that drives the economic recovery of our city, Please re-certify the EIR for the World Logistics Center

Thank you very much for your consideration

Sent from my iPad

-----Original Message-----

From: Andrea Chouinard <andrea1@usa.com>

Sent: Monday, May 11, 2020 6:08 PM

To: City Clerk <cityclerk@moval.org>

Subject: Recertification for the WLC

Warning: External Email – Watch for Email Red Flags!

Dear Planning Commission and City Council,

I am writing to ask you to recertify the plans for the WLC. I am happy to strongly support the WLC in Moreno Valley. I ask that you do everything possible to speed up the process to make the World Logistics Center a long over due reality.

Thank you,

Andrea Chouinard
10510 Canyon Vista Rd.
Moreno Valley, CA. 92557
951-924-0558